



**DEVELOPMENT CONSENT AUTHORITY**

**DARWIN DIVISION**

**MINUTES**

**MEETING No. 149 – FRIDAY 9 JULY 2010**

**BILLABONG ROOM  
NOVOTEL DARWIN ATRIUM  
100 THE ESPINADE  
DARWIN**

**MEMBERS PRESENT:** Peter McQueen (Chairman), Grant Tambling, David Hibbert and Heather Spoberg

**APOLOGIES:** Bob Elix and Garry Lambert

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Doug Lesh and for part of the meeting, Hanna Stevenson, Gemma Eaton and Steven Conn (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Apology

**Meeting opened at 9.00 AM and closed at 1.15pm**

The Minutes of the 248<sup>th</sup> Development Consent Authority meeting held on Friday 18 June 2010 were ratified as a record of attendance and determinations made at the meeting on 28 June 2010.

The Minutes of the Reporting Body Hearing - Darwin Division DCA held on Friday 18 June 2010 were ratified a record of attendance at the meeting 28 June 2010).

#### BUSINESS ARISING FROM MINUTES

Nil

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

ITEM 2 NO ITEM

ITEM 3 INFORMATION ITEM  
DELEGATED APPROVAL LISTING

RESOLVED That the Authority noted the information.  
159/10

ITEM 4 INFORMATION ITEM  
PROPOSED DELEGATIONS

RESOLVED That the Authority noted the information.  
160/10

PA2010/0462 CLEARING OF NATIVE VEGETATION  
LOT 9731 (105) ROCKLANDS DRIVE, TOWN OF NIGHTCLIFF  
APPLICANT DEPARTMENT OF CONSTRUCTION & INFRASTRUCTURE

DAS tabled the file and addressed the Authority on the development application.

RESOLVED That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
161/10 Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the *Act* to determine the application to develop Lot 9731 (105) Rocklands Drive Town of Nightcliff for the purpose of clearing of native vegetation including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- AP matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0508 DEMOUNTABLE FOR USE AS STORAGE IN ASSOCIATION WITH A DENTAL SURGERY**

**LOT 2439 (111) SMITH STREET, TOWN OF DARWIN**

**APPLICANT DUMAS INVESTMENTS**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED  
162/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 2439 (111) Smith Street, Town of Darwin for the purpose of a demountable for use as storage in association with a dental surgery including with respect to granting any variations to the relevant requirements of the N1 planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0524 2 x 3 & 1 X 2 BEDROOM MULTIPLE DWELLINGS IN A 2 STOREY BUILDING**

**Lot 3883 (7) QUARRY CRESCENT, TOWN OF DARWIN**

**APPLICANT MICHAEL GRAHL**

DAS tabled the file and addressed the Authority on the development application

**RESOLVED  
163/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 3883 (7) Quarry Crescent, Town of Darwin for the purpose of 2 x 3 & 1 x 2 bedroom multiple dwellings in a 2 storey building including with respect to granting any variations to the relevant requirements of the N1 planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0526**      **BED AND BREAKFAST ACCOMMODATION**  
**LOT 6526 (26) COPRA CRESCENT, TOWN OF SANDERSON**  
**APPLICANT**      **CAROL MCKENZIE**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**  
**164/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 6526 (26) Copra Crescent, Town of Sanderson for the purpose of bed & breakfast accommodation including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:**                      If delegation exercised Notice of Consent and Development Permit;

**PA2009/0531**      **VERANDAH ADDITION TO AN EXISTING MULTIPLE DWELLING (UNIT 1)**  
**LOT 6243 (129) DICK WARD DRIVE, TOWN OF NIGHTCLIFF**  
**APPLICANT**      **MELISSA NITA DAVY**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**  
**165/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 6243 (129) Dick Ward Drive, Town of Nightcliff for the purpose of a verandah addition to an existing multiple dwelling (Unit 1) including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:**                      If delegation exercised Notice of Consent and Development Permit

**PA2010/0418**      **ABLUTION AND KITCHEN ADDITIONS TO AN EXISTING LICENSED CLUB AND**  
**RELOCATION OF DEMOUNTABLE FOR USE AS AN OFFICE**  
**LOT 5738 (20) CONACHER STREET, TOWN OF DARWIN**  
**APPLICANT**      **NEVILLE JONES SERVICES**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**  
**166/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to

develop lot 5738 (20) Conacher Street, Town of Darwin for the purpose of ablution and kitchen additions to an existing licensed club and relocation of demountable for use as an office including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0532**    **EXTENSIONS TO AN EXISTING SINGLE DWELLING (INCLUDING A SECOND STOREY ADDITION CONTAINING A DEPENDANT UNIT EXCEEDING 50m2 IN FLOOR AREA)**  
**LOT 6894 (28) TIPPERARY COURT, TOWN OF DARWIN**  
**APPLICANT**    **THOMAS McCULLOUGH**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**    That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
**167/10**            Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 6894 (28) Tipperary Court, Town of Darwin for the purpose of extensions to an existing single dwelling (including a second storey addition containing a dependant unit exceeding 50m2 in floor area) including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0549**    **EXTENSIONS TO AN EXISTING SINGLE DWELLING RESULTING IN A 3 STOREY BUILDING EXCEEDING THE 8.5M HEIGHT LIMIT**  
**LOT 4935 (16) SEALE STREET, TOWN OF DARWIN**  
**APPLICANT**    **ABP PERMITS PTY LTD**

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**    That the Authority request that the application be heard at a DCA meeting.  
**168/10**

**ACTION:** To be listed for the 6 August meeting

PA2010/0567 2 x 3 BEDROOM MULTIPLE DWELLINGS  
LOT 10433 (1) MALIGIRMA STREET, TOWN OF NIGHTCLIFF  
APPLICANT ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**  
**169/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 10433 (1) Maligirma Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

PA2010/0568 2 x 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING  
LOT 10380 (23) DAMIRINDA STREET, TOWN OF NIGHTCLIFF  
APPLICANT ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED**  
**170/10**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 10380 (23) Damirinda Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0569** 2 x 3 **BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**LOT 10405 (15) GUMUNGGWA STREET, TOWN OF NIGHTCLIFF**  
**APPLICANT** ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED** That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
**171/10** Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 10405 (15) Gumunggwawa Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0570** 2 x 3 **BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**LOT 10381 (2) BILILIMA STREET, TOWN OF NIGHTCLIFF**  
**APPLICANT** ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED** That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
**172/10** Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 10381 (2) Bililima Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building including with respect to granting any variations to the relevant requirements of the NI planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0571** 2 x 3 **BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**LOT 10413 (28)GUMUNGGWA STREET, TOWN OF NIGHTCLIFF**  
**APPLICANT** ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED** That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
**173/10** Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to

develop Lot 10413 (28) Gumungwa Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0572** 2 x 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING  
**APPLICANT** LOT 10423 (35) GUMUNGGWA STREET, TOWN OF NIGHTCLIFF  
ELTON CONSULTING

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED** That pursuant to section 86 of the *Planning Act*, the Authority delegates to the  
**174/10** Chairman, or in the Chairman's absence any one of the other members of the Darwin Division the power under section 53 of the Act to determine the application to develop Lot 10423 (35) Gumungwa Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by service authorities being suitably addressed by either amended plans or appropriate conditions on a development permit.

**ACTION:** If delegation exercised Notice of Consent and Development Permit

**PA2010/0578** ALTERATIONS AND ADDITIONS INCLUDING OUTDOOR SMOKING AREAS TO  
**APPLICANT** AN EXISTING HOTEL AND RESTAURANT  
LOT 2168 (15) PARAP ROAD, TOWN OF DARWIN  
IN4D

DAS tabled the file and addressed the Authority on the development application.

**RESOLVED** That the Authority request that the application be heard at a DCA meeting.  
**175/10**

**ACTION:** To be listed for the 6 August meeting

**PA2010/0579** CONVERSION OF A CARPORT TO A GARAGE TO AN EXISTING MULTIPLE  
**APPLICANT** DWELLING (UNIT 1)  
LOT 8978 (41) BRINKIN TERRACE, TOWN OF NIGHTCLIFF  
NEVILLE JONES SERVICES

DAS tabled the file and addressed the Authority on the development application.



**RESOLVED**  
**176/10**

That the Authority request that the application be heard at a DCA meeting.

**ACTION:** To be listed for 6 August meeting

**ITEM 5**  
**PA2010/0440**

**SUBDIVISION AND CONSOLIDATION TO CREATE ONE LOT**  
**SECTION 4506 (4) FARRELL CRESCENT & SECTION 4507**  
**(582) STUART HIGHWAY, HUNDRED OF BAGOT**

**APPLICANT**

**GEMA (NT) PTY LTD**

Gema (NT) Pty Ltd - Mr George Isirbas attended the meeting.

Submitter - Mr Michael Lynagh attended with his consultant Mr Neville Jones (Neville Jones Services) showed the members photographs of the traffic on the road adjoining the site taken this morning.

**RESOLVED**  
**177/10**

That, pursuant to Section 531b) of the *Planning Act*, the Development Consent Authority consents to the application to develop Sections 4506 and 4507 (4) Farrell Crescent & (582) Stuart Highway, Hundred of Bagot for the purpose of a subdivision and consolidation to create one lot on a site in Zone GI (General Industry) and SC (Service Commercial) subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to the endorsement of plans or commencement of works (including site preparation), a full set of amended plans 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 must be provided, and be generally in accordance with the plans submitted with the application but modified to show:
  - The requirement for any stormwater drainage easement over Section 4507 in consultation with the Department of Natural Resources, Environment, The Arts and Sport, The Department of Lands and Planning (Road Network Division and Land Administration Division) and Darwin City Council as the case may be.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to the lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. 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.

**NOTE:**

1. The Power and Water Corporation advises that:
  - Regarding electricity, as proposed Part B shall be consolidated with Section 4507 no new power supply will be required.
  - Regarding electricity, existing power supply to Section 4506 will become the supply to proposed Part A.

**REASONS FOR THE DECISION**

1. The development complies with the relevant provisions for subdivision and consolidation under the Northern Territory Planning Scheme and is not considered to have any negative impact on the surrounding area
2. The proposal does not hinder the ability of the land to meet the primary purpose of Zone SC (Service Commercial) which is to "provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites".
3. The proposal does not hinder the ability of the land to meet the primary purpose of Zone GI (General Industry) which is to "provide for general industry".
4. Drainage easements must be resolved at this stage of development as it is noted that the site is within Zone SC (Service Commercial) and the development of certain land uses such as showroom sales is a permitted use and does not require the consideration of the Development Consent Authority. As such, there may be no opportunity to acquire necessary easements at development stage

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

ITEM 6  
PA2010/0495

**SUBDIVISION AND CONSOLIDATION TO CREATE ONE LOT  
PORTION 1556 (22) FARRELL CRESCENT & SECTION 3464  
(25) AMY JOHNSON AVENUE, HUNDRED OF BAGOT  
APPLICANT SIMS METAL GROUP AUST HOLDINGS PTY LTD**

Sims Metal Group Aust Holdings Pty Ltd – Ms Suzanne Dickey, Mr Darren Spencer & Mr Rod Burnett (General Manager) attended and tabled three plans showing proposed stormwater.

**Submitters**

- Mr Brad Cunnington (Masterplan) submitter on behalf of George Isirbas (attended).
- Mr Michael Lynagh attended with his consultant Mr Neville Jones (Neville Jones Services).
- Mr Harry Kakkas (Quality Marine NT) attended.

**RESOLVED  
178/10**

That pursuant to section 53(b) of the *Planning Act*, the Authority alters the application and consents to the proposal as altered to develop Portion 1556 & Section 3464 (22) Farrell Crescent & (25) Amy Johnson Avenue, Hundred of Bagot for the purpose of subdivision and consolidation to create one lot subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the commencement of works or Part V clearance being granted, a Stormwater Management Plan, is to be submitted to and approved by the consent authority on the advice of Darwin City Council, Road Networks Division of the Department of Lands and Planning, and the Department of Natural Resources, Environment and the Arts and Sport, as the case may be, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed Stormwater Management Plan to the satisfaction of the consent authority.
2. Prior to the commencement of works (including site preparation) an environmental management plan for the management and operation of the existing use of the site must be submitted to and approved by the consent authority upon the advice of the Department of Natural Resources, Environment, The Arts and Sport). 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) any particular requirements as specified in the Lease Conditions for C1 E 2317.

3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment and the Arts and Sport and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

#### GENERAL CONDITIONS

4. Works carried out under this permit shall be in accordance with drawings, endorsed as forming part of this permit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to the lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. 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.
8. Written advice from the Land Administration Division of the Department of Lands and Planning that the Lease Conditions for CLT2317 are being adequately complied with to the satisfaction of the consent authority.
9. Discharge of stormwater from the development site is to be managed to prevent uncontrolled discharge to adjoining lands through the provision of kerbing and inlet pits or other appropriate measures. Accordingly, the developer shall ensure that the stormwater runoff from the development site is collected and appropriately discharged into the local stormwater system to the standards and approval of the Road Network Division and/or Darwin City Council.

Any new stormwater outlet onto Amy Johnson Avenue road reserve ~~may~~ not be permitted. Should a drainage outlet onto the Amy Johnson Avenue road reserve be required, the Developer shall connect to existing outfall infrastructure. Stormwater design plans submitted for approval shall provide details of site levels, pre and post development run-off and infrastructure capacity.

The above shall be to the approval of the Road Network Division or Darwin City Council as the case may be and to the satisfaction of the consent authority.

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycle ways;
  - (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 Council, to the satisfaction of the consent authority.
8. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
9. The 10 bedrooms and ground floor office shown on the endorsed plans are to be constructed such that they meet the acoustic performance ratings given in Australian Standard AS 2021 - 2000 (*Acoustics - Aircraft Noise Intrusion Building Siting and Construction*).

#### REASONS FOR THE DECISION

1. The development of an addition of a 10 bed supporting accommodation building to an existing approved development is consistent with the primary purpose of Zone CP (Community Purposes), which is to "provide for community services, whether publicly or privately owned or operated, including facilities for public and government administration".
2. Additional information is considered necessary to satisfy the purpose of Clause 6.14 (Lane Subject to Flooding and Storm Surge), which is to "reduce risk to people, damage to property and costs to the general community caused by flooding and storm surge", as information advising of no adverse impacts during a surge event (similar to what was provided verbally by TCM when the DCA considered the previous supporting accommodation proposal on the subject site) was not provided.
3. A variation to Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme is supported as the development is to cater for single men in need of emergency accommodation, with the intention that this be on a short term basis. It shall work as an extension to the existing 25 bed male hostel at the Bakhila Centre, and accordingly it is considered that no private open space areas for the 10 bedrooms is appropriate as it will not be operating in the same way as a private residential dwelling. In addition, the site has a considerable area of communal open space available for use by all residents, which is easily accessed and heavily landscaped.

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

ITEM 7  
PA2010/0434

**ADDITION OF A 10 BED SUPPORTING/EMERGENCY ACCOMMODATION BUILDING TO AN EXISTING APPROVED DEVELOPMENT  
LOT 9742 (107) DICK WARD DRIVE, TOWN OF NIGHTCLIFF  
ST VINCENT DE PAUL**

APPLICANT

St Vincent De Paul – Ms Janet Buhagiar (CEO) and Sharyn Innes (Sharyn Innes Consultants) attended and tabled a site masterplan and a surge level plan.

**RESOLVED  
180/10**

That pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the application and consents to the proposal as altered to develop Lot 9742 (107) Dick Ward Drive, Town of Nightcliff for the purpose of 10 supporting accommodation units in 1 x 2 storey building, subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to endorsement of the plans and prior to commencement of works (including site preparation) information from an appropriately experienced person (similar to what was provided verbally by ICM when the DCA considered the previous supporting accommodation proposal on the subject site) is to be provided which demonstrates why the proposed use of the property should be approved, having consideration for Clause 6.14 (Land Subject to Flooding and Storm Surge) of the NT Planning Scheme.
2. Prior to endorsement of the plans and prior to commencement of works (including site preparation) a full set of amended plans 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. Three copies of plans drawn to scale with dimensions must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) Waste bin storage and pick up provided in accordance with the requirements of Darwin City Council to the satisfaction of the consent authority; and
  - (b) A schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of Darwin City Council to the satisfaction of the consent authority.

**GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycle ways;
  - (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 Council, to the satisfaction of the consent authority.
8. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
9. The 10 bedrooms and ground floor office shown on the endorsed plans are to be constructed such that they meet the acoustic performance ratings given in Australian Standard AS 2021 – 2008 (*Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*).

#### REASONS FOR THE DECISION

1. The development of an addition of a 10 bed supporting accommodation building to an existing approved development is consistent with the primary purpose of Zone CP (Community Purposes), which is to "provide for community services, whether publicly or privately owned or operated, including facilities for public and government administration".
2. Additional information is considered necessary to satisfy the purpose of Clause 6.14 (Land Subject to Flooding and Storm Surge), which is to "reduce risk to people, damage to property and costs to the general community caused by flooding and storm surge", as information advising of no adverse impacts during a surge event (similar to what was provided verbally by TCM when the DCA considered the previous supporting accommodation proposal on the subject site) was not provided.
3. A variation to Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme is supported as the development is to cater for single men in need of emergency accommodation, with the intention that this be on a short term basis. It shall work as an extension to the existing 23 bed male hostel at the Bakhita Centre, and accordingly it is considered that no private open space areas for the 10 bedrooms is appropriate as it will not be operating in the same way as a private residential dwelling. In addition, the site has a considerable area of communal open space available for use by all residents, which is easily accessed and heavily landscaped.

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

ITEM #  
PA2010/0145

12 X 2 BEDROOM MULTIPLE DWELLINGS IN A 7 STOREY RESIDENTIAL  
BUILDING INCLUDING GROUND LEVEL CARPARKING  
LOT 2463 (5) HOUSTON STREET, TOWN OF DARWIN  
APPLICANT  
SAVVAS SAVVAS

Mr Savvas Savvas attended.

Submitter Mr John Curley attended.

RESOLVED  
1BT/10

That the Development Consent Authority vary the requirements of Clause 7.1 (Residential Density and Height Limitations), Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the Northern Territory Planning Scheme, and pursuant to Section 531b) of the *Planning Act*, the Authority alter the application and consent to the application as altered to develop Lot 247D (2) Houston Street, Town of Darwin, for the purpose of 12 x 2 bedroom multiple dwellings in a 7 storey building with ground level carparking, subject to the following conditions:

#### CONDITION PRECEDENT

1. Prior to the commencement of works (including site preparation) a full set of amended plans 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 must be provided, and be generally in accordance with the plans submitted with the application but modified to show:
  - a. A schematic plan to demonstrate how stormwater will be collected on the site and discharged to Council's stormwater drainage system, to the satisfaction of Darwin City Council;
  - b. Waste bin storage facilities in accordance with Council's Waste Bin Policy, to the satisfaction of Darwin City Council;
  - c. A 3.5m x 3.5m electricity easement to Power and Water Corporation's requirements location; and
  - d. Details of how the 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 in consultation with the Power and Water Corporation and Fire and Emergency Services, as the case may be, to the satisfaction of the consent authority

#### GENERAL CONDITIONS

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



3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to Darwin City Council, to the satisfaction of the consent authority.
5. The owner shall:
  - (a) Remove disused vehicle and/ or pedestrian crossovers,
  - (b) Provide footpaths/ cycleways;
  - (c) Collect stormwater and discharge it to the drainage network; and
  - (d) Undertake reinstatement works;All to the technical requirements of, and at no cost to, Darwin City Council, and to the satisfaction of the consent authority.
6. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) Constructed;
  - (b) Properly formed to such levels that they can be used in accordance with the plans;
  - (c) Surfaced with an all-weather-seal coat; and
  - (d) Drained;To the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council, to the satisfaction of the consent authority.
8. 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.
9. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
10. 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.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.

13. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
14. Storage for waste disposal bins is to be provided to the requirements of Darwin City Council, to the satisfaction of the consent authority.

#### NOTES:

1. Any landscaping works within Council's road reserve are subject to Council's approval, and shall meet Council's requirements to the satisfaction of the General Manager of Infrastructure, Darwin City Council, and at no cost to Council.
2. Darwin City Council advises that, in no circumstances will the temporary storage of garbage and recycling waste bins on Council's road reserve for servicing purposes be permitted. The bins must always be serviced from the designated waste storage area within the property, with collection vehicles only permitted to enter and exit the property in a forward gear.
3. The Power and Water Corporation advises that:

The current local infrastructure can not sustain the necessary fire fighting flows for the development and as a result the developer will be required to contribute towards the upgrade of the local water reticulation infrastructure. The applicant/ developer should contact Power and Water Corporation's Services Development Technical officers prior to the commencement of works to discuss water supply and contribution requirements.

The developer will be required to pay a pro-rata contribution to Power and Water Corporation based on the proportion of pipe flow that the proposed development will draw as it will have an impact on water pressure flows in the Inner Darwin area.

The owner/ developer must install, at no cost to Power and Water Corporation, backflow prevention devices at the outlet of the water meter through which Power and Water Corporation supplies water to the land.

4. The developer is to contact Telstra's Service Stream on 1-800-773-776 or [Commercial.loadin@servicestream.com.au](mailto:Commercial.loadin@servicestream.com.au) prior to any work commencing to facilitate the installation of the Telstra Network.

#### REASONS FOR THE DECISION

1. The proposal is consistent with the primary purpose of Zone HR (High Density Residential), which is, "to provide high density housing options close to major roads, schools and other community facilities".
2. A variation to Clause 7.1 (Residential Density and Height Limitations) of the Northern Territory Planning Scheme is supported as the non-

compliance is minor, being a shortfall of 20m<sup>2</sup> or 2.4% of the site area, and will not have any detrimental amenity impact on the surrounding area.

4. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as screens to a height of 1.8m are in place for a length of 4m along the side of each balcony. Furthermore, the distance from the open portion of the balconies of the proposed development and those of No. 3 and 7 Houston Street is approximately 10m and at a 45° angle, such that there is unlikely to be any adverse impact on the amenity of adjoining or nearby residences from overlooking or loss of privacy. The proposal satisfies the purpose of Clause 7.3, as outlined below (as relevant)

Building setbacks of residential buildings are to be:

- Compatible with the streetscape and surrounding development;
  - Minimise any adverse effects of building massing when viewed from adjoining land and the street;
  - Avoid undue overlooking of adjoining properties; and
  - Encourage breeze penetration through and between buildings.
4. A variation to the setback provisions can be supported on the basis that there is no undue impression of building massing when viewed from adjoining properties and there is no unreasonable overlooking of those properties.
  5. The special circumstances for a variation to the requirements of Clause 7.3 result from the degree of articulation provided, the lack of impact on surrounding lots, the ability to meet the purpose of the clause, and the existing developments present in the surrounding area.
  6. A variation to Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the Northern Territory Planning Scheme is supported as the proposal will see a visual improvement to the site and its surrounds, as per the purpose of Clause 7.7, which aims to ensure that landscaping “complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment”.
  7. The special circumstances for a variation to the requirements of Clause 7.7 result from the shortfall of 0.3% (2.1m<sup>2</sup>) being minor and acceptable, and the clear aesthetic improvement to the site and its surrounds that will result from the works as the vegetation around the perimeter of the site will assist in screening the carparking area.

**ACTION:** Notice of Determination

ITEM 9  
PA2010/0436

VERANDAH ADDITION TO AN EXISTING MULTIPLE DWELLING (UNIT 2) WITH  
A REDUCED FRONT SETBACK

APPLICANT

LOT 4369 (38) CALYTRIX ROAD, TOWN OF SANDERSON  
PATIO WORLD NT

The applicant did not attend.

RESOLVED  
182/10

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the application and consent to the application as altered to develop and use Lot 4369 (38) Calytrix Road, Town of Sanderson for the purpose of a verandah addition to an existing multiple dwelling (unit 2) with a reduced front setback, subject to the following conditions:

#### CONDITION PRECEDENT

1. Prior to the endorsement of plans and commencement of works (including site preparation) 3 full sets of 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 generally in accordance with the plans submitted with the application but modified to show an amended landscaping plan, showing details with regards to plant species and quantities along the affected part of the Calytrix Road frontage which softens the visual impact of the built form on the streetscape.

#### GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. Storm water is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council, to the satisfaction of the consent authority.
5. Before the use/occupation of the development starts the landscaping shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

#### REASONS FOR THE DECISION

1. The development is generally consistent with the form of development expected within Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme.

Page 20 of 29

2. A landscaping plan is required in order to ensure sufficient landscaping will be provided along the Calyrix Road frontage in order to soften the visual impact of built form on the streetscape and amenity of the surrounding area.
3. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as:
  - the required landscaping will soften the visual impact of the verandah on the streetscape along the affected part of the front boundary;
  - the carport encroaches at approximately a 45° angle away from the front boundary, minimising the impact of the reduced front setback.

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

**ITEM 10**  
**PA2010/0367**

**SHED ADDITION TO AN EXISTING MULTIPLE DWELLING WITH A REDUCED FRONT SETBACK (UNIT 2)**

**LOT 5114 (12) FITZMAURICE DRIVE, TOWN OF SANDERSON**

**APPLICANT**

**NAC**

That pursuant to section 97 of the *Planning Act*, Mr Peter McQueen, Chairman of the Development Consent Authority declared an interest and did not take part in the deliberation of this item.

The applicant did not attend.

**RESOLVED**  
**183/10**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the application and consent to the application as altered to develop Lot 5114 (12) Fitzmaurice Drive, Town of Sanderson for the purpose of a shed addition to an existing multiple dwelling (unit 2) with a reduced front setback, subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the endorsement of plans, a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - an amended landscaping plan showing details with regard to plant species and quantities along the affected part of the Fitzmaurice Drive frontage in order to confirm significant vegetation will be in place to screen the proposed development from view from the street, and
  - external colour details of the shed structure to be consistent with the colour of the surrounding development.

## GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. Storm water is to be collected and discharged into the drainage network to the technical standards and of at no cost to Darwin City Council to the satisfaction of the consent authority.

## REASONS FOR THE DECISION

1. The development is generally consistent with the form of development expected within Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme.
2. A landscaping plan is required in order to ensure sufficient landscaping will be provided along the affected part of the Fitzmaurice Drive frontage in order to minimise the visual impact of built form on the streetscape and amenity of the surrounding area.
3. The requirement for amended plans showing external colour for the shed structure will ensure the structure is visually compatible with surrounding development.
4. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as the required landscaping and the colour of the shed will soften the visual impact of the shed on the streetscape along the affected part of the front boundary.

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

**ITEM 11**  
**PA2010/0383**  
**APPLICANT**

**CHANGE OF USE FROM VEHICLE SALES AND HIRE TO SERVICE STATION**  
**LOT 3434 (103) SMITH STREET, TOWN OF DARWIN**  
**AURECON AUSTRALIA PTY LTD**

That pursuant to section 98(4)(b) the Chairman of the Development Consent Authority determined that the Council nominated members of the Darwin Division of the DCA do not have a conflict of interest in this item.

Ms Kate Large (Aurecon Australia Pty Ltd) attended.

**RESOLVED**  
**184/10**

That the Development Consent Authority determine to vary the requirements of Clause 6.3.3 (Urban Design requirements in Central Darwin) and Clause 8.1.4 (Service Stations) of the Northern Territory Planning Scheme and pursuant to Section 53(a) of the *Planning Act*, consent to the application to use and develop Lot 3434

(103) Smith Street, Town of Darwin for the purpose of a service station, subject to the following conditions:

#### CONDITION PRECEDENT

1. Prior to endorsement of the plans and prior to commencement of works (including site preparation) an investigation plan shall be developed to the requirements of NRETAS and the satisfaction of the consent authority. The investigation plan is to address:
  - (a) The development of an appropriate conceptual site model (CSM) to assess contaminant migration from the tank area and the air (including all potential pathways through soil and including conduits such as utility lines, groundwater and surface waters where applicable, such as via sediments and stormwater retention basins);
  - (b) The integrity of all existing tanks and lines;
  - (c) An assessment of whether contamination has occurred from the tanks or lines into the environment; and
  - (d) An outline of reasonable timeframes for the implementation of all procedures given in the plan;
  - (e) The provision of sufficient information to provide the basis for an assessment of the risk posed by the 'contaminant'. The preliminary risk assessment must be developed to consider:
    - i) Characterisation of the receiving environment in the impacted areas (soil, aquifer and water types and other sensitive areas);
    - ii) The fate and transport of the contaminants in each environmental compartment (air, water and sediment);
    - iii) Identification of receptors (nearby sensitive areas such as residential sites and groundwater users);
    - iv) The exposure route between the 'contaminant(s)' and the receptors; and
    - v) The likely risk posed by the 'contaminant(s)'.
2. Prior to the commencement of works (including site preparation) a 'Comprehensive Traffic Management Plan' shall be prepared to the satisfaction of the Department of Lands and Planning's Public Transport Division that addresses the ongoing provision of public transport services during construction.
3. Prior to endorsement of the plans and prior to commencement of works (including site preparation), a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The

plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:

- (a) a survey of all existing vegetation to be retained and/or removed;
- (b) details of surface finishes of pathways and driveways, and
- (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

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

- 4. Prior to endorsement of the plans and prior to commencement of works (including site preparation) written confirmation is required from Darwin City Council that Council is satisfied with the ingress and egress arrangements to Smith Street with regard to the close proximity to the Smith and Daly Streets intersection. This written confirmation is to be to the satisfaction of the consent authority.

#### GENERAL CONDITIONS

- 5. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
- 6. 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.
- 7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
- 8. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council, to the satisfaction of the consent authority.
- 9. 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 Darwin City Council to the satisfaction of the consent authority.
- 10. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) Constructed;
  - (b) Properly formed to such levels that they can be used in accordance with the plans;
  - (c) Surfaced with an all-weather-seal coat;



- (d) Drained,
- (e) Line marked to indicate each car space and all access lanes; and
- (f) Clearly marked to show the direction of traffic along access lanes and driveways.

To the satisfaction of the consent authority.

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

- 11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
- 12. Storage for waste disposal bins is to be provided to the requirements of Darwin City Council to the satisfaction of the consent authority.
- 13. 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.
- 14. 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.

#### **NOTES:**

- 1. Notwithstanding the approved plans, all signage is subject to Darwin City Council approval, at no cost to Council.
- 2. In the event that food is provided for customers, the business must be registered with the Department of Health and Families' Environmental Health Greater Darwin Region and must comply with the NT Food Act 2004 and the national food safety standards: Standard 3.1.1 Interpretation and Application, Standard 3.2.2 Food Safety Practices and General Requirements and Standard 3.2.3 Food Premises and Equipment
- 3. The design and construction of the food premises must comply with the NT Food Act 2004 and the national food safety standards. Standard 3.2.3 Food Premises and Equipment and the Building Code of Australia.
- 4. Detailed plans must be submitted to the Department of Health and Families' Environmental Health Greater Darwin Region via a building certifier for approval prior to the construction of building works. Following approval the premises is required to be registered as a Food Business with the Department of Health and Families' Environmental Health Greater Darwin Region prior to the use being undertaken.

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

- 1. The proposal is generally consistent with the purpose of Zone CB (Central Business), being to "provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural,

residential and retail and other business activities, with a commitment to the separation of incompatible activities".

2. An 'investigation plan', to the requirements of NRETAS, is required to ensure that the use will not have an adverse environmental impact on the subject land, and that appropriate procedures are in place in the event of a mishap.
3. A 'Comprehensive Traffic Management Plan' is to be provided to the satisfaction of the Department of Lands and Planning's Public Transport Division as the site is on a major inbound services route and such a plan is required to give buses priority access along Daly Street during construction.
4. A landscaping plan is required in order to ensure sufficient landscaping will be provided in order to minimise the visual impact of the development on the streetscape and amenity of the surrounding area.
5. A variation to Clause 6.3.3 is supported as the inclusion of awnings and the removal of all ground level car parking spaces would be impractical for a service station development.
6. A variation to subclause 2(c)(ii) of Clause 8.1.4 is supported as the width of the driveway to Smith Street, of 10.5m, is a minor non-compliance and should have no amenity impact on surrounding lots, and this driveway being a distance of less than 9.0m from the driveway to the adjoining lot to the southeast is not expected to result in any traffic hazards as it operates in a one-way direction, as an exit only. The development is seen to meet the purpose of Clause 8.1.4, which is to "ensure that service stations do not, because of appearance or the emission of fumes or noise, unreasonably affect the use and enjoyment of adjacent land.

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

**ITEM 12** **DEPENDANT UNIT ADDITION TO AN EXISTING SINGLE DWELLING WITH**  
**PA2010/449** **REDUCED SIDE AND REAR SETBACKS**  
**LOT 3744 (20) LINDE STREET, TOWN OF NIGHTCLIFF**  
**APPLICANT** **SPIRO KYPREOS**

Mr Spiro Kypreos attended.

**RESOLVED** That, pursuant to section 53(a) of the *Planning Act*, the Development Consent  
**185/10** Authority consent to the application to develop Lot 3744 (20) Linde Street, Town of Nightcliff for the purpose a dependant unit addition to an existing single dwelling subject to the following conditions:

## GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with drawing numbers 2010/0449/1 to 2010/0449/3, endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
3. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council to the satisfaction of the consent authority.

## REASONS FOR THE DECISION

1. The proposed development is generally consistent with the primary purpose of Zone S13 (Single Dwelling).
2. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme to allow a reduced side setback of 0.6 m and a reduced rear setback of 0.6m is supported, as the development will be screened by a existing solid 1.8m high screen fence on both affected boundaries.

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

**ITEM 13**  
**PA2010/0332**

**33 M HIGH TELECOMMUNICATIONS TOWER PLUS ANTENNAS AND EQUIPMENT SHELTER.  
LOT 4579 (18) RAPID CREEK ROAD, TOWN OF NIGHTCLIFF  
AURECON AUSTRALIA PTY LTD**

**APPLICANT**

That pursuant to section 97 of the *Planning Act*, Mr Peter McQueen, Chairman of the Development Consent Authority declared an interest and did not take part in the deliberation of this item.

Ms Kate Large (Aurecon Australia Pty Ltd) attended.

**RESOLVED**  
**187/10**

That, pursuant to section 33(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 4579 (18) Rapid Creek Road, Town of Nightcliff for the purpose of a 33m high telecommunication monopole with three panel antennae and associated equipment shelter and security fencing, subject to the following conditions:

## GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with drawing numbers PA2010/0332/1 through to PA2010/0332/2, endorsed as forming part of this permit.

2. The owner shall provide RAAF Aeronautical Information Service (AIS) with "as constructed" details. RAAF AIS has a web site with a Vertical Obstruction Report Form [www.raafais.gov.au/obstr\\_form.htm](http://www.raafais.gov.au/obstr_form.htm) which can be used to enter the location and height details of tall structures.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority, to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, and electricity to the proposed development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

**NOTES:**

1. The structural integrity and footings of the telecommunications facility will need to be designed taking into consideration the potential impacts from storm surge or flooding.
2. The Power and Water Corporation advises that:
  - An overall maximum power demand calculation for assessment shall be submitted to the Corporation.
  - This property is currently provided with limited capacity of a normal single residential house. Any new development that requires additional power supply will be subject of direct negotiation with Power and Water, in accordance with the Capital Contributions Policy.
2. Darwin International Airport (DIA) advises that cranes used during construction may infringe the Obstacle Limitation Surfaces (OLS) and separate requests for assessment and approval must be submitted to DIA. DIA advises that any associated lighting at the structure must comply with Section 9.21 of the CASA Manual of Standards Part 139.
3. NRETAS advises that it is the responsibility of the developer to ascertain whether the ground level of Section 4579 is above or below the primary and secondary surge levels within the Open Coast Tide Estimate. NRETAS do not have a flood model for the Rapid Creek floodplain. In the event that heavy intense rain in the Rapid Creek catchment coincides with a storm surge event, there will be additional flooding, but this needs to be analysed separately.
4. The application has advised that as a matter of practice future applications will include a statement and assurance that facilities are made available to all other mobile telecommunication carriers.

## REASONS FOR THE DECISION

1. The proposal is consistent with the purpose of Clause 13.5 (Mobile Telephone Communications Towers etc) of the Northern Territory Planning Scheme, being to ensure that the erection of mobile telecommunications towers and infrastructure do not unreasonably detract from the amenity of the locality.
2. The proposed monopole is considered compatible with the character of the immediate area, which contains stables and several dwellings, with the Rapid Creek conservation area surrounding the subject site to the north and east, with the residential dwellings to the west and the Darwin International Airport to the south.
3. The proposed monopole is in accordance with the radiofrequency (RF) EMF exposure levels that are required in accordance with the standard developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and enforced by the Australian Communications and Media Authority (ACMA). The maximum cumulative EMF level from the proposed facility is 0.24% of the limits specified in the standard which is below the standard.
4. The level of vegetation on the site and the Rapid Creek Conservation Area will serve to limit the visual impact of the proposed facility.

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

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



**DAVID HIBBERT**  
Delegate

20/7/10



**DEVELOPMENT CONSENT AUTHORITY**

**DARWIN DIVISION**

**MINUTES**

**MEETING No. 150 – THURSDAY 22 JULY 2010**

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

**MEMBERS PRESENT:** Peter McQueen (Chairman), Grant Tambling, David Hilbert, Heather Spoberg and Bob Elix

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Steve Poppo, Hanna Stevenson and for part of the meeting Israel Kgosiemang, and Steven Conn (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Apology

**Meeting opened at 9.00 AM and closed at 10.45 AM**

The Minutes of the 148<sup>th</sup> Development Consent Authority meeting held on Friday 9 July 2010 were ratified as a record of attendance and determinations made at the meeting on 20 July 2010.

The Minutes of the Reporting Body Hearing - Darwin Division DCA held on Friday 9 July 2010 were ratified a record of attendance and determinations made at the hearing on 13 July 2010.

#### BUSINESS ARISING FROM MINUTES

Nil

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

ITEM 2 NO ITEM

ITEM 3 NO ITEM

ITEM 4 NO ITEM

ITEM 5 9 X 2 BEDROOM MULTIPLE DWELLINGS IN A 4 STOREY BUILDING WITH  
LOT 4894 (13) SOMERVILLE GARDENS, TOWN OF DARWIN  
APPLICANT STEFANOS KOUKOUVAS

Mr Stefanos Koukouvas attended.

**RESOLVED** That the Development Consent Authority determine to vary the requirements of  
**188/10** Clause 7.3 (Building Setbacks of Residential Buildings), Clause 7.6 (Communal Open Space) and Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the Northern Territory Planning Scheme, and pursuant to Section 53(1) of the *Planning Act*, consent to the proposal to use and develop Lot 4894 (13) Somerville Gardens, Town of Darwin for the purpose of 9 x 2 bedroom multiple dwellings in a 4 storey building, subject to the following conditions:

#### CONDITION PRECEDENT

1. Prior to the commencement of works (including site preparation) three full sets of 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. Three copies of plans drawn to scale with dimensions must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include:

- (a) A schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of Darwin City Council and to the satisfaction of the consent authority.

#### GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit, marked 2010/0533/1 through 2010/0533/7.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council, to the satisfaction of the consent authority.
6. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Darwin City Council, to the satisfaction of the consent authority.
7. The owner shall:
  - (a) Remove disused vehicle and/or pedestrian crossovers;
  - (b) Provide footpaths/cycleways;
  - (c) Collect stormwater and discharge it to the drainage network; and
  - (d) Undertake reinstatement works;All to the technical requirements of and at no cost to Darwin City Council to the satisfaction of the consent authority.
8. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) Constructed;
  - (b) Properly formed to such levels that they can be used in accordance with the plans;
  - (c) Surfaced with an all-weather seal coat;
  - (d) Drained, and
  - (e) Line marked to indicate each car space and all access lanes;To the satisfaction of the consent authority.
9. The carparking, access aisle and driveway shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.



10. 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.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. 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.
13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. 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.
15. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
16. Storage for waste disposal bins is to be provided to the requirements of Darwin City Council to the satisfaction of the consent authority.

**NOTE:**

Darwin City Council advises that, in no circumstances will the temporary storage of garbage and recycling waste bins on Council's road reserve for servicing purposes be permitted. Council advises that it will require that bins always be serviced from the designated waste storage area within the property, with collection vehicles only permitted to enter and exit the property in a forward gear.

**REASONS FOR THE DECISION**

1. The proposal to construct 9 x 2 bedroom multiple dwellings in a 4 storey building is consistent with the primary purpose of Zone MR (Medium Density Residential) which is to "provide for a range of housing options to a maximum height of four storeys", and the "scale, character and architectural style of [the] infill development is compatible with the streetscape and surrounding development".

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as :
  - There is no potential for overlooking to or from habitable areas of the subject development and adjoining lots;
  - All balconies are screened along all portions that breach the requirements of Clause 7.3; and;
  - The proposal satisfies the purpose of Clause 7.3, in that the proposed development will be "compatible with the streetscape and surrounding development", will not result in "any adverse effects of building massing when viewed from adjoining land and the street", will "avoid undue overlooking of adjoining properties" and will have no impact on "breeze penetration through and between buildings".
3. A variation to Clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is supported as the site is within walking distance of the shops along Parap Road and the Parap market area, while the large living spaces provided in the units, all of which are in excess of 130m<sup>2</sup>, is considered to provide a greater amenity benefit to future residents
4. A variation to Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the Northern Territory Planning Scheme is supported as the landscaping proposed satisfies the purpose of the clause, being to "ensure that landscaping for multiple dwellings complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment".
5. A schematic stormwater plan is required in order for the development to demonstrate that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

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

**ITEM 6**  
**PA2010/0492**

**16 X 1 AND 60 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 X 3 AND 4 X 4 STOREY BUILDINGS INCLUDING GROUND LEVEL CARPARKING LOTS 6571, 6572, 6573, 6574, 6575 & 6576 (1) MANUNDA TERRACE & (30, 32, 34, 36 & 38) KALYMNOS DRIVE, TOWN OF SANDERSON**

**APPLICANT** MILNE ARCHITECTS

DAS tabled an addendum to the DAS report.

Mr Ken Milne (Milne Architects), Mr Peter La Pira (land owner) and Mr Mark Spangler attended and tabled coloured perspectives.

Submitter Mr Steve Rogers tabled an incomplete petition, four photographs of the area and a copy of a letter sent to the Chairman DCA from Delia Lawrie MLA.

Submitters in attendance:-

Mr Steve Rogers & Mrs Fung Roberts;

Ms Sue Holdinott;

Mr Andrew Burnett;

Ms Maggie Brophy;

Ms Margaret Clinch; and a further five people.

Submitters Mr Tony Deeb and Mr Colin Clark sent their apologies.

**RESOLVED**  
**189/10**

That, the Development Consent Authority determine to vary clause 6.5.3 (Parking Layout), clause 7.1 (Residential Density and Height Limitations), clause 7.3 (Building Setbacks of Residential Buildings), clause 7.5 (Private Open Space) and clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, alter the application and consent to the application as altered to develop Lots 6571 - 6576 (40, 42, 34, 36, 38 Kalymnos Drive & 1 Manunda Terrace), Town of Sanderson for the purpose of 16 x 1 and 60 x 2 bedroom multiple dwellings in 2 x 3 and 4 x 4 storey buildings including ground level car parking, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to the commencement of works a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) storm water drainage plan meeting the requirements of Darwin City Council;
  - (b) vehicle sight lines meeting the requirements of Darwin City Council;
  - (c) landscaping plan including a planting schedule specifying plant species and quantities for the proposed development to the satisfaction of the consent authority;
  - (d) 1.8m solid fencing to screen private open spaces for units at ground level;
  - (e) the removal of any reference to the future subdivision of Lots 6571 - 6576 (30, 32, 34, 36, 38 Kalymnos Drive & 1 Manunda Terrace), Town of Sanderson; and
  - (f) a physical barrier in the form of a concrete island restricting access at the crossover point to left-in, left-out only turns, to the requirements of Darwin City Council.
2. Prior to the endorsement of plans and the commencement of works (including site preparation works), the owner/developer must enter into a written agreement with the Power Water Corporation with regard to construction over the sewerage easement on the site to the requirements of the Power and Water Corporation and to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and the commencement of works, an "Approved Traffic Management Plan" for the construction phase of the project is required to be provided to Public Transport Division of the Department of Lands and Planning, to the satisfaction of the consent authority.

#### GENERAL CONDITIONS

4. Works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. An Occupancy Permit under the *Building Act* must not be issued until Lots 6571 - 6576, Town of Sanderson have been consolidated and a new title issued for the consolidated lot.
7. Storage for waste disposal bins is to be provided to the requirements of Darwin City Council to the satisfaction of the consent authority.
8. 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.
9. Before the use of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat;
  - (d) drained;
  - (e) line marked to indicate each car space;to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
10. The owner shall:
  - (a) remove disused vehicle and/or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the , Darwin City Council, to the satisfaction of the consent authority.
11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities requirements and relevant legislation at the time

12. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
14. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
15. 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.
16. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
17. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
18. All 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 in consultation with the Power and Water Corporation and Fire and Emergency Services and, as the case may be, to the satisfaction of the consent authority.

**NOTE:**

Notwithstanding the approved plans, any works within Council's road reserve are subject to approval from Darwin City Council.

**REASONS FOR THE DECISION**

1. The proposed development of 16 x 1 and 60 x 2 bedroom multiple dwellings in 2 x 3 and 4 x 4 storey buildings including ground level car parking is consistent with the form of development expected within Zone MR (Medium Density Residential), which is to provide for a range of housing options to a maximum height of four stories.
2. Pursuant to section 51(e) of the Planning Act the Authority has taken into account the issues raised by submitters in particular the proposed density of development and any potential adverse impacts on amenity. The Authority considers that the development is consistent with the purpose of Zone MR (Medium Density Residential) and the reasonable expectations of the community in relation to future development given the close proximity to commercial development and public transport.

The architectural style of the buildings and provision of landscaping will provide an attractive public interface to the development and ensure that adverse amenity impacts on adjoining properties are minimised.

**ACTION:** Notice of Determination

**ITEM 7** 32 X 1 BEDROOM & 57 X 2 BEDROOM & 11 X 3 BEDROOM MULTIPLE  
**PA2010/0577** DWELLINGS IN 7 X 4 STOREY BUILDINGS PLUS BASEMENT CARPARKING  
**APPLICANT** PROPOSED LOT 8032 (30) PARAP ROAD, TOWN OF DARWIN  
MASTERPLAN NT

Mr Brad Cunningham (Masterplan NT) and Andrew Ting (Sitzler Pty Ltd), Jane Munday and Tom Reese (Cardo) attended.

Mr Cunningham tabled a stormwater concept.

Submitter Ms Margaret Clinch attended.

**RESOLVED** That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent  
**190/10** Authority consent to the application to use and develop Lot 8032 (30) Parap Road, Town of Darwin, for the purpose of 32 x 1 bedroom, 57 x 2 bedroom and 11 x 3 bedroom multiple dwellings in 7 x 4 storey buildings plus basement carparking, subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation) a schematic plan is to be provided, demonstrating that all stormwater can be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of Darwin City Council, and to the satisfaction of the consent authority. This plan is to include details of site levels and Council's stormwater drain connection points within the vicinity of the site.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.
6. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to Darwin City Council, to the satisfaction of the consent authority.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;
 All to the technical requirements of, and at no cost to, Darwin City Council, and to the satisfaction of the consent authority.
8. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and
  - (d) drained;
 to the satisfaction of the consent authority.  
 Car spaces, access lanes and driveways must be kept available for these purposes at all times.
9. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
10. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
11. Before the use / occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
13. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.
14. 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.

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

**NOTES:**

1. Darwin City Council advises that any landscaping works within Council's road reserve are subject to Council's approval, and shall meet Council's requirements to the satisfaction of the General Manager of Infrastructure, Darwin City Council, and be at no cost to Council.
2. Darwin City Council advises that, in no circumstances will the temporary storage of garbage and recycling waste bins on Council's road reserve for servicing purposes be permitted. The bins must always be serviced from the designated waste storage area within the property, with collection vehicles only permitted to enter and exit the property in a forward gear.

**REASONS FOR THE DECISION**

1. The proposal to develop and use the site for the purpose of 32 x 1 bedroom, 57 x 2 bedroom and 11 x 3 bedroom multiple dwellings in 7 x 4 storey buildings plus basement carparking is consistent with the primary purpose of Zone MR (Medium Density Residential), which is to "provide for a range of housing options to a maximum height of four storeys" and the development is considered to be of a "scale, character and architectural style (that is) compatible with the streetscape and surrounding development".
2. A schematic stormwater plan is required to confirm that it is technically feasible for all stormwater collected on the site to be discharged to Council's stormwater drainage system and not sheet-flow into the road reserve or adjoining properties.

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

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



**DAVID HIBBERT**  
Delegate

27/7/10



