

# **NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - sections 54 and 55*

## **DEVELOPMENT PERMIT**

DP2024/0248

### **DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT**

Lot 05021  
Town of Darwin  
2 RAILWAY ST, PARAP

### **APPROVED PURPOSE**

To use and develop the land for the purpose of child care centre, in accordance with the attached schedule of conditions and the endorsed plans.

### **VARIATIONS GRANTED**

Nil.

### **BASE PERIOD OF THE PERMIT**

Subject to the provisions of sections 58, 59 and 59A of the Planning Act 1999, this permit will lapse two years from the date of issue.



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**SUZANNE PHILIP**  
Delegate  
Development Consent Authority  
28 March 2025

## **DEVELOPMENT PERMIT**

DP2024/0248

### **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. A minimum 2 metre setback from the Stuart Highway lot boundary to the car parking area, to achieve better compliance with sub-clause 6(a) of clause 5.2.4.4 (Layout of car parking areas) of the Northern Territory Planning Scheme 2020.
  - b. Show location, height and design of fencing along the Stuart Highway frontage, in accordance with the Transport and Civil Services Division (TCSD) of the Department of Logistics and Infrastructure (DLI) standards and requirements, to deter unauthorised vehicular and/or pedestrian movement. Any gates provided are to be fixed to open inwards only.
2. Prior to the endorsement of plans and 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 be generally in accordance with the site plan dated July 2024 prepared by Insite Architects, except that the plan must:
  - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed;
  - b. Details of surface finishes of pathways and driveways;
  - 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;
  - d. Landscaping and planting within all open areas of the site;
  - e. Four canopy trees (minimum 2 metres tall when planted) in the setback to Railway Street; and
  - f. Provision of an in-ground irrigation system to all landscaped areas (including as a 'general note').

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

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system must be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority. The plan must include details of site levels and Council's stormwater drain connection point/s. The plan must also indicate how stormwater will be collected on the site and connected underground to Council's system.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), in principle approval is required for the crossover and driveway to the site from the City of Darwin road reserve, to the satisfaction of the consent authority.

5. Prior to the endorsement of plans and commencement of site works (including site preparation), a revised Traffic Impact Assessment in accordance with the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development is required for the proposed development. The report must detail the development's traffic generation, trip distribution, traffic operation impact, the nature and timing of impacts, and recommended measures required to accommodate and / or mitigate the traffic impacts of the development, including construction traffic on the Stuart Highway / Ross Smith Avenue and Stuart Highway / Woolner Road intersections. All road sections and/or intersections where traffic generated by the development increases the existing traffic, existing proportion of heavy vehicle traffic or equivalent standard axles (ESAs) by 5% or more must be assessed. The impacts of the development on public transport facilities, pedestrian and cycle facilities shall also be assessed. Any intersection and / or road upgrade works required to accommodate the proposed development and within NTG controlled road reserves shall be carried out by the developer, at the developer's cost, to the standards and requirements of the TCSD of the DLI, to the satisfaction of the consent authority.
6. 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 City of Darwin, to the satisfaction of the consent authority.
7. Prior to the commencement of works (including site preparation), a waste management plan addressing the City of Darwin's Waste Management Guidelines must be prepared, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
8. Prior to the commencement of works (including site preparation), the applicant is to prepare a Site Construction Management Plan (SCMP) to the requirements of the City of Darwin, to the satisfaction of the consent authority. The SCMP should specifically address the impact to Council owned public spaces and include a waste management plan for disposal of waste to Shoal Bay, traffic control for affected City of Darwin roads, haulage routes, storm water drainage & sediment control, use of City of Darwin land, and how this land will be managed during the construction phase.

## **GENERAL CONDITIONS**

9. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
10. The use and development as shown on the endorsed plans must not be altered without the further consent 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, electricity and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations 2, 3 and 4 for further information.
12. 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.
13. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin, to the satisfaction of the consent authority.

- 14.The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, to the satisfaction of the consent authority.
- 15.Upon completion of any works within or impacting upon existing road reserves, the infrastructure within the road reserve shall be rehabilitated to the standards and requirements of the City of Darwin and returned to the condition as documented in the dilapidation report, to the satisfaction of the consent authority.
- 16.Storage for waste disposal bins is to be provided to the requirements of City of Darwin, to the satisfaction of the consent authority. This area must be graded, drained and screened from public view.
- 17.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. The number must be visible against the background on which it is placed, to the requirements and at no cost to City of Darwin, to the satisfaction of the consent authority.
- 18.All works recommended by the traffic impact assessment are to be completed to the requirements of TCSD, DLI, to the satisfaction of the consent authority.
- 19.Before the use or occupation of the development starts, the area(s) 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;
  - f. Clearly marked to show the direction of traffic along access lanes and driveways;
- to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
- 20.The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
- 21.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.
- 22.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.
- 23.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.
- 24.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.

- 25.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, in accordance with the requirements of City of Darwin, to the satisfaction of the consent authority.
- 26.The Stuart Highway Road frontage is to be appropriately fenced in accordance with the TCSD of the DLI, standards and requirements, to the satisfaction to the consent authority.
- 27 Access shall not be permitted to the subject lot from the Stuart Highway road reserve. All access arrangements shall be via the internal local road network to the standards and approval of the City of Darwin.

## NOTES

1. The Transport and Civil Services Division, of the Department of Logistics and Infrastructure advise that:
  - a. All proposed work (including the provision or connection of services) within, or impacting upon the Stuart Highway road reserve shall be in accordance with the standards and specifications of TCSD, DLI. Design documents must be submitted to the TCSD for road agency approval and no works are to commence prior to approval.
  - b. A development permit issued under the Planning Act 1999 is not an approval for access onto a Territory road. Approval for access to be taken from, or constructed within the NTG controlled road reserve rests solely with the TCSD, DLI as the approving road authority.
  - c. The developer, and its contractor or service provider is required to Obtain a 'Permit to Work within the NTG Road Reserves', prior to the commencement of any works within the Stuart Highway road reserve.
  - d. Construction Traffic Management Plan (detailing all appropriate site management measures, including construction access, proposed haulage routes, vehicle types, protection of existing assets, protection of public access and a risk assessment) and/or an Operational Traffic Management Plan (detailing access routes, vehicle types and other relevant matters, including a risk assessment) shall be submitted to the TCSD, DLI for consideration prior to commencement of any works.
  - e. Access shall not be permitted to the subject lot from the Stuart Highway road reserve. All access arrangements shall be via the internal local road network to the standards and approval of the City of Darwin.
  - f. No temporary access for construction purposes shall be permitted from the Stuart Highway road reserve. Construction and delivery vehicles shall not be parked on the Stuart Highway road reserve.
  - g. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the developer will be obliged to sweep and clean material off the road.
  - h. Surface stormwater run-off from the development site onto the Stuart Highway road reserve is not permitted. The developer shall ensure that the stormwater run-off from the development site is collected to prevent uncontrolled discharge to adjoining lands through the provision of kerbing, transverse grated drains and inlet pits, or alternatively the site is to be graded to collect the run-off internally. Accordingly, stormwater shall be wholly contained within the site and discharged into the local underground stormwater system to the standards and approval

of the TCSD (where it impacts on the NTG controlled road reserves), the Crown Land Management Division (where it impacts on Crown land or a drainage easement in favour of the Territory) and/or the City of Darwin.

- i. Discharge of untreated waters into the stormwater drainage system is not permitted. Any contaminated stormwater shall be isolated, contained and treated prior to discharge off-site to the standards and requirements of the Department of the Environment Division, of the Department of Lands, Planning and Environment and/or the Environment Protection Authority.
- j. All landscaping and setback requirements under the Northern Territory Planning Scheme shall be contained within the Lot boundaries. Any landscaping proposed by the developer additional to planning requirements and within the Stuart Highway road reserve shall be to the standards and approval of TCSD, DLI.
- k. Any proposals for the upgrading/ resurfacing of the Stuart Highway footpath/ verge fronting the development shall require the approval of the TCSD, DLI.
- l. The developer shall consider the Department's policy 'Road Traffic Noise on NTG controlled roads' and have carried out, in accordance with AS3671 Road Traffic Noise Intrusion - Building Siting and Construction an assessment by a suitably qualified person of the development's present and predicted future exposure to road traffic noise levels. All noise attenuation works deemed necessary, i.e. building materials and design, lot layout or noise barriers, shall be wholly contained within the subject lot (including foundations) and carried out and maintained at full cost to the developer.
- m. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or of variable message). The sign shall be positioned:
  - i. so as not to create sun or headlight reflection to motorists; and
  - ii. be located entirely (including foundations and aerially) within the subject Lot.

Advertising signage including temporary or permanent, e.g. 'A' frame, vehicle or trailer mounted, etc. shall not be erected or located within the Stuart Highway road reserve.

- a. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to the Stuart Highway traffic.
  - b. Upon completion of any works within or impacting upon the Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of TCSD, DLI.
  - c. The clearing and future use of the land, including any noise attenuation measures, shall not be detrimental to the drainage of the Stuart Highway road reserve through the blocking of offset drains, natural drainage channels or overland flow. Alternative proposals to cater for the above may be considered by this Department.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([waterdevelopment@powerwater.com.au](mailto:waterdevelopment@powerwater.com.au)) and Power Network Engineering Section ([powerdevelopment@powerwater.com.au](mailto:powerdevelopment@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and / or surrounding infrastructure.
3. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit [www.infrastructure.gov.au/tind](http://www.infrastructure.gov.au/tind)



4. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html>. Once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>
5. The City of Darwin advise that:
- a. The proposal includes works within the City of Darwin road reserve. All works must comply with City of Darwin policies and guidelines and are subject to a separate assessment and approval process by City of Darwin. City of Darwin requires that the applicant obtain all necessary approvals before commencing any construction in the road reserve.
  - b. The proposed street tree(s) to City of Darwin's road reserve fronting the development shall be carried out at full cost to the developer.
  - c. As street trees will become an asset of City of Darwin, the developer should provide City of Darwin specification for the purchasing of quality tree stock prior to construction.
  - d. Prior to the establishment of street trees within the road reserve, contact shall be made with City of Darwin's Parks and Reserves to ensure appropriate species and planting locations are defined.
  - e. Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin's Policy 6310.100.E.R – Outdoor Advertising Signs Code
  - f. Any damaged or removed infrastructure located in, on or over the road reserve (inclusive of preexisting street trees), is to be repaired or replaced at either the developers or landowners cost, to the satisfaction of City of Darwin.
  - g. Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
  - h. All street trees shall be protected at all times during construction. Any tree on a footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of the General Manager, Infrastructure of the City of Darwin. 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'. Copies of AS 4970-2009 'Protection of Trees on Development Sites' can be obtained from the Australian Standards website.
6. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.
7. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* 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](mailto:info@ntbuild.com.au)) or by phone on 08 8936 4070 to determine if the proposed works are subject to the Act.