

## **NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - sections 54 and 55*

### **DEVELOPMENT PERMIT**

DP24/0010

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

Lot 01287

Lot 01288

Lot 01295

Lot 01296

Town of Darwin

1 MONTORO CT, LARRAKEYAH

2 MONTORO CT, LARRAKEYAH

8 PACKARD PL, LARRAKEYAH

7 PACKARD PL, LARRAKEYAH

### **APPROVED PURPOSE**

To use and develop the land for the purpose of 56 dwellings-multiple and 63 serviced apartments in 1x10 and 1x11 storey buildings plus three levels of basement parking, in accordance with the attached schedule of conditions and the endorsed plans.

### **VARIATIONS GRANTED**

Clause 5.2.4.4 (Layout of car parking areas), Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) and Clause 5.4.6 (Private Open Space for Dwellings-multiple), of the Northern Territory Planning Scheme 2020.

### **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.

**SALLY GRAETZ**

Delegate

Development Consent

Authority

5 January 2024

## **DEVELOPMENT PERMIT**

DP24/0010

### **SCHEDULE OF CONDITIONS**

#### **CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works, 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. details of end of trip facilities for bicycle parking and shower and change facilities to the requirements of Clause 5.3.7 of the NT Planning Scheme 2020, and Australian Standards AS2890.3;
  - b. landscaping changes to show the addition of low to mid-level planting within the communal open space area adjacent to Montoro Court; and
  - c. details of full height screening to street facing balconies to the requirements of clause 5.4.8.2(14)
2. Prior to the endorsement of plans and prior to the commencement of works, approval is required by the City of Darwin for any element of the building (separate to awnings) that is designed to be constructed or installed over the City of Darwin road reserve, to the satisfaction of the consent authority.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), an engineered plan completed by a suitably qualified civil engineer demonstrating the on-site collection of stormwater and its discharge into the local underground stormwater drainage system, shall be submitted to, and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of site levels, and Council's stormwater drain connection point/sand connection details.
4. Prior to the endorsement of plans and 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.
5. Prior to the endorsement of plans and prior to the commencement of works, an updated traffic impact assessment report is to be prepared by a suitably qualified traffic engineer in accordance with the Austroads Document Guide to Traffic Management - Part 12: Traffic Impacts of Developments (Appendix C), with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities. The report shall include justification to how the 0.32 to 0.5 trip generation rates were considered for the peak hour trips, a network analysis instead of an individual intersection performance analysis with SIDRA files to be submitted for further analysis, details of internal vehicle circulation including swept paths for waste collection vehicles to ensure

no blockages at either entrance and/or SIDRA blockage probability, and details of any necessary upgrades to the surrounding street network as a result of the development and any other necessary information as identified by the City of Darwin. The developer will be required to install all required upgrade measures resulting from the traffic assessment at no cost and to the requirements of the City of Darwin, to the satisfaction of the consent authority.

6. 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.
7. Prior to the commencement of works (including site preparation), a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Guidelines, shall be submitted to and approved by 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 dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.
9. Prior to the commencement of works, written confirmation from a qualified traffic engineer that the car parking spaces and access lanes associated with the development comply with the relevant Australian Standards for car parking must be provided in instances where the car parking does not comply with the minimum requirements of Clause 5.2.4.4 (Layout of car parking areas) of the Northern Territory Planning Scheme, to the satisfaction of the consent authority.

## **GENERAL CONDITIONS**

10. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
11. All works recommended by the traffic impact assessment are to be completed to the requirements of the City of Darwin, to the satisfaction of the consent authority.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, 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 1, 2, 3, 4, 5, 6, 7 and 8 for further information.
13. Lots 1287, 1288, 1295 and 1296 (1 and 2 Montoro Court and 8 and 7 Packard Place, Larrakeyah) Town of Darwin are required to be consolidated and a new title issued for the consolidated lot. Also please refer to Note 7 for advice related to the National Construction Code (NCC).
14. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both [landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au) and [powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)
15. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the meters within

the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained."

16. 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.
17. Before the 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;
  - e. line marked to indicate each car space and all access lanes; and
  - f. clearly marked to show the direction of traffic along access lanes and driveways.
  - g. to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
18. 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.
19. 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.
20. 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.
21. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.
22. 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 and from view of neighbouring or nearby developments (or developments reasonably anticipated), 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. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with a panel to gap ratio, such that the condenser units are not readily visible from any angle.
23. 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.

24. 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.
25. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
26. 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.
27. 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.
28. A Compliance Certificate under the *Swimming Pool Safety Act 2004* issued by the Swimming Pool Safety Authority is required for the swimming pool/s prior to the commencement of the use/development to the satisfaction of the consent authority.

## NOTES

1. 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.
2. 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)
3. 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-thenbn/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-thenbn/new-developments.html>.
4. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 8995 5346 ([surveylandrecords@nt.gov.au](mailto:surveylandrecords@nt.gov.au)).
5. Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
6. The City of Darwin advises that 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, 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.

7. 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. Due to provisions in the National Construction Code (NCC), the subject lots may need to be consolidated before a building permit can be issued.
8. 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](mailto:info@ntbuild.com.au)) or by phone on 0889364070 to determine if the proposed works are subject to the Act.
9. All land in the Northern Territory is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Section 9 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection.  
  
Should you require further weed management advice contact the weed management branch by phone on (08) 8999 4567 or by email to [weedinfo@nt.gov.au](mailto:weedinfo@nt.gov.au)
10. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004*.
11. The Department of Defence advises that there must be no site activity which would attract birds and create a hazard for aircraft operations.