



DARWIN BUSINESS PARK
LAND DEVELOPMENT CORPORATION



DARWIN BUSINESS PARK

DEVELOPMENT COVENANTS

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DARWIN BUSINESS PARK - DEVELOPMENT COVENANTS

1. INTRODUCTION TO DEVELOPMENT COVENANTS

The Darwin Business Park Development Covenants have been prepared to assist the Owner in designing buildings and associated facilities. The Covenants aim to ensure high quality developments compatible with the overall vision for Darwin Business Park.

2. KEY OBJECTIVES

- Set standards that contribute positively to the Darwin Business Park estate.
- Establish a Business Park environment to protect existing and future investments by encouraging quality building and landscaping design.
- Promote Environmentally Sustainable Design principles.
- Strive for best practice through Building Design.

3. HOW TO USE THESE DEVELOPMENT COVENANTS

These Development Covenants should be read in conjunction with the NT Planning Scheme and the Owner should avail itself of any updates as the Scheme is amended from time to time.

The standards in the NT Planning Scheme and Darwin Business Park Development Covenants are the minimum requirements. The Owner should ensure that the Property is developed to a consistent and high quality standard, thereby ensuring the long term viability, visual appeal and functionality of the estate.

The Owner is encouraged to seek professional assistance from town planners, architects and landscape architects in preparing applications.

Project proposals should address and demonstrate full compliance with the Darwin Business Park Development Covenants as a minimum standard.

Where to?

The NT Planning Scheme can be viewed via the web link:

<https://nt.gov.au/property/building-and-development/northern-territoryplanning-scheme>

Alternatively, enquiries can be directed to:

Development Assessment Services
The Department of Infrastructure,
Planning and Logistics
08 8999 6046
Level 2, Energy House
18-20 Cavenagh Street, Darwin
GPO Box 1680 Darwin NT 0801
das.dlpe@nt.gov.au

Defined terms and acknowledgements

(a) In this Covenant:

- (i) Benefited Land means the land described next to the heading "LAND RECEIVING BENEFIT" on the front page of this Covenant.
- (ii) Covenantee means:
 - (a) prior to Practical Completion, the Land Development Corporation; and
 - (b) after Practical Completion, the registered proprietor or registered proprietors of the Benefited Land from time to time.
- (iii) Owner means the registered proprietor or registered proprietors of the Property from time to time.
- (iv) Practical Completion means construction of the building and landscaping on the Property to a stage where (except for any minor defects or omissions) the building is complete and can be lawfully used, and all occupancy permits have been issued for the building, the landscaping has been completed, and the Land Development Corporation has advised

the Owner, in writing, that Practical Completion has occurred.

- (v) Property means each lot or portion of land described next to the heading “LAND BURDENED” on the front page of this Covenant and, where the context permits, means all of those lots or portions of land collectively.
- (b) The Owner covenants and agrees, as a separate covenant with each and every Covenantee and each and every person claiming under or through the Covenantee, to perform and observe the obligations and stipulations specified in this Covenant, to the intent that:
 - (i) the burden of this Covenant runs with and binds the Property; and
 - (ii) the benefit of this Covenant attaches to and runs with the Benefited Land.
- (c) From the date that a person ceases to be the registered proprietor of a lot forming part of the Property, that person is released from all future obligations under this Covenant but is not released and remains liable for any breach or default of this Covenant that occurred before that date.

4. PROJECT PROPOSAL REQUIREMENTS

Prior to lodgement of a Development Application the Owner must submit all plans for any building or landscaping to Land Development Corporation.

Land Development Corporation will consider the plans and:

- (a) if the plans comply with the requirements of this Covenant – the Land Development Corporation will approve the plans; or
- (b) if the plans do not comply with the requirements of this Covenant – the Land Development Corporation will notify the Owner of this, and request the Owner to re-submit the plans.

(c) Land Development Corporation must provide a response within 10 business days of receipt of the plans. However, Land Development Corporation may request further information, and if it does so:

- (c) the Owners must provide that information as soon as practicable; and
- (d) the 10 business day period will start again upon receipt of that information.

Land Development Corporation will consider any re-submitted plans in accordance with the process above.

The Owner must not submit any plans to any government department or agency for any regulatory approval until it has obtained the Land Development Corporation’s approval of those plans.

If the Owner wishes to vary any plans approved by the Land Development Corporation, it must re-submit those plans, and the Land Development Corporation will consider any re-submitted plans in accordance with the process above.

The Owner must construct any building or landscaping in accordance with the plans approved by the Land Development Corporation.

Following Practical Completion:

- (a) the Land Development Corporation will not be required to review or approve any plans for any further construction or improvements to the Property (including renovations and extensions); and
- (b) any further construction or improvements to the Property (including renovations or extensions) must be carried out in accordance with this Covenant (and the Owner acknowledges that the Covenantees may enforce this obligation).

a) Development Plans

Development plans require the following details to enable assessment by the Land Development Corporation (LDC).

Development Plan requirements¹:

Site Plan at legible scale, not less than 1:500 showing the following information:

1. The north point, area of existing parcel and the boundary dimensions and adjoining roads.
2. Existing and proposed buildings and their setbacks from lot boundaries.
3. Any existing and proposed easements, substations and services.
4. Vehicle access driveways.
5. Proposed layout, surfacing of parking areas, driveways, vehicle, truck and semitrailer turning and loading areas.
6. Fencing details, height, type and colour/ finish.
7. Landscape layout including types of planting (e.g.: mass / individual) locations and description of proposed species and demonstrate effective ongoing maintenance controls.
8. Location of adjoining buildings and their uses.
9. Designate all outdoor storage areas, waste areas and any waste treatment areas.
10. Advertising sign structures and illuminated signage.
11. Details of all site stormwater drainage works, including the proposed point of discharge, computations, proposed waste capture and first flush / interceptor systems.
12. Location and type of onsite wastewater treatment system.

Floor Layout Plans at a scale not less than 1:200 Showing:

1. Dimensioned floor plans of proposed buildings showing layout and uses (i.e. warehouse, workshop, showroom, office).

Elevations and sections at a scale not less than 1:200 showing:

1. All building elevations, finished floor levels, existing and finished ground levels.
2. All external finishes showing the colour and materials of all buildings and works including fences.
3. Sufficient cross-sections and longitudinal sections to show the relationship between structures and their respective heights.

b) Public Amenity and Design Merit

Objectives

To enhance the public amenity and street appeal of developments within Darwin Business Park to protect the investment of Owners.

Development Plans are to demonstrate meeting the following mandatory requirements:

1. The development built form should demonstrate appropriate character and building design to the street. This can be achieved by the use of form, colour, texture and by the following design features:
 - Design elements which are complementary in form, shape, colour, texture and compatibility with surrounding development.
 - Changes in wall planes and height: varied façade alignment; projections or recessions; vertical and horizontal elements including recessed walls or structural features (louvre vents, sun shading devices and exposed braces); defined proportional window and door openings.

¹ Note: The following requirements are generally consistent with the Development Application requirements of Development Assessment Services, Department of Infrastructure, Planning and Logistics. However, proponents should reference the NT Planning Scheme for any additional requirements prior to finalising their Development Application.

- The office portion of the buildings having unified design treatments including elevations compatible with the industrial portions of buildings (e.g. single plane uniform elevations facing the street are not acceptable).
 - Where high wall construction is required a lower level office or verandah treatment must be used at the frontage to reduce the interpreted scale of the building and its impact on the streetscape.
 - Siting of buildings to achieve the intended primary and ancillary uses in accordance with the requirements of the NT Planning Scheme.
2. Indicate all business identification and advertising signs:
- Will be constructed of high quality materials.
 - Have concealed cabling (if illuminated signs).
 - Have minimum ground level clearance of 2.7m if erected above pedestrian areas.
 - Designed to provide visually clear messages when viewed from the road.
 - Are not similar to any regulatory or warning signs.
3. Demonstrate that lighting complies with the following requirements:
- External lighting is designed to complement the visual style and illumination of adjacent street lighting.
 - Where floodlighting of building spaces is proposed, designs of lighting equipment and cabling integrate with the overall design of subject building.
 - Lighting design should minimise any potential impacts of spilt light, direct and/or reflected glare to surrounding properties, roadways and other public spaces.
- Illuminated design shall enhance public safety in all car parking areas and open spaces intended for night time use.
4. Demonstrate high quality design and development standards which comply with the following:
- No temporary structures, demountable buildings, shipping containers or the like, other than during the construction phase of development without written approval from the Land Development Corporation.
 - Front elevations of all primary buildings to face the street address and provide corporate images and clear entrances.
 - Where more than one building is proposed, building design is integrated and presents a harmonious image.
 - Air conditioning condensers, mechanical and gas supply equipment is appropriately screened from public view and located to minimise visual, thermal and acoustic impacts on neighbouring land uses.
 - All condensate shall be disposed of at ground level to stormwater drains or used for irrigation in landscaped areas.
5. Demonstrate compliance with Clause 9.1 (Industrial Use) of the NT Planning Scheme and the NT Building Regulations.

c) Car Parking, Loading and Site Access

Objectives

- Ensure developments have adequate off street car parking for their intended use.
- Minimise pedestrian and vehicular interaction while also providing convenient access to buildings.
- Loading bays, vehicle manoeuvring, heavy vehicle parking and outdoor storage areas are separated from visitor and staff car parking with use of appropriate traffic controls, including minimising vehicular and pedestrian interaction.

- Include appropriate landscaping to provide shade and enhance the visual amenity for car parking spaces not under building cover.
- Ensure developments have appropriate access and space for heavy vehicle manoeuvring and parking within the Property.
- Access driveways should allow all vehicles to enter and leave the property in forward motion.
- Provide adequate space for heavy vehicles to stand, load, unload and manoeuvre within the Property.

Requirements

1. Vehicle site access locations and crossovers from existing roads shall be designed and constructed to the requirements of the Department of Infrastructure, Planning and Logistics – Transport Civil Services Division.
2. Frontages to Berrimah Road are to be fenced to prevent unauthorised vehicle and pedestrian movements.
3. Plans should demonstrate heavy vehicles / semi-trailers turning templates can operate within the Property and safely enter and exit from the road in accordance with the requirements of the Department of Infrastructure, Planning and Logistics – Transport Civil Services Division.
4. Demonstrate compliance with following clauses of the NT Planning Scheme:
 - 6.5.1 (Parking Requirements).
 - 6.5.2 (Reduction in Parking Requirements)
 - 6.5.3 (Parking Layout of the NT Planning Scheme).
 - 6.6 (Loading Bays).

d) Siting of Building and Boundary Setbacks

Objective

- Ensure developments have appropriate building and boundary setbacks to provide an adequate level of visual amenity.

Requirements

1. Where the Property backs onto Berrimah Road, the Owner is encouraged to site buildings to take advantage of the visual exposure to passing traffic. Land Development Corporation can provide examples of this upon request.
2. Take into account any adjoining land uses which may interact with the proposed use (i.e. gas decanting / storage activity next to a welding workshop) and how potential issues will be managed.
3. Demonstrate compliance with Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme.

e) Landscaping

Objectives

- Ensure that developments have good quality sustainable landscaping that compliments and enhances the streetscape.
- The quality and extent of the landscaping are to be maintained for the life of the development

Requirements

1. Provide and maintain underground reticulated irrigation from the Property to the grassed street verges and maintain the grassing on the street verge.
2. Provide and maintain the landscaping for the full life of the development (fair wear and tear excepted).
3. Recommended use of Top End native species with a useful reference being “Native Plants for Top End Gardens” by Greening Australia.

4. Demonstrate compliance with Clause 6.12 (Landscaping) of the NT Planning Scheme.

f) Signage

Objective

- Ensure business signs and promotion signs are of a size and location that minimises detriment to the amenity of the area.

Requirement

1. Demonstrate compliance with Clause 6.7 (Signs) of the NT Planning Scheme.

g) Outdoor Storage

Objectives

Ensure developments have appropriate outdoor storage areas for the storage of materials, supplies or equipment.

Ensure loading bays, bin storage areas, outdoor storage, mechanical plant, wash down bays, containers and the like are located behind the building line to minimise visibility from the street frontage or adjoining major roads.

Requirements

There shall be minimal outdoor storage visible from the street / road frontages. Outdoor storage must as a minimum be screened with landscaping, berming and /or fencing to obscure visibility from the street frontage.

h) Fencing, Safety and Security

Objectives

- To ensure that fencing complements the amenity of the area and contributes to an attractive streetscape.
- To ensure fences provides adequate site security.
- Industrial development should aim to maximise the opportunities for surveillance in both the public and private realm as a deterrent to crime.
- Reduce the opportunity for criminal and

antisocial behaviour within industrial areas.

- Provide fences along all street frontages limiting the opportunity for criminal activity to occur without detection.

Requirements

1. Security fencing will be permitted along front, side and rear boundaries.
2. The minimum standard of fencing to street and major road frontages is 1.8 metre black PVC coated galvanised link mesh with black support members.
3. No gates are to be provided to fences fronting Berrimah Road.
4. Any site access gates are to be sliding or open inwards only (i.e. gates are not to swing outward onto the road verge / reserve).
5. Any high security fencing should be set back to align with or be behind the building frontage and screened to obscure the view from the street / major road frontage.
6. Side boundary fencing should be a minimum of 1.8 metre black PVC coated galvanised link mesh with black support members.

i) Impact on Environment - Stormwater and Waste

Objectives

- Ensure developments are designed with due consideration to any possible impacts on the receiving environment.
- To protect the environment and prevent environmental harm.
- To minimise the creation of pollution and waste and ensure its appropriate treatment and management.

Requirements

1. Development plans shall demonstrate stormwater runoff collection and discharge design in accordance with the

- requirements of the responsible service authority.
2. Plans are to include surface grading of the Property and how the design will prevent runoff onto adjoining lots, minimise ponding or back up water on site.
 3. Proposals involved in the creation, handling and/or storage of materials with the potential to contaminate the environment, shall ensure provision is made for stormwater to be captured and treated to remove contaminants before being discharged to the requirements of the NT Environmental Protection Authority.
 4. Stormwater runoff from development sites shall be controlled during construction and with ongoing operations to prevent erosion and siltation to the requirements of the Department of Environment and Natural Resources.
 5. Any on site waste management facilities for liquid and solid waste shall be undertaken to the requirements of the responsible service authority. Further information on the treatment of Trade Waste can be viewed at the following link:

https://www.powerwater.com.au/customers/business_customers/trade_waste

6. Ensure all waste management facilities are designed and located to ensure minimum impact on roads and adjoining properties from dust, noise, fumes and odours to the requirements of the responsible service authority.
7. Demonstrate that any waste storage areas are adequately bunded to contain spills and/or wash-down contaminants for treatment (where necessary) and collection before appropriate disposal to the requirements of the responsible service authority.

8. The Owner must connect to the Darwin Business Park reticulated under ground sewer system in accordance of Power and Water Corporations requirement and approval.

k) Sustainability in Design

Objectives

- Achieve energy and water smart sustainability in design and land use.
- Reduce resource use and minimise waste production.

The Owner is encouraged to address the following:

1. Optimise energy efficiency by:
 - Orienting buildings and using shade opportunities to minimise solar penetration and maximise cooling with natural breezes.
 - Building materials should maximise energy efficiency.
 - Incorporate energy efficient fixtures and fittings.
 - Provide opening windows where possible to minimise reliance on air conditioning for cooling and ventilation.
 - Providing window eave shading as well as shading for buildings (eaves or vegetation screening) to minimise solar penetration.
2. Optimise water efficiency by:
 - Incorporate water saving fixtures and fittings.
 - Collection and use of stormwater on site for non-potable requirements such as irrigation, cooling etc.
 - Maximise recycling of wastewater.
 - Landscaping with Top End native species, reducing reliance on irrigation.

3. Demonstrate lighting maximises effective illumination with efficient energy consumption.
4. Minimise waste production and resource use by:
 - Recycling and reusing waste, where possible.
 - Developing and using a waste minimisation strategy.

5. KEY CONTACTS

Development Plan Endorsement



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