

1 PURPOSE

To clearly establish City of Darwin's expectations in relation to various types of development and land use applications, for the guidance of staff, potential developers and the community at large.

Land use planning within Darwin is the responsibility of the Northern Territory Government. However, as an asset owner and as a body tasked with representing the interests of the Darwin community with the responsibility for 'seeking to ensure a proper emphasis on environmentally sustainable development, proper balance between economic, social, environmental and cultural considerations' the Council provides comment to the Government and its statutory agencies. City of Darwin also develops its policies reflecting the aspirations of the Council and the Darwin community

2 SCOPE

The scope is to provide a framework for Council's responses on applications for:

- Building over Drainage easements
- Demountable structures

3 POLICY STATEMENT

3.1 Building Over Drainage Easements

If a property owner wishes to erect a structure over a registered Council stormwater drainage easement or portion thereof, permission may be granted subject to the owner meeting City of Darwin requirements. Access must be maintained for Council officers, employees or agents to the structure at all times, for the purpose of clearing any pipe or drain contained within the easement.

Pools may be able to be installed within easements provided that adequate clearance from the pool and protection of the stormwater infrastructure is provided.

No building will be permitted over stormwater pits, including driveways and solid walls will not be permitted to be constructed over easements.

3.2 Demountable Structures

The Northern Territory Planning Scheme 2020 provides a definition and assessment criteria for the placement of demountable structures on zoned land.

The Planning Scheme states that where two or less demountable structures are located on land in Zone CL, SC, LI, PS, OR, H, A, RL, R and CP and the placement complies with the

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other provisions of the Planning Scheme, a development permit is not required. The majority of zoned land in Council ownership is included within these zones and where permission is sought from Council for the placement of demountable structures on Council land without Planning Consent, Council will consider the following in relation to their placement:

- the appearance of the demountable structure/s will be consistent with the intended purpose and adjoining and nearby development, and
- where the demountable structure can be viewed from a public place or an adjoining property, it should be appropriately screened, landscaped or include architectural or design treatments to enhance the appearance of the structure.

Council will consider the placement of demountable structures such as sea containers on public land, having regard for the above criteria, any external approvals and their intended function.

Demountable structures located on road reserves or other Council owned land in association with a development, will be assessed as part of the works permit process, for temporary periods, and only relating to works at the adjacent property.

4 DEFINITIONS

Demountable structure means a building, including transport containers, which is wholly or substantially prefabricated and which is designed to be transported from site to site, but does not include a caravan or transportable module used in conjunction with an education establishment or as a medical clinic or as a construction site office or a prefabricated dwelling.

5 LEGISLATIVE REFERENCES

Local Government Act 2019
 Northern Territory Planning Act 1999
 Northern Territory Planning Scheme 2020

6 PROCEDURES / RELATED DOCUMENTS

Nil

7 RESPONSIBILITY / APPLICATION

The General Manager Innovation is responsible for managing the implementation of this policy.

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