

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - Section 57(3)

VARIATION OF CONDITIONS

DP23/0071A

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Lot 10156
Town of Darwin
39 STOKES HILL RD, DARWIN CITY
45 STOKES HILL RD, DARWIN CITY


VARIATION

Consent is granted to vary Condition 3 of Development Permit DP23/0071 for the purpose of removal of the cool room storage container on Lot 07495 and re-configuration of internal floor area to incorporate fridges and freezers into the back of house storage area in the development, in accordance with the drawings numbered 2023/0019/01A to 2023/0019/05A, endorsed as forming part of this permit.

In all other respects Development Permit DP23/0071 remains unchanged.

BASE PERIOD OF THE PERMIT

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


Digitally signed
by Amit
Magotra
Date:
2024.06.07
15:34:23 +09'30'

AMIT MAGOTRA
Delegate
Development Consent Authority
07 June 2024

SCHEDULE OF CONDITIONS

DEVELOPMENT PERMIT

DP23/0071A

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings numbered 2023/0019/01A to 2023/0019/05A, endorsed as forming part of this permit.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

Please refer to notation 1 for further information.

5. 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.
6. All works recommended by the traffic impact assessment are to be completed to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.
7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin Waterfront Corporation, to the satisfaction of the consent authority.
8. Storage for waste disposal bins is to be provided to the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.
9. 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 Darwin Waterfront Corporation, to the satisfaction of the consent authority.

10. Before the use 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; and
- (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.

11. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.

12. Before the use 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.

13. 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.

14. 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.

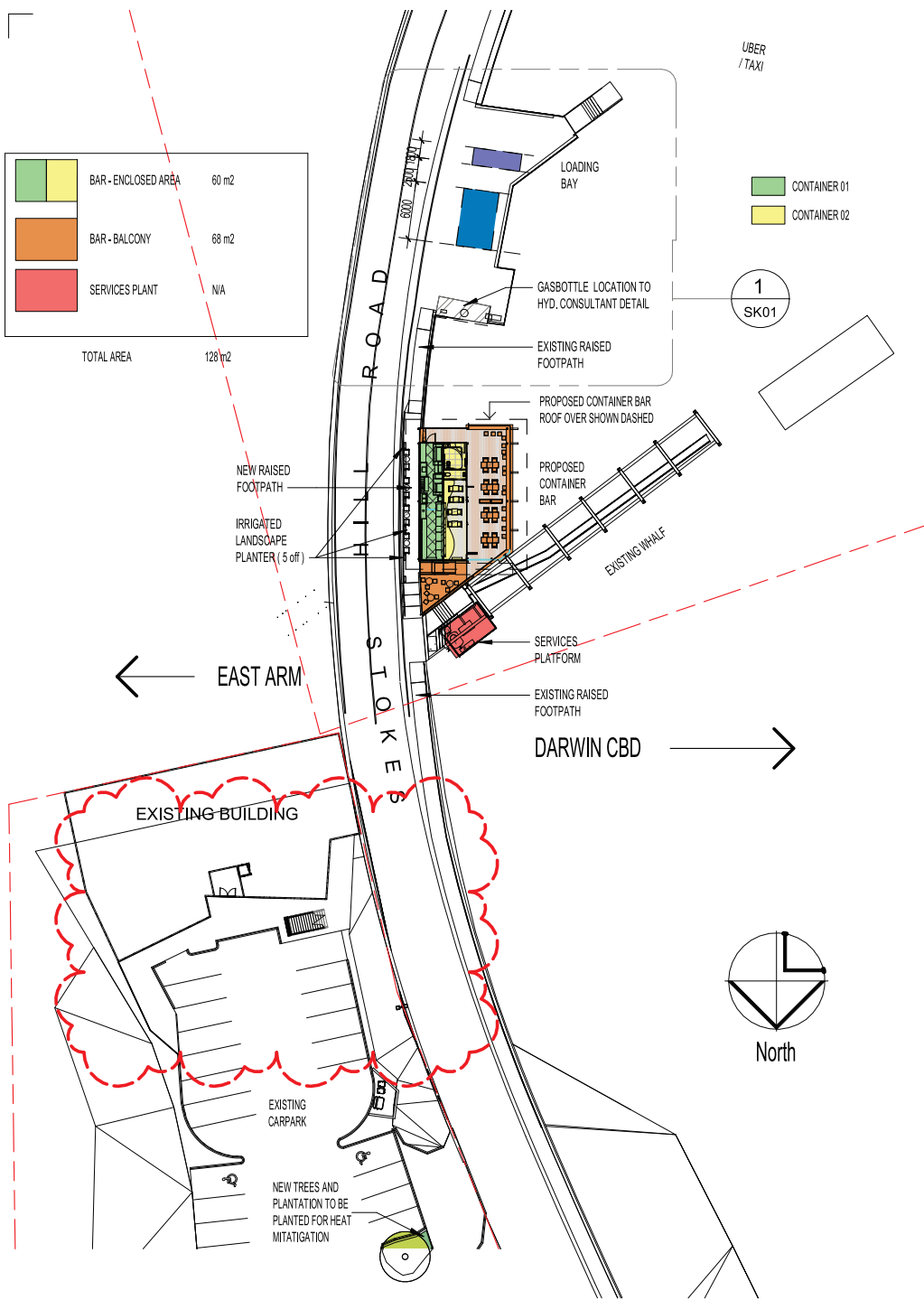
15. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

Notes

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (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. 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*.
3. 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.

4. 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) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

	BAR - ENCLOSED AREA	60 m2
	BAR - BALCONY	68 m2
	SERVICES PLANT	N/A
TOTAL AREA		128 m2



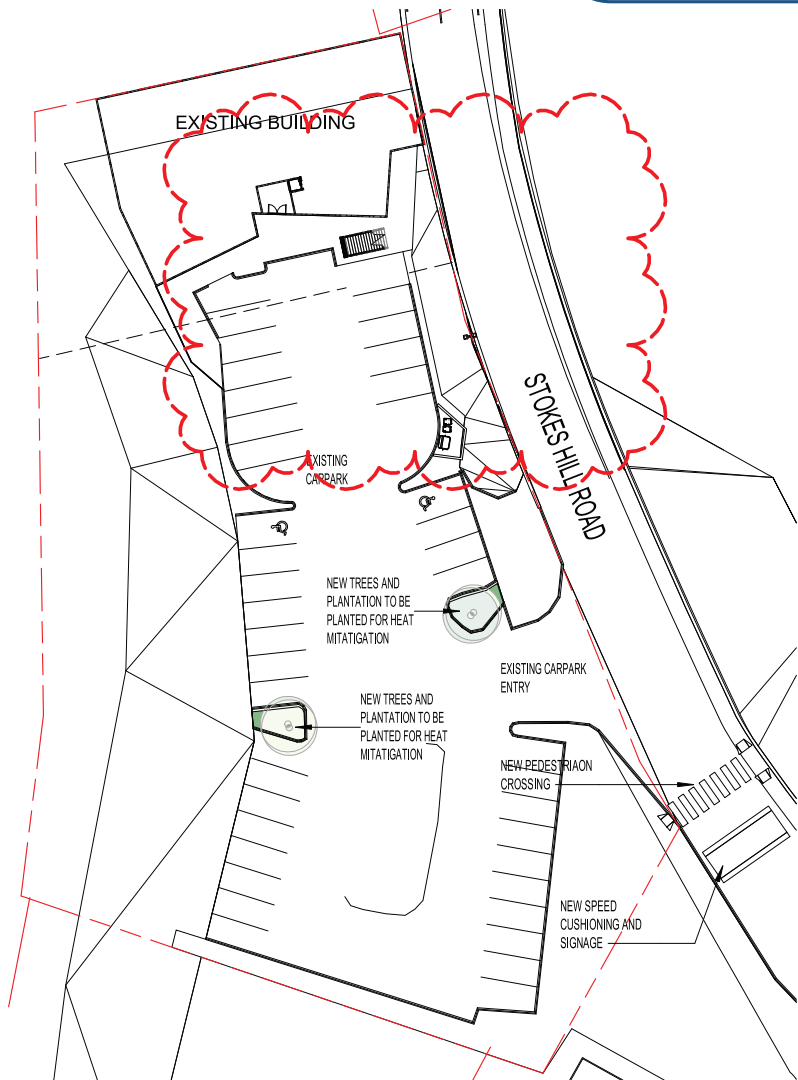
1 SITE PLAN - PROPOSED CONTAINER BAR

1 : 500

This document contains drawing numbers:
2023/0019/01A to 2023/0019/05A
 Referred to in Permit No: DP23/0071A
 Issued by the consent authority on: 07 June 2024

All drawings contained within this document have been authorised by the delegate of the consent authority.

Digitally signed by Amit Magotra
 Date: 2024.06.07 15:35:16 +09'30'
 Delegate



2 SITE PLAN - PROPOSED CONTAINER BAR CARPARK

1 : 500

Drawing number 2023/0019/01A
 Referred to in Permit No: DP23/0071A

FOR INFORMATION

3	DEVELOPMENT APPLICATION RESUBMISSION	22.04.2024
2	COOL ROOM CONTAINER RELOCATION	30.11.2023
1	SITE UPDATE BINS & CARPARK	20.06.2023
0	FOR CONSTRUCTION	09.06.2023

Issue	Revision Description	Date
Project Management		
Quantity Surveyor		
Structural & Civil		
Mechanical		
Electrical		
Hydraulic		
Fire		
BCA Consultant		
Landscape Architect		

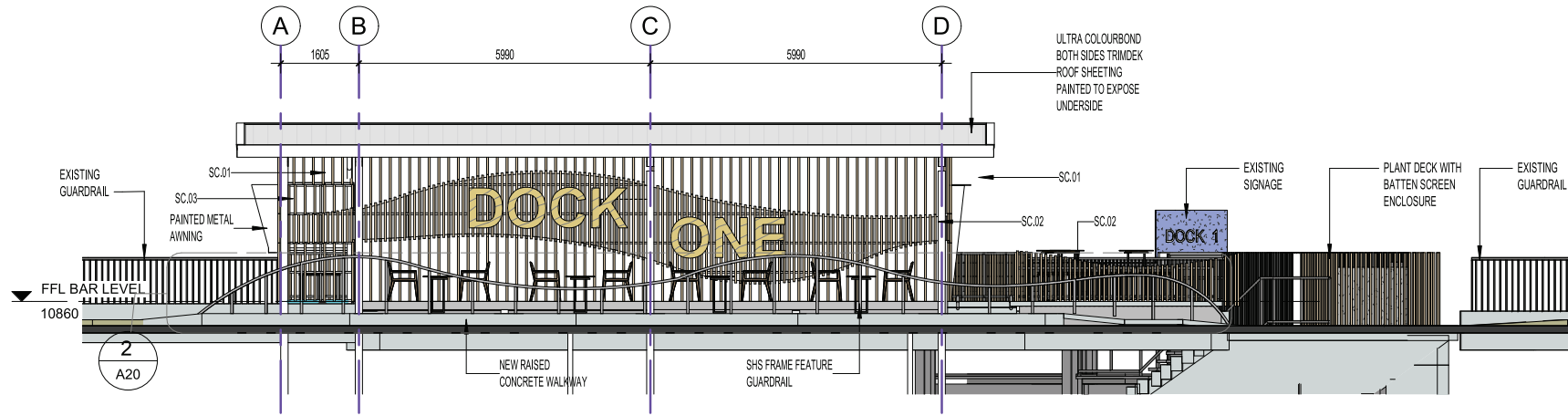


Drawn	Author	Checked	Checker
Drawing Coordinated	Date		

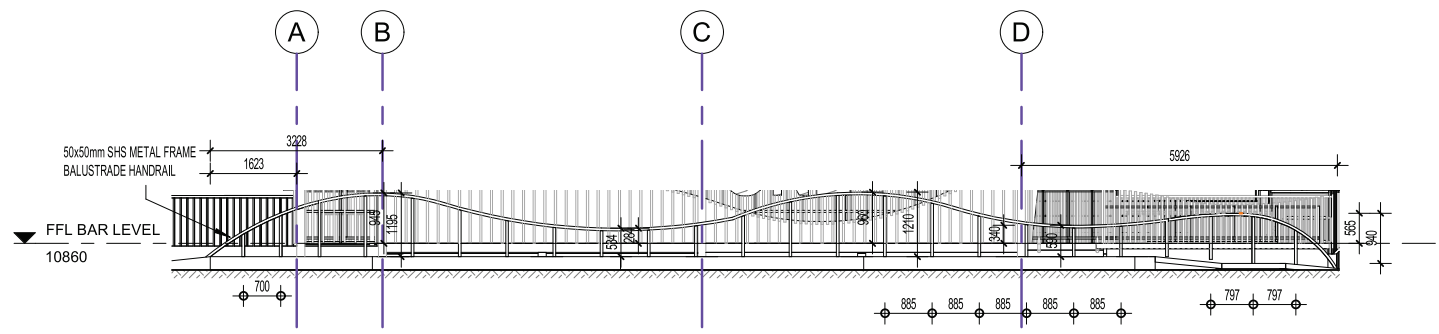
Project: PROPOSED DOCK ONE CONTAINER BAR
 LOT 10156 (45) STOKES HILL RD, DARWIN
 Project: RA2301
 Drawing: MASTER SITE PLAN
 Drawing: A05
 Scale: As indicated
 Issue: 3

NOTE
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Key



1 STREET ELEVATION
 1: 100



2 STREET ELEVATION - BALUSTRADE
 1: 100

3	DEVELOPMENT APPLICATION RESUBMISSION	22.04.2024
2	STRUCTURAL STEEL COORDINATION	04.07.2023
1	GRID SETOUT COORDINATION	15.06.2023
0	FOR CONSTRUCTION	09.06.2023

Issue	Revision Description	Date
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Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM



Drawn	Author	Checked	Checker
Drawing Coordinated	Date		

PROPOSED DOCK ONE CONTAINER BAR
 LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301

Drawing STREET ELEVATION Scale 1: 100

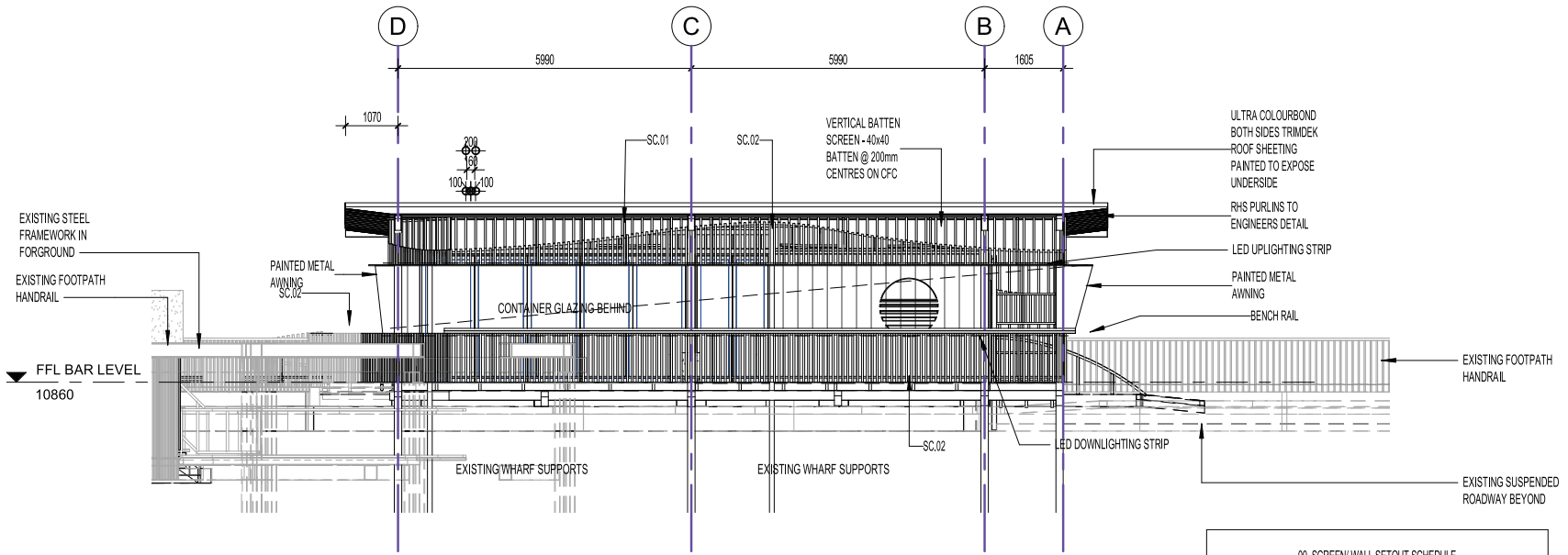
Drawing A20 Issue 3

Drawing number **2023/0019/03A**
 Referred to in Permit No: **DP23/0071A**

FOR INFORMATION

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Key



W West Elevation
 1 : 100

00_SCREEN/WALL SETOUT SCHEDULE

Type Mark	Type	Comments
SC.01	VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 200mm CENTRES ON CFC	
SC.02	VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 100mm CENTRES	
SC.03	VERTICAL BATTEN SCREEN GATE TO DETAIL	

Issue	Revision Description	Date
4	DEVELOPMENT APPLICATION RESUBMISSION	22.04.2024
3	WIP - CLADDING DETAIL REVIEW	19.02.2023
2	STRUCTURAL STEEL COORDINATION	04.07.2023
1	GRID SETOUT COORDINATION	15.06.2023
0	FOR CONSTRUCTION	09.06.2023

Issue Revision Description Date

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM



ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

Drawn Author Checked Checker
 Drawing Coordinated Date

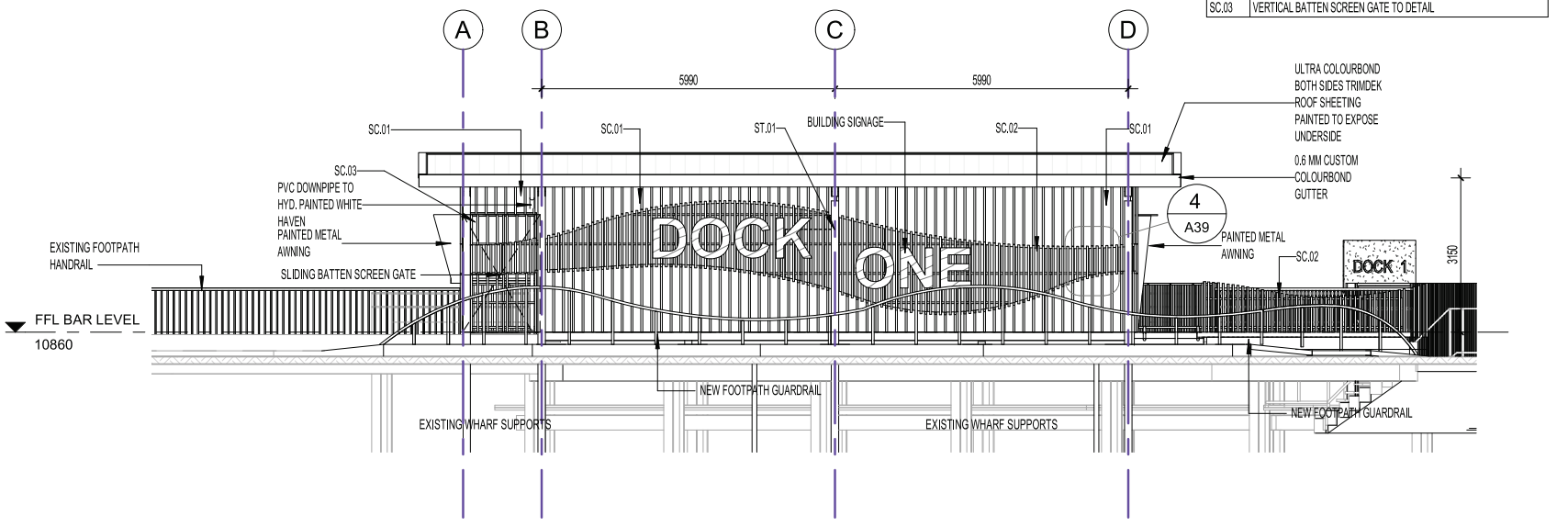
Project

PROPOSED DOCK ONE
 CONTAINER BAR
 LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301

Drawing ELEVATIONS EAST/WEST Scale 1 : 100

Drawing A21 Issue



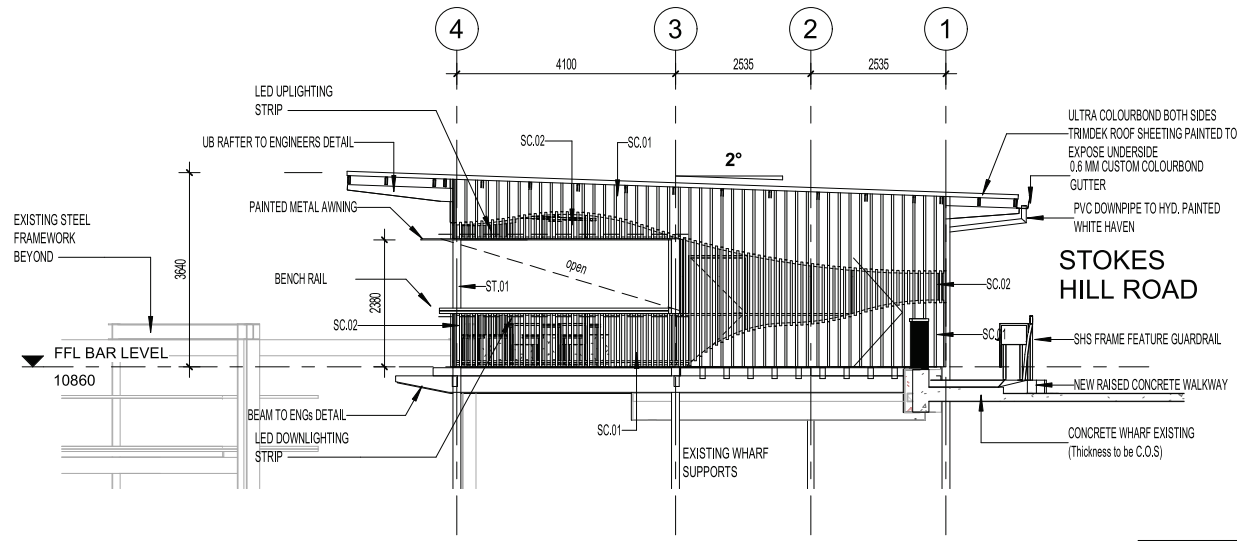
E East Elevation
 1 : 100

Drawing number 2023/0019/04A
 Referred to in Permit No: DP23/0071A

FOR INFORMATION

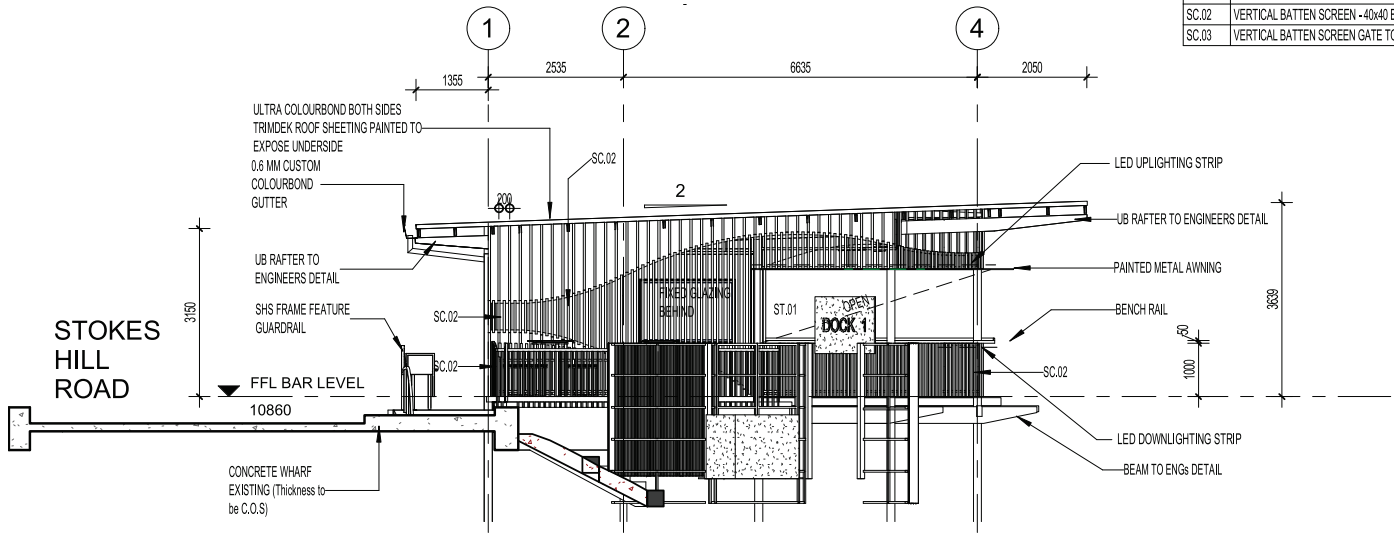
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Key



S South Elevation
 1 : 100

00_SCREEN/ WALL SETOUT SCHEDULE	
Type Mark	Type Comments
SC.01	VERTICAL BATTEN SCREEN -40x40 BATTEN @200mm CENTRES ON CFC
SC.02	VERTICAL BATTEN SCREEN -40x40 BATTEN @100mm CENTRES
SC.03	VERTICAL BATTEN SCREEN GATE TO DETAIL



N North Elevation
 1 : 100

Issue	Revision Description	Date
3	DEVELOPMENT APPLICATION RESUBMISSION	22.04.2024
2	STRUCTURAL STEEL COORDINATION	04.07.2023
1	GRID SETOUT COORDINATION	15.06.2023
0	FOR CONSTRUCTION	09.06.2023

Issue Revision Description Date

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM



Drawn Author Checked Checker
 Drawing Coordinated Date

Project

PROPOSED DOCK ONE CONTAINER BAR
 LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301

Drawing ELEVATIONS NORTH/SOUTH Scale 1 : 100

Drawing A22 Issue

Drawing number 2023/0019/05A
 Referred to in Permit No: DP23/0071A

FOR INFORMATION



Development Consent Authority

Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6046
Facsimile No: (08) 8980 0700

In reply please quote: PA2023/0071

Cunnington Rosse Town Planning Consulting
C/ - Mr Gerard Rosse
PO Box 1612
Howard Springs NT 0835

Dear Mr Rosse

NOTICE OF CONSENT (SECTION 53B OF THE PLANNING ACT 1999) LOT 7495 (39) AND 10156 (45) STOKES HILL ROAD, DARWIN CITY, TOWN OF DARWIN

The Development Consent Authority has determined, to vary the requirements of Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) of the Northern Territory Planning Scheme 2020 and, pursuant to section 53(a) of the *Planning Act 1999*, grant consent to the proposal to use and develop the abovementioned land for the purpose of bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, subject to the conditions specified on the attached Development Permit DP23/0071.

Reasons for the Determination

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The Northern Territory Planning Scheme 2020 (NTPS 2020) applies to the land and bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge requires consent under Clause 1.8 (When development consent is required). It is identified as Merit Assessable under Clause 1.8(1)(b)(ii)(1); therefore, the zone purpose and outcomes of Clause 4.10 (Zone CB – Central Business), and Clauses 3.7 (LSSS - Land Subject to Storm Surge), 5.2.4 (Car Parking), 5.2.6 (Landscaping), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC), 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small), 5.5.15 (Design in Commercial and Mixed Use Areas) and 5.9.2 (Darwin City Centre), need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites).

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), sub-clause 5, of the Northern Territory Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
 - (a) The purpose and administration clauses of the requirement; and
 - (b) The considerations listed under Clause 1.10(3) or 1.10(4).

(a) 5.2.6.2 (Landscaping in Zone CB)

The proposal has been found not to be in accordance with Clause 5.2.6.2, because the proposal will result in less than 10% of the site area as landscape planting.

The proposed development is located on a large site at 45 Stokes Hill Road and 39 Stokes Hill Road, where the total site area of both lots is 111,180m², however the proposed development is very small in comparison. Landscaping is proposed in the existing car parking area at 39 Stokes Hill Rd and irrigated landscape planters along the footpath in front of the proposed container bar at 45 Stokes Hill Rd, which combined is less than 10% of the site area as landscaping.

It is considered that a variation to this clause is appropriate in this instance because the proposal is of a limited small scale (approximately 128m²), where providing 10% landscape planting would be onerous on the development. Regarding 39 Stokes Hill Road it is noted that additional landscaping is proposed to the existing car parking layout at 39 Stokes Hill Road. Due to the location of the proposed bar-small at the existing Dock 1 (45 Stokes Hill Road), the placement of landscaping is limited and the landscaping proposed is considered sufficient for the intended use.

Administratively, under sub-clause 1(a) *The consent authority may consent to a development that is not in accordance with sub-clause 3 if it is a small development and the consent authority is satisfied that it would be unreasonable to provide the required landscaping, having regard to the intended use of the development or whether the development would become unfeasible.*

5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC)

The proposal has been found not to be in accordance with Clause 5.3.7, because the proposal will result in no end of trip facilities, where the NTPS 2020 requires 1 bicycle parking space and 1 shower.

It is considered that a variation to this clause is appropriate in this instance because the proposal is of a limited small scale (approximately 128m²), where providing such facilities would be onerous on the development. It is unlikely that visitors would cycle to and from the site due to the nature of the proposal being for a bar-small.

Administratively, under sub-clause 1(c), *the consent authority may consent to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.*

5.9.2.9 (Public Domain Contributions for Development on Large Sites)

The proposal has been found not to be in accordance with Clause 5.9.2.9, because the proposal does not provide 10% of the site area as publically accessible open space.

Although the proposed development is of a limited small scale (approximately 128m²), this clause applies as the total site area of both lots is 111,180m².

It is considered that a variation to this clause is appropriate in this instance because the development forms part of a large recreational area, the Darwin Waterfront, which includes sufficient publically accessible open space that is considered appropriate to the site due to the limited size and scale of the proposed development.

Administratively, under sub-clause 2(a), *the consent authority may consent to development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that the development provides an alternative provision of publically accessible open space that is appropriate to the site, having regard to the locality and scale of the development.*

(b) The considerations listed under Clause 1.10(4) have been given regard to and it has been found that the proposal complies with all relevant requirements of the Northern Territory Planning Scheme 2020, except for Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) as identified above.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The land is within Zone CB (Central Business) and identified for development in the Central Darwin Area Plan. The site is affected by the primary and secondary storm surge, however the proposed development is located above the minimum storm surge level of 6.5m AHD. A statement was provided by a structural engineer confirming the proposed building structure will be located approximately 2m above the minimum Storm surge siting level of 6.5m AHD and the building structure will not be subject to storm surge levels.

No additional land capability concerns have been identified during assessment of the application. Additionally, the Department of Environment, Parks and Water Security did not identify or raise any issues of concern in relation to land capability.

4. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposal is not anticipated to impact unreasonably on the existing and future amenity of the area, particularly considering the CBD context and there are no sensitive uses in the immediately vicinity of the site.

Right of Appeal

Applicants are advised that a right of appeal to the Northern Territory Civil and Administrative Tribunal exists under Part 9 of the *Planning Act 1999*. An appeal under section 114 against a determination of a development application must be made within 28 days of the service of this notice.

The Northern Territory Civil and Administrative Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: Northern Territory Civil and Administrative Tribunal, PO Box 41860 CASUARINA NT 0810 or Level 1, The Met Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8944 8720 or Facsimile 08 8922 7201 or email AGD.ntcat@nt.gov.au).

There is no right of appeal by a third party under section 117 of the *Planning Act 1999* in respect of this determination as there were no submissions received under section 49 of the Act.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6046.

Yours faithfully



Suzanne Philip
2023.03.30
15:40:18
+09'30'

Suzanne Philip
Delegate
30 March 2023

Attachment

cc City of Darwin

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP23/0071

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Lot 10156
Town of Darwin
39 STOKES HILL RD, DARWIN CITY
45 STOKES HILL RD, DARWIN CITY

APPROVED PURPOSE

To use and develop the land for the purpose of bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) 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.



Suzanne Philip
2023.03.30
15:39:04
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority

30 March 2023

DEVELOPMENT PERMIT

DP23/0071

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

GENERAL CONDITIONS

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4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notation 1 for further information.
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- 10.10. Before the use 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;
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- 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.

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13. 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.
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Drawing number 2023/0019/02
 Referred to in Permit No: DP23/0071

KITCHEN EQUIPMENT SCHEDULE

Type Mark	Type Comments
SE.BE1	BENCH 1
SE.BE2	BENCH 2
SE.CO1	COFFEE BENCH
SE.CO2	COFFEE MACHINE
SE.CR	REGISTER POS
SE.FR1	FRYER FRIDGE
SE.FR2	GRILL FRIDGE 1
SE.FR3	SMALL FRIDGE 3
SE.FR4	GRILL FRIDGE 2
SE.FR5	DRINKS FRIDGE 1 W/SLIDING DOORS
SE.FR6	DRINKS FRIDGE 2 W/SLIDING DOORS
SE.FR7	DRINKS FRIDGE 3 W/SLIDING DOORS
SE.FR8	ICE CREAM FRIDGE
SE.FY1	FRYERS
SE.GR1	GRILL 1
SE.GR2	GRILL 2
SE.IC	SCOOP ICECREAM
SE.MS	MILKSHAKES
SE.SK1	SINK 1
SE.SK2	SINK 2
Grand total: 20	

NOTE
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Key

Issue	Revision Description	Date
F	UPDATED PEDESTRIAN AND LANDSCAPING	06.03.2023
E	FOR COORDINATION	23.02.2023
D	FOR COORDINATION	25.01.2023
C	FOR APPROVAL	11.01.2023
B	UPDATED PLANS	22.12.2022
A	FOR CONSTRUCTION	18.07.2022

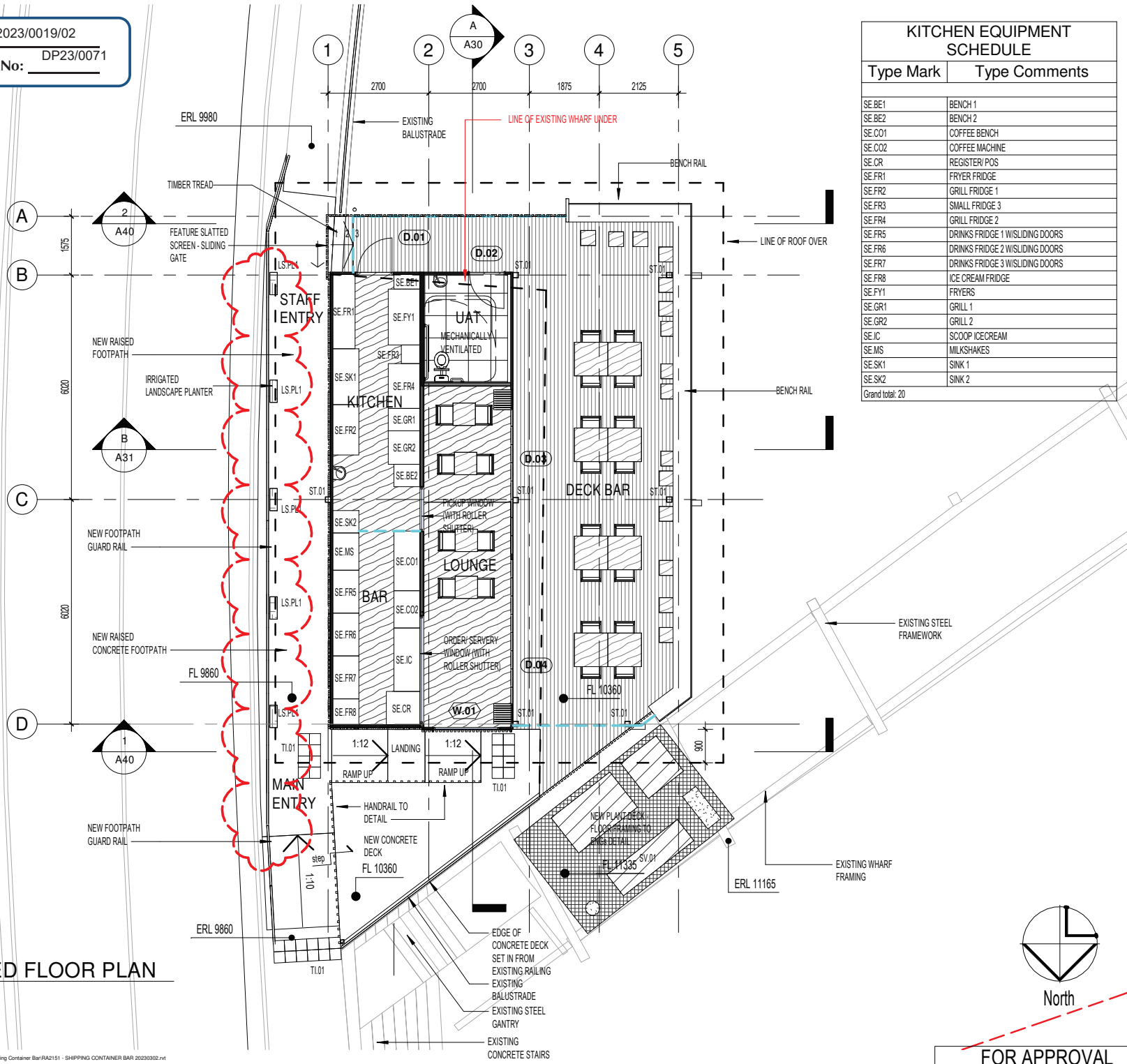
Issue	Revision Description	Date
Project Management		
Quantity Surveyor		
Structural & Civil		
Mechanical		
Electrical		
Hydraulic		
Fire		
BCA Consultant		
Landscape Architect		



Drawn _____ Author _____ Check _____ Checker _____
 Drawing Coordinated _____ Date _____
 Project _____

PROPOSED SHIPPING DOCK ONE BAR
 LOT 10156 (45) STOKES HILL RD, DARWIN
 Project RA2151
 Drawing BAR FLOOR PLAN Scale As indicated
 Drawing A11 Issue F

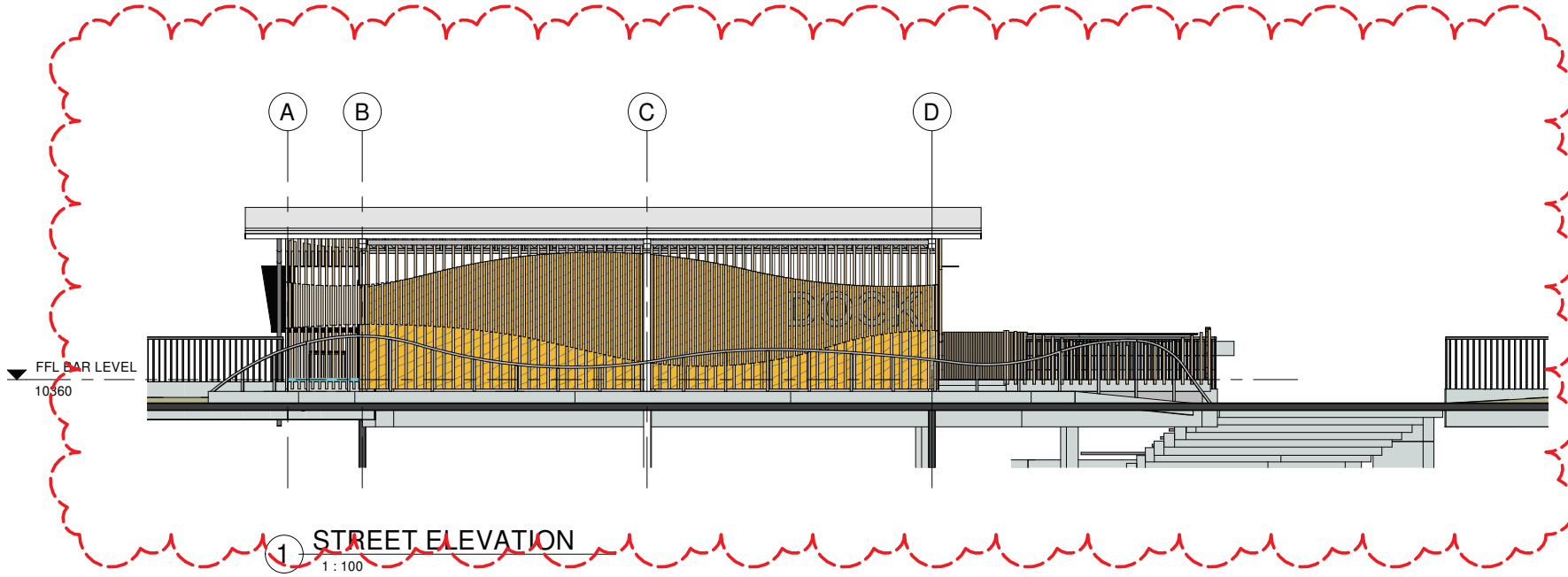
1 PROPOSED FLOOR PLAN
 1 : 100



FOR APPROVAL

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Key



F UPDATED PEDESTRIAN AND LANDSCAPING 06.03.2023

Issue Revision Description Date

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM

ASHFORD ARCHITECTS
 ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
 P 08 941 9102 E admin@ashfordarchitects.com.au
 A 24160 Finniss Bay Drive, Topiary Waters 0820 GPO Box 2643 Darwin City 0801

Drawn Author Check Date Checker

Drawing Coordinated Date

Project

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2151

Drawing Scale

STREET ELEVATION 1 : 100

Drawing Issue

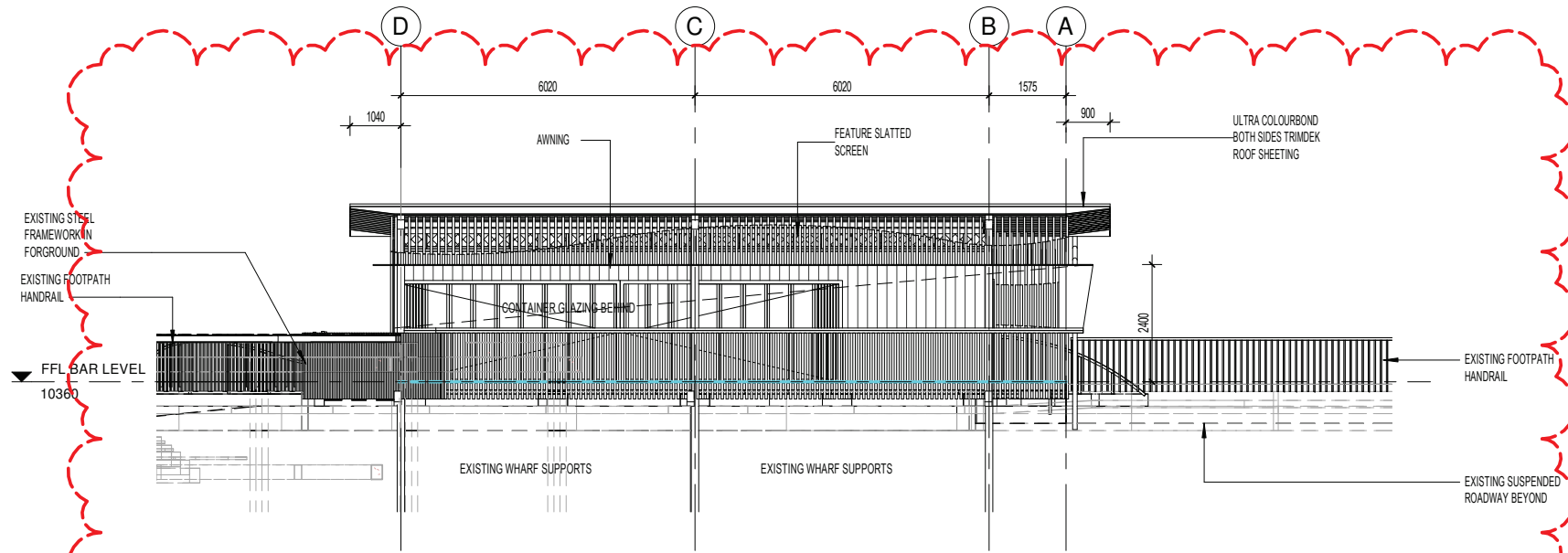
A20 F

Drawing number 2023/0019/03
 Referred to in Permit No: DP23/0071

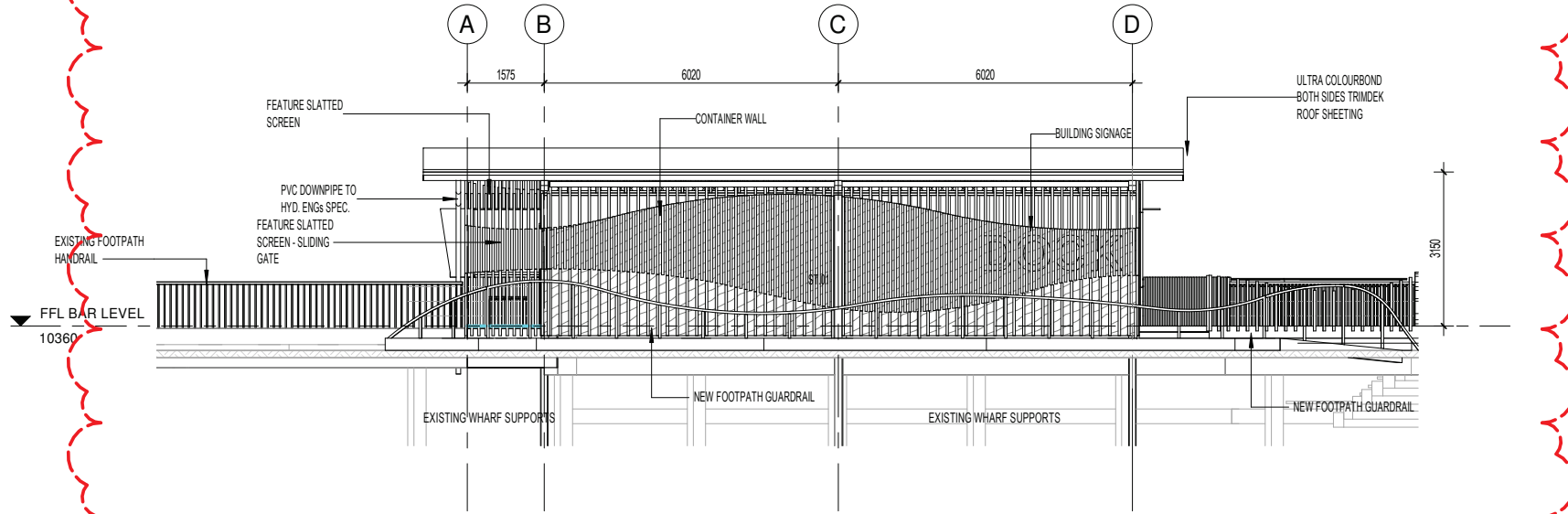
FOR APPROVAL

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Key



W West Elevation
 1 : 100



E East Elevation
 1 : 100

Issue	Revision Description	Date
F	UPDATED PEDESTRIAN AND LANDSCAPING	06.03.2023
E	FOR COORDINATION	23.02.2023
D	FOR COORDINATION	25.01.2023
C	FOR APPROVAL	11.01.2023
B	UPDATED PLANS	22.12.2022
A	FOR CONSTRUCTION	18.07.2022

Issue	Revision Description	Date

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM

ASHFORD ARCHITECTS
 ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
 P 08 94119322 E ash@ashfordarchitects.com.au
 A 24/90 Finesse Bay Drive, Toppary Waters NSW GPO Box 2643 Darwin City 0801

Drawn	Author	Checke	Checker

Drawing Coordinated Date

Project

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2151

Drawing ELEVATIONS EAST/WEST Scale 1 : 100

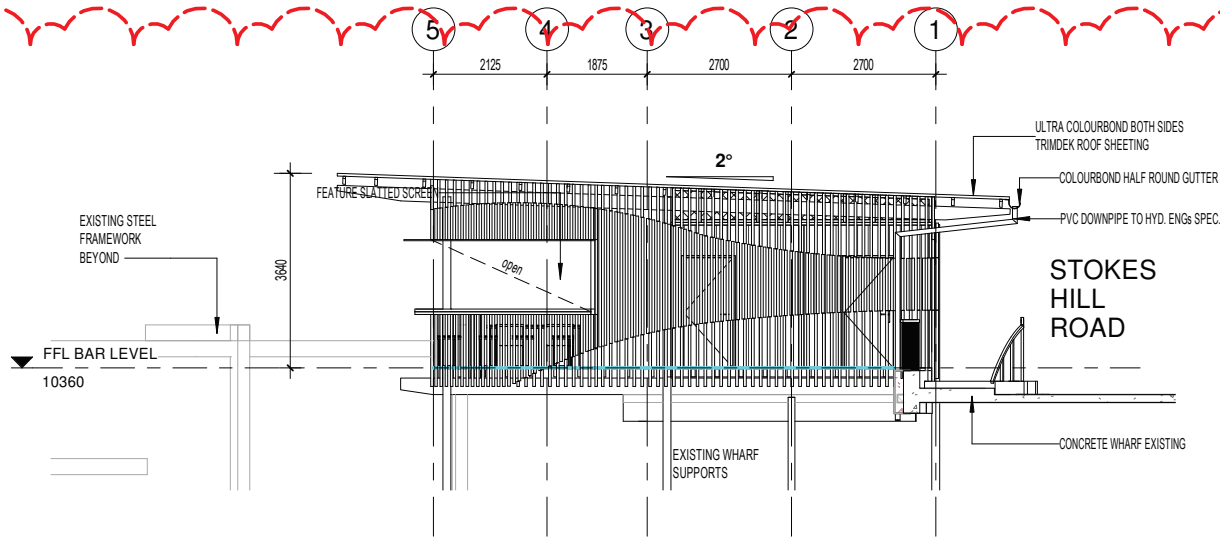
Drawing A21 Issue F

Drawing number 2023/0019/04
 Referred to in Permit No: DP23/0071

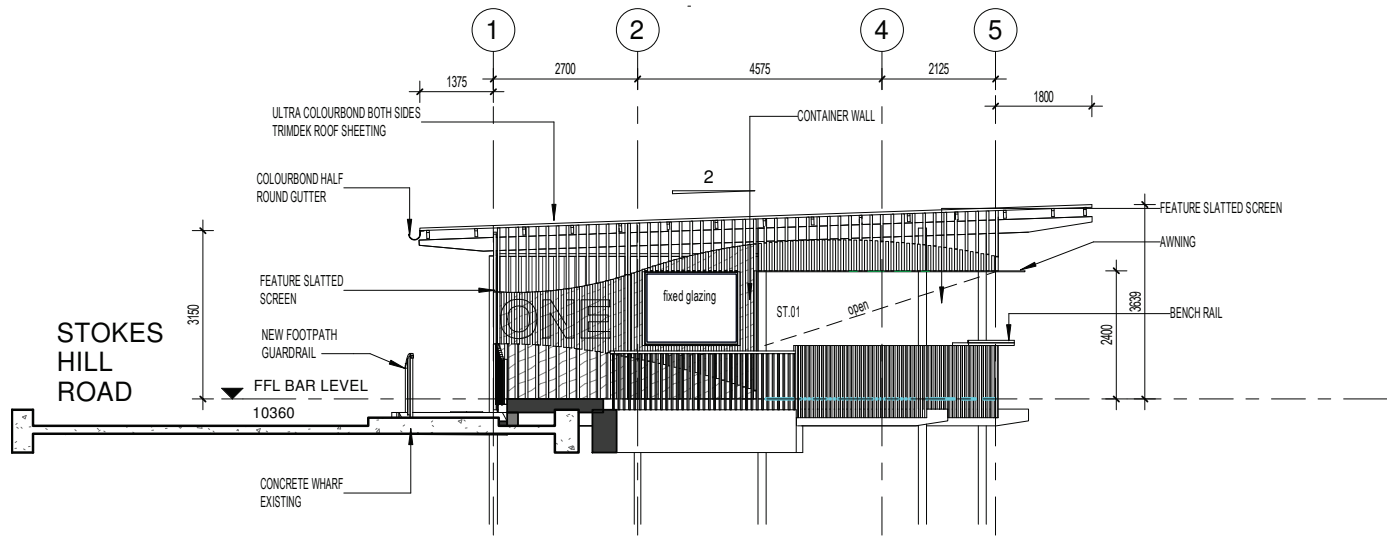
FOR APPROVAL

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Key



S South Elevation
 1 : 100



N North Elevation
 1 : 100

Issue	Revision Description	Date
F	UPDATED PEDESTRIAN AND LANDSCAPING	06.03.2023
E	FOR COORDINATION	23.02.2023
D	FOR COORDINATION	25.01.2023
C	FOR APPROVAL	11.01.2023
B	UPDATED PLANS	22.12.2022
A	FOR CONSTRUCTION	18.07.2022

Issue Revision Description Date

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect



DESIGN TEAM

ASHFORD ARCHITECTS
 ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
 P 08 9411 9102 E ash@ashfordarchitects.com.au
 A 24160 Phoenix Bay Drive, Tipperary Wharves 9820 GPO Box 2643 Darwin City 0801

Drawn Author Check Date Checker
 Drawing Coordinated Date

Project

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

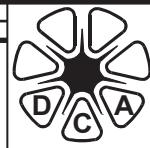
Project RA2151

Drawing Scale
 ELEVATIONS NORTH/SOUTH 1 : 100

Drawing Issue
 A22

Drawing number 2023/0019/05
 Referred to in Permit No: DP23/0071

FOR APPROVAL



Development Consent Authority

Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6046
Facsimile No: (08) 8980 0700

In reply please quote: PA2022/0130

Mr Gerard Rosse
Cunnington Rosse Town Planning Consulting
PO Box 36004
Winnellie NT 0821

Dear Mr Rosse

NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT 1999*) LOT 7495 (39) STOKES HILL ROAD, DARWIN CITY, TOWN OF DARWIN

The Development Consent Authority has determined, to vary the requirements of Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) of the Northern Territory Planning Scheme 2020 in accordance with section 53(a) of the *Planning Act 1999*, and to grant consent to the proposal to use and develop the abovementioned land for the purpose of a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge **Error! Reference source not found.**, subject to the conditions specified on the attached Development Permit DP22/0145.

Reasons for the Determination

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The Northern Territory Planning Scheme 2020 applies to the land and a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge requires consent under Clause 1.8 (When development consent is required). It is identified as *Impact Assessable* under Clause 1.8(1)(c)(v); therefore, the strategic framework (Part 2 of the Scheme, including the Darwin Regional Land Use Plan and the Central Darwin Area Plan) zone purpose and outcomes of Clause 4.10 Zone CB (Central Business), and Clauses 3.4 (CR – Coastal Reclamation), 3.7 (LSSS – Land Subject to Storm Surge), 3.9 (DHD – Darwin Harbour Dredging) 5.2.3 (Buildings in Central Darwin), 5.2.4 (Vehicle Parking), 5.2.6 (Landscaping), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC), 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T), 5.5.6 (Al fresco Dining Areas in Zone CB within Central Darwin), 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small) and 5.8.7 (Demountable Structures), need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clause 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC AND TC).

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), sub-clause 5, of the Northern Territory Planning Scheme 2020, the consent authority may consent to a

proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:

- (a) The purpose and administration clauses of the requirement; and
- (b) The considerations listed under Clause 1.10(3) or 1.10(4).

The proposal has been found not to be in accordance with Clause 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC AND TC), because the proposal will result in no end of trip facilities, where the NTPS 2020 requires 1 bicycle parking space and 1 shower.

It is considered that a variation to this clause is granted in this instance because the proposal is of a limited small scale (148m²), where providing such facilities would be onerous on the development. It is unlikely that visitors would cycle to and from the site due to the nature of the proposal being for a bar-small.

- (a) *Administratively, the consent authority may consent to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.*
- (b) The considerations listed under Clause 1.10(4) have been given regard to and it has been found that the proposal complies with all relevant requirements of the Northern Territory Planning Scheme 2020, except for Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) as identified above.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The land is within Zone CB (Central Business) and identified for development in the Central Darwin Area Plan. The site is affected by the primary and secondary storm surge, however the proposed development is located above the minimum storm surge level of 6.5m AHD. A statement was provided by a structural engineer confirming the proposed building and foundation concept design, noting the site and first floor levels the building can be engineered and constructed to withstand a storm surge event on the site based on the minimum floor height of 6.5m which minimise risk to people and property in the event of a storm surge event. A condition is included on the permit to require that the development be constructed to withstand a storm surge event.

No additional land capability concerns have been identified during assessment of the application. Additionally, the Department of Environment, Parks and Water Security did not identify or raise any issues of concern in relation to land capability.

4. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposal is not anticipated to impact unreasonably on the existing and future amenity of the area, particularly considering the CBD context and there are no sensitive uses in the immediately vicinity of the site.

Right of Appeal

Applicants are advised that a right of appeal to the Northern Territory Civil and Administrative Tribunal exists under Part 9 of the *Planning Act 1999*. An appeal under section 114 against a

determination of a development application must be made within 28 days of the service of this notice.

The Northern Territory Civil and Administrative Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: Northern Territory Civil and Administrative Tribunal, PO Box 41860 CASUARINA NT 0810 or Level 1, The Met Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8944 8720 or Facsimile 08 8922 7201 or email AGD.ntcat@nt.gov.au).

There is no right of appeal by a third party under section 117 of the *Planning Act 1999* in respect of this determination as section 117(4) of the Act and regulation 14 of the Planning Regulations 2000 apply to the application.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6046.

Yours faithfully



Suzanne Philip
2022.06.21
14:35:34
+09'30'

Suzanne Philip
Delegate

21 June 2022

Attachment

cc City of Darwin

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP22/0145

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Town of Darwin
39 STOKES HILL RD, DARWIN CITY

APPROVED PURPOSE

To use and develop the land for the purpose of a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) 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.



Suzanne Philip
2022.06.21
14:33:28
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority
21 June 2022

DEVELOPMENT PERMIT

DP22/0145

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), the applicant/land owner must provide written confirmation from a suitably qualified person that bar-small will be constructed to withstand the effects of a primary storm surge event.
2. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.
3. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings numbered 2022/0130/01 to 2022/0130/05 endorsed as forming part of this permit.
5. All works recommended by the traffic impact assessment are to be completed to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.
6. 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 plans in accordance with the authorities' requirements and relevant legislation at the time.
7. 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.
8. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin Waterfront Corporation, to the satisfaction of the consent authority.
9. 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.
10. Storage for waste disposal bins is to be provided to the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

11. Before the 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:
- constructed;
 - properly formed to such levels that they can be used in accordance with the plans;
 - surfaced with an all-weather-seal coat;
 - drained;
 - line marked to indicate each car space and all access lanes; and
 - 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

12. 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 Darwin Waterfront Corporation, to the satisfaction of the consent authority.
13. 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.
14. 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.

NOTES

1. 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.
2. 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*.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (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.
4. 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) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

This document contains drawing numbers:
2022/0130/01 to 2022/0130/05

Referred to in Permit No: DP22/0145
Issued by the consent authority on: 21 June 2022

All drawings contained within this document have been authorised
by the delegate of the consent authority.

Suzanne Philip
2022.06.21
14:34:22
+09'30'

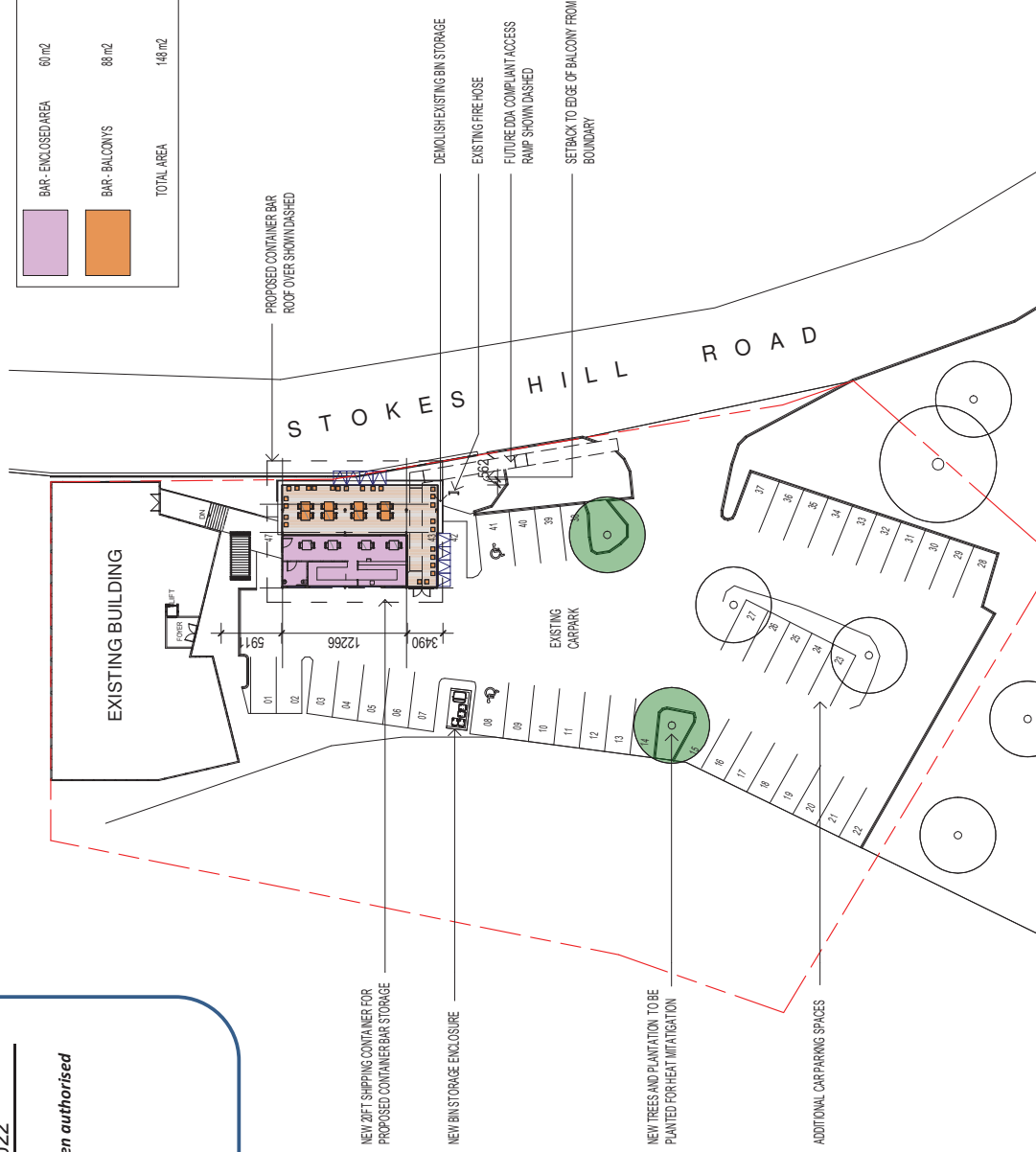
Delegate

Drawing number 2022/0130/01
Referred to in Permit No: DP22/0145

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BAR- ENCLOSED AREA	60 m ²
BAR- BALCONYS	88 m ²
TOTAL AREA	148 m ²



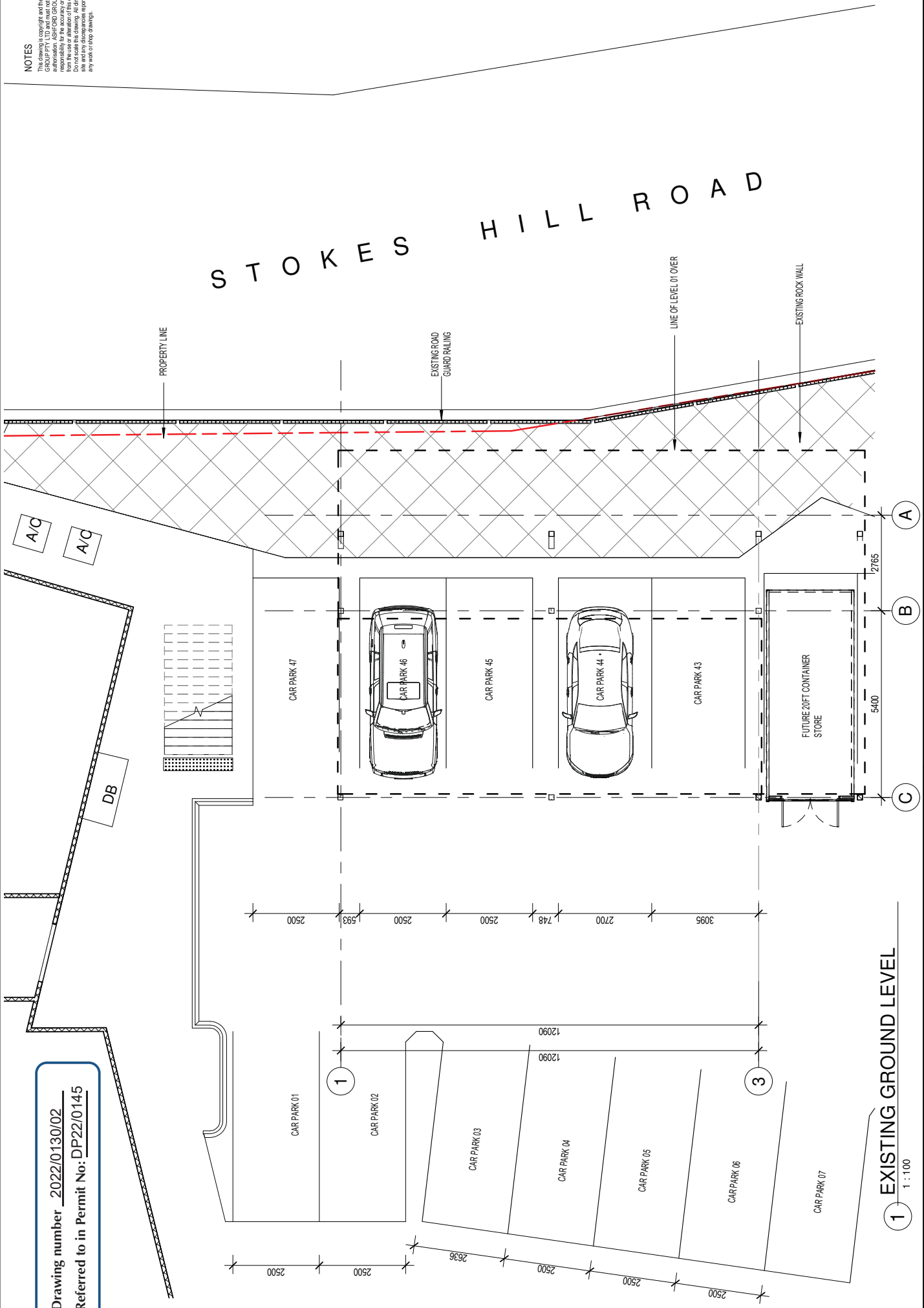
1 SITE PLAN - PROPOSED CONTAINER BAR

1 : 500

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Drawing number 2022/0130/02
 Referred to in Permit No: DP22/0145



1 EXISTING GROUND LEVEL
 1 : 100

STOKES HILL ROAD

PROPOSED SHIPPING CONTAINER BAR
 39 STOKES HILL RD, DARWIN

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
 P: 08 8941 7552 | M: 0413 316 662 | E: randa@ashfordarchitects.com.au
 A: 24/60 Frances Bay Drive, Tipperary Waters 0820 | GPO Box 2645 Darwin City 0801

DRAWING TITLE: GROUND FLOOR PLAN
 PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR
 NUMBER: 463
 SCALE: 1:100
 DATE: 09/10/21
 REV: C

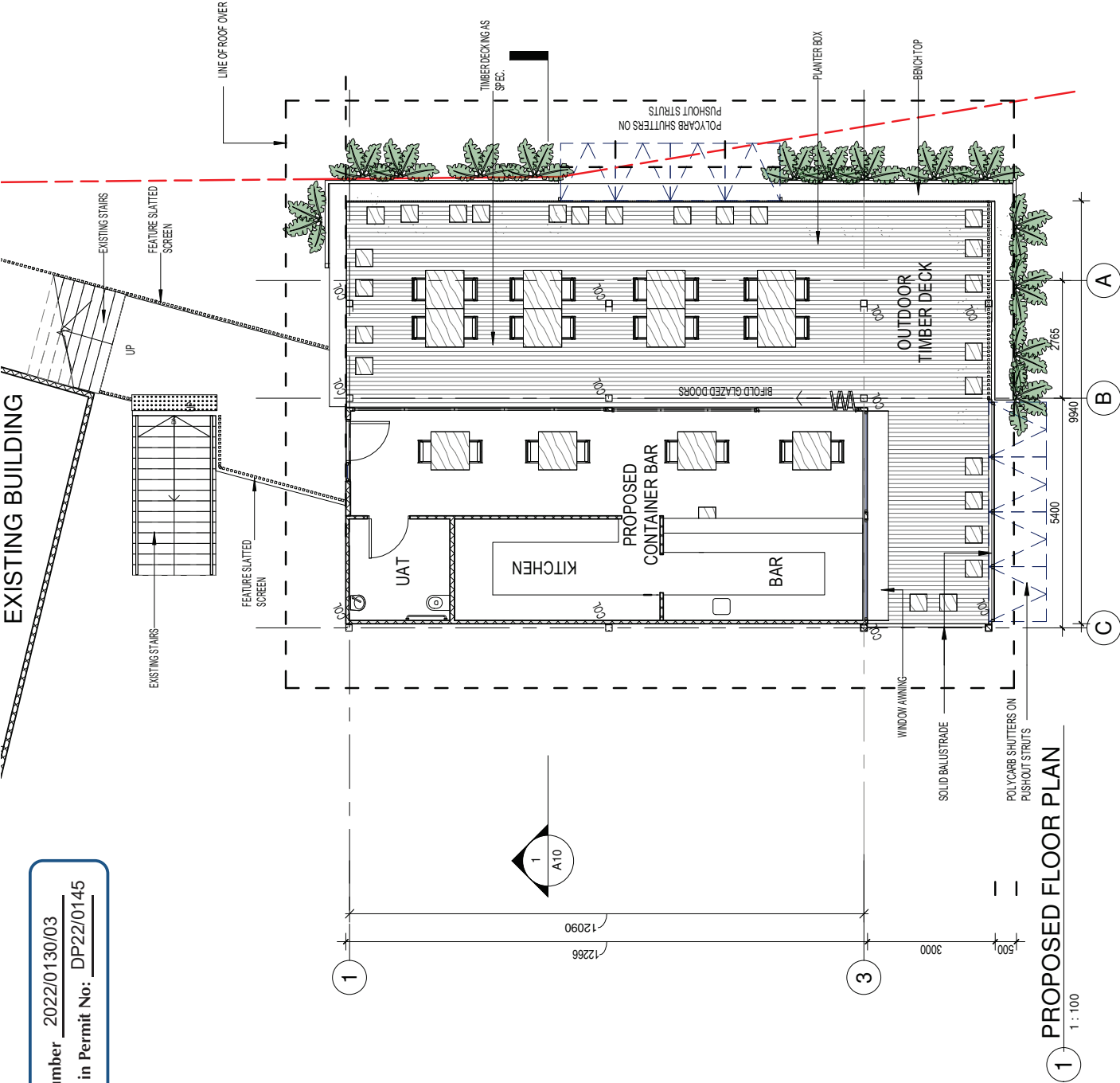
CLIENT NAME: AMCC
 NUMBER: 463
 DATE: 09/10/21
 REV: C

Drawing number 2022/0130/03
 Referred to in Permit No: DP22/0145

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EXISTING BUILDING

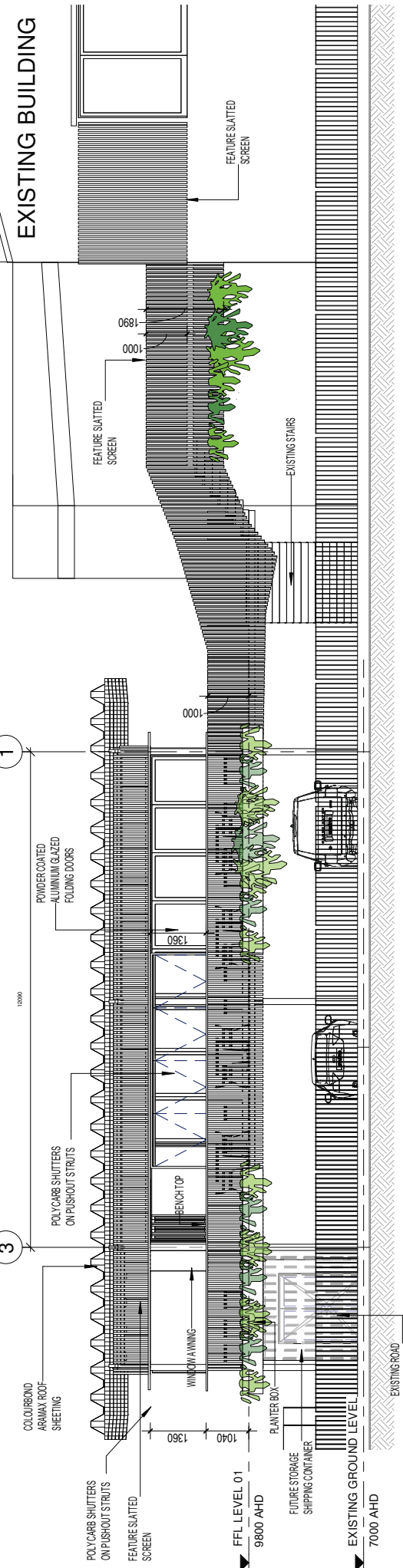


1 PROPOSED FLOOR PLAN
 1 : 100

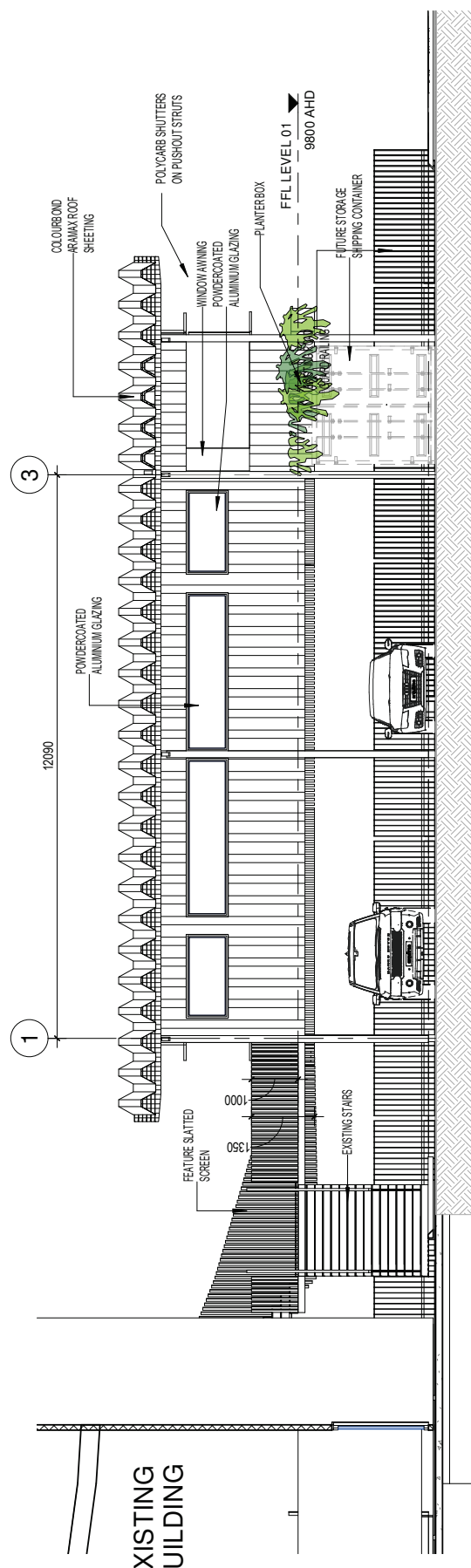
Drawing number 2022/0130/04
 Referred to in Permit No: DP22/0145

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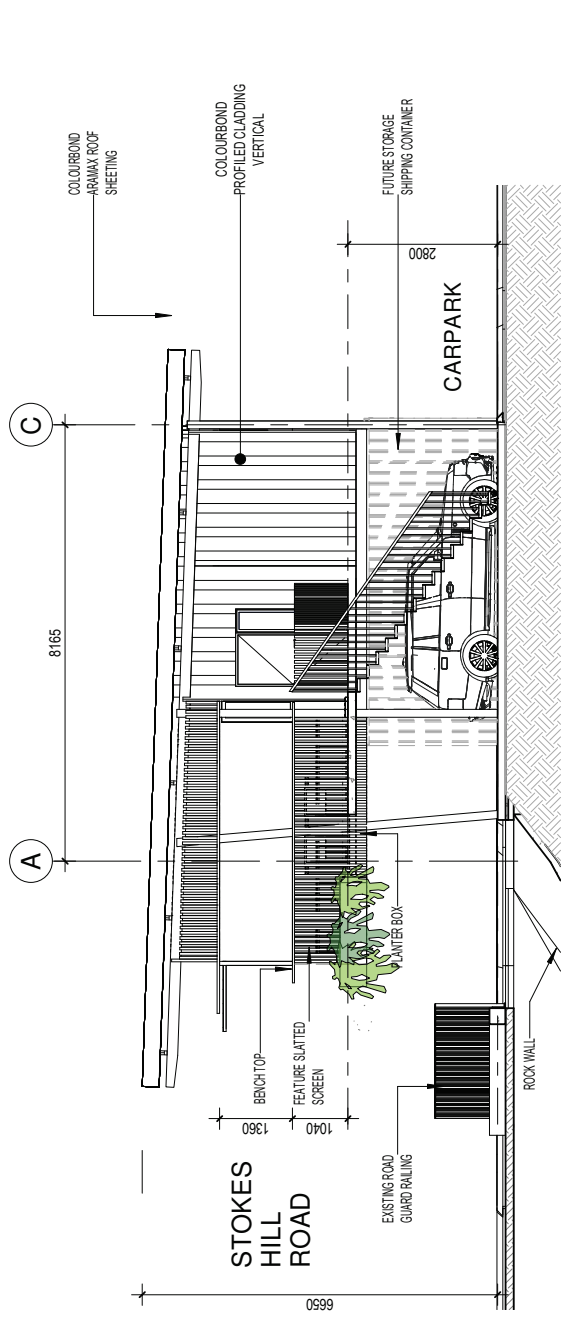
1 West Elevation
 1 : 100



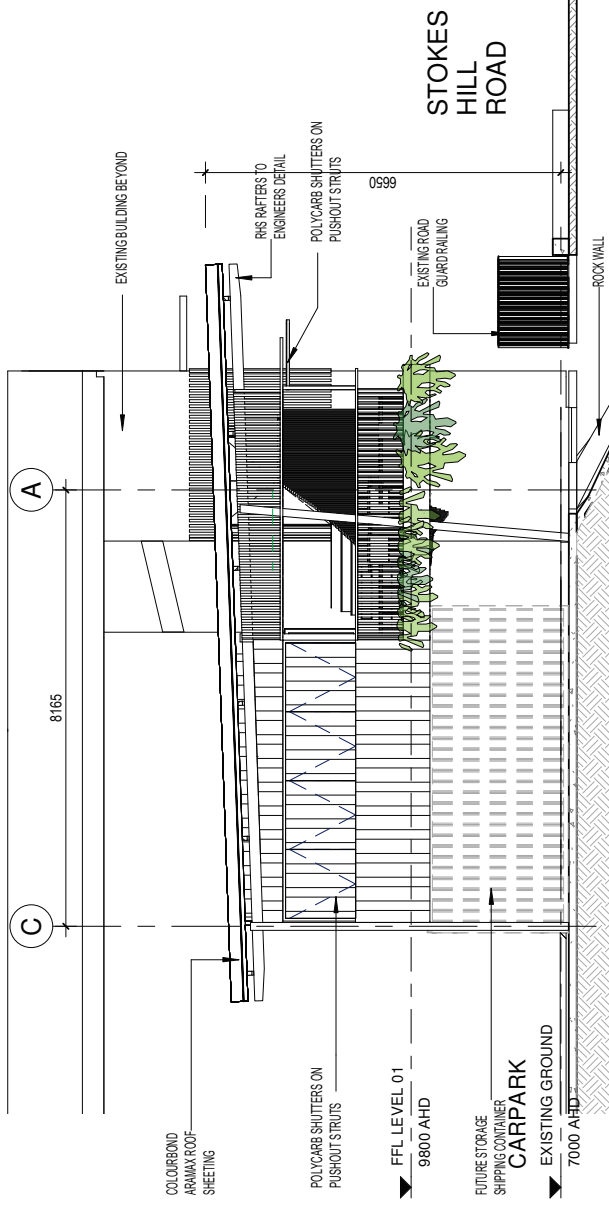
2 East Elevation
 1 : 100

Drawing number 2022/0130/05

Referred to in Permit No: DP22/0145



1 South Elevation
1 : 100



2 North Elevation
1 : 100

NOTES
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PROPOSED SHIPPING CONTAINER BAR
39 STOKES HILL RD, DARWIN

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
P: 08 8941 7552 | M: 0413 316 662 | E: randal@ashfordarchitects.com.au
A: 24/60 Frances Bay Drive, Tipperary Waters 0820 | GPO Box 26415 Darwin City 0801

DRAWING TITLE: ELEVATIONS NORTH/SOUTH
PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR
SCALE: 1:100
SHEET NUMBER: R2/2/15

CLIENT NAME: AMCC
NUMBER: 493
DATE: 09/11/21
REV: C

ASHFORD ARCHITECTS

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - section 57(3)

VARIATION PERMIT

PERMIT NUMBER : DP01/0162D

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Parcel No: LOTS 6604, 6605 & PART LOT 6590
Town/Hundred: TOWN OF DARWIN
Street Address: MAVIE STREET, STOKES HILL WHARF

APPROVED VARIATION

A change of use of the second storey (first floor) from hotel to licenced club in accordance with drawing numbers 719 -1 (site plan) and 719 - 3 endorsed as forming part of this permit.

REASONS FOR THE DECISION

This variation does not result in the development being substantially different from the development originally permitted and all other conditions of the original permit remain applicable.

BASE PERIOD OF THE PERMIT

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



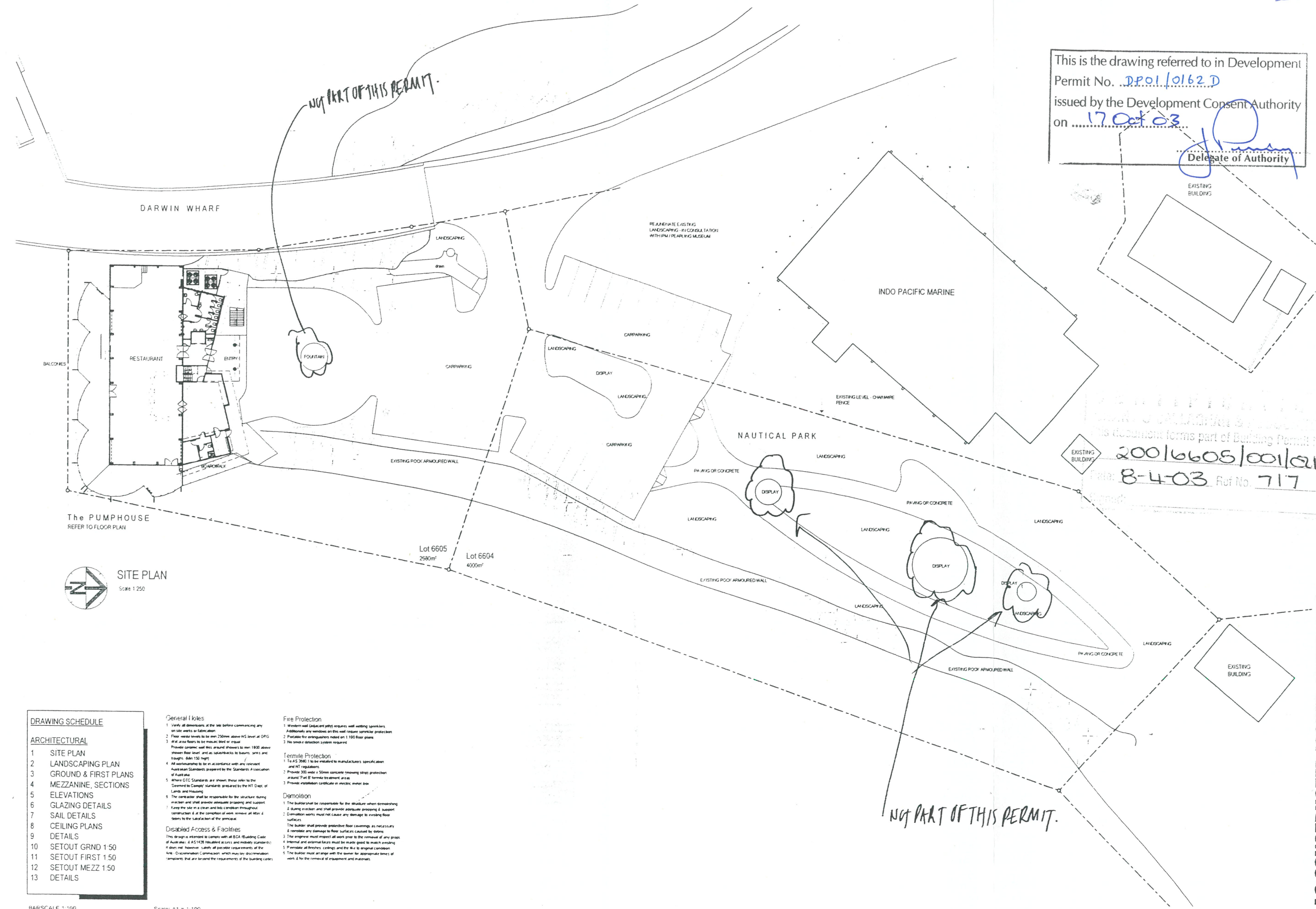
JOHN PINNEY
Delegate

Development Consent Authority

17/10/2003

This is the drawing referred to in Development Permit No. D.P.01/0162.D issued by the Development Consent Authority on 17 Oct 03.

[Signature]
 Delegate of Authority



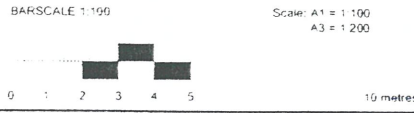
SITE PLAN
 Scale 1:250

DRAWING SCHEDULE

ARCHITECTURAL

- 1 SITE PLAN
- 2 LANDSCAPING PLAN
- 3 GROUND & FIRST PLANS
- 4 MEZZANINE, SECTIONS
- 5 ELEVATIONS
- 6 GLAZING DETAILS
- 7 SAIL DETAILS
- 8 CEILING PLANS
- 9 DETAILS
- 10 SETOUT GRND 1:50
- 11 SETOUT FIRST 1:50
- 12 SETOUT MEZZ 1:50
- 13 DETAILS

- General Notes**
1. Verify all dimensions at the site before commencing any site works or fabrication.
 2. Floor water levels to be min 250mm above NS level at DPG.
 3. All floor levels to be marked, level or spot.
 4. All workmanship to be in accordance with any relevant Australian Standards approved by the Standards Association of Australia.
 5. Where OTC Standards are shown, these refer to the 'Domestic Camp' standards prepared by the NT Dept. of Lands and Housing.
 6. The contractor shall be responsible for the structure during erection and shall provide adequate bracing and support.
 7. Keep the site in a clean and tidy condition throughout construction & at the completion of work remove all materials to the satisfaction of the principal.
- Disabled Access & Facilities**
- This design is intended to comply with all BCA (Building Code of Australia) & AS1428 (Disabling Access and Mobility Standards) if does not however, satisfy all possible requirements of the law. Discrimination Commission, which may be discrimination complaints that are beyond the requirements of the building codes.
- Fire Protection**
1. Western wall (adjacent pylon) requires self sealing sprinklers. Additionally any windows on this wall require sprinkler protection.
 2. Provide fire extinguishers rated on 1:150 floor plans.
 3. No smoke detection system required.
- Termite Protection**
1. To AS 3601 to be installed to manufacturer's specification and NT regulations.
 2. Provide 300 mm x 50 mm concrete (showing slight protection around 'T' & 'B' termite treatment areas).
 3. Provide repellent certificate in electric meter box.
- Demolition**
1. The builder shall be responsible for the structure when demolishing & during erection and shall provide adequate bracing & support.
 2. Demolition works must not cause any damage to existing floor surfaces.
 3. The builder shall provide protective floor coverings, as necessary & reassemble any damage to floor surfaces caused by debris.
 4. The engineer must inspect all work prior to the removal of any prop.
 5. Internal and external doors must be made good to match existing.
 6. Provide all finishes, ceilings and the like to original condition.
 7. The builder must arrange with the owner for appropriate times of work & for the removal of equipment and materials.



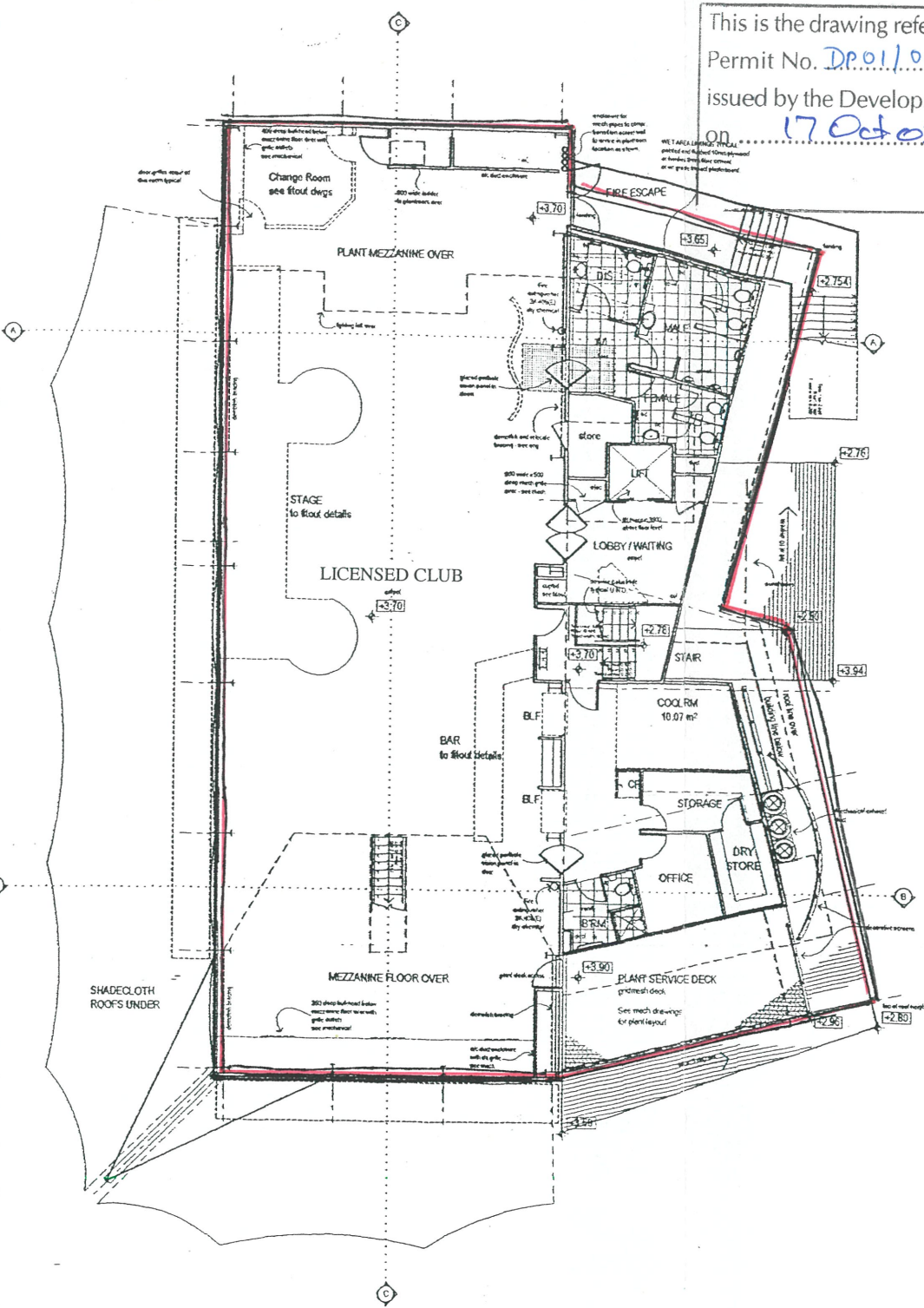
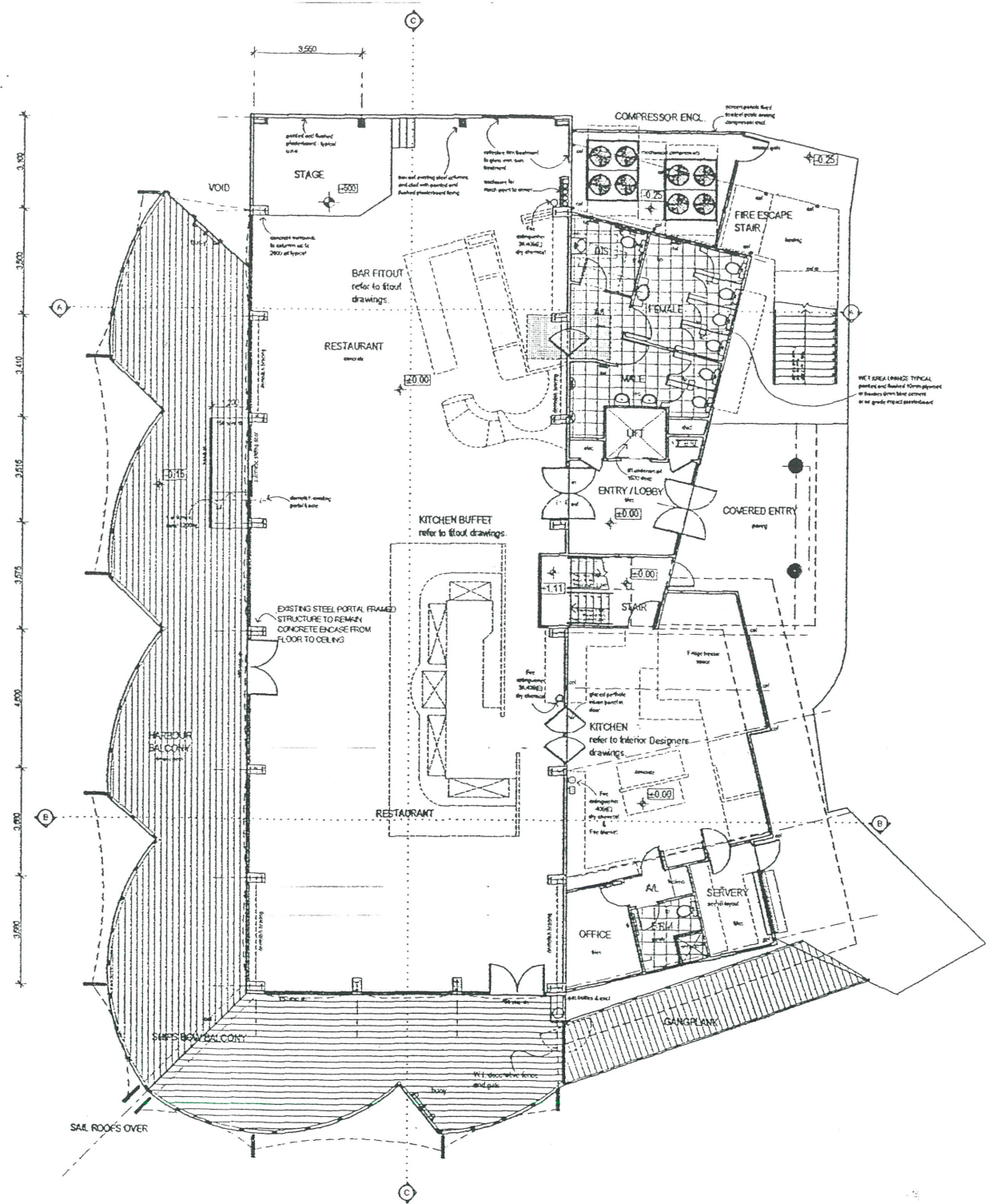
bennett design WINNER - National Building Design Awards 1999 37 Riverview Street, Pymble Creek PO Box 466, Pymble Creek NSW 1514 ABRN 51 92350024 ACN 683959024	Proposed Development of the 'Pumphouse' Stokes Hill Wharf	PUMPHOUSE Pty Ltd Contract Amanda Allen Tel: 95 32 2164 Fax: 95 32 2421	Drawing Title: Site Plan	Drawing No: 719-1	Date Issued: 19-02-03 AC
			Drawing No: 719-1	Date Issued: 19-02-03 AC	

AS CONSTRUCTED ISSUED 10 FEB 2003

AC

This is the drawing referred to in Development Permit No. **DP01/0162D** issued by the Development Consent Authority on **17 Oct 03**

[Signature]
 Delegate of Authority



GROUND FLOOR PLAN

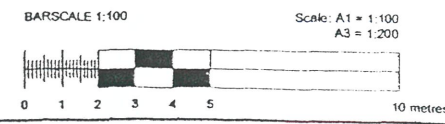
PLANNING - NETT AREAS
NETT FLOOR AREA: 374m ²
BALCONY NETT AREA: 159m ²
TOTAL AREAS
TOTAL FLOOR AREA: 445m ²
TOTAL BALCONY / GANGPL AREA: 183m ²
EXTERNAL PLANT DECK: 11m ²

FULL BUILDING AREAS - SUMMARY

PLANNING - NETT AREAS
374m ² GRND + 342m ² FIRST + 64m ² MEZZ = 780m ²
BALCONY AREA: 159m ²
TOTAL AREAS
445m ² GRND + 416m ² FIRST + MEZZ 64m ² = 925m ²
EXT PLANT DECKS: 23m ² FIRST + 11m ² GND = 34m ²
PLANT ROOM MEZZ: 32m ²
TOTAL BALCONY / GANGPL AREA: 183m ²

FIRST FLOOR PLAN

PLANNING - NETT AREAS
NETT FLOOR AREA: 342m ²
TOTAL AREAS
TOTAL FLOOR AREA: 416m ²
EXT PLANT DECK AREA: 23m ²



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Project
Proposed Development of the 'Pumphouse' Stokes Hill Wharf

Client
PUMPHOUSE Pty Ltd
 Contact: Amanda Allen
 M: 08 32 2704
 F: 08 32 3421

Drawing Title
Ground and First Plans

Design Team: Dave Blayney, David del Hest
 Scale: Refer Schedule
 Date: 16/10/03
 Sheet: 2 of 14

JOB & DWG No.
719-3

Date	Rev	Amendments	Amend.
10-02-03	AC	As Constructed Drawings	

AS CONSTRUCTED ISSUED 10 FEB 2003

AC