

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 139 – WEDNESDAY 16 MAY 2012

**BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON**

MEMBERS PRESENT: Peter McQueen (Chairman), Steve Ward, Stuart Delahay,
Susan McKinnon and Graeme Chin

APOLOGIES: Margaret Macintyre (Secretary),

OFFICERS PRESENT: Danna Scoot (A/Secretary), George Maly, Sally Cunningham, Deborah
Bruise and Sarah Gooding (session one) (Development Assessment
Services)

COUNCIL REPRESENTATIVE: Ted Vivian

Meeting opened at 9.15 am and closed at 1.30 pm

THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 **SUBDIVISION TO CREATE 11 LOTS**
PA2012/0208 **LOT 9637 (152) FORREST PARADE, TOWN OF PALMERSTON**
APPLICANT **EVDXIA, KYPREOS**

Deferred at applicant's request, applicant did not attend.

ITEM 2 **2 X 3 AND 1 X 2 BEDROOM MULTIPLE DWELLINGS IN A SINGLE**
PA2012/0207 **STOREY BUILDING**
 LOT 4705 (24) GRANITES DRIVE, TOWN OF PALMERSTON
APPLICANT **SAVVAS ARCHITECT**

Applicant Mr Savvas Savvas attended.

RESOLVED That, the Development Consent Authority vary clauses 6.5.3 (Parking Layout), 7.3
50/12 (Building Setbacks of Residential Buildings); and 7.3.1 (Additional Setbacks for
Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in
Height) and pursuant to Section 53(a) of the *Planning Act*, consents to the application
to develop Lot 4705 (24) Granites Drive, Rosebery, Town of Palmerston, for the
purpose of erecting 2 x 3 bedroom and 1 x 2 bedroom multiple dwellings in one (1)
single storey building subject to the following conditions:

CONDITIONS PRECEDENT

1. Before the development starts, a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - The removal or detachability or approval of awning structures encroaching upon the sewer easement along the eastern boundary of Lot 4705, as deemed suitable by the Power and Water Corporation, to the satisfaction of Power and Water Corporation and the consent authority;
 - The removal or approval of landscaping along the sewage easement, as deemed suitable by the Power and Water Corporation. In the case that landscaping is to be removed, amended plans will need to be submitted demonstrating a 1.8m high screen fence along the eastern boundary in its entirety, to the satisfaction of Power and Water Corporation and the consent authority; and
 - Stormwater collection pits located within the anticipated unit title allocation for each unit to ensure stormwater does not flow across unit title boundaries.

2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. 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.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the , City of Palmerston, to the satisfaction of the consent authority.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. 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.
10. 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 permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit: or
 - (b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Power and Water Corporation advises that Water and Sewerage Systems Extension Policy (WASSEP) charges apply for this development and that the Developer should contact Services Development for further information. This has been included as a notation within the recommendation below.

REASONS FOR THE DECISION

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

The proposal generally complies with the relevant provisions of the NT Planning Scheme with the exception of clauses 6.5.3 (Parking Layout); 7.3 (Building Setbacks of Residential Buildings); and 7.3.1 (Additional Setbacks for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height).

A variation to clause 6.5.3 (Parking Layout) is supported for the following reasons:

- due the configuration of the site, it is considered that two-access points make best practical use of the site;
- appropriate landscaping is to be provided between the parking areas and the road within the subject land; and
- the driveways are 6.0 wide and, due to the small size of the parking areas, it is considered that there remains sufficient room to manoeuvre vehicles by way of a three point turn to exit the property in a forward gear without impacting upon the traffic flow of the parking area.

A variation to clause 7.3 (Building Setbacks of Residential Buildings) is supported as the irregular character of the site and the large street frontage makes compliance with the front setback requirement difficult. Landscaping is proposed along the front boundary in order to minimise visual impacts of these encroachments upon the streetscape.

A variation to clause 7.3.1 (Additional Setbacks for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height) is supported as the irregular shape of the lot makes it difficult to achieve the required setbacks. The proposed development is of a staggered design, minimising the visual bulk of the building. Extensive landscaping is proposed on the site, in addition to a 1.8m high screen fence along the

rear site boundary. Furthermore, due to the design of the building, only small sections (various corners) of the development encroach upon the required setbacks and thus, it is considered that the visual impacts upon the neighbouring properties and streetscape would be minimal.

2. Pursuant to Section 51(h) of the Planning Act, the consent authority must take into consideration the merits of the proposed development as demonstrated in the application.

All dwellings are architecturally designed to best utilise the natural topography, site orientation and issues of privacy on the site. Landscaping and fencing proposed in association with the stepped effect of the dwellings and the varying roof lines will provide adequate screening and privacy and visual amenity of the proposal.

ACTION: Notice of Consent and Development Permit.

ITEM 3
PA2012/0236
APPLICANT

UNLISTED USE (PARK AND RIDE FACILITY)
LOT 6329 (20) BERESFORD ROAD, TOWN OF PALMERSTON
MASTERPLAN NT

Applicant Mr Brad Cunnington and Ms Lyeal Raggett attended.

RESOLVED
51/12

That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority vary clause 6.5.3 (Parking Layout) and consent to the application to develop Lot 6329 (20) Beresford Road, Town of Palmerston for the purpose of a park and ride facility subject to the following conditions:

CONDITIONS PRECEDENT

1. Before the development starts, a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - A total of 134 car parking bays on-site.
2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

3. Buses are not permitted to park, load / unload upon Beresford Road. The operation of the use must be confined within the boundaries of Lot 6329.
4. 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.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
 - (e) remove disused vehicle and/ or pedestrian crossovers;
 - (f) provide footpaths/ cycleways;
 - (g) collect stormwater and discharge it to the drainage network; and
 - (h) undertake reinstatement works;
 all to the technical requirements of and at no cost to the , City of Palmerston, to the satisfaction of the consent authority.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. 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.
10. 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.
11. The use of the site for the purpose of a temporary workers accommodation must cease on 24 May 2016.

NOTES

1. This permit will expire if one of the following circumstances applies:
 - (c) the use is not started within two years of the date of this permit: or
 - (d) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. The Power and Water Corporation advises that Water and Sewerage Systems Extension Policy (WASSEP) charges apply for this development and that the Developer should contact Services Development for further information. This has been included as a notation within the recommendation below.

REASONS FOR THE DECISION

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

The proposal generally complies with the relevant provisions of the NT Planning Scheme with the exception of clauses 6.5.3 (Parking Layout).

A variation to clause 6.5.3 (Parking Layout) is supported for the following reasons:

- due the intended use of the site, it is considered that, to Council's satisfaction, two-access points make best practical use of the site;
 - A variation to the length of carparking bays by 10cm is not expected to result in vehicle manoeuvring issues as all cars will be entering exiting the site during similar periods for staff on the same shifts. The carpark is not intended to be used by the public and will be a private parking area for workers employed to construct the INPEX development at Blaydin Point only;
 - Slightly reducing the carparking bay length requirement allows parking area for a minimum of 26 additional carparking bays (a row of parking) whilst continuing to maintain driveways that are of a width capable of accommodating two-way traffic. Ensuring that there are sufficient parking bays on site will ensure that staff vehicles are not parked along Beresford Road and are fully contained on Lot 6329;
 - Landscaping is considered satisfactory given the largely open nature of the development and the minimum 23m setback of the parking areas from and the Beresford Road street frontage; and
 - Maximising carparking on Lot 6329 by slightly varying the carparking dimension and landscaping requirements will allow sufficient area to accommodate the three buses anticipated on the operation of the development at any given time thereby negating the need to park buses on Beresford Road.
2. Pursuant to Section 51(h) of the Planning Act, the consent authority must take into consideration the merits of the proposed development as demonstrated in the application.

The development will provide an efficient transport service for staff between Yarrowonga and the INPEX Ichthys LNG development site at

Blaydin Point. The service will remove the volume of vehicles driving to / from the site each day, will provide staff with savings, and can generally be described as an efficient method of transport given the nature of the development site at Blaydin Point, located a distance of approximately 25 kilometres.

ACTION: Notice of Consent and Development Permit.

ITEM 4
PA2012/0093
APPLICANT

OFFICES IN A TWO STOREY BUILDING
LOTS 9185, 9186 & 9187 (6, 8 & 10) HEDLEY PLACE, TOWN OF PALMERSTON
VANTAGE HOMES PTY LTD

Applicant Mr Andy Mathewson attended.

RESOLVED
52/12

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lots 9185, 9186 & 9187 (6, 8 & 10) Hedley Place, Town of Palmerston for the purpose of Offices in a two storey building, subject to the following conditions:

CONDITON PRECEDENT

1. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Before the use or 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:
 - (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 spaces, access lanes and driveways must be kept available for these purposes at all times.

4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
5. The owner shall:
 - a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
6. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
7. All air conditioning condensers 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.
8. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
9. 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.
10. 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.
11. 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.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and gas to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES

1. This permit will expire if one of the following circumstances applies:
 - (e) the development is not started within two years of the date of this permit; or
 - (f) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. 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.
3. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone C (Commercial) which is to provide for a range of business and community uses. The development has demonstrated regard for the surrounding residential areas by providing a design that is sympathetic to the existing scale, architectural style and character of the area.

A variation is granted to the requirements of Clause 6.5.3 (Parking Layout) to allow a reduction in the width of landscaping to the street frontage from 3m to 1m and is not expected to negatively impact on the amenity of the area as:

- The plant species selected indicates that the applicant has considered the best plant types to provide adequate screening of parking areas through choice of hedges to street frontages, small bushy shrubs to side and rear boundaries and a combination of smaller plant species to fill gaps and add interest through variation of leaf colours;
 - All other site landscaping complies with the Scheme including a 3m wide landscaped area to screen the development from the adjacent residential land; and
 - In this instance, the reduction of landscaping width may be beneficial as it is located directly adjacent to the building entrances and aids in defining building entrances and creates opportunities for passive surveillance of parking areas, the street, nearby dwellings, child care centre and shops.
2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application. The proposal is considered to demonstrate merit because of its location close to child care facilities, shops and residential areas

allowing greater variety to the area and opportunities for tenants to reduce unnecessary travel into the CBD.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. Except for a minor variation to landscaping requirements along the streetfront, the proposal complies with all other requirements of the Scheme which are designed to ensure no loss of amenity for current and future occupants of adjoining and nearby land.

ACTION: Notice of Consent and Development Permit.

ITEM 5 **SECOND APPLICATION FOR AN EXTENSION OF BASE PERIOD OF DEVELOPMENT PERMIT DP08/0237**
PA2008/0237 **LOT 7875 (3) BOWREY CRESCENT, TOWN OF PALMERSTON**
APPLICANT **GEORGE MILATOS**

Applicant Mr George Milatos attended.

RESOLVED That, in accordance with Section 59 of the *Planning Act* the Development Consent
53/12 Authority approve an extension of the base period of Development Permit
DP08/0338 for a further 12 months.

ITEM 6 **2 X 3 BEDROOM MULTIPLE DWELLINGS IN TWO STOREYS**
PA2012/0215 **LOT 10786 (9) MAGDALEN STREET, TOWN OF PALMERSTON**
APPLICANT **DPL DEVELOPMENTS**

Applicant Mr Darron Lyons (DPL Developments) attended.
Mr Graeme Finch (NS Projects Pty Ltd) attended representing the property owner.

Mr Lyons tabled amended plans.

RESOLVED That, pursuant to section 53(b) of the Planning Act, the Development Consent
54/12 Authority alter the proposed development and consent to the proposed development
as altered to develop Lot 10786 (9) Magdalen Street, Town of Palmerston, for the
purpose of 2 x 3 bedroom multiple dwellings in two storeys, subject to the following
conditions:

CONDITION 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 include:

Detailed (dimensioned and annotated) site, internal layout and elevations plans that show:

- sufficient manoeuvring space to ensure convenient and functional vehicle parking;
 - the relationship between the two buildings and their placement on the site (i.e. amended elevations), consistent with the placement identified on current site plans; and
 - Deletes all reference to the two bedroom dwelling design.
2. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan prepared by DPL Developments. The plan must show:
- (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;
 - (b) planting around all private open space areas to both dwellings that will provide a visual barrier within two years of planting, in accordance with the requirements of Clause 7.5 (Private Open Space) of the NT Planning Scheme.
 - (c) provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority.

3. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
6. The owner shall:
- a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;
- all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
7. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

8. All air conditioning condensers 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
9. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
10. 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.
11. 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.
12. 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.
13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and gas to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. 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.

4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE DECISION

Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options.

The application complies with Clauses 6.5.1 (Parking Requirements), 7.1 (Residential Density Limitations) and 7.3 (Building Setbacks for Residential Buildings) of the NT Planning Scheme. Through submission of the required amended plans, the proposal is capable of meeting the requirements of Clauses 6.5.3 (Parking Layout), 7.5 (Private Open Space) and the objectives promoted under Clause 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation).

A minor variation to the requirements of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is granted to allow a turning bay to be finished with road base instead of being sealed as:

- The area will be stabilised with cement to avoid run off and displacement of the material to other areas of the site;
- the road base finish will provide a suitable and defined surface for manoeuvring of vehicles without increasing areas of sealed impermeable surfaces on the site; and
- the finish presents merit in that it will provide on-site vehicle manoeuvring that is safe, convenient and functional without increasing the cost of the development or impacting on the affordability of the finished product for the first home-buyers market.

Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings have been designed for the first home-buyers market and are to be released by the NT Government to pre-qualified buyers. The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in providing a design that may be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. Pursuant to section 51(e) of the Planning Act, in considering a development application the consent authority is required to take into account any submissions made under section 49. One submission was received raising concerns with the proposed height, design and layout and suggested that the proposal may negatively impact on the amenity by way of overlooking, shadowing and loss of views. The proposal complies with the NT Planning Scheme's building height and building setback requirements which are designed to ensure no undue overlooking, overshadowing or negative impacts as a result of a building's location. Furthermore, the amendments required (as part of amended plans) are expected to ensure no loss of amenity for persons residing at Lot 10786 or surrounding properties through the provision of adequate site landscaping/screening.
4. Pursuant to section 51(n) of the Planning Act, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The amendments to the design required by the Authority are expected to negate any concerns relating to privacy and screening of private open space areas and functionality, convenience and manoeuvrability of car parking areas. As the site landscaping matures, the issues raised can be reduced if planting is selected with a view to providing additional screening for privacy and shading and as a buffer for noise associated with the residential use. A landscaping plan that requires additional landscaping to the site is a requirement of approval.

ACTION: Notice of Consent and Development Permit

ITEM 7
PA2012/0213
APPLICANT

2 x 3 BEDROOM MULTIPLE DWELLINGS IN TWO STOREYS
LOT 10912 (18) CLARKE STREET, TOWN OF PALMERSTON
DPL DEVELOPMENTS

Applicant Darron Lyons (DPL Developments) attended and tabled amended plans. Graeme Finch (NS Projects Pty Ltd) also attended representing the property owner.

RESOLVED
55/12

That, pursuant to section 53(b) of the Planning Act, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 10912 (18) Clarke Street, Town of Palmerston, for the purpose of 2 x 3 bedroom multiple dwellings in two storeys, subject to the following conditions:

CONDITION 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 include:

Detailed (dimensioned and annotated) site, internal layout and elevations plans that show:

- the relationship between the two buildings and their placement on the site (i.e. amended elevations), consistent with the placement identified on current site plans;
 - Deletes all reference to the two bedroom dwelling design.
1. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan prepared by DPL Developments. The plan must show:
 - (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;
 - (b) planting around all private open space areas to both dwellings that will provide a visual barrier within two years of planting, in accordance with the requirements of Clause 7.5 (Private Open Space) of the NT Planning Scheme.
 - (d) provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority.

2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
5. The owner shall:
 - a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.

6. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
7. All air conditioning condensers 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
8. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
9. 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.
10. 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.
11. 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.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and gas to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES

1. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. 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.

4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options.

The application complies with Clauses 6.5.1 (Parking Requirements), 7.1 (Residential Density Limitations) and 7.3 (Building Setbacks for Residential Buildings) of the NT Planning Scheme. Through submission of the required amended plans, the proposal is capable of meeting the requirements of Clause 7.5 (Private Open Space) and objectives promoted under Clause 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation).

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings have been designed for the first home-buyers market and are to be released by the NT Government to pre-qualified buyers. The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in providing a design that may be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The amendments to the design required by the Authority are expected to negate any concerns relating to privacy and screening of private open space through provision of additional landscaping. As the site landscaping matures, the issues raised

can be reduced if planting is selected with a view to providing additional screening for privacy and shading and as a buffer for noise associated with the residential use, together with softening the visual bulk of the dwelling facing Flynn Circuit. A landscaping plan that requiring additional landscaping to the site is a requirement of approval.

ACTION: Notice of Consent and Development Permit

ITEM 8
PA2012/0211
APPLICANT

2 x 3 BEDROOM MULTIPLE DWELLINGS IN TWO STOREYS
LOT 10625 (12) BENNETT STREET, TOWN OF PALMERSTON
DPL DEVELOPMENTS

Applicant Mr Darron Lyons (DPL Developments) attended.
Mr Graeme Finch (NS Projects Pty Ltd) attended representing the property owner.

Mr Lyons tabled amended plans.

RESOLVED
56/12

That, pursuant to section 53(b) of the Planning Act, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 10625 (12) Bennett Street, Town of Palmerston, for the purpose of 2 x 3 bedroom multiple dwellings in two storeys, subject to the following conditions:

CONDITION 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 include:

Detailed (dimensioned and annotated) site, internal layout and elevations plans that show:

- sufficient manoeuvring space to ensure convenient and functional vehicle parking (a turning template should be included);
 - the relationship between the two buildings and their placement on the site (i.e. amended elevations), consistent with the placement identified on current site plans; and
 - Deletes all reference to the two bedroom dwelling design.
2. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan prepared by DPL Developments. The plan must show:

- (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;
- (b) planting around all private open space areas to both dwellings that will provide a visual barrier within two years of planting, in accordance with the requirements of Clause 7.5 (Private Open Space) of the NT Planning Scheme.
- (c) provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority.

- 3. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

- 4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
- 5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
- 6. The owner shall:
 - a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;
 all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
- 7. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
- 8. All air conditioning condensers 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
- 9. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
- 10. 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.

11. 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.
12. 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.
13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and gas to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES

1. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. 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.
4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options.

The application complies with Clauses 6.5.1 (Parking Requirements), 7.1 (Residential Density Limitations) and 7.3 (Building Setbacks for Residential Buildings) of the NT Planning Scheme. Through submission of the required amended plans, the proposal is capable of meeting the requirements of Clauses 6.5.3 (Parking Layout), 7.5 (Private Open Space) and the objectives promoted under Clause 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation).

A minor variation to the requirements of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is granted to allow a turning bay to be finished with road base instead of being sealed as:

- The area will be stabilised with cement to avoid run off and displacement of the material to other areas of the site;
 - the road base finish will provide a suitable and defined surface for manoeuvring of vehicles without increasing areas of sealed impermeable surfaces on the site; and
 - the finish presents merit in that it will provide on-site vehicle manoeuvring that is safe, convenient and functional without increasing the cost of the development or impacting on the affordability of the finished product for the first home-buyers market.
2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings have been designed for the first home-buyers market and are to be released by the NT Government to pre-qualified buyers. The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in providing a design that may be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The amendments to the design required by the Authority are expected to negate any concerns relating to privacy and screening of private open space areas and functionality, convenience and manoeuvrability of car parking areas. As the site landscaping matures, the issues raised can be reduced if planting is selected with a view to providing additional screening for privacy and shading and as a buffer for noise associated with the residential use. A

landscaping plan that requiring additional landscaping to the site is a requirement of approval.

ACTION: Notice of Consent and Development Permit

ITEM 9
PA2012/0214
APPLICANT

2 x 3 BEDROOM MULTIPLE DWELLINGS IN TWO STOREYS
LOT 10925 (7) CLARKE STREET, TOWN OF PALMERSTON
DPL DEVELOPMENTS

Applicant Mr Darron Lyons (DPL Developments) attended.
Mr Graeme Finch (NS Projects Pty Ltd) attended representing the property owner.

Mr Lyons tabled amended plans.

RESOLVED
57/12

That, pursuant to section 53(b) of the Planning Act, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 10925 (7) Clarke Street, Town of Palmerston, for the purpose of 2 x 3 bedroom multiple dwellings in two storeys, subject to the following conditions:

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 include:

Detailed (dimensioned and annotated) site, internal layout and elevations plans that show:

- sufficient manoeuvring space to ensure convenient and functional vehicle parking (a turning template should be included);
 - the relationship between the two buildings and their placement on the site (i.e. amended elevations), consistent with the placement identified on current site plans; and
 - Deletes all reference to the two bedroom dwelling design.
2. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan prepared by DPL Developments. The plan must show:
 - (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;

- (b) planting around all private open space areas to both dwellings that will provide a visual barrier within two years of planting, in accordance with the requirements of Clause 7.5 (Private Open Space) of the NT Planning Scheme.
- (c) provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority.

- 3. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

- 4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
- 5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
- 6. The owner shall:
 - a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
- 7. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
- 8. All air conditioning condensers 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
- 9. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
- 10. 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.
- 11. 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.

- a. 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.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and gas to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. 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.
4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options.

The application complies with Clauses 6.5.1 (Parking Requirements), 7.1 (Residential Density Limitations) and 7.3 (Building Setbacks for Residential Buildings) of the NT Planning Scheme. Through submission of the required amended plans, the proposal is capable of meeting the requirements of Clauses 6.5.3 (Parking Layout), 7.5 (Private Open Space) and the objectives promoted under Clause 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation).

A minor variation to the requirements of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is granted to allow a turning bay to be finished with road base instead of being sealed as:

- The area will be stabilised with cement to avoid run off and displacement of the material to other areas of the site;
 - the road base finish will provide a suitable and defined surface for manoeuvring of vehicles without increasing areas of sealed impermeable surfaces on the site; and
 - the finish presents merit in that it will provide on-site vehicle manoeuvring that is safe, convenient and functional without increasing the cost of the development or impacting on the affordability of the finished product for the first home-buyers market.
2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings have been designed for the first home-buyers market and are to be released by the NT Government to pre-qualified buyers. The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in providing a design that may be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The amendments to the design required by the Authority are expected to negate any concerns relating to privacy and screening of private open space areas and functionality, convenience and manoeuvrability of car parking areas. As the site landscaping matures, the issues raised can be reduced if planting is selected with a view to providing additional screening for privacy and shading and as a buffer for noise associated with the residential use. A landscaping plan that requiring additional landscaping to the site is a requirement of approval.

ACTION:

Notice of Consent and Development Permit.

**ITEM 10
PA2012/0240
APPLICANT**

**CARPORT ADDITION WITH REDUCED SIDE SETBACK
LOT 3931 (25) GUNTER CIRCUIT, TOWN OF PALMERSTON
WAYNE GROVES**

Applicant Mr Wayne Groves did not attend.

**RESOLVED
58/12**

That the Development Consent Authority vary Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act* consents to the application to develop Lot 3931 (25) Gunter Circuit, Town of Palmerston, for the purpose of a carport with reduced side setback, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.

NOTES

1. This permit will expire if one of the following circumstances applies:
 5. the use is not started within two years of the date of this permit; or
 6. the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

REASONS FOR THE DECISION

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

A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for a carport with a reduced side setback of 0.1m where 1.5m is required by the Scheme, is granted as:

There is an existing 3m wide sewerage easement along the south eastern side boundary and the site boundaries are irregular in shape with a wider street frontage tapering into the rear of the property. This is due to the siting of Lot 3931 on a bend in Gunter Circuit.

The proposed carport is considered unlikely to have any adverse impact on the amenity of the surrounding area as it replaces an existing shade sail structure over an existing carparking area. The proposed carport will be open sided and have a height of approximately 3m. The open sided nature of the proposed carport will ensure adequate breeze penetration whilst its appearance and slimline roof will not result in building massing when viewed from the street. Furthermore, extensive landscaping exists along the front boundary of Lot 3931 and the north western boundary angles away from the affected neighbouring property on Lot 3932. There are also a number of other properties on Gunter Circuit, within close proximity to Lot 3931, that have carports sited against the side boundaries. Therefore this proposed development is consistent with the character of the street and, provided stormwater is adequately managed, is not expected to result in any adverse impacts upon the surrounding area.

2. Pursuant to Section 51(j) of the *Planning Act*, 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 site is 800m² and has street frontage to Gunter Circuit. Provided that stormwater is managed on site without impacting on adjoining properties and disposed of into Council's stormwater drainage system, no adverse impact is anticipated.

ACTION: Notice of Consent and Development Permit.

ITEM 11
PA2012/0205
APPLICANT

**SUBDIVISION TO CREATE 103 LOTS IN 2 STAGES
LOT 9765 (50) UNIVERSITY AVENUE, TOWN OF PALMERSTON
ELTON CONSULTING**

Applicant Ms Wendy Smith, Martin Klopper and Luke Jackson (Elton Consulting) attended.

Mr Geoff Smith and Mr Jeremy Clarke (CIC Australia) attended.

Mr Ken Suter and Mr Ross Springolo (CDU) attended.

Ms Tasma McCall, Michael Deloso and Marlise Lasvicius (Terry Mills Office) attended.

Submitter Ms Heather Ryan attended.

Submitter Mr Kevin Kennedy (Durack residents group) attended.

Submitter Ms Margaret Clinch (The Planning action network) attended.

Submitter Mr James Toner attended.

RESOLVED

That the Development Consent Authority vary the provisions of Clause 11 of the SP8 (Specific Use Zone Palmerston No. 8) of the NT Planning Scheme and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop lot 9765 (50) University Avenue, Durack, Town of Palmerston for the purpose of a subdivision to create one hundred and three lots in 2 stages, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation) an Erosion and Sediment Control Plan (ESCP), must be submitted to, approved and subsequently implemented to the satisfaction of the consent authority on advice from the Department of Natural Resources, Environment, the Arts and Sport. When approved, the plan will be endorsed and will then form part of the permit. The ESCP should address the International Erosion Control Association (IECA) Best Practice Erosion and Sediment Control Guidelines 2008.
2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plans demonstrating the method of storm water management to the requirements of City of Palmerston and to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The applicant shall demonstrate to the satisfaction of the consent authority how potential purchasers will be informed about the specific terms of the SU8 zone of the NT Planning Scheme, and in particular how the requirements of endorsed setback plan and house and land package documentation apply to each site.

5. 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.
6. 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.
7. 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.
8. All proposed roads and public open space reserves to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the Northern Territory and/or the City of Palmerston as the case may be.
9. 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 Palmerston and/or the Department of Lands and Planning as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
10. All unsuitable soil within stages 1 and 2 must be removed and replaced with appropriate soil type(s), with all excavation and/or filling to be designed, supervised and certified on completion by a practising and registered Civil Engineer, confirming that the land is suitable for the intended residential use and development, in accordance with Australian Standards AS3798: Guidelines on earthworks for commercial and residential developments, to the satisfaction of the consent authority.
11. Landscaping and development of open spaces and streets/roads shall be designed and constructed to the requirements of the City of Palmerston and/or the Department of Lands and Planning as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
12. Before the use starts, an environmental management plan for the management and operation of the use which is to the satisfaction of the consent authority must be submitted to and approved by the consent authority upon the advice of NRETAS. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan. The environmental management plan must include:
 - (a) overall environmental objectives for the operation of the use and techniques for their achievement;
 - (b) procedures to ensure that no significant adverse environmental impacts occur as a result of the use;

- (c) proposed monitoring systems;
 - (d) identification of possible risks of operational failure and response measures to be implemented; and
 - (e) day to day management requirements for the use.
13. Access shall not be permitted to the site without approval from the relevant authority, either for construction purposes or permanently, from the Roystonea Avenue road reserve other than via the newly constructed access off Roystonea Avenue opposite Yarrowonga Road.
 14. All proposed work (including provision of services) within, or impacting upon the Roystonea Avenue, University Avenue or Tiger Brennan Drive Road reserves shall 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 Chief Executive, Department of Lands and Planning. Drawings must be submitted to the Director, Road Network Division, Department of Lands and Planning, for approval irrespective of approvals granted by other Authorities. No works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
 15. The upgrading of existing intersections and/or roads under the care, control and management of the NT Government to accommodate the traffic generated by the development shall be to the standards and approval of Road Network Division, at the Developer's cost. If a staged construction of required upgrades is proposed, the Traffic Impact Assessment should be update to identify the Development stages at which proposed upgrades are required.
 16. The applicant shall construct a road connection between the existing access to the Palmerston Water Park and the boundary to the site to the requirements of the City of Palmerston and/or the Department of Lands and Planning to the satisfaction of the consent authority.
 17. Any services or connections within the Roystonea Avenue road reserve are subject to this Department's approval. Methods of construction for the installation of services shall be such that all works are contained within the appropriate Nominal Service Corridor.
 18. Where unfenced, the Roystonea Avenue frontage is to be appropriately fenced in accordance with this Department's standards and requirements to deter unauthorised vehicular and/or pedestrian movement.
 19. Stormwater drainage shall be wholly contained within the site and discharged into the local stormwater system to the standards and approval of Road Network Division and/or City of Palmerston. All proposed lots fronting Roystonea Avenue shall be graded such that the stormwater run-off from the properties is away from the road and is able to be collected within the development area and appropriately discharged into the local stormwater system.

20. Stormwater is to be collected and discharged into the drainage network, and incorporate Water Sensitive Urban Design (WSUD) to the technical standards of and at no cost to the City of Palmerston Council and/or the Department of Lands and Planning as the case may be, to the satisfaction of the consent authority.
21. The developer shall have carried out, as part of stage 1 works, and in accordance with AS3671-1989, "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction" an assessment by a suitably qualified person of the development's present and predicted future exposure to road traffic noise levels, and where required provide appropriate noise attenuation measures to the satisfaction of the Authority. All noise attenuation works deemed necessary shall be carried out by and at the full cost of the developer and shall be wholly contained (including foundations) within the subject lot. All noise attenuation works deemed necessary, either by building materials and design or lot layout, shall be carried out by and at the full cost to the developer and shall be wholly contained within the subject lot.
22. The applicant shall demonstrate to the satisfaction of the consent authority how recommendations of the environmental noise assessment Document No. 60236169 - A11L01RP will be implemented and how potential purchasers of lots identified by the report as potentially being effected by traffic noise will be informed about their obligations to implement the report's recommendations.

NOTES

1. 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.
2. 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 Natural Resources, Environment, The Arts and Sport.
3. The Department of Natural Resources, Environment, The Arts and Sport advise that construction should be conducted in accordance with the NRETAS 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.
4. The Developer, his Contractor or Service Provider is required to obtain a "Permit to Work within a Road Reserve" from the Manager Road Operations, Road Projects Division, Department of Construction and Infrastructure (2nd

Floor, Highway House, Palmerston) prior to the commencement of any works within the Roystonea road reserve.

REASONS FOR THE DECISION

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

The proposed subdivision will facilitate the development of lot B in accordance with the objectives of the zone as the subdivision layout provides for housing choices through a range of lot sizes and housing types and includes open space and community uses. Although no commercial use is anticipated at this stage it is noted that commercial uses are interchangeable with the residential uses subject to a number of requirements.

A variation to clause 11 (Building Setbacks) of zone SP8 of the Scheme to allow a change to the primary and secondary street frontages of lots 2, 8, 9, 15, 41, 46, 66 and 68 is supported as:

- It will enable streets with 2 – 3 dwellings to be uniform in design;
- Enable additional surveillance of public areas and pedestrian walkways
- Changing the orientation of primary and secondary streets will also prevent building massing;
- The impact of fencing on the streetscape will be minimised;
- The proposed layout provides the safe manoeuvring of traffic through the whole development; and
- It is proposed that lots 1, 2, 15 and 41 will have primary street frontage on the secondary street frontage so as not to interfere with the flow of traffic through the main road of 'The Heights'.

A variation to clause 11 (Building Setbacks) of zone SP8 of the Scheme to allow a reduced front setback of 4.5m on lots 1, 6, 14, 19, 22, 25, 26, 29, 30, 34, 35, 38, 40, 46, 47, 50, 51, 53, 54, 55, 60, 61, 65, 66, 67, 72, 77, 87, 88, 91, 92 and 95 where 6m is required by the Scheme frontages is supported as:

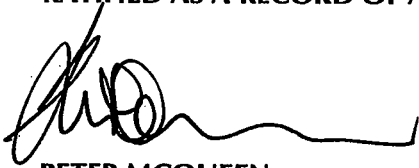
- The proposed setback changes will allow for variety in the streetscape and diversity in housing options in this new estate;
- Soften building mass where lots greater than 400m² adjoin lots less than 400m²;
- It is also considered that moving the dwellings closer to the street frontage will activate the street and provide additional surveillance provided that front fencing is not placed in front of these properties; and
- Furthermore, due to the nature of the slope of the land in particular the proposed lots abutting the Roystonea Avenue Road reserve the decrease in the front setback would aid in reducing cut and fill of these lots.

2. Pursuant to Section 51(j) of the *Planning Act*, 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.

Provided that stormwater is adequate address and the draft ESCP is amended in accordance to the requirements of NRETAS to the satisfaction of the consent authority the land is considered capable of supporting the subdivision without any adverse impact on surrounding land.

ACTION: Notice of Consent and Development Permit.

RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING



PETER MCQUEEN
Chairman

29/05/12