

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF AMENDMENT DECISION

AMENDMENT 403

I, DAVID WILLIAM TOLLNER, Minister for Lands and Planning, under section 30U(1) of the *Planning Act*, give notice that –

AMENDMENT DECISION

I have, under section 30R(2)(a)(i) of the Act, made an amendment decision to approve to rezone Lots 1997, 1998, 1999 and 2000 Town of Nightcliff (33, 31, 29 and 27 Young Crescent, Alawa) from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential).

REASONS FOR DECISION

This rezoning is suitable because it:

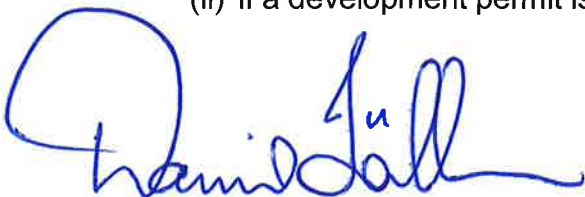
- achieves a high level of consistency with the Compact Urban Growth Policy including the close vicinity of the subject land to public transport, public open space, schools and shops;
- integrates positively with neighboring lower densities as development is allowed to a maximum of two storeys; and
- received little public opposition during the statutory exhibition period.

The amendment decision does not determine the concurrent application;

and

The amendment decision will take effect;

- (i) **only** if the consent authority consents to the development proposal under section 30W(1)(a) or (b) and, after the determination of any appeals under Part 9, issues a development permit under section 54 for the proposal; and
- (ii) if a development permit is issued - on the date on which it is issued.



Minister for Lands and Planning

18 / 12 / 2015

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Drawing Name: Lots 1385 1386 Nightcliff.dgn

Date _____

1/12/15

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP15/0772

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 01997

Lot 01998

Lot 01999

Lot 02000

Town of Nightcliff

33 YOUNG CRES, ALAWA

31 YOUNG CRES, ALAWA

29 YOUNG CRES, ALAWA

27 YOUNG CRES, ALAWA

APPROVED PURPOSE


To use and develop the land for the purpose of constructing 11 Multiple Dwellings in 3x2 storey and 2x1 storey buildings, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 6.5.3 (Parking Layout), Clause 7.1.1 (Residential Density Limitations), Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.3.1 (Additional setback Requirements...) of the Northern Territory Planning Scheme.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.



DENIS BURKE

Delegate
Development Consent Authority

10 / 12 / 2015

DEVELOPMENT PERMIT

DP15/0772

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) the location of the required 4m x 3.5m electricity easement (approved by Power and Water).
2. Prior to the endorsement of 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) details of surface finishes of pathways and driveways;
 - (b) 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;
 - (c) landscaping and planting within all open areas of the site;
 - (d) provision of an in ground irrigation system to all landscaped areas; and
 - (e) details of fencing to all boundaries and private open space areas.All species selected must be to the satisfaction of the consent authority.
3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show the locations of all air-conditioning condenser units and provide details of the screening to be utilised to ensure the condenser units are appropriately screened from public view and from view of neighbouring or nearby developments (or developments reasonably anticipated). The locations of all condenser units must allow convenient access for ongoing repair and maintenance. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with an acceptable panel to gap ratio, such that the condenser units are not readily visible from any angle.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a Localised Traffic Impact Assessment Report prepared in accordance with the Austroads document 'Guide to Traffic Management Part 12: Traffic Impacts of Developments'. The report must outline changes that will be required to the surrounding road network and address vehicular, pedestrian, cyclist and public transport issues and opportunities, and is to include swept paths for waste collection vehicles entering and exiting the site. The report is to be to the approval of the City of Darwin, to the satisfaction of the consent authority.

5. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority.
6. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental and Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address waste management, storm water drainage, how construction will be managed on the site, and is to include details of the haulage of excavated and new materials and traffic management for construction vehicles, ensuring that Smith Street is kept clear at all times.
7. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.
8. Prior to the commencement of works, a waste management plan addressing the City of Darwin's Waste Management Policy 054 must be prepared to the requirements of the City of Darwin, to the satisfaction of the consent authority.

GENERAL CONDITIONS

9. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
10. 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.
11. 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.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity facilities and telecommunications networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
13. 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 lanesto the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
14. 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.
15. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.

and

The owner shall:

- (a) remove disused vehicle and/ or pedestrian crossovers;
- (b) provide footpaths/ cycleways;
- (c) collect stormwater and discharge it to the drainage network; and
- (d) undertake reinstatement works;

all to the technical requirements of and at no cost to the City of Darwin, to the satisfaction of the consent authority.

- 16. 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.
- 17. 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.
- 18. The private open space areas of each dwelling shall be screened on each boundary by:
 - (a) the erection of a solid wall or screen fence not less than 1.8 metres high: or
 - (b) fenced to a height not less than 1.8 metres high and planted with dense vegetation.
- 19. 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.
- 20. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
- 21. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- 22. An Occupancy Permit under the Building Act must not be issued until Lots 1997, 1998, 1999 and 2000, Town of Nightcliff have been consolidated and a new title(s) issued for the consolidated lot(s).

NOTES

- 1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/ or surrounding infrastructure.
- 2. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
- 3. City of Darwin advises that:

(a) a Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development, in accordance with Australian Standards – AS 4970-2009 Protection of Trees on Development Sites; and

(b) in accordance with City of Darwin By-Laws, prior to occupation, the applicant shall ensure that a building number is displayed in a position clearly visible from the street.

4. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.
5. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites in the Northern Territory. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
6. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.
7. The Authority note that the applicant confirmed that planting will be provided (including shade trees where possible) in the verges adjacent to the site boundary.