

Residential Development at Lot 2458, 150 Smith Street, Darwin NT

Statement of Effect

| SECTION OF THE PLANNING ACT | MATTER TO BE ADDRESSED IN APPLICATION | |
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| 46(3)(a) | <p>An assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land:</p> <p>This Development Application is for an eight-storey residential building at Lot 2458, 150 Smith Street, Darwin.</p> <p>The Zoning is HR and Multiple Dwellings is Merit Assesable.</p> <p>The following clauses are to be addressed:</p> <p>5.2.1 General Height Control</p> <p>5.2.4 Car Parking and Layout of car parking areas</p> <p>5.2.6 Landscaping</p> <p>5.3.7 End of trip facilities in Zones HR</p> <p>5.4.1 Residential Density</p> <p>5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures</p> <p>5.4.4 Extensions and Structures Ancillary to a Dwelling-Multiple Development</p> <p>5.4.6 Private Open Space</p> <p>5.4.7 Communal Open Space</p> <p>5.4.8 Residential Building Design</p> <p>5.4.17 Building Articulation</p> <p>5.4.18 Fencing</p> <p>5.4.19 Residential Plot Ratio</p> | |
| | The proposal is as follows: | |
| | Clause | Description and Comment |
| | 5.2.1 | <p>General Height Control (development complies)</p> <p>Zone HR allows for 8 storey developments. The proposed development is eight storeys in height.</p> |
| | 5.2.4 | <p>Car Parking (development complies)</p> <p>2 car parks per dwelling therefore 22 carparks overall is required.</p> <p>23 car parks are being provided of which 22 are secure car parks within the premises plus 1 visitor car space.</p> <p>Car Parking Layout (development complies)</p> |

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| | <p>Carparking area is appropriately designed. Each carspace is accessible, 6m of two-way driveway is provided for traffic flow and sufficient clearance is provided. Any potential column encroachment is addressed by providing additional column space in between carspaces affected.</p> |
| <p>5.2.6</p> | <p>Landscaping (development complies)</p> <p>Not less than 30% of the site area (including communal open space) is to be landscaped requiring 297.60m². This is 30% X 992m² which is the site area. The proposed development has a dedicated ground floor landscaped BBQ, Gym and Pool recreation area. Additionally balcony hanging vine walls which is accessible and maintained from within adjacent apartments.</p> <p>These hanging vine walls are self maintained with automated sprinklers with plant species chosen for their low maintenance requirements. These raised gardens are not part of the unit entitlement but are maintained by the body corporate as part of common property. Adjacent apartments will be required to provide access.</p> <p>There is also landscaping at ground level adjacent to car spaces. The total landscaped area is approximately 409.2m².</p> <p>Site is extensively landscaped, including a hanging vine wall on all balconies and amenities in the form of large ground floor pool, seating, gym and bbq area. Following plant species are proposed, sourced from PWC website and are Native to NT and appropriate for the development.</p> <p>Species have been chosen for their colour, vibrancy, environmental friendliness and water economy. All species are able to be planted on easements and contribute to the attractiveness of the development. The landscaping concept is the use of shrubs, ferns and flowers instead of trees to add colour, safety and character to the premises.</p> <ol style="list-style-type: none"> 1) Simsii 2) Blechnum Orientale 3) Colocasia esculenta 4) Longicuspis 5) Hibbertia sp Hibbertia Herb 6) Ixora tomentosa (Native Ixora) 7) Melastoma affine (Native Lasiandra Shrub) 8) Murraya paniculata var. ovatifoliolata (Murraya) 9) Hydrangea anomala |
| <p>5.3.7</p> | <p>End of Trip Facilities in Zones HR (development complies)</p> <p>1 bicycle space for every 3 dwellings is required to be provided. 4 secure bike racks are shown to comply along with lockable storage plus shower and change facilities adjacent to the gym.</p> |
| <p>5.4.1</p> | <p>Residential Density (development does not comply)</p> <p>The site area is 992m². The number of 2 bedroom dwellings able to be accommodated on site is 10.55 apartments. However, 11 apartments are being proposed (10 x 2 bedroom and 1 x 5 bedroom).</p> <p>The total density proposed is 1110m² which is over the 992m² density available by 1 apartment. However the development complies with the Residential Plot Ratio 5.4.19 and we therefore submit it is of an appropriate density for this site.</p> <p>Seeing as the development complies with 1 of the 2 density clauses. And if you round the density of 10.55 apartments up to 11 apartments then it would comply with this clause also.</p> <p>This density for this designed apartment product is required to ensure project feasibility in Darwin within an environment of high interest rates and escalating construction costs. It is necessary to grant these apartments to</p> |

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| | <p>remain a profitable project that is likely to get built.</p> <p>The development proposes significantly above the minimum requirements for car parks, bicycle parks, landscaping, communal open space, private open space, building facilities and residential space. It also proposes a unique hanging green wall and reticulated design to minimise the affect of this densification on building amenity.</p> |
| <p>5.4.3</p> | <p>Building Setbacks of Residential Buildings and Ancillary Structures (development complies)</p> <p>The following are the designed setbacks. As the building is heavily articulated there are multiple setbacks from each facing:</p> <ul style="list-style-type: none"> - Primary street frontage setback: 7.5m – 10.7m <ul style="list-style-type: none"> Level 2 Front Setback: 7.5m – 9.7m – 10.7m Level 3 Front Setback: 9.7m – 10.7m Level 4 Front Setback: 9.7m – 10.7m Level 5 Front Setback: 9.7m – 10.7m Level 6 Front Setback: 9.7m – 10.7m Level 7 Front Setback: 9.7m – 10.7m Level 8 Front Setback: 9.7m – 10.7m - Side and rear setbacks: 3.3m – 7.1m <ul style="list-style-type: none"> Level 2 Rear Setback: 3.32m – 5.32m Level 3 Rear Setback: 3.32m – 5.32m Level 4 Rear Setback: 3.32m – 5.32m Level 5 Rear Setback: 3.32m – 5.32m Level 6 Rear Setback: 3.32m – 5.32m Level 7 Rear Setback: 3.32m – 5.32m Level 8 Rear Setback: 3.32m – 5.32m Level 2 North Setback: 3.5m – 5.4m – 6.4m – 7.1m Level 3 North Setback: 5.4m – 6.4m – 7.1m Level 4 North Setback: 5.4m – 6.4m – 7.1m Level 5 North Setback: 5.4m – 6.4m – 7.1m Level 6 North Setback: 5.4m – 6.4m – 7.1m Level 7 North Setback: 5.4m – 6.4m – 7.1m Level 8 North Setback: 5.4m – 6.4m – 7.1m Level 2 South Setback: 0m – 3.45m – 4.4m – 5.65m Level 3 South Setback: 3.45m – 4.4m – 5.65m Level 4 South Setback: 3.45m – 4.4m – 5.65m Level 5 South Setback: 3.45m – 4.4m – 5.65m Level 6 South Setback: 3.45m – 4.4m – 5.65m Level 7 South Setback: 3.45m – 4.4m – 5.65m Level 8 South Setback: 4.4m – 5.65m – 6.35m <p>Building massing and visual bulk has been mitigated by providing 22m² of balconies for each apartment and varying the building façade through additional articulation of building shape and balustrades that contain a hanging green vine wall. Raised greenery produces higher levels of amenity. Balconies are visible on all 4 elevations making for an attractive, functional and articulated building. Along with a dark coloured theme for window and door frames contrasting against white coloured walls. This façade treatment is continued with winged pitched angled roofs.</p> |
| <p>5.4.4</p> | <p>Extensions and Structures Ancillary to a Dwelling-Multiple</p> |

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| | | <p>Development (development complies)</p> <p>All ancillary structures comply with the planning scheme and exist for building safety and utilisation. These are a ground floor gym and fire sprinkler pump room.</p> |
| | 5.4.6 | <p>Private Open Space (development complies)</p> <p>Each apartment is required to provide 12m² of private open space with minimum width 2.8m.</p> <p>Each proposed apartment has a minimum private open space of 22m² with dimensions greater than the minimum required. The penthouse provides 125m² of private open space. All balconies are internally drained.</p> |
| | 5.4.7 | <p>Communal Open Space (development complies)</p> <p>A minimum of 15% of the site with width no less than 6m are to be provided which equates to a minimum of 148.80m². This is 15% X 992m² which is the area site.</p> <p>The proposed development has a dedicated ground floor landscaped BBQ, Shaded Seating Arrangements, Gym and Pool recreation area as communal open space. This totals approximately 269.4m². This can be utilised by all types of residents such as children playing, adults exercising, the ability for residents to throw gatherings and parties all while providing privacy in a secure environment. Swimming pool is separately enclosed to increase child safety.</p> <p>The communal open space area is perpetually shaded by the building and neighbouring buildings due to its design, orientation and location within the premises. The building is close to Gardens Golf Park, Darwin Cricket Oval, Mindil Beach and the Botanical Gardens with plenty of high quality communal open space options nearby.</p> |
| | 5.4.8 | <p>Residential Building Design (development complies - addresses all design considerations)</p> <ol style="list-style-type: none"> a) Balconies are sufficiently shaded. b) The site has only one street frontage with designs that contains different facades and treatments. c) Air conditioner compressors are located on the rear apartment balconies, hidden from external view. d) Service risers and ducts are provided internally for concealment of all service ducts and pipes. e) Each apartment is designed not to overlook into adjacent apartments. Balconies face the primary street (Smith Street) and avoid privacy impact on adjacent land. f) The main noise sources are cars and communal spaces. Car parking and communal open space is located on the ground floor. The transmission of noise is suitably prevented by the separation of car parking and communal open space from the sleeping areas of the apartments. g) Apartments are appropriately planned with living areas separated from sleeping areas of adjacent apartments to ensure noise transmission between apartments during normal occupation is unlikely to occur. h) The site is not considered to be close to high noise sources. i) The orientation of the building facilitates passive climate control for each apartment. Complying building setbacks allow for passive air flow around the building and the site. Shaded balconies achieve visual privacy. j) Cross ventilation is facilitated through the orientation and location of operable windows, open spaces and orientation of the building. k) The building façade will be rendered and painted block work and will |

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| | | <p>be non-reflective.</p> <p>l) Balconies will be internally drained.</p> |
| | 5.4.17 | <p>Building Articulation (development complies)</p> <p>A step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part thereof. The building has been designed in accordance with this clause and has been provided by the building design and articulation.</p> |
| | 5.4.18 | <p>Fencing (development complies)</p> <p>All fences are built to 1.8m and are visually permeable and non visually permeable to the degree as required by the clause. A green wall is provided to increase amenity and reduce affect of visual bulk from walls as well as interchanging black steel and white concrete facade along footpaths and external walls.</p> |
| | 5.4.19 | <p>Residential Plot Ratio (development complies)</p> <p>A residential plot ratio of sites within this zone is 2.3:1. A site area of 992m² X 2.3 produces 2,282m² of internal residential built space available. The development produces 1,716.4m² of internal built space complying with the residential plot ratio and is thus an appropriate built density for the site.</p> |
| | Referenced Document (Community Safety Design Guide) | <p>The path leading to the new building has clear sight lines and clear path of travel without any obstructions. The path will be clear and visible.</p> |
| 46(3)(b) | <p>An assessment demonstrating how the proposed development will comply with an interim development control order, if any, applying to the land:</p> <p>Not Applicable.</p> | |
| 46(3)(c) | <p>If a public environmental report or an environmental impact statement has been prepared or is required under the Environmental Assessment Act in relation to the proposed development, a copy of the report or statement and the results of any assessment of the report or statement under that Act by the minister administering that Act:</p> <p>Not Applicable.</p> | |
| 46(3)(d) | <p>An assessment demonstrating the merits of the proposed development:</p> <p>The proposed multiple dwelling development comprises of the construction of 10 x 2-bedroom and 1 x 5-bedroom penthouse apartments in a single eight storey building.</p> <p>The design is of a high-quality building that is both modern, functional and stylish with large apartments which will appeal to residents of Darwin and provide a high quality of life and is central to amenities.</p> <p>A summary of the proposed development is as follows:</p> <ul style="list-style-type: none"> - Direct access to ground floor level secure car park from the primary street (Smith Street). - The ground floor comprises of 23 car parking spaces, lift lobby, gym, pool, bbq area, landscaping, bicycle racks, fire stairs; water storage tank and pump room for FPAA fire sprinklers. - Eight storey building comprising of 10 x 2 bedroom apartments and 1 x 5-bedroom apartment with 2 apartments per floor from levels 2 to 6 and one penthouse apartment over two floors from level 7 & 8. - Each 2-bedroom apartment includes 2 ensuite bathrooms connected to each bedroom, open plan kitchen/living/dining area and a large study / home office. The | |

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| | <p>home office area is provided to be multifunctional to address the increasing trend of businesses which are run from home. This is an underserved market that we know from personal experience as we run this development company from home offices.</p> <ul style="list-style-type: none"> - All apartments contain generous private balconies of 22m2+. - The building contains one elevator access point with an enclosed fire rated lobby on each floor and one fire escape stairs. - Individual air conditioning units are contained within each apartment with condensers located out of site on rear balconies. - The ground floor contains tiled barbeque area, seating area, swimming pool, extensive landscaping and an enclosed gym. These amenities provide a high quality of life for residents. - Each apartment is large and spacious and will be prime for a young family or work from home professionals. - Extensive greenery and landscaping is provided on the building which will produce a natural and attractive built environment. |
| 46(3)(e) | <p>A description of the physical characteristics of the land and a detailed assessment demonstrating the lands suitability for the purposes of the proposed development and the effect of development on that land and other land:</p> <p>The site is flat and currently accommodating an elevated 3-bedroom house. The dwelling was rebuilt after cyclone Tracy and does not contain any hazardous materials.</p> <p>There is one street frontage, the southwest primary street frontage onto Smith Street. The northeast has sweeping views over the gardens golf course from the fourth floor and above.</p> <p>The site neighbours 2 separate 8 storey high rise developments (the Imperial at 144 Smith Street and the Chelsea at 148 Smith Street) and is across the road from an upcoming 13 storey development at the site of the old Asti Motel. Creating a built form of high density high rise developments.</p> <p>Built form within the locality comprises predominantly of high rise 8 – 12 storey residential developments of varying densities which makes the land suitable for the proposed development.</p> |
| 46(3)(f) | <p>A statement specifying the public facilities or public open space available in the area in which the land is situated, whether land for public facilities or public open space is to be provide by the developer and whether it is proposed that facilities or open space be developed by the developer:</p> <p>Public open space is being created with this development on the ground floor garden, swimming pool, gym and BBQ area.</p> |
| 46(3)(g) | <p>A statement specifying the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and whether public utilities or infrastructure are to be provided by the developer or land is to be provided by the developer for the provision of public utilities or infrastructure:</p> <p>Utilities and infrastructure are to be provided by the developer. There is existing infrastructure to connect water, stormwater, sewer and electricity as well as the provision for the developer to upgrade utilities and infrastructure where required.</p> <p>There is a 3m wide sewer easement running the entire width through the back of the site. With consultations with PowerWater, there will be an asphalt or pavers car park over the easement.</p> |
| 46(3)(h) | <p>An assessment of the potential impact on the existing and future amenity of the area in which the land is situated:</p> <p>The site neighbours 2 x 8 storey high rise developments (the Imperial at 144 Smith Street and the Chelsea at 148 Smith Street) and is across the road from an upcoming 13 storey building at the Asti Motel site. Creating a built form of high density high rise developments.</p> |
| 46(3)(j) | <p>An assessment of the benefit or detriment to the public interest of the development:</p> <p>This is a previously assessed and approved development granted a permit. The development permit lapsed and this is a reapplication. It will benefit the public as follows:</p> <ul style="list-style-type: none"> - Providing high quality large spacious living to families close to the CBD of Darwin. |

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| | <ul style="list-style-type: none">- Providing home office space to residents who increasingly work from home.- The development is located within walking distance to the Darwin CBD, Cullen Bay restaurants, parks and beaches, SkyCity Casino, Darwin Cricket Oval, Gardens Park Golf Course and Mindil Beach Markets.- The development is within close proximity to transit nodes and is approximately a 100m walk to bus stops on Mitchell street. |
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Landscaping Schedule:

In Order:

- 1) *Simsii*
- 2) *Blechnum Orientale*
- 3) *Colocasia esculenta*
- 4) *Longicuspis*
- 5) *Hibbertia* sp *Hibbertia* Herb
- 6) *Ixora tomentosa* (Native *Ixora*)
- 7) *Melastoma affine* (Native *Lasiandra* Shrub)
- 8) *Murraya paniculata* var. *ovatifolia* (*Murraya*)
- 9) *Hydrangea anomala*



