

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 59

EXTENSION OF PERIOD OF PERMIT

DP14/0831G

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 05182
Town of Darwin
213 DICK WARD DR, LUDMILLA

PERIOD OF EXTENSION

The Development Consent Authority has determined to extend the period of Development Permit DP14/0831 by a period of 2 years.

Development Permit DP14/0831 will now lapse on 4 December 2026. Should works be substantially commenced in accordance with DP14/0831 on or before 4 December 2026, DP14/0831 will lapse on 4 December 2028.

In all other respects DP14/0831, DP14/0831D and DP14/0831F remain unchanged.

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AMIT MAGOTRA
Delegate
Development Consent Authority

13 September 2024

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - Section 57(3)

VARIATION OF CONDITIONS

DP14/0831H

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 05182
Town of Darwin
213 DICK WARD DR, LUDMILLA

VARIATION

Consent is granted to vary Development Permit DP14/0831F for the purpose of removing condition precedent 6, in accordance with the drawings endorsed as forming part of this permit.

In all other respects Development Permits DP14/0831, DP14/0831D and DP14/0831F remain unchanged.

BASE PERIOD OF THE PERMIT

This permit does not extend the base period of the original permit.

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Philip
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SUZANNE PHILIP
Delegate
Development Consent Authority
08 April 2025

SCHEDULE OF CONDITIONS

DEVELOPMENT PERMIT

DP14/0831H

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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. A landscaping buffer (including fencing) within Area A in accordance with the Bagot Road Master Plan
 - b. Plan notations identifying that the road alignment is subject to change pending the outcome of the detailed Traffic Impact Assessment.
2. Prior to the endorsement of plans and prior to the commencement of works, written correspondence from Power Water (Power Networks) is required confirming that the anticipated maximum demand information has been provided, to the satisfaction of the Power Water.
3. 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 and Department of Transport stormwater drainage system shall be submitted to and approved by the City of Darwin and Department of Transport, to the satisfaction of the consent authority. The plan shall include details of site levels and stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council and Department of Transport's system.
4. Prior to the commencement of works, a **Type 2** Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment, Parks and Water Security ESCP Standard Requirements 2019 available at <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP should be submitted for acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to Development Assessment Services via email: +das.ntg@nt.gov.au.
5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how construction will be managed on the site, and is to include details of the haulage of excavated and new materials, traffic management for construction vehicles, management of stormwater during the construction phase, fencing and hours of construction.

6. Prior to the endorsement of plans and prior to the commencement of subdivision works (including site preparation), a draft covenant shall be provided to the consent authority for review. The covenant shall require provision for a road reservation as required by Zone SD37, and restrict the construction of formal access points to individual lots until such time that a detailed Traffic Impact Assessment has been completed. Written confirmation is required from the Transport Infrastructure Planning Division, Department of Transport, and the City of Darwin, that the covenant is to their requirements.
7. Prior to the endorsement of plans and prior to the commencement of subdivision works (including site preparation), plans showing that all of the land within Areas A and B of SD37 will be filled to be above the Primary Storm Surge Area (PSSA) shall be provided to the authority for endorsement. The plans shall be to the satisfaction of the consent authority and be accompanied by a statement from a suitably qualified professional confirming that the placement of fill will create no adverse hydrological impacts on other properties in the area due to the displacement of water in a 1 in 100 year surge event.

GENERAL CONDITIONS

8. Works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
9. Before issue of titles and pursuant to section 55 of the *Planning Act 1999*, a covenant shall be lodged with the Registrar General for notation on the titles of proposed lots 1, 2, and 3 shown on the endorsed drawings. The covenant shall require provision for a road reservation as required by Zone SD37, and restrict the construction of formal access points to individual lots until such time that a detailed Traffic Impact Assessment has been completed. Written confirmation is required from the Transport Infrastructure Planning Division, Department of Transport, and the City of Darwin, that the covenant is to their requirements.
10. All works relating to this permit must be undertaken in accordance with the accepted **Type 2** Erosion and Sediment Control Plan (ESCP). If the need to be amended, the revised ESCP must be developed and certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to Development Assessment Services via email: das.ntg@nt.gov.au.
11. All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. For further information refer to notes below. At completion of works, clearance must be provided by a CPESC regarding satisfactory implementation of temporary and permanent erosion and sediment control measures and the site stabilisation, and provided to the satisfaction of the consent authority.
12. Part V clearance for subdivision will not be granted until the landscaping buffer works shown on the endorsed plans are carried out and completed to the satisfaction of the consent authority.
13. Notwithstanding that the exact location of the internal road that runs along the northern boundary of Area A is subject to change, Part V clearance for subdivision will not be granted until:

- a. The internal road that runs along the northern boundary of Area A and all required improvements to surrounding intersection and access arrangements are carried out and completed to the satisfaction of the City of Darwin, the Department of Transport and the Department of Lands, Planning and the Environment; or,
 - b. Written confirmation is received from the above agencies that the proposed covenant discussed at condition 6 and condition 9 is sufficient to ensure that the internal road and all required improvements to surrounding intersection and access arrangements is completed at a later time and to their requirements and satisfaction.
- 14 All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
- 15 Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin or Department of Transport as the case may be, to the satisfaction of the consent authority, and all approved works constructed at the developer's/owner's expense.
- 16 All proposed works impacting on Bagot Road, Fitzner Drive, Dick Ward Drive and Totem Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the City of Darwin or Department of Transport, as the case may be. Drawings must be submitted to the City of Darwin or the Transport Infrastructure Planning Division for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
- 17 Any clearing and future use of the land shall not be detrimental to the drainage, flood immunity or safety of the Bagot Road road reserve thorough the blocking of off-let drains, natural drainage channels or overland flow. Any alteration of the existing stormwater drainage patterns shall be such that the stormwater run-off from the lots is away from Bagot Road and is able to be collected within the development area and local stormwater system.
- 18 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 on the plan of subdivision submitted for approval by the Surveyor General.
- 19 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity supply and telecommunications to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- 20 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.
- 21 Any planting or construction activity within any easement or within road reserves adjacent to assets of any public agency or authority shall conform to the requirements of the relevant agency or authority to the satisfaction of the consent authority.
- 22 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 or the Department of Transport, to the satisfaction of the consent authority.

23. The developer is to ensure that all development work is undertaken in a manner that prevents the creation of a public health nuisance from dust or other particulate matter.
24. All works associated with the development are to comply with the conditions of any Authority Certificate issued by the Aboriginal Areas Protection Authority.

Notes

1. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and the Department of Environment, Parks and Water Security ESCP Standard Requirements 2019 and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.
2. Department of Environment, Parks and Water Security Erosion and Sediment Control Plan (ESCP) procedures as updated available at <https://depws.nt.gov.au/rangelands/technical-notes-and-fact-sheets/land-management-technical-notes-and-fact-sheets>.
3. There are statutory obligations under the *Waste Management and Pollution Control Act 1998* (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website: <https://ntepa.nt.gov.au/publications-and-advice/environmental-management> To help satisfy the General Environmental Duty, the proponent is advised to take notice of the SCHEDULE OF ENVIRONMENTAL CONSIDERATIONS provided by DENR.

The WMPC Act, administered by the NT EPA, is separate to and not reduced or affected in any way by other legislation administered by other departments or authorities. The NT EPA may take enforcement action or issue statutory instruments should there be non-compliance with the WMPC Act.

4. The developer shall have regard to the City of Darwin's Subdivision and Development guidelines. A "Permit to Work Within a Road Reserve" may be required from the City of Darwin or the Department of Transport before commencement of any work within the road reserve.
5. 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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
6. 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 variable message). The sign shall be positioned: (a) so as not to create sun or headlight reflection to motorists; and (b) be located entirely (including foundations and aerially) within the subject lot.

7. The developer is required to contact 'Dial Before You Dig' on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443. 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.
8. All new roads are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>.
9. The Department of Lands, Planning and the Environment's 'Environment Protection Agency' advises that construction work should be conducted in accordance with the Department's Noise guidelines for development sites. 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.
10. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Act. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Branch of the Department of Lands, Planning and the Environment.
11. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
12. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
13. The site is subject to "The Defence Areas Control Regulations" (DACR). Any structures (including temporary structures) higher than 15m above ground level including, but not limited to, additional buildings, light poles, cranes used during construction, vegetation etc. requires approval by the Department of Defence.
14. Any lighting installed as part of the development is to consider section 9.21 'Lighting in the Vicinity of Aerodromes' of the CASA Manual of Standards Part 139, available at: <http://www.casa.gov.au/wcmswr/assets/main/rules/1998casr/139/139mfull.pdf>. The site is to be kept clean of rubbish and any storage of waste is to be managed at all times in a manner so as to not attract birds or bats, to the satisfaction of the consent authority.