

Concurrent Application

Lots 5988 and 7433, Town of Darwin

Reason for Concurrent Application

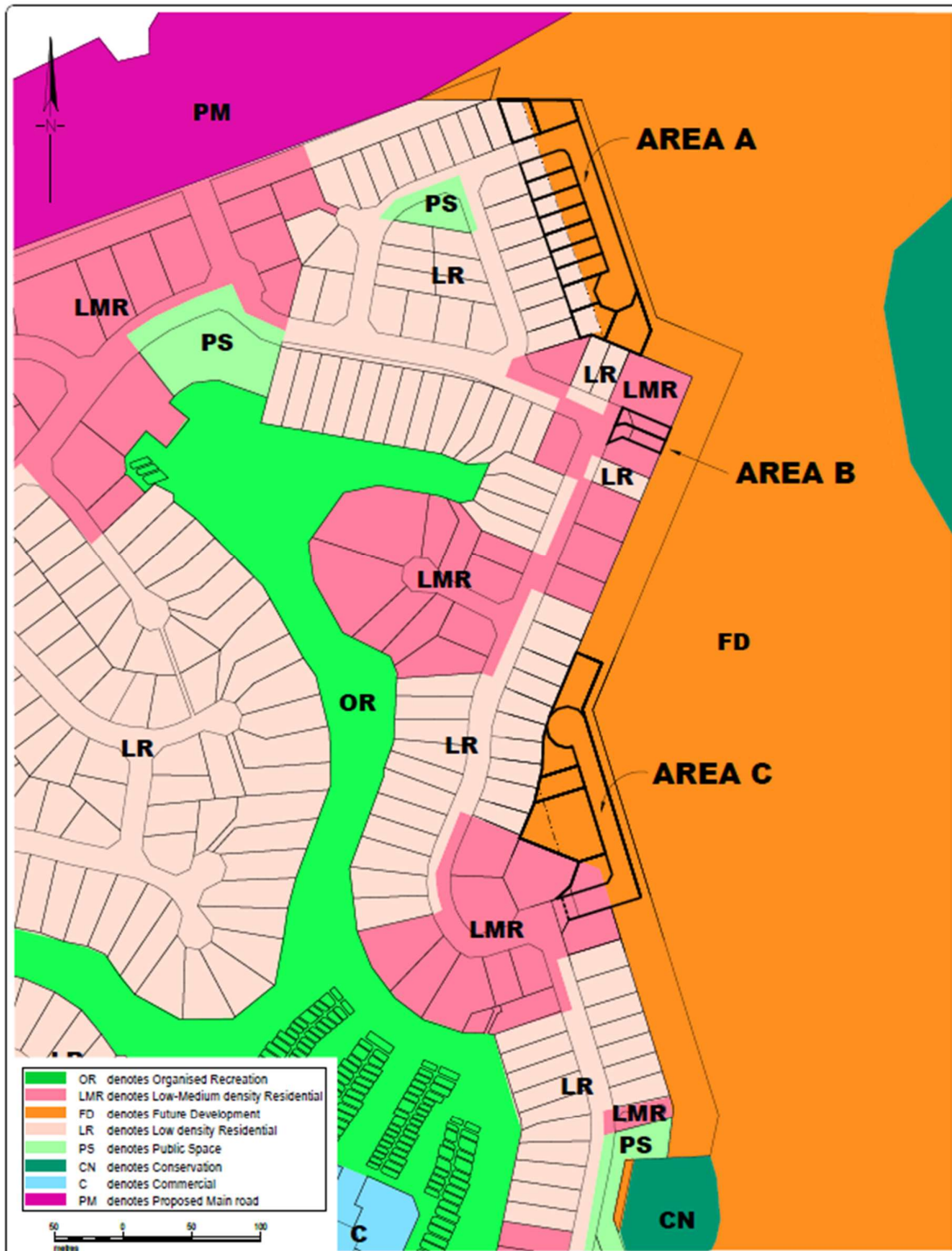
Lots 5988 and 7433, Town of Darwin are Crown lease parcels that have been progressively developed as the Bayview Marina Estate. Bayview Marina Estate is one of Darwin's premier residential subdivisions located a short distance from the Darwin CBD.

The subdivision is recognised for its high standard of development that has resulted from strict design guidelines developed and managed by the developer, Dover Investments (Dover).

There are three remnant areas that have been determined as being suitable for residential development and these areas were the subject of Development Application in 2013. These areas are adjacent to the eastern boundary of the Crown leases and the intention was to create three lots and then construct units on the proposed lots.

The developers did not proceed with the unit development proposal and are now considering less intense development of the Crown lease areas in the form of a majority individual housing lots as well as one larger allotment that may be utilised for multiple dwellings.

The subject areas, as shown in the figure below, comprise a range of zonings under the NT Planning Scheme (NTPS). The current zonings include LR (Low Density Residential), LMR (Low-Medium Residential) and FD (Future Development).



- OR denotes Organised Recreation
- LMR denotes Low-Medium density Residential
- FD denotes Future Development
- LR denotes Low density Residential
- PS denotes Public Space
- CN denotes Conservation
- C denotes Commercial
- PM denotes Proposed Main road

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LOTS 5988 AND 7433
TOWN OF DARWIN

ZONES
 Client: DOVER INVESTMENTS

Scale: 1:2000 (A3)

Licensed Surveyor: _____
 Date: _____
 Return: _____

Drawn by: LC
 Date: 18/09/2023
 Cwd File: 8063-38.DWG

Drawing No: **22/8093/38**

Existing zones

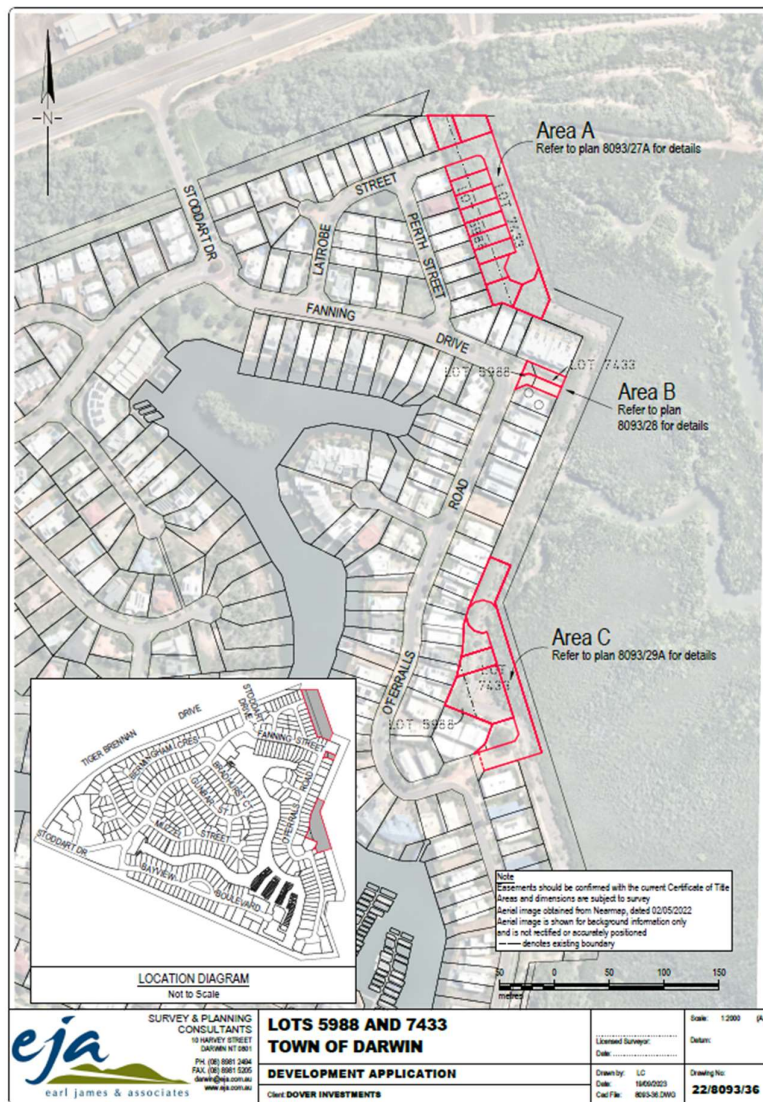


Dover has consulted extensively in order to determine the size of housing lot that is being sought in today's market and as a result of that consultation, as well as detailed site investigation and consideration of available services, has arrived at the designs shown on plans 22/8093/27A, 28 and 29A.

These plans show lot sizes ranging from 392m² up to 2,128m².

In order to facilitate the development of the proposed lots in accordance with requirements of the NTPS, Council and relevant Government agencies, it will be necessary to rezone those areas of the subject land with FD zonings to zone LR and LMR.

The concurrent application process is being utilised as it will allow for a single application, a single exhibition period for the Planning Scheme amendment and development application components of the application and also allow for a single submission/comment from authorities and members of the community.



The proposed subdivision areas



Description of the Proposed Amendment

In 2022 a Development Application was lodged seeking approval to subdivide the subject remnant areas for the purpose of creating 21 urban allotments. Whilst the proposal was consistent with the purpose and intention of the Crown leases (residential subdivision), some of the subject land area was zoned FD (Future Development).

As this FD area is not identified in an Area Plan for the type of housing lots proposed by the 2022 Development Application, it has been determined that those parts of the subject land, currently zoned FD, should be rezoned to LR (Low Density Residential) and LMR (Low-Medium Density Residential) as those zones are consistent with the type of land parcels intended for the subject area.

The objective of this concurrent application is to create 19 urban allotments on the eastern edge of the Bayview Marina Estate Crown leases.

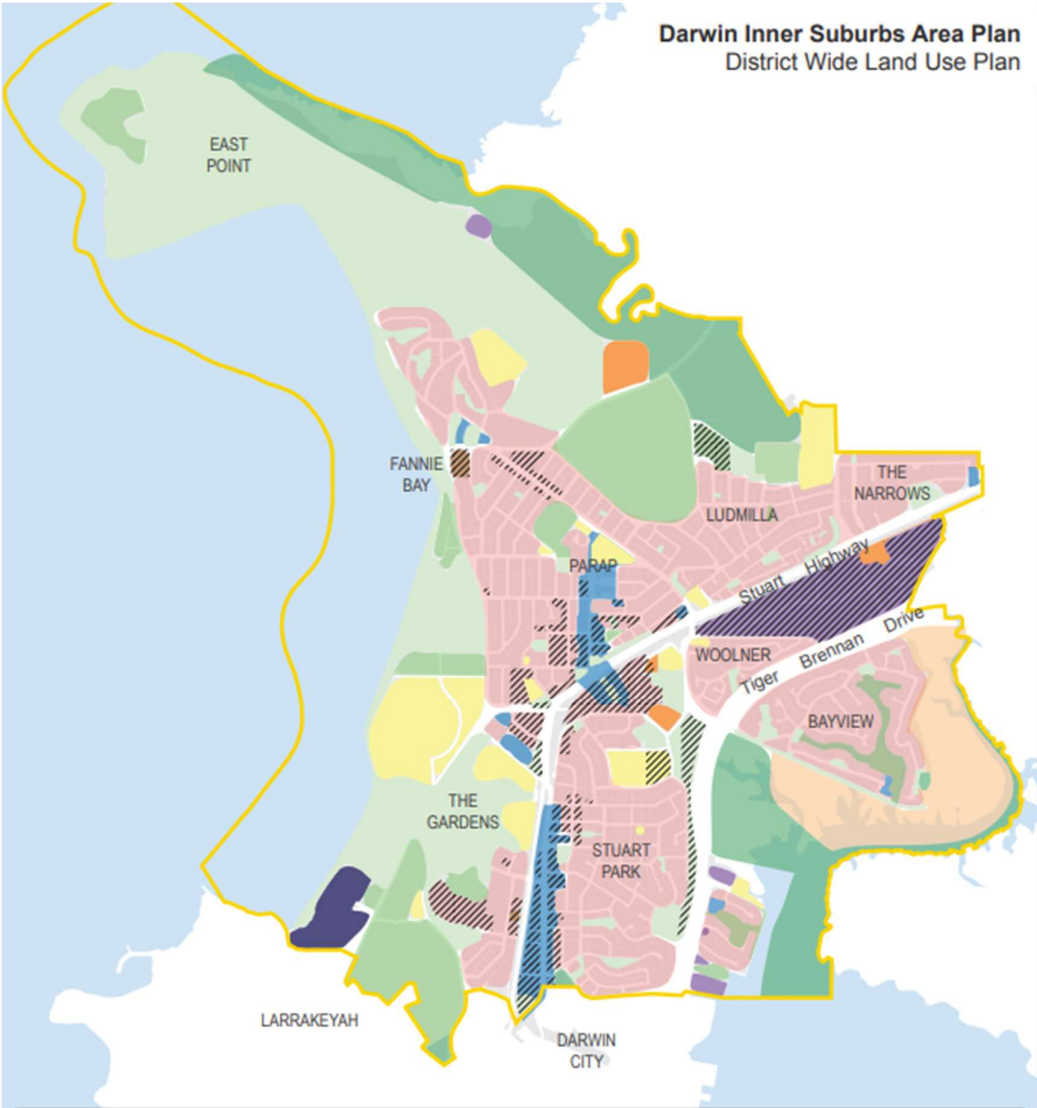
The Darwin Regional Land Use Plan 2015 (DRLUP) applies to the subject land and identifies the subject land as being suitable for urban/peri-urban development.

The lots being proposed by the current application are ideally suited to urban development and in no way conflict with the intention of the DRLUP.

The Darwin Inner Suburbs Area Plan (DISAP) also applies to the land comprised within the Bayview Crown leases.

The DISAP provides a framework to guide progressive growth and development within the Inner Suburbs of Darwin and the land that is the subject of this application, lying on the eastern edge of the existing Bayview development, is identified for 'Future Development'.

Darwin Inner Suburbs Area Plan
District Wide Land Use Plan

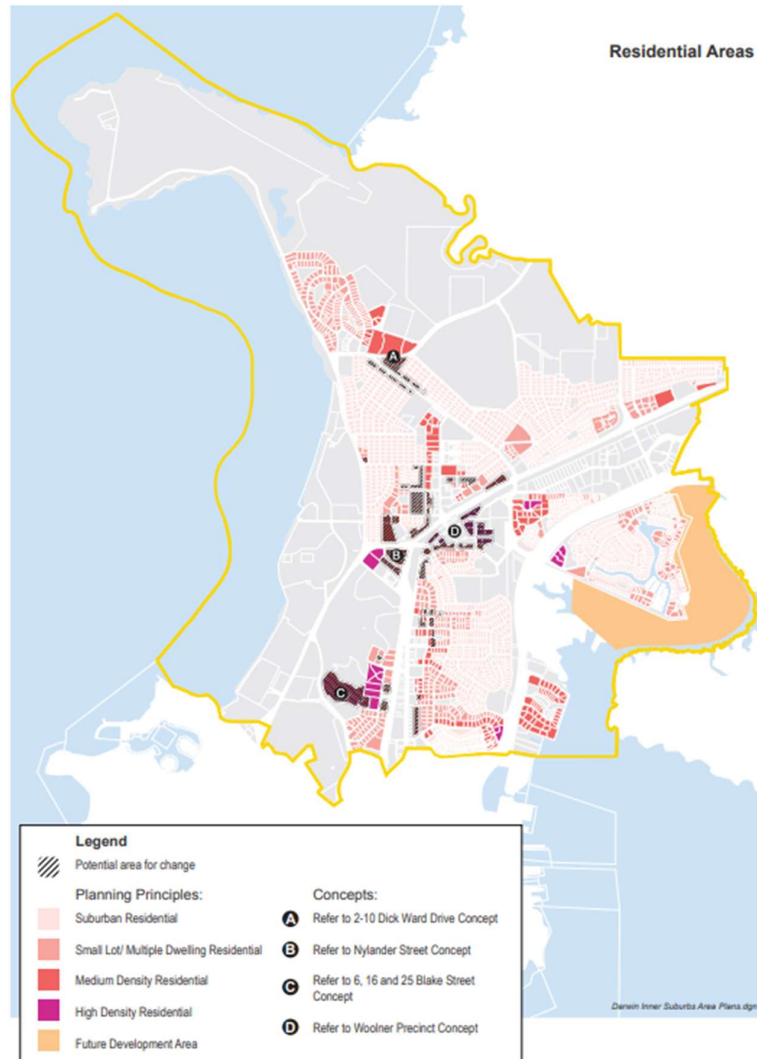


Legend			
	Potential area for change		Mixed Use (See page 18)
	Residential (See page 12)		Tourist Commercial Area (See page 18)
	Future Development		Industrial and Service Commercial Areas (See page 24)
	Organised Recreation (See page 26)		Community Purpose (See page 26)
	Public Open Space (See page 26)		Essential Services (See page 38)
	Conservation Area (See page 40)		Heritage (See page 40)

Darwin Inner Suburbs Area Plans.dgn



The following figure showing Residential Areas, from the DISAP, also identifies the subject area as a *Future Development Area*.



The Planning Principles associated with *Future Development Area* are set out in the following table from the DISAP:

Future Development Area	
<p>Objectives</p> <ol style="list-style-type: none"> 1. Identify areas intended for future development. 2. Provide for development in accordance with a site or locality specific planning framework once services are or can be made available to the land. 	<p>Acceptable Responses</p> <p>Development is to accord with either</p> <ul style="list-style-type: none"> • An Area Plan and the provisions of Zone FD; or • Provisions of a Specific Use Zone. <p>Both the Area Plan and the Specific Use Zone must address the relevant provisions within the NT Planning Scheme (including concepts within this Area Plan).</p>

Part of the land that is the subject of the current application is zoned LMR (Low-Medium Density Residential) whilst the rest is zoned FD (Future Development) and LR (Low Density Residential)

The intention is to amend the NTPS so the zoning of all the land comprised within Area A is LR. Part of Area A is already zoned LR, whilst the eastern part is zoned FD. Similarly, the intention is to also rezone the area comprising Lots 1, 2 and 3 in Area C to zone LR.

The purpose of zone LR is:

Provide predominantly for low rise urban residential development comprising individual houses and uses compatible with residential amenity, in locations where full reticulated services are available.

The lots being proposed by the current application are consistent with the purpose of the zone and will provide new housing options that will be fully serviced and can utilise existing community services and facilities. The proposed lots will also have a zone that is the same as the zoning of the existing, abutting parcels.

This application is also proposing to rezone the land comprised within proposed Lot 4 in Area C to LMR

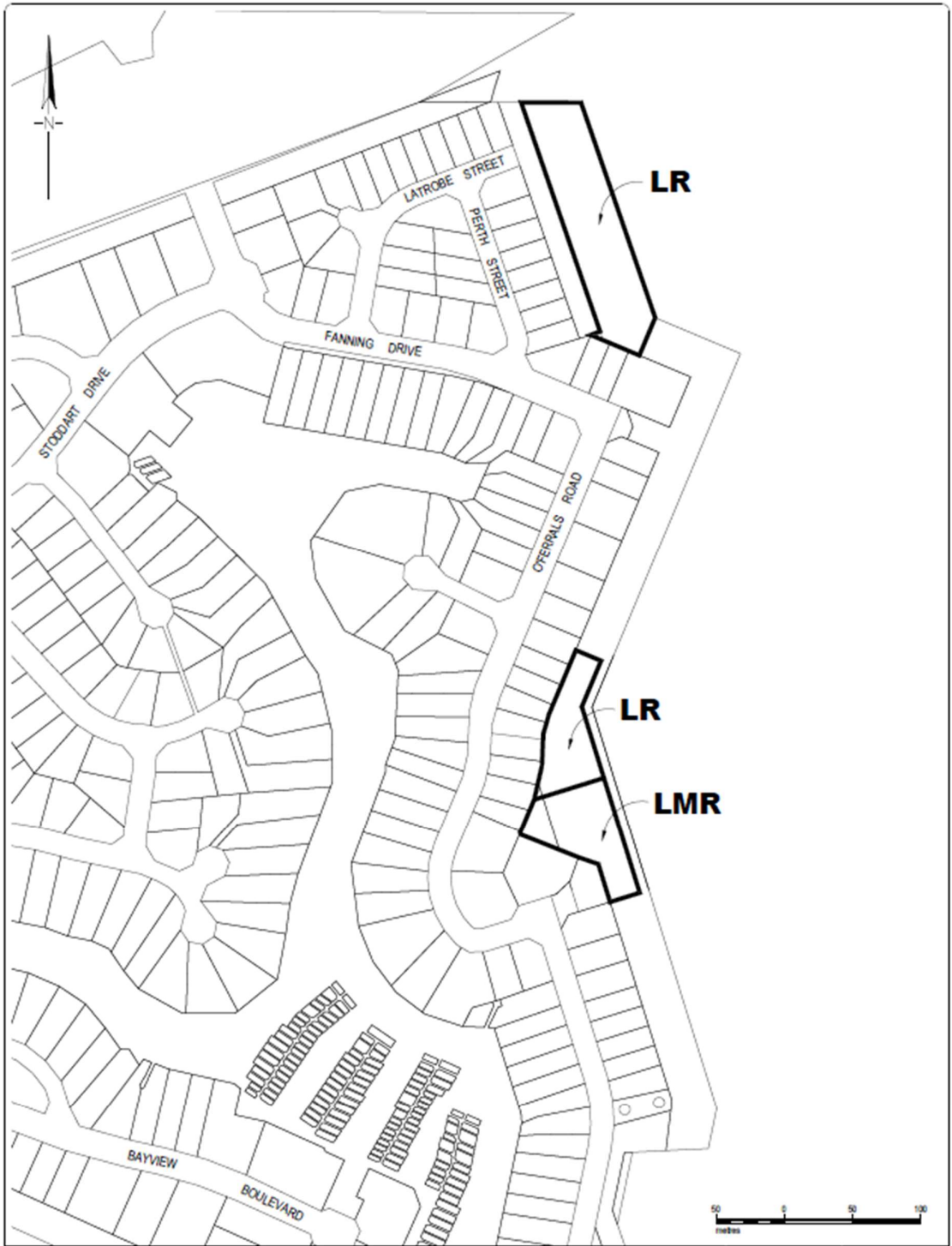
The purpose of zone LMR is:


Provide a range of low rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available.

Proposed Lot 4 is consistent with the purpose of the zone and will provide new housing options that will be fully serviced and can utilise existing community services and facilities. The LMR zone proposed for Lot 4 is consistent with the existing zoning of the land immediately to the south.

Plan 22/8093/39 (below and attached) shows the proposed zoning changes.





	SURVEY & PLANNING CONSULTANTS 10 HARVEY STREET DARWIN NT 0801 PH. (08) 8981 2404 FAX. (08) 8981 5205 darwin@eja.com.au www.eja.com.au	LOTS 5988 AND 7433 TOWN OF DARWIN PROPOSED ZONES Client: DOVER INVESTMENTS	Scale: 1:2000 (A3) Licensed Surveyor: _____ Date: _____ Drawn by: LC Date: 18/06/2022 Cad File: R055-39.DWG	Datum: _____ Drawing No: 23/8093/39



Below are the Zoning Tables for the LR, LMR and FD Zones.

ASSESSMENT TABLE – ZONE LR – LOW DENSITY RESIDENTIAL					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Caravan Accommodation	Permitted	3.4 CR – Coastal Reclamation 3.6 LSF – Land Subject to Flooding 3.7 LSSS – Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road 3.12 RDKE – Residential Development in the Katherine East Locality	5.2.1 General Height control 5.2.4 Car Parking 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.11 Caravan Accommodation
Community Centre	Impact assessable				
Demountable Structures	Merit assessable				5.8.7 Demountable Structures
Dwelling-Community Residence	Permitted				5.4.14 Dwelling-Community Residence
Dwelling-Independent	Permitted				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space 5.4.13 Dwelling-Independent
Dwelling-Single	Permitted				5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Excavation and Fill	Impact assessable				5.8.9 Excavation and Fill
Home Based Business	Permitted				5.4.10 Home Based Businesses
Residential Care Facility	Impact assessable				5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.15 Residential Care Facility 5.4.17 Building Articulation
Sex Services-Home Based Business	Permitted				5.4.10 Homes Based Businesses
Telecommunications Facility	Impact assessable				5.8.10 Telecommunications Facility
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Prohibited				

ASSESSMENT TABLE – ZONE LMR – LOW-MEDIUM DENSITY RESIDENTIAL					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Dwelling-Multiple	Merit assessable	3.4 CR – Coastal Reclamation 3.6 LSF – Land Subject to Flooding 3.7 LSSS – Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road	5.2.1 General Height Control 5.2.4 Car Parking 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation
Dwelling-Single	Permitted	3.10 MRT – Residential Development in Major Remote Towns			5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Excavation and Fill	Impact assessable				5.8.9 Excavation and Fill
Home Based Business	Permitted				5.4.10 Home Based Businesses
Residential Care Facility	Impact assessable				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.15 Residential Care Facility 5.4.17 Building Articulation
Sex Services-Home Based Business	Permitted				5.4.10 Home Based Businesses
Telecommunications Facility	Impact assessable				5.8.10 Telecommunications facility
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Prohibited				

ASSESSMENT TABLE – ZONE LMR – LOW-MEDIUM DENSITY RESIDENTIAL					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Caravan Accommodation	Permitted	3.4 CR – Coastal Reclamation	5.2.1 General Height Control		5.4.11 Caravan Accommodation
Community Centre	Impact assessable		5.2.4 Car Parking		
Demountable Structures	Merit assessable	3.6 LSF – Land Subject to Flooding	5.2.6 Landscaping		5.8.7 Demountable Structures
Dwelling-Community Residence	Permitted	3.7 LSSS – Land Subject to Storm Surge	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.14 Dwelling-Community Residence
Dwelling-Group (2)	Permitted	3.8 LADR – Land Adjacent to a Designated Road			5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation
Dwelling-Group (3+)	Merit assessable	3.10 MRT – Residential Development in Major Remote Towns			5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation
Dwelling-Independent	Permitted	3.11 RCFR – Rapid Creek Flood Response			5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space 5.4.13 Dwelling-Independent

ASSESSMENT TABLE – ZONE FD – FUTURE DEVELOPMENT					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Dwelling-Group	Impact assessable	3.4 CR - Coastal Reclamation 3.5 LPA – Land In Proximity to Airports 3.6 LSF - Land Subject to Flooding	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping		5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation
Dwelling-Independent	Permitted	3.7 LSSS – Land Subject to Storm Surge	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Dwelling-Multiple	Impact assessable	3.8 LADR – Land Adjacent to a Designated Road 3.9 DHD – Dredging in Darwin Harbour	5.3.4 Development of Land in Zone FD		5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation
Dwelling-Single	Impact assessable				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Education Establishment	Impact assessable				5.5.3 General Building and Site Design 5.8.2 Education Establishment
Emergency Services Facility	Impact assessable				5.5.3 General Building and Site Design 5.8.6 Emergency Services Facility
Excavation and Fill	Impact assessable				5.8.9 Excavation and Fill
Food Premises-Café/Take Away	Impact assessable				5.5.3 General Building and Site Design 5.5.11 Food Premises
Food Premises-Fast Food Outlet	Impact assessable				5.5.3 General Building and Site Design 5.5.11 Food Premises

ASSESSMENT TABLE – ZONE FD – FUTURE DEVELOPMENT					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Agriculture	Impact assessable	3.4 CR - Coastal Reclamation	5.2.1 General Height Control		5.7.1 Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry)
Animal Boarding	Impact assessable	3.5 LPA – Land In Proximity to Airports	5.2.4 Car Parking		5.7.2 Animal related Use and Development
Bar-Public	Impact assessable	3.6 LSF - Land Subject to Flooding	5.2.5 Loading Bays		5.5.3 General Building and Site Design 5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small
Bar-Small	Impact assessable	3.7 LSSS – Land Subject to Storm Surge	5.2.6 Landscaping		5.5.3 General Building and Site Design 5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small
Caravan Accommodation	Permitted	3.8 LADR – Land Adjacent to a Designated Road	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.11 Caravan Accommodation
Caravan Park	Impact assessable		5.3.4 Development of Land in Zone FD		5.5.13 Caravan Park
Car Park	Impact assessable				
Child Care Centre	Impact assessable	3.9 DHD – Dredging in Darwin Harbour			5.5.3 General Building and Site Design 5.5.7 Child Care Centre
Club	Impact assessable				5.5.3 General Building and Site Design 5.8.3 Club
Community Centre	Impact assessable				5.5.3 General Building and Site Design
Demountable Structures	Merit assessable				5.8.7 Demountable Structures
Dwelling-Caretakers	Impact assessable				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.12 Dwelling-Caretakers
Dwelling-Community Residence	Permitted				5.4.14 Dwelling-Community Residence

ASSESSMENT TABLE – ZONE FD – FUTURE DEVELOPMENT					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Food Premises-Restaurant	Impact assessable	3.4 CR - Coastal Reclamation	5.2.1 General Height Control		5.5.3 General Building and Site Design 5.5.11 Food Premises
Helicopter Landing Site	Impact assessable	3.5 LPA – Land In Proximity to Airports	5.2.4 Car Parking		5.4.16 Helicopter Landing Sites
Home Based Business	Permitted		5.2.5 Loading Bays		5.4.10 Home Based Businesses
Horticulture	Impact assessable	3.6 LSF - Land Subject to Flooding	5.2.6 Landscaping		5.7.1 Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry)
Hospital	Impact assessable	3.7 LSSS – Land Subject to Storm Surge	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.5.3 General Building and Site Design
Hotel/Motel	Impact assessable				
Intensive Animal Husbandry	Impact assessable	3.8 LADR – Land Adjacent to a Designated Road	5.3.4 Development of Land in Zone FD		5.7.1 Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry)
Leisure and Recreation	Impact assessable	3.9 DHD – Dredging in Darwin Harbour			5.5.3 General Building and Site Design 5.8.5 Leisure and Recreation
Medical Clinic	Impact assessable				5.5.3 General Building and Site Design
Office	Impact assessable				5.5.3 General Building and Site Design
Place of Worship	Impact assessable				5.5.3 General Building and Site Design 5.8.4 Exhibition Centre, Place of Assembly and Place of Worship
Plant Nursery	Impact assessable				
Renewable Energy Facility	Impact assessable				5.5.3 General Building and Site Design 5.8.8 Renewable Energy Facility
Residential Care Facility	Impact assessable				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation

ASSESSMENT TABLE – ZONE FD – FUTURE DEVELOPMENT					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Retail Agricultural Stall	Impact assessable	3.4 CR - Coastal Reclamation	5.2.1 General Height Control		5.7.5 Retail Agricultural Stall
Service Station	Impact assessable		5.2.4 Car Parking		5.5.3 General Building and Site Design 5.5.8 Service Station
Sex Services-Home Based Business	Permitted	3.5 LPA – Land In Proximity to Airports	5.2.5 Loading Bays		5.4.10 Home Based Businesses
Shop	Impact assessable	3.6 LSF - Land Subject to Flooding	5.2.6 Landscaping		5.5.3 General Building and Site Design
Shopping Centre	Impact assessable		5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.5.3 General Building and Site Design 5.5.12 Shopping Centre
Telecommunications Facility	Impact assessable	3.7 LSSS – Land Subject to Storm Surge	5.3.4 Development of Land in Zone FD		5.8.10 Telecommunications Facility
Veterinary Clinic	Impact assessable	3.8 LADR – Land Adjacent to a Designated Road			5.5.3 General Building and Site Design
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable	3.9 DHD – Dredging in Darwin Harbour			Part 2, Part 3, Part 4, Part 5 of this Planning Scheme

Land Suitability

As with all the preceding Stages of the Bayview Marina Estate, earthworks will be involved in rendering the land suitable for the intended use.

Geotechnical consultants Douglas Partners (DP) have been involved in the past stages and they have previously prepared a report to detail the site filling and seawall construction.

A copy of the DP report is included in this application and is addressed in more detail in the Development Proposal component of this concurrent application.

It is expected that any approval for the subdivision being proposed by the current application will be conditional on the design of all earthworks being approved by the relevant authorities prior to the commencement of any construction.

Infrastructure

Byrne Consultants has been engaged to consider service reticulation and the servicing of each of the proposed lots.

Servicing reports have been prepared and these form part of the current application. These reports have been prepared after consultation with the relevant service authorities.

Servicing details are outlined in the Development Proposal but each of the proposed Lots will have water, power, sewer and communications connections.

Conclusion

The proposed Planning Scheme amendment will facilitate the development of lots in the final stages of the Bayview Marina Estate.

The creation of the new lots is consistent with the purpose of the Crown leases and Darwin Regional Land Use Plan.

The new lots will provide valuable new housing options that are close to the Darwin CBD and the future residents will be able to utilise the existing community and commercial facilities in the locality.