

Title:	<b>Land Use Planning - General</b>
Policy No:	041
Adopted By:	Council
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Responsibility:	General Manager City Futures
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Version	Decision Number	Adoption Date	History
1	20\2501	23/02/10	Adopted
2	21\5205	28/02/17	Adopted

## 1 Policy Summary

The intent of the policy is to provide a framework for Council's responses on applications for:

- Building over Drainage easements
- Demountable structures
- Place Names

## 2 Policy Objectives

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

## 3 Background

Land use planning, including place naming and development control within Darwin is the responsibility of the Northern Territory Government. However, 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.

## 4 Policy Statement

### **Building Over Drainage Easements – Conditions**

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.

### **Demountable Structures**

The Northern Territory Planning Scheme 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 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 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.

## **Place Names**

The Place Names Committee for the Northern Territory administers the naming of a place within the Territory.

Applications may be submitted to the City of Darwin for the naming of a City of Darwin asset. The application is to comply with the guidelines provided on Place Names Committee for the Northern Territory web site. The City of Darwin will consider place names that reflect existing themes associated with the history and character of Darwin and the Northern Territory and as listed by the Place Names Committee.

If approved, the City of Darwin will provide written support to the applicant to make a further application to the Place Names Committee.

## **5 Legislation, terminology and references**

### **Legislation:**

- Northern Territory Planning Act
- Northern Territory Place Names Act

### **Definitions:**

Under the Northern Territory Planning Scheme:

*“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;*

### **References:**

- <http://www.placenames.nt.gov.au/policies/guidelines>
- Northern Territory Planning Scheme

## **6 Implementation and delegation**

Where appropriate delegation is shown in the body of this policy.

## **7 Evaluation and review**

In accordance with Council’s Policy Framework, this policy will be reviewed once per term of Council.