



## addendum 2

### Report 10TS0117 CR:sv

Proposed Planning Scheme  
Amendment Lot 7114 (4) Bishop Street  
Woolner, Town of Darwin Proposed  
Amendment: Rezone from MD  
(Multiple Residential Dwelling) to Zone  
MR (Medium Density Residential)

### **Town Planning Committee Meeting**

Wednesday, 1 September 2010  
12.00 noon.

ENCL: Yes

**DARWIN CITY COUNCIL**  
**REPORT**

DATE: 19/07/2010

TO: TOWN PLANNING COMMITTEE MEETING  
OPEN B APPROVED: CR

FROM: GENERAL MANAGER INFRASTRUCTURE APPROVED: DL

REPORT NO: 10TS0117 CR:sv APPROVED: LC

COMMON NO: 1837475

SUBJECT: PROPOSED PLANNING SCHEME AMENDMENT: LOT 7114 (4)  
BISHOP STREET WOOLNER TOWN OF DARWIN PROPOSED  
AMENDMENT: REZONE FROM MD (MULTIPLE RESIDENTIAL  
DWELLING) TO MR(MEDIUM DENSITY RESIDENTIAL)

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ITEM NO:

**SYNOPSIS:**

A Planning Scheme Amendment Proposal (**Attachment A**) for Lot 7114 (4) Bishop Street Woolner, Town of Darwin, has been referred to Council for comment pursuant to Section 48 of the Planning Act. The following report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority by staff.

**GENERAL:**

**Applicant:** Dubrava Holdings

**Zone:** MD (Multiple Dwelling Residential)      **Area:** 1720 m<sup>2</sup>

**Proposal:** To Amend the Northern Territory Planning Scheme by rezoning Lot 7114 from Zone MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential).

**History:** No previous applications have been recorded for the subject site.

## **Site and Surrounds**

The subject site is identified as allotment 7114 Town of Darwin, commonly known as 4 Bishop Street, Woolner. The site comprises an area of 1720m<sup>2</sup> with a primary street frontage to Bishop Street of approximately 34 m. The site is relatively flat and has been cleared of any structures.

To the west of the site are two community purpose uses including a childcare centre. The two adjoining lots to the east of the subject site contain separate two storey multiple dwelling developments. To the rear of the site on Brewery Place is multi storey High Density Residential development, which takes advantage of the available vistas.

The General Industry zone abuts the site on the opposite the side of Bishop Street, with a mix of one and two storey buildings.

Matters to be taken into account (pursuant to Section 51 of the NT Planning Act 1999):

### **Northern Territory Planning Scheme:**

In Assessing the proposed application under the Northern Territory Planning Scheme the strategic direction and principles of the current and proposed zone are considered.

### **Strategic Direction**

The Northern Territory Planning Scheme outlines in Part 2 the intended land use framework for the Darwin region. The subject site is designated to be used for urban purposes. 'Urban' is not defined within the Northern Territory Planning Scheme, but is understood to include residential development.

No further strategic direction is given to manage the urban growth from the Northern Territory Planning Scheme.

### **Current and Proposed Zoning**

The subject site is currently Zone MD (Multiple Dwelling), and is proposed to be rezoned to Zone MR (Medium Density Residential). The zoning tables of the Northern Territory Planning Scheme permit, prohibit and discretionally allow uses within each zone. As both zones are residential, many of the same criteria apply when assessing development on the site. The key distinctions between the two zones are found within clauses 7.1 and 7.3 of the Northern Territory Planning Scheme – Residential Density and Height Limitations, and Building Setbacks of Residential Buildings.

Under the current Zone MD provisions, the site has the potential to be developed to a maximum density of five dwellings, to a maximum of two stories up to 8.5m in

height. All development shall be setback from the primary frontage by 6m (4.5m for open structures), and setback from the side and rear boundaries by 1.5m.

Under the proposed Zone MR provisions, the site has the potential to be developed to a maximum density of 20 one or two bedroom, 13 three bedroom or 12 four bedroom dwellings, to a height of four stories. All development shall be setback from the primary frontage by 7.5m (4.5m for open structures).

While the use of the site will remain consistent with the current zoning, the development potential of Zone MR will allow for development of a significantly greater density than the established scale of development found on Bishop Street.

### **Summary**

The applicant seeks to rezone the subject site from Zone MD to Zone MR. The character of Bishop Street is mixed, however maintains a consistent bulk and scale of development of one and two stories. It is observed that adjoining areas of Stuart Park are undergoing a change from low scale residential development to medium scale residential development.

The Northern Territory Planning Scheme does not provide direction or strategy to manage the development of urban land, and as a result it is not possible to determine whether this proposal is a desired form of development.

The shift in density seen throughout adjoining suburbs would suggest that a rezoning at this site would not be unreasonable in a wider context, however the potential of development is significantly more substantial than what currently exists on Bishop Street. As there are no strategic outcomes agreed to for the subject site and local area, it is not possible to determine whether the development potential of the site is desired in the immediate location.

### **Disability Discrimination Legislation:**

Disability Discrimination Act issues are addressed under the Building Act requirements. Council places a statement of support for equal opportunity on all responses.

### **Council Issues:**

The increase in density infers that there will be more impervious surface area directing stormwater to Councils stormwater drainage network. The continued increase in development at the MR scale may place increased demand on the existing infrastructure. Should this scale of development continue, it should be determined whether the existing infrastructure has the capacity to drain the extra water.

### **FINANCIAL IMPLICATIONS:**

Nil.

### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal 1: Achieve Effective Partnerships and Engage in Collaborative Relationships**

##### **Outcome**

1.1 Improve relations with all levels of Government

##### **Key Strategies**

1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

##### **Outcome**

1.2 Effectively engage with Community

##### **Key Strategies**

1.2.1 Increase involvement of the Business Community for developing solutions to local issues

#### **Goal 2: Enhance Darwin's Active, Positive and Flexible Lifestyle**

##### **Outcome**

2.1 Improve urban enhancement around Darwin

##### **Key Strategies**

2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs

2.1.4 Provide a clean and liveable municipality

#### **Goal 3: Assist Individuals and the Community Stay Connected with the Darwin Region**

##### **Outcome**

3.1 Promote the use of public spaces

##### **Key Strategies**

3.1.1 Enhance public spaces and encourage greater use by the community

**Outcome**

3.2 Enhance transport

**Key Strategies**

3.2.1 Review transport and parking needs systems

3.2.4 Provide parking facilities and management systems which meet the needs of the community.

**Goal 4: Create and Maintain an Environmentally Sustainable City**

**Outcome**

4.2 Improve water conservation

**Key Strategies**

4.2.2 Manage and maintain Council's storm water management system.

**LEGAL IMPLICATIONS:**

This item is not considered "Confidential".

**PUBLIC RELATIONS IMPLICATIONS:**

Not Assessed.

**COMMUNITY SAFETY IMPLICATIONS:**

Not Assessed

**DELEGATION:**

To the Chief Executive Officer to provide standard Development Permit conditions as appropriate.

**CONSULTATION:**

Through the Development Application statutory process.

**PROPOSED PUBLIC CONSULTATION PROCESS:**

Nil

**APPROPRIATE SIGNAGE:**

Not Applicable.

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**RECOMMENDATIONS:**

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 10TS0117 CR:sv entitled Proposed Planning Scheme Amendment: Lot 7114 (4) Bishop Street Woolner Town Of Darwin Proposed Amendment: Rezone From MD (Multiple Residential Dwelling) To MR (Medium Density Residential), be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0117 CR:sv be endorsed.

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

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

Any queries on this report can be directed to Cindy Robson on 8930 0528 or email [c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au)

NORTHERN TERRITORY OF AUSTRALIA

PROPOSAL TO AMEND NT PLANNING SCHEME  
PA2010/0602

Dubrava Holdings Pty Ltd has applied to the Minister for Lands and Planning to amend the NT Planning Scheme by rezoning Lot 7114 Town of Darwin (4 Bishop Street, Woolner) from Zone MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential).

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating to Zone MD (Multiple Dwelling Residential);
- extracts from the NT Planning Scheme relating to Zone MR (Medium Density Residential);
- a locality map; and
- a copy of the application.

The exhibition period is from Friday 16 July 2010 to Friday 13 August 2010.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday, 13 August 2010 and made to:

Rean Lourens  
Senior Planner  
Strategic Lands Planning  
Department of Lands and Planning  
GPO Box 1680  
DARWIN NT 0801; or

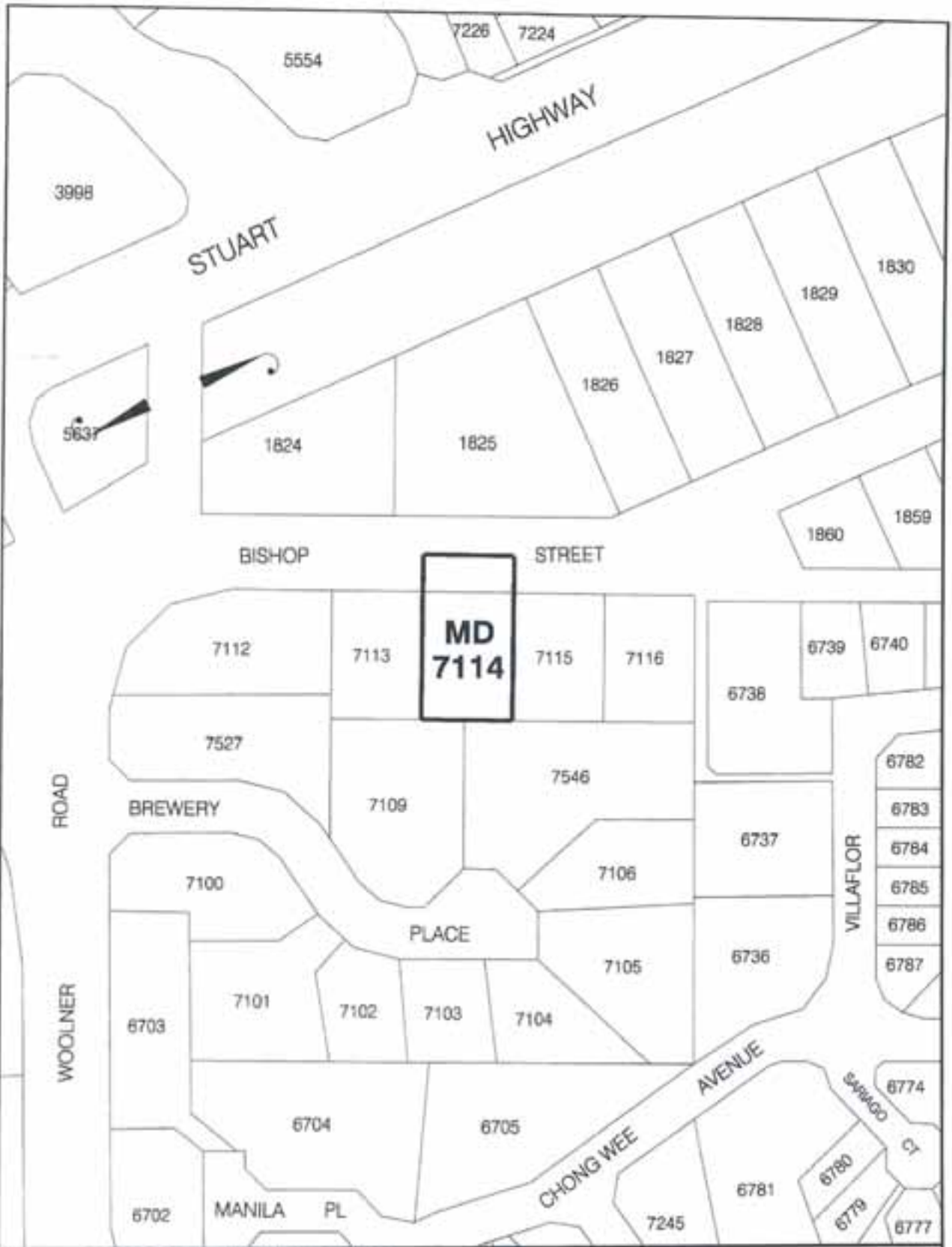
Email: [planning@nt.gov.au](mailto:planning@nt.gov.au)

Fax: (08) 8999 7189 or

Hand delivered to Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin.

For more information please telephone 8999 8963.





PROPOSED NT PLANNING SCHEME  
 AMENDMENT PA2010/ 0602  
 LOT 7114

TOWN OF DARWIN

From Zone MD (Multiple Dwelling Residential) to  
 Zone MR (Medium Density Residential)



Northern Territory Government

Department of Lands & Planning



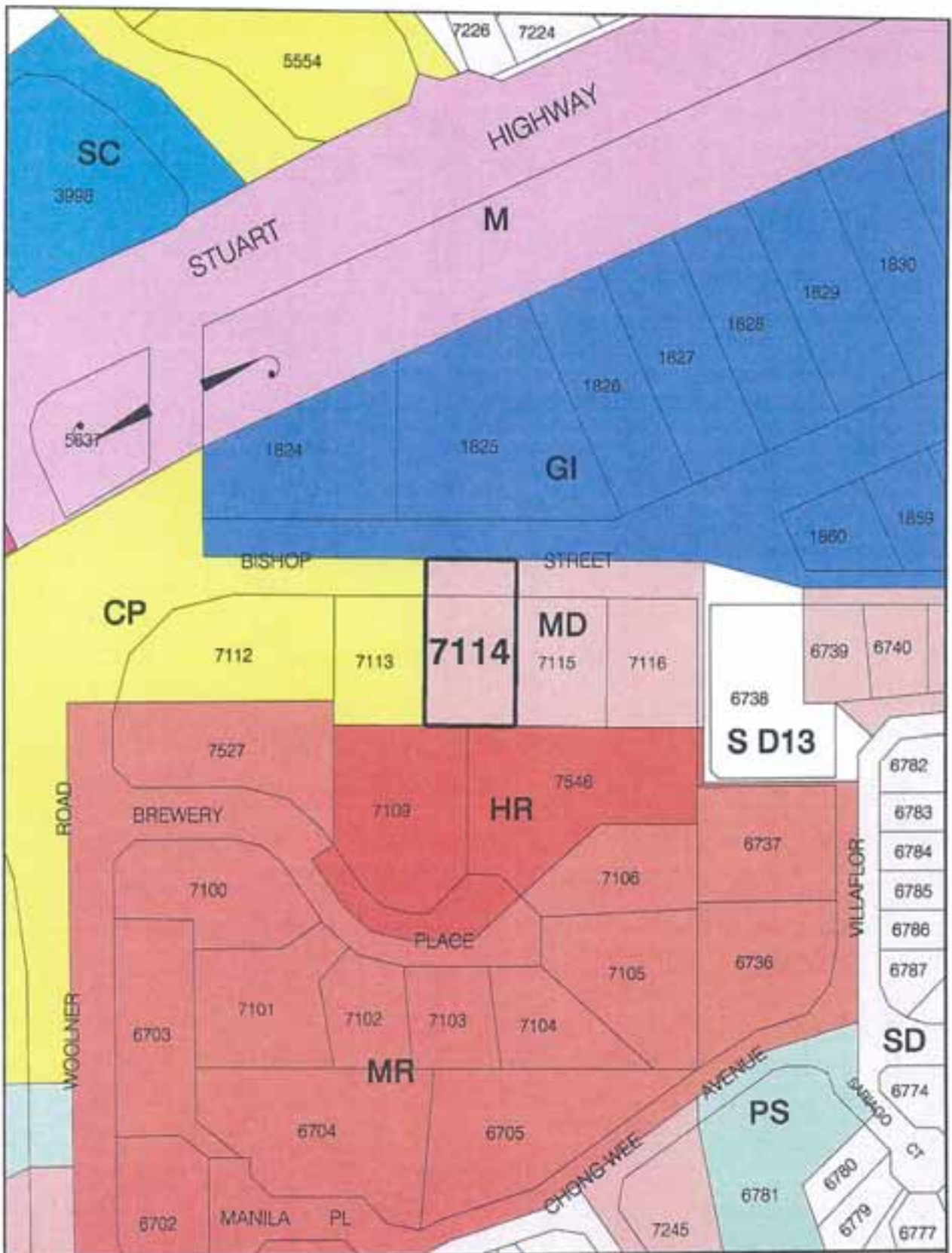
Scale 1: 2000 @ A4





File No.: PA2010/0602

Date: 7-Jul-10

Drawing Name: PSA Lot 7114 Darwin.dgn



<p align="center"> <b>EXISTING NT PLANNING SCHEME</b>  <b>AMENDMENT PA2010/ 0602</b>  <b>LOT 7114</b>  <b>TOWN OF DARWIN</b>  <b>From Zone MD (Multiple Dwelling Residential) to</b>  <b>Zone MR (Medium Density Residential)</b> </p>	<p align="center">          Department of Lands &amp; Planning        Northern Territory Government        0 20 40 60 80 100m        Scale 1:2000 @ A4   </p> <p>       File No.: PA2010/0602        Date: 7-Jul-10        Drawing Name: PSA Lot 7114 Darwin.dgn     </p>
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## ATTACHMENT B

Please quote: 1837475 CR:sv

13 August 2010

Mr Rean Lourens  
Senior Planner  
Strategic Lands Planning  
Department of Lands and Planning  
GPO Box 1680  
DARWIN NT 0801

Dear Rean

**Planning Scheme Amendment PA2010/0602  
Lot 7114 (4) Bishop Street Woolner, Town of Darwin  
Proposed Amendment: Rezone from MD (Multiple Dwelling Residential) to MR  
(Medium Density Residential)**

Thank you for the Planning Scheme Amendment Proposal referred to this office 19 July 2010, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

Council does not support the application because of the uncharacteristic development potential of the proposal.

The character of Bishop Street is mixed, however maintains a consistent bulk and scale of one and two stories, which are setback from the street. Adjoining lots to the rear of the subject site are zoned MR medium density residential and are developed accordingly. A rezoning at this site would not be unreasonable in a local area context, however the potential of development is significantly more substantial than what currently exists on Bishop Street.

The Northern Territory Planning Scheme does not provide direction or strategy to manage the development of urban land, and as a result it is not possible to determine whether this proposal is a desired form of development.

In considering this application, the Authority is requested to take into account any

implications of the Disability Discrimination Act (Cth) or the Anti Discrimination Act (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application please feel free to contact me on 8930 0528.

Yours faithfully

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

cc: Dubrava Holdings