# DEVELOPMENT CONSENT AUTHORITY PALMERSTON DIVISION

#### NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: MEETING DATE: 14 March 2025 FILE: PA2023/0255

**APPLICATION PURPOSE:** Variation to condition 4 of DP24/0043 for the purpose of

an addition of a path and reduction in car parking width

**SUBJECT SITE:** Lot 11311 (5) Davies Court, Johnston, Town of Palmerston

Locality Plan at Bookmark A

**ZONE:** LMR (Low-Medium Density Residential)

Landowner

SITE AREA: 1140m<sup>2</sup>

APPLICANT Cunnington Rosse Town Planning and Consulting

Director - Gerard Rosse

PERSONS ON WHOSE

**BEHALF THE** 

**APPLICATION IS MADE** 

LANDOWNER Maria & Roliber Gumban
ANY PERSON WITH AN None – NDIS occupant

AGREEMENT TO ACQUIRE

AN INTEREST IN THE

**LAND** 

#### 1. BACKGROUND

The subject site is a vacant parcel within the 'Johnston Stage 2' estate.

On 22 February 2024, the Development Consent Authority issued Development Permit DP24/0043 to allow the development of dwellings-group (5  $\times$  1 bedroom) in 3  $\times$  1 storey buildings. 3 public submissions and a local government council submission were received in relation to the publicly exhibited (August 2023) application.

The floor plans of the dwellings indicate they have been designed to be suitable for persons with mobility impairments or other disabilities (bathroom designs, no step access, rails, doorway widths etc).

In issuing the permit, the Authority granted variations to the following minimum requirements of Part 5 of the NT Planning Scheme 2020:

- 5.2.4.1 (Car Parking Spaces) to allow 8 car parking spaces (instead of 10)
- 5.2.4.4 (Layout of car parking areas) to allow a section of the driveway to be 3.5m wide instead of 6m
- 5.4.1 (Residential Density) to allow 1 dwelling per 228m2 (instead of 1 per 300m2)
- 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)

A copy of Development Permit DP24/0043, the endorsed drawings, and the Notice of Consent is at **Bookmark B.** 

#### 2. PROPOSAL

The application seeks consent to vary the drawings that were endorsed as forming part of Condition 1 of DP24/0043 to allow the following changes:

- car parking layout (repositioning of car parking spaces, amended design of car parking spaces)
- minor changes to building setbacks
- amendments to boundaries and areas (m<sup>2</sup>) of private open space
- amendments to landscaping (location of planting)
- dedicated pedestrian access to site from street boundary.
- dimensions / locations of door and windows (south and north elevations)
- reduced size of outbuilding (shed)

The design amendments have been made in order to comply with NDIS standards, and after review by a building certifier.

A copy of the application is at **Bookmark C1 - C3**.



#### 3. REASON FOR APPLICATION

This application, a variation under section 57 of the *Planning Act 1999*, is referred to the Development Consent Authority (DCA) for determination. An assessment is made within this report against the criteria listed in section 57.

#### 4. ASSESSMENT SYNOPSIS

This report concludes that the Authority should consider approving the application subject to conditions on the development permit as detailed in section 9 of this report.

#### 5. PUBLIC EXHIBITION

Sections 47 (Notification of proposal) 48 and 48A (Notification of local government council and service authorities) do not apply to variations lodged under section 57 of the *Planning Act* 1999.

This variation application was not circulated due to the assessment that the approved density and land use is not altering, changes will not result in an increased level of impact to the abutting residential zoned land and the similarity between the new drawings and the previously approved proposal.

# 6. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 57 OF THE PLANNING ACT 1999)

Pursuant to section 57(3) of the *Planning Act 1999* the consent authority must only vary a condition of a development permit if:

- (a) the proposed variation will not alter a measurable aspect of the development by a margin greater than 5% and, in the opinion of the consent authority, will not materially affect the amenity of adjoining or nearby land or premises; or
- (b) in the opinion of the consent authority, the alteration resulting from the proposed variation is not conveniently measurable and the proposed variation will not materially affect the amenity of adjoining or nearby land or premises.

Despite subsection 3(a), subsection (4) specifies that a permit must not be varied if it will allow an increase in the number of dwellings capable of separate occupancy. There are no existing or proposed dwellings on the site.

The consent authority has discretionary powers to grant consent of the proposed variation provided that the proposal satisfies sections 57(3)&(4).

Section 57(5) of the Planning Act 1999 states: If the consent authority refuses to vary a condition of a permit in accordance with an application, the consent authority must give to the applicant a statement of the consent authority's reasons for the refusal.

#### Measurable aspects test:

The subject site is within zone LMR (Low Medium Density Residential) of the NT Planning Scheme 2020 (NTPS2020). In considering the relevant aspects of the development as determined in Part 5 of the NTPS2020, the following would apply to the proposed changes to DP24/0043.

Clause of "Part 5" of NTPS2020	Impact of proposed variation to DP24/0043	Compliance
5.2.1 (General Height Control)	Unit 1 • finished floor level increased from 21700 to 21900 • ceiling height increased from 24400 to 24600)	Complies with NTPS2020     200mm / 0.92% increase – Unit 1
5.2.4.1 (Car Parking Spaces)	DP24/0043 - 8 spaces (one allocated for visitor use) Proposed variation - 8 spaces (no dedicated visitor bay)	no change
5.2.4.4 (Layout of Car Parking Areas)	Dimensions of car parking spaces  DP24/0043 showed / approved car parking spaces 3.8m wide (greater than the 2.5m NTPS2020 minimum)  Updated drawings reduce all bay widths to 2.5m Car Parking Layout  Car parking space #7 has been relocated to north side of driveway (due to amendments of private open space)	<ul> <li>length and width of bays complies with NTPS2020</li> <li>layout is considered to be functional</li> <li>reduced car parking bay widths are not considered to be "conveniently measurable" as widths still comply with NTPS2020.</li> </ul>
5.2.6.1 (Landscaping in Zones Other Than Zone CB)	<ul> <li>The DAS calculation of "landscaping" for the drawings for DP24/0043 was ~402m² (35.2%) of the site area. The NTPS2020 requires 30%</li> <li>The drawings included with the variation application:         <ul> <li>do not provide any calculations, the Statement of Effect suggests the amount of landscaping has increased</li> <li>include more planting in the east corner of the site</li> </ul> </li> <li>DAS assessment of the updated drawings is that ~409m² of "landscaping" will be provided, however they show planting in the western corner of the site,</li> </ul>	complies with NTPS2020     changes not considered to be "conveniently measurable".

	whi area	,	vith the PAW	/C water meters (~2m²	
5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)	DP24/0043 granted a variation to allow:			100mm / 2.17% reduction to shed setback     50mm increase to building setback of Unit 5	
5.4.3.2 (Distance Between Residential Buildings on One Site)	Design approved by DP24/0043 complied in full with NTPS2020			No changes proposed.	
5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings- Independent and Dwellings-group)	Design approved by DP24/0043 complied in full with NTPS2020 – (area (m2), permeability, directly accessible, surface treatments and proposed boundary fencing).  Proposed changes to areas of private open space for each dwelling are as follows:			Private open space still complies with NTPS2020     changes in area (m2) not considered to be "conveniently measurable" or no reduction greater than 5%	
Dweiinigs-group)	Unit #	Approved (DP24/0043) 49.756m <sup>2</sup> 51.945m <sup>2</sup>	Proposed change 45m <sup>2</sup> 52m <sup>2</sup>	-4.756m² (0.95%) +0.055m²	
	3 4 5	64.312m <sup>2</sup> 50.626m <sup>2</sup> 49.417m <sup>2</sup>	64m <sup>2</sup> 63m <sup>2</sup> 57m <sup>2</sup>	-0.312m <sup>2</sup> +12.374m <sup>2</sup> (+24.44%) +7.583m <sup>2</sup> (+15.34%)	

#### **Amenity test:**

The proposed changes to the development generally result in an improved level of compliance with the NTPS2020.

The reduction in width of the car parking spaces does not change compliance with the NTPS2020 requirements. However, DP24/0043 granted a variation to Clause 5.2.4.1 (Car Parking Spaces) for the following reasons:

- The reduced number of car parking is appropriate for the unique design of the development which provides for single-bedroom dwellings and, as identified by the applicant at the DCA meeting, self-limits the number of occupants to below what would normally be anticipated of a dwelling. The proposed 8 car parking spaces allow for 1 dedicated car space per dwelling and 3 shared or visitor car parks should they be required.
- The 8 oversized car parks have the ability to be converted into 11 regular spaces should it be required and would make the proposed development compliant with car parking space requirements of Clause 5.2.4.1.
- In addition, public transport in the way of public bus services are available within 350m distance of the proposed development.

Clause 5.2.4.1 was granted a variation because the proposed car parking spaces were large enough to be converted into 11 car parking spaces from 8, which would allow compliance with Clause 5.2.4.1 in the future. Administrative clause 2(a) requires the consent authority to consider whether the proposed development is appropriate for the possible future use.

It is considered that the proposed changes to car parking width may have an impact on the future amenity of the area, should the further parking be required. However, the DCA also reasoned that the reduced number of car parking is appropriate for the unique design of the development which provides for single-bedroom dwellings and, as identified by the applicant at the DCA meeting, self-limits the number of occupants to below what would normally be anticipated of a

Item 3

dwelling. The proposed 8 car parking spaces allow for 1 dedicated car space per dwelling and 3 shared or visitor car parks should they be required.

The above reason suggests that, should the development continue to be used as 1-bedroom dwellings that there will be a suitable number of car parking spaces currently and in the future.

The proposed changes to the endorsed plans have been assessed and it is considered that the development will not materially affect the amenity of adjoining or nearby land or premises. In addition to this and because of the increase in landscaping and private open space, the proposed changes will have a positive impact on the visual amenity when viewed from the street and will contribute to heat mitigation of the area.

#### **Additional dwelling test:**

The changes to the development do not allow an increase in the number of dwellings.

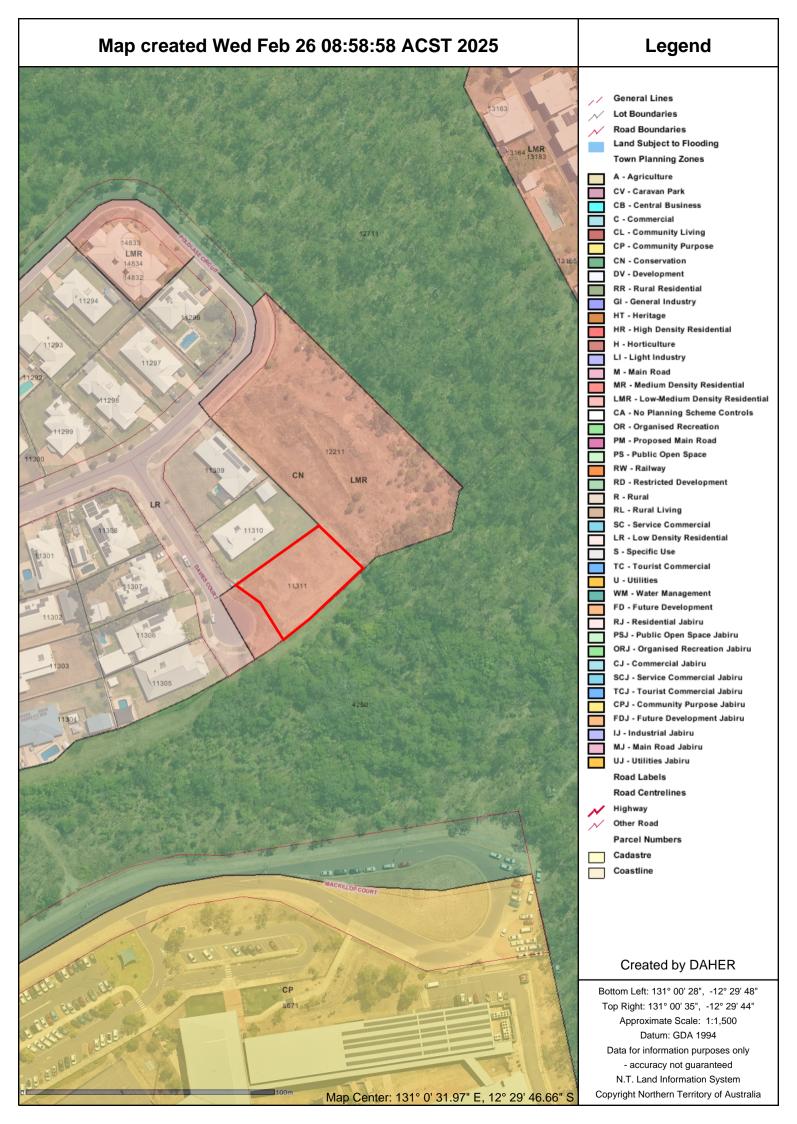
#### 7. RECOMMENDATION

That, pursuant to section 57(3) of the *Planning Act 1999*, the Development Consent Authority consent to the application to vary condition 4 of Development Permit DP24/0043 for the purpose changes to car parking layout, widths of car parking spaces, building setbacks, private open space boundaries, design of shed and doors and windows of dwellings.

**AUTHORISED:** 

PLANNER - PALMERSTON AND EAST ARM DEVELOPMENT ASSESSMENT SERVICES

Daniel Herlihy









#### **NORTHERN TERRITORY OF AUSTRALIA**

Planning Act 1999 - sections 54 and 55

#### **DEVELOPMENT PERMIT**

DP24/0043

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

Lot 11311 Town of Palmerston 5 DAVIES CT, JOHNSTON

#### **APPROVED PURPOSE**

To use and develop the land for the purpose of dwelling-group (5  $\times$  1 bedroom) in 3  $\times$  1 storey buildings, in accordance with the attached schedule of conditions and the endorsed plans.

#### **VARIATIONS GRANTED**

Clauses 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density), and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the Northern Territory Planning Scheme 2020

#### **BASE PERIOD OF THE PERMIT**

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.

Digitally signed by Adelle Godfrey Date: 2024.02.22 16:07:59 +09'30'

ADELLE GODFREY

Delegate
Development Consent Authority
22 February 2024

#### **DEVELOPMENT PERMIT**

DP24/0043

#### SCHEDULE OF CONDITIONS

#### **CONDITIONS PRECEDENT**

- 1. Prior to the commencement of works, a stormwater plan shall be prepared to the requirements of the City of Palmerston (as applicable), to the satisfaction of the consent authority. The stormwater plan shall show how the on-site management of stormwater is discharge into the local stormwater drainage system.
- 2. Prior to the commencement of works, in principle approval from the City of Palmerston is required for the crossover to the site, to the satisfaction of the consent authority.
- 3. Prior to the commencement of works, details of waste servicing shall be submitted to and approved by the City of Palmerston, 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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, electricity facilities and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
  - Please refer to notations 2, 3 and 4 for further information.
- 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. 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.
- 8. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
- 9. 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. The owner shall:
  - a. remove disused vehicle and/ or pedestrian crossovers; and
  - b. 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.
- 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.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: and
  - e. clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the consent authority.

Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.

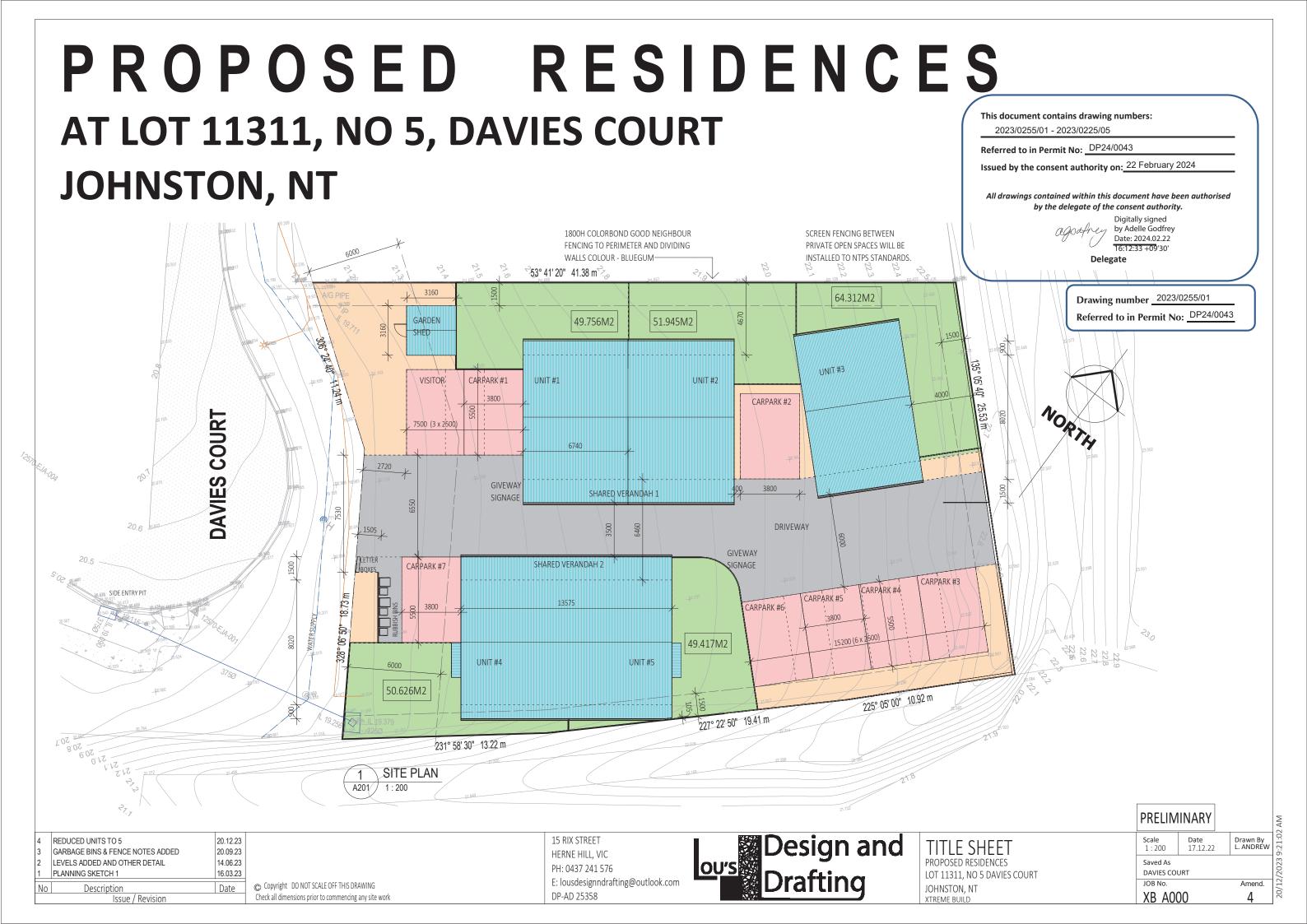
- 13.Sight lines must be provided at crossovers to public streets to the satisfaction of the City of Palmerston. No fence or tree exceeding 0.6 metres in height is permitted to be planted in sight lines.
- 14.Storage for waste disposal bins must be provided in accordance with the requirements of, and to the satisfaction of the City of Palmerston.
- 15 All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
- 16 All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

#### **Notes**

- 1. A "Permit to Work Within a Road Reserve" may be required from the City of Palmerston before commencement of any work within the road reserve.
- 2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
- 3. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind
- 4. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires

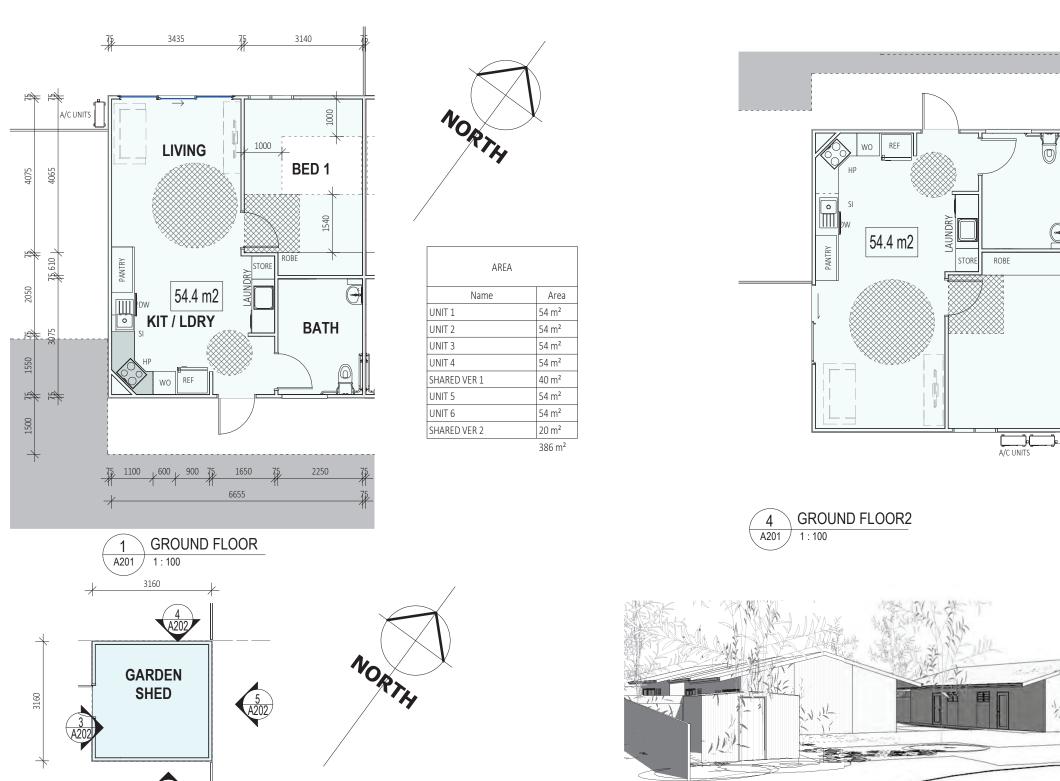
you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

- 5. Information resources to assist with preparing an Erosion and Sediment Control Plan (ESCP) are available on the International Erosion Control Association website www.austieca.com.au and on the Northern Territory Government website https://nt.gov.au/environment/soil-land-vegetation.
- 6. This permit will expire if one of the following circumstances applies: a. the development and use is/are 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.
- 7. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.
- 8. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave* and Benefits Act 2005 must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.





20/12/2023 9:21:04 AM



LEGEND

STRUCTURAL COLUMN

(D01)

DOOR REFERENCE

(W01)

WINDOW REFERENCE

NEW 90mm STUD WALLS

EXISTING WALLS

190 SERIES BLOCKWORK

CA

CARPET TIMBER SKIRTING.

 $(\widehat{CO1})$ (CO2)

CONCRETE. STEEL TROWEL

CONCRETE. BROOM FINISH.

CT

CERAMIC TILE



TIMBER DECKING

TIM

BE BENCH СВ CUPBOARD DRY DRYER FLOOR WASTE

HAND BASIN HOSE COCK. KEYED CONTROL JOINT.

REFER STRUCTURAL DRAWINGS. OS OVERHEAD SHELF REFRIGERATOR

RANGEHOOD SAW CUT JOINT.

REFER STRUCTURAL DRAWINGS.

SHOWER RECESS

TROUGH WATER CLOSET WASHING MACHINE

3D View 2

**GARDEN SHED** A201

CARPARKING

**Drawing number** <u>2023/0255/03</u> Referred to in Permit No: DP24/0043

**PRELIMINARY** 

GARBAGE BINS & FENCE NOTES ADDED 20.09.23 LEVELS ADDED AND OTHER DETAIL 14.06.23 PLANNING SKETCH 1 16.03.23

2 3 4 Scale in Metres 5 © Copyright DO NOT SCALE OFF THIS DRAWING

Check all dimensions prior to commencing any site work

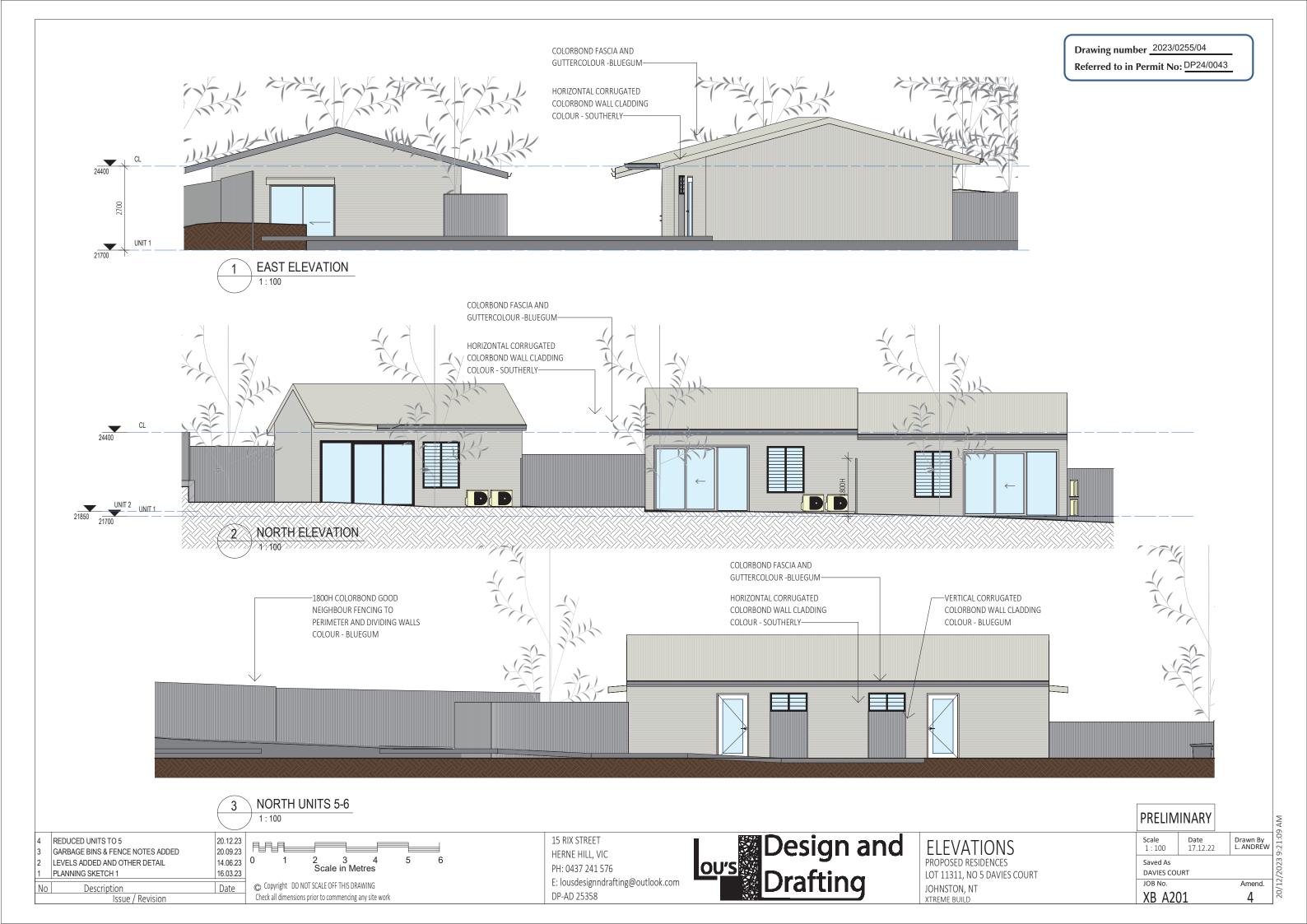
15 RIX STREET HERNE HILL, VIC PH: 0437 241 576 E: lousdesignndrafting@outlook.com DP-AD 25358

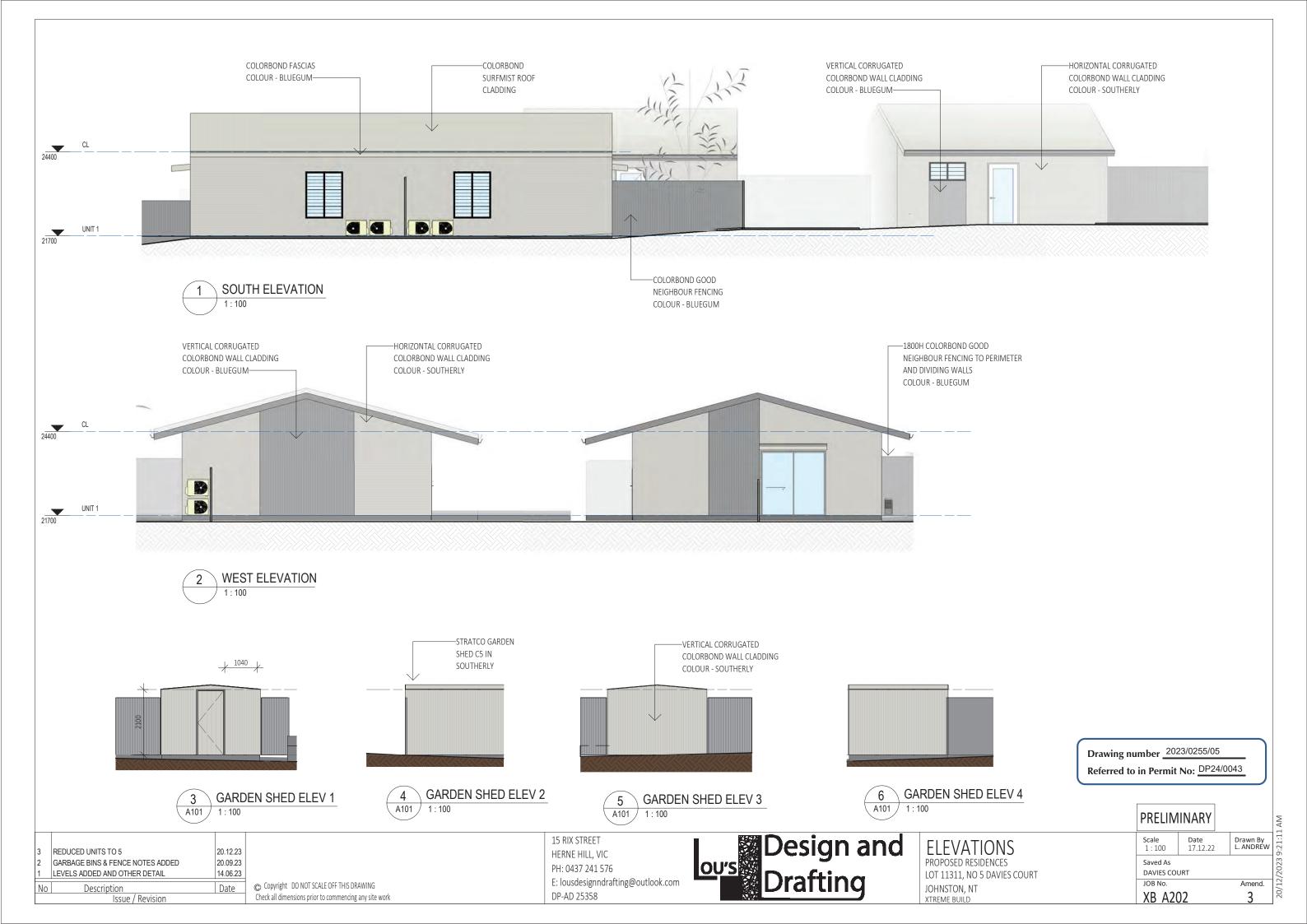


FLOOR PLANS PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT

XTREME BUILD

Date 17.12.22 Drawn By L. ANDREW 1:100 Saved As DAVIES COURT JOB No. Amend. 3 XB A101





# **Development Consent Authority**

### Northern Territory

GPO BOX 1680 DARWIN NT 0801

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

In reply please quote: PA2023/0255

Gerard Rosse gerard@crtpc.com.au

Dear Mr Rosse

### NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT 1999*) LOT 11311 (5) DAVIES COURT, JOHNSTON, TOWN OF PALMERSTON

The Development Consent Authority has determined, to vary the requirements of Clause 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density), and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), of the Northern Territory Planning Scheme 2020, and, pursuant to section 53(a) of the *Planning Act 1999*, grant consent to the proposal to use and develop the abovementioned land for the purpose of dwelling-group (5 x 1 bedroom) in 3 x 1 storey buildings,, subject to the conditions specified on the attached Development Permit DP24/0043.

#### Reasons for the Determination

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

The NT Planning Scheme 2020 applies to the land and dwellings-group requires consent under Clause 1.8 (When development consent is required). It is identified as Merit Assessable under Clause 1.8(1)(b)(i), therefore Clause 4.3 (Zone LMR – Low-Medium Density Residential), 5.2.1 General Height Control), 5.2.4 (Car Parking), 5.2.6 (Landscaping), 5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR), 5.4.1 (Residential Density), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), 5.4.4 (Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development), 5.4.6 (Private Open Space), 5.4.8 (Residential Building Design), 5.4.17 (Building Articulation), need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clauses 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

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

This application was first considered by the Authority at its meeting on 10th November



2023. The application was subsequently deferred to enable the applicant to provide additional information that the Authority considered necessary in order to enable proper consideration of the application as follows:

- Further information/amended plans demonstrating increased compliance with Clause 5.4.1 (Residential Density), by changing the design to a maximum of 4 dwellings.
- Further information/amended plans demonstrating increased compliance with Clauses 5.2.4.1 (Car Parking Spaces) and 5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group).

In considering the initial proposal, the Authority noted six non-compliances with Part 5 requirements of the Planning Scheme with particular concerns raised in regards to dwelling density (where 1 dwelling per 190m2 was proposed and 1 dwelling per 300m2 is required), car parking spaces (where 7 spaces were proposed and 12 spaces are required), and private open space (where 2 dwellings proposed private open space of 32m2 and 45m2 is required). The Authority considered these variations, along with variations to car parking layout, building setbacks, and building articulation, and concerns raised by submitters on the potential impact of traffic and on-street parking, as grounds that it could not be satisfied that the scale of the proposed application was appropriate to the site.

The Authority also noted that whilst the proposed development was for specialist disability accommodation and that each dwelling contained one bedroom only, the number of bedrooms was not considered sufficient circumstances to warrant the extent of variations and it was not considered appropriate or enforceable to limit the development to 'specialist disability accommodation' uses only or limiting the occupancy to a single occupant per dwelling. The Authority noted that the proposal was for 'dwellings-group' as defined by the Planning Scheme.

An amended proposal was submitted 12 January 2024 and re-circulated to public submitters and City of Palmerston with no further submissions received. The amended design reduces the amount of dwellings to 5 which resulted in improved compliance with Clauses 5.2.4.1 (Car Parking Spaces) and 5.4.1 (Residential Density) as discussed below, and allowed for full compliance with Clauses 5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group) and 5.4.17 (Building Articulation).

The proposal remains non-compliant with Clauses 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) with variations requested for each.

In relation to part (a), the proposal has been found not to be in accordance with Clause 5.2.4.1 (car Parking Spaces) because 8 car parking spaces are proposed where 10 spaces are required. A variation to this clause is seen to be appropriate because:

- The reduced number of car parking is appropriate for the unique design of the
  development which provides for single-bedroom dwellings and, as identified by the
  applicant at the DCA meeting, self-limits the number of occupants to below what
  would normally be anticipated of a dwelling. The proposed 8 car parking spaces allow
  for 1 dedicated car space per dwelling and 3 shared or visitor car parks should they be
  required.
- The 8 oversized car parks have the ability to be converted into 11 regular spaces should it be required and would make the proposed development compliant with car parking space requirements of Clause 5.2.4.1.
- In addition, public transport in the way of public bus services are available within 350m distance of the proposed development.

For these reasons, the proposal is considered to meet the purpose of Clause 5.2.4.1 to "ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site" and is not anticipated to detrimentally impact on the surrounding road network and amenity of the locality and adjoining property.

In relation to part (a), the proposal has been found not to be in accordance with Clause 5.2.4.4 (Layout of Car Parking Areas) because one section of the driveway is 3.5m, when 6m is required for two-way traffic flow. It is considered that a variation to this clause is appropriate in this instance because:

• The driveway is internal and not expected to have any adverse impacts on the local road network. The 3.5m section of driveway services only 5 car parking spaces at the rear of the site Furthermore, an engineer's statement was provided within the original application confirming the design supports safe manoeuvrability. The current car parking layout does not differ significantly from the original application and it is expected that safe manoeuvrability is still achievable.

For these reasons it is anticipated that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area. The proposal is considered to meet the purpose of Clause 5.2.4.4 to ensure that "...a car parking area is appropriately designed, constructed and maintained for its intended purpose."

In relation to part (a), the proposal has been found not to be in accordance with Clause 5.4.1 (Residential Density) with 5 dwellings proposed at a density of 1 dwelling per 228m2 where the maximum dwelling density in Zone LMR (Low-Medium Density Residential) is 1 dwelling per 300m². It is considered that a variation to this clause is appropriate in this instance because:

- The proposed development of single bedroom dwellings are self-limiting in the number
  of occupants as described by the applicant at the DCA meeting, and building footprints
  and expected occupancy densities are well below that of dwellings in the surrounding
  locality and are unlikely to impact adversely on the surround amenity.
- No adverse comments were received from Power and Water Services or the City of Palmerston in relation to density, reticulated services or drainage and the land has been developed and zoned for LMR (Low-Medium Density Residential) purposes which shows that the land is capable of accommodating the proposed development.
- The location of the dwellings within the site itself allows appropriate setbacks to adjoining residential lots with proposed reduced setbacks only affecting the boundary adjacent to Zone CN (Conservation) land and a small portion of the primary street boundary due to a garden shed.

As such, the proposal is considered to meet the purpose of Clause 5.4.1 (Residential Density) being "ensure that the development of residential buildings:

- a) is of a density compatible with adjoining or nearby existing development or development reasonably anticipated;
- b) is of a density compatible with the existing or planned provision of reticulated services and community facilities which will service the area; and
- c) is consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.

In relation to part (a) the proposal has been found not to be in accordance with Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) because the

garden shed has a front setback of 4.8m when 6m is required, and a residential building has a side setback of 0.9m when 1.5m is required. It is considered that a variation to this clause is appropriate in this instance because:

- The shed requiring the reduced setback is relatively small and sympathetic to the streetscape and surrounding developments and blends well with the proposed dwelling-group. The size and orientation of the structure minimises any adverse effects of building massing and overlooking of neighbouring properties and does not unduly prevent breeze penetration through and between buildings. The small shed is not an uncommon development within residential areas and is screened from the primary street by landscaping so that it is unlikely to cause negative impact on adjoining and nearby property.
- The non-compliance along the south-eastern side boundary is located approximately 19m from the primary street and is unlikely to have a detrimental effect on the streetscape. The boundary where the non-compliance occurs is adjacent to Zone CV (Conservation) where there is no development. As the non-compliance is well setback from the Primary Street and only affects one corner of the building, it is not likely to cause adverse effects of building massing and undue overlooking or likely prevent breeze penetration. Despite the setback reduction, the building remains appropriate to the site and locality.

The proposal is considered to meet the purpose of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) being to "ensure that residential buildings and ancillary structures are located in a manner that:

- a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
- b) minimises adverse effects of building massing when viewed from adjoining land and the street;
- c) avoids undue overlooking of adjoining properties; and
- d) facilitates breeze penetration through and between buildings."

In relation to part (b) the considerations listed under Clause 1.10(3) have been given regard to and it has been found that the proposal complies with all relevant requirements of the NT Planning Scheme 2020, except for Clauses 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), as identified above.

3. Pursuant to section 51(1)(e) of the *Planning Act 1999*, the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

City of Palmerston (Council) provided a submission objecting to the initial application with concerns relating to the non-compliant density of the proposal and over development of the site consequently leading to a number of other non-compliances. Council also raised specific concerns in relation to the non-compliant car parking rate and the probability of this creating on street parking issues in a cul-de-sac location.

A copy of the revised application was issued to Council who did not provide further comment, however it was observed at the DCA meeting that Council were more comfortable with the updated proposal but still noted the non-compliant number of oversized car parks. Council questioned what would trigger the oversized car parks to be converted to a compliant number of regular sized car parks at which the Chair did not believe that a mechanism could be placed on the permit to do so. In response the applicant advised the specialist disability accommodation anecdotally has lower car parking demands than regular dwellings and has improved the non-compliance to car parking and other requirements substantially.

Council also suggested a conditions precedent for a stormwater plan and other servicing and access details, and standard conditions.

Concerns were similarly raised by public submitters of which there were three in relation to the originally exhibited proposal. A copy of the revised application was circulated to public submitter who did not provide further comment. Concerns from public submitters were primarily in regards to the character of future occupants (which the Planning Scheme does not provide consideration for), adverse impacts to amenity from an increase of vehicle movements or traffic, and the potential for the development to generate on-street car parking issues.

In response to both Council and public submitters, the revised proposal reduces the density of the development as originally proposed. The overall scale of the development when considering the footprint and expected occupancy density per dwelling, is well below that of neighbouring dwellings and the broader locality, and is of a lesser scale than would usually be anticipated within Zone LMR (Low to Medium Density Residential). Whilst the proposal provides for 8 oversized car parks, these have the potential to be converted to 11 regular car parking spaces, beyond what is required by the Planning Scheme. It is also considered that the location of the subject site, at the end of a cul-de-sac bounded by an area of native vegetation rather than residential allotments, reduces any perceived negative impacts to the road network and on-street car parking issues.

It should also be noted that dwellings-group as a defined use of the NT Planning Scheme, is one of a number of expected and anticipated uses within Zone LMR (Low to Medium Density Residential).

- 4. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.
  - The land can be connected to reticulated services and is identified and zoned for LMR (Low-medium Density) purposes and can support the development of a dwellings-group.
- 5. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposal seeks to build on an undeveloped and underutilised lot zoned for low to medium density residential development. The proposed single bedroom dwellings are self-limiting in the number of occupants and the overall scale of the development when considering the footprint and expected occupancy density per dwelling, is well below that of neighbouring dwellings and the broader locality and unlikely to impact adversely on the amenity of the locality.

#### Right of Appeal

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

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

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

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

Yours faithfully

Digitally signed by

Adelle Godfrey
Date: 2024.02.22
16:10:08 +09'30'

Adelle Godfrey Delegate

22 February 2024

#### <u>Attachment</u>

City of Palmerston СС **Submitters** 

# Land owner/s authorisation to lodge a development application under the Planning Act 1999

The owners and/or pers	sons duly authorised as s	ignatory on behalf of the
landowner**, hereby au	thorise:	
NAME OF CONSULTANT OR ACTING AGENT ON BEHALF OF LANDOWNER (please print)	Cunnington Rosse Town Planning and Consulting	
Contact number:	Ph:	Mob: 0456 635 997
	application under the Pl	anning Act 1999 over the
property described as:		
LOT/ NT PORTION:	LOT 11311	
LOCATION/TOWN	TOWN OF PALMERSTON	
STREET ADDRESS:	5 DAVIES COURT, JOHNSTON	
PROPOSED	6 X 1 BEDROOM DWELLINGS-GROUP IN 2 X 1 STOREY BUILDINGS	
DEVELOPMENT:		
	la.	
OWNER'S SIGNATURE:	Dantan	
FULL NAME:	Maria Rizza Gumban	
(please print)	Maria Rizza Gumban	
TITLE:		
(ie. company director/secretary)		9
COMPANY NAME:		
Contact number:	Ph: 08 89712828	Mob: 0414336949
DATE:	26/11/2024	
	10	
OWNER'S SIGNATURE:	Ham?	
FULL NAME: (please print)	Roliber Gumban	
TITLE:		
(ie. company director/secretary)		
COMPANY NAME:		
Contact number:	Ph: <sub>N/A</sub>	Mob: <sub>0404451498</sub>
DATE:	26/11/2024	



<sup>\*\*</sup>signatures from <u>ALL</u> landowners registered on the land title must be provided\*\*



December 2024

Level 1 Energy House 18-20 Cavenagh Street Darwin NT 0800

Attention: Manager, Development Assessment Services

Dear Sir/Madam,

# RE: Variation to DP24/0043 5 Davies Court, Johnston (Lot 11311 Town of Palmerston)

Cunnington Rosse Town Planning and Consulting have been engaged to prepare, lodge and manage an application to vary Development Permit DP24/0043 at 5 Davies Court, Johnston (Lot 11311, Town of Palmerston).

#### 1.0 Site and Locality

Lot 11311 is a 1,140m<sup>2</sup> parcel located at the end of the Davies Court cul-de-sac within Zone LMR (Low Medium Density Residential). The site is flat, cleared, and undeveloped (refer **Photograph 1** below), with vacant land to the rear, a single dwelling immediately to the north, and bushland immediately to the south.



**Photograph 1:** View of the site from Davies Court



**Figure 1** demonstrates the zoning layout in immediate proximity of the site. Land to the west and northwest is within Zone LR (Low Density Residential) and is developed with single dwellings. Lot 12211 is directly adjacent to the site along the rear north eastern boundary and is within Zone LMR (Low Medium Density Residential). Land directly to the south and further to the north is vegetated with virgin native bushland and within Zone CN (Conservation).



Figure 1: Site and Zoning Plan

#### 2.0 Planning History

Development Permit DP15/0356 was issued over the site in June 2015 for the purpose of 4 x 3 bedroom multiple dwellings in 3 single storey buildings. The Permit has since lapsed.

Development Permit DP24/0043 was subsequently issued on 22 February 2024 for the purpose of dwelling-group (5 x 1 bedroom) in 3 x 1 storey building with variations granted to Clauses 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of car parking areas), 5.4.1 (Residential Density), and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the *Northern Territory Planning Scheme 2020* (the Scheme).

A copy of the development permit, notice of consent and endorsed drawings are provided at Attachment A.

#### 3.0 Proposed Variation

This application seeks to vary condition 4 of DP24/0043 to allow minor changes to the approved development, comprising:

the addition of a path providing pedestrian access to the site from the street separated from the driveway
area resulting changes to the front landscaping; and



 a reduction in the width of car parking bays and resulting changes to the landscaping around the parking spaces.

All proposed changes will not impact on the development's approved level of compliance with the relevant requirements of the Scheme. A copy of the amended plans is provided at **Attachment B**.

#### 4.0 Statutory Considerations

Pursuant to **Section 57(3)** of the *Northern Territory Planning Act 1999* (the Act), the consent authority may vary the condition of a development permit if:

- a) the proposed variation will not alter a measurable aspect of the development by a margin greater than 5% and, in the opinion of the consent authority, will not materially affect the amenity of adjoining or nearby land or premises; or
- b) in the opinion of the consent authority, the alteration resulting from the proposed variation is not conveniently measurable and the proposed variation will not materially affect the amenity of adjoining or nearby land or premises.

A variation is therefore required to meet 2 tests; (1) it does not alter a measurable aspect of the development by a margin greater than 5% or the variation is not conveniently measurable, and (2) it will not materially affect the amenity of adjoining or nearby land or premises.

#### 4.1 Measurable Aspects

Measurable aspects are taken to be considered in relation to the relevant requirements of the Scheme. Measurable aspects of the development thereby include building height, the provision of car parking, dwelling density, building setbacks, and the provision of landscaping including private open space. The building height, dwelling density and building setbacks remain unchanged.

DP24/0043 granted a variation to the parking requirements of Clause 5.2.4.1 (as specified on the Development Permit) from 10 spaces to 8 spaces. The proposal continues to provide 8 spaces.

Dimensions of the proposed car parking spaces have been reduced but are offset by an increase in landscaping and private open space provided on site. The car parking spaces have been reduced from 3.7m-3.8m x 5.5m to 2.5m x 5.5m but remain compliant with the dimensional requirements of Clause 5.2.4.4. This results in an equivalent increase in landscaping across the site, noting that landscaping is not limited to permeable surfaces, but also (pursuant to Clause 5.2.6.1(1)) includes the provision of paved areas and areas for entertainment and recreational activities (i.e. the proposed new pedestrian walkway). Accordingly, the amended proposal remains compliant with the landscaping requirements of Clause 5.4.6.1. Similarly the proposed minor changes have resulted in a minor



increase in the overall private open space areas provided by the development (261m2 to 281m2), and all individual private open space areas remain compliant with the requirements of Clause 5.2.6.1.

Considering that the proposed changes maintain compliance with the relevant requirements of the Scheme and have been developed to produce an overall improvement in the amenity of the development by way of more landscaping and improved safe pedestrian access to the site, the measurable aspects, when considered as a holistically, are not conveniently measurable.

#### 4.2 Amenity Impacts

Amenity is defined in Schedule 2 of the Scheme as any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable. For the reasons described above, the proposed changes will not have any negative impact on the amenity of the immediate or broader locality, and will improve the amenity of the development through more landscaping and improved safe pedestrian access to the site.

#### 5.0 Conclusion

The proposed variation is for minor changes to the development approved through DP24/0043 resulting in no changes to the developments overall compliance with the relevant requirements of the Scheme. For the reasons provided in **Section 4** of this letter, the proposal meets the statutory requirements of a variation application, as set out in **Section 57(3)** of the Act. Accordingly, this application seeks approval of the abovementioned working through a variation permit.

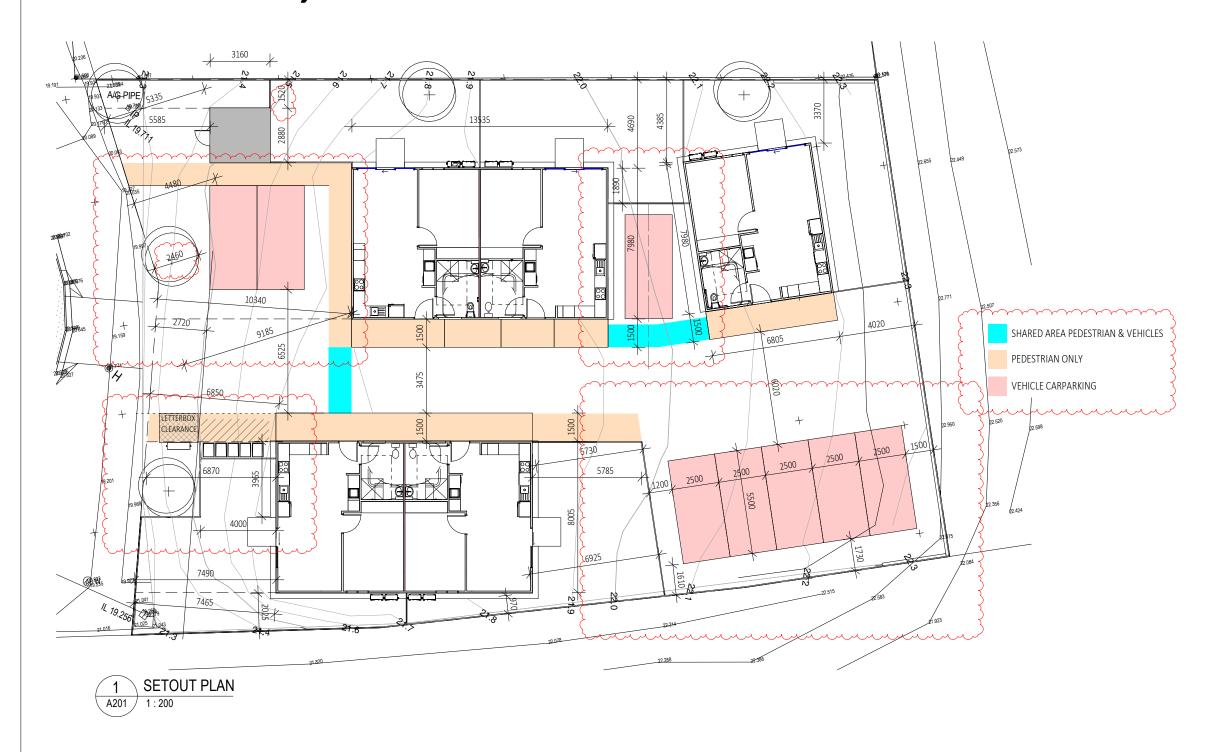
Please do not hesitate to contact the undersigned with any queries regarding this matter.

**Gerard Rosse** 

**Cunnington Rosse Town Planning and Consulting** 

## CLASS 1B

# AT LOT 11311, NO 5, DAVIES COURT JOHNSTON, NT



PROPOSED RESIDENCES

DRAWING LIST TITLE SHEET & SETOUT CARPARKING - OOA CARER LANDSCAPE SITE ANALYSIS **GENERAL NOTES** FLOOR PLANS TYPICAL FLOOR PLANS UNIT 1,2 & 3 FLOOR PLANS UNIT 4 & 5 ROOF PLAN REFLECTED CEILING PLAN ELECTRICAL CIRCULATION & RAMP DETAIL **ELEVATIONS ELEVATIONS** 4 **ELEVATIONS** A301 **SECTIONS** A302 DETAILS SCHEDULES DOOR HANDLES & LIGHTSWITCH | 2 WET AREA ELEVATIONS WET AREA ELEVATIONS WATERPROOFING DETAIL WATERPROOFING DETAIL WATERPROOFING DETAIL WATERPROOFING DETAIL 1 WATERPROOFING DETAIL

REFER TO CIVIL **DRAWINGS** FOR ALL SITE WORK

AMENDMENTS FOR NDIS 14.11.24 AMENDMENTS FOR NDIS 02.09.24 ISSUED FOR PERMIT 24.07.24 REDUCED UNITS TO 5 16.01.24

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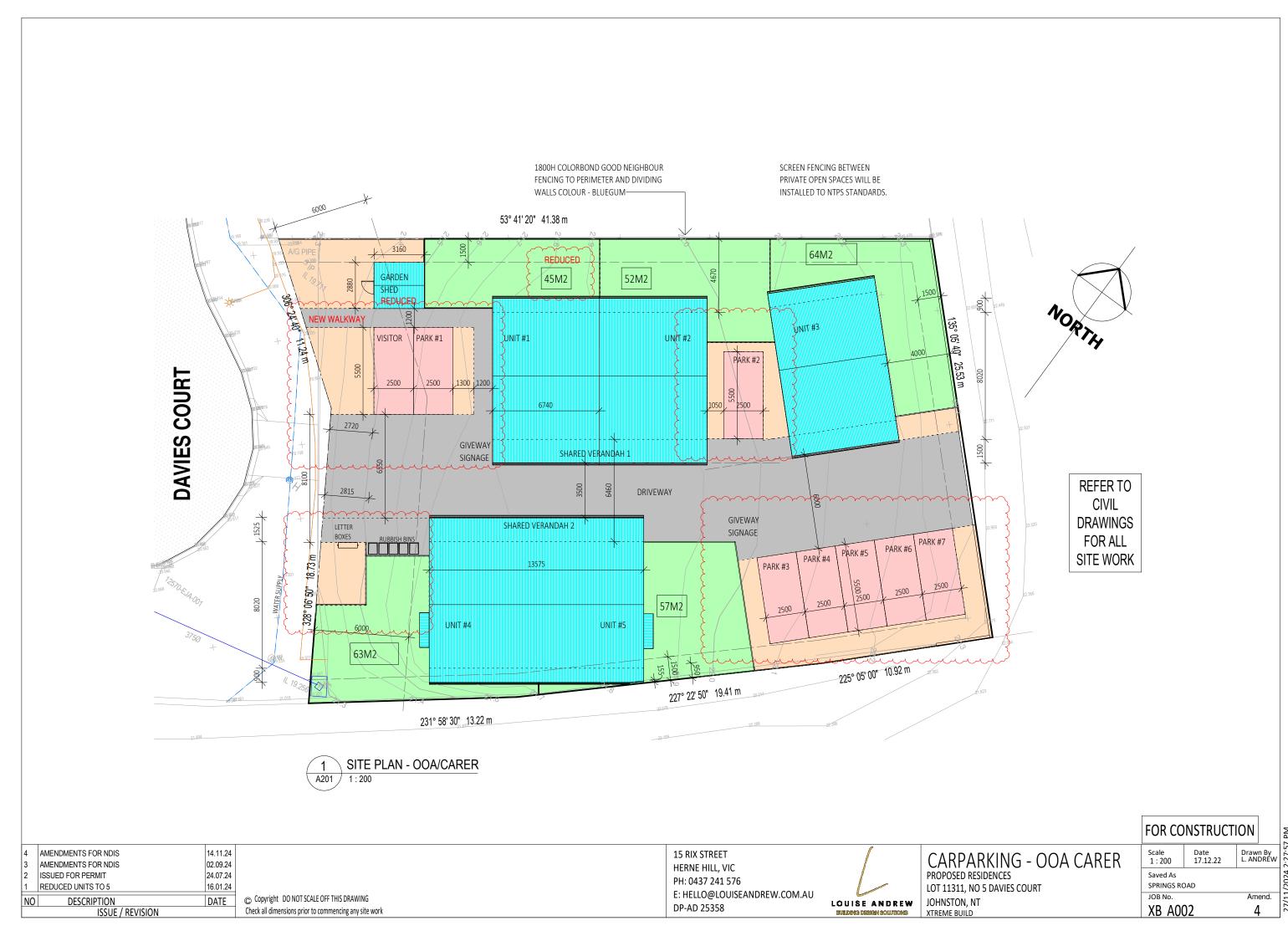
Check all dimensions prior to commencing any site work

15 RIX STREET HERNE HILL, VIC PH: 0437 241 576 E: HELLO@LOUISEANDREW.COM.AU DP-AD 25358



TITLE SHEET & SETOUT PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT

FOR CONSTRUCTION Drawn By L. ANDREW 1:200 SPRINGS ROAD **XB A000** 





LEGEND



PONGAMIA MILLETIA PINNATA (MIN 25L POT SIZE)



HOP BUSH DODONEA PLATYPTERA (MIN 45L POT SIZE)



RUFFLED FAN PALM LICUALA GRANDIS



(min height 2m) NATIVE DRACANAE PLEOMELE ANGUSTIFOLIO (min height 2m)

SPIDER LILY HYMENOCALLIS LITTORALIS

BIRD OF PARADISE STRELITZIA REGINAE CONCRETE KERB

+ HOSE COCK

#### NOTE:

- 75% OF LANDSCAPING TO BE ENDEMIC.
- MIN 2 No SHADE TREES (45L POT SIZE) ARE TO BE PROVIDED TO THE FRONT YARD.
- MINIMUM 5 No SHADE TREES (25L POT SIZE ARE TO BE PROVIDED TO THE SECONDARY STREET FRONTAGE

REFER TO CIVIL **DRAWINGS** FOR ALL SITE WORK

LANDSCAPE PLAN A201 1:200

7	AMENDMENTS FOR NDIS	14.11.24
6	AMENDMENTS FOR NDIS	02.09.24
5	ISSUED FOR PERMIT	24.07.24
4	REDUCED UNITS TO 5	16.01.24
NO	DESCRIPTION	DATE

ISSUE / REVISION

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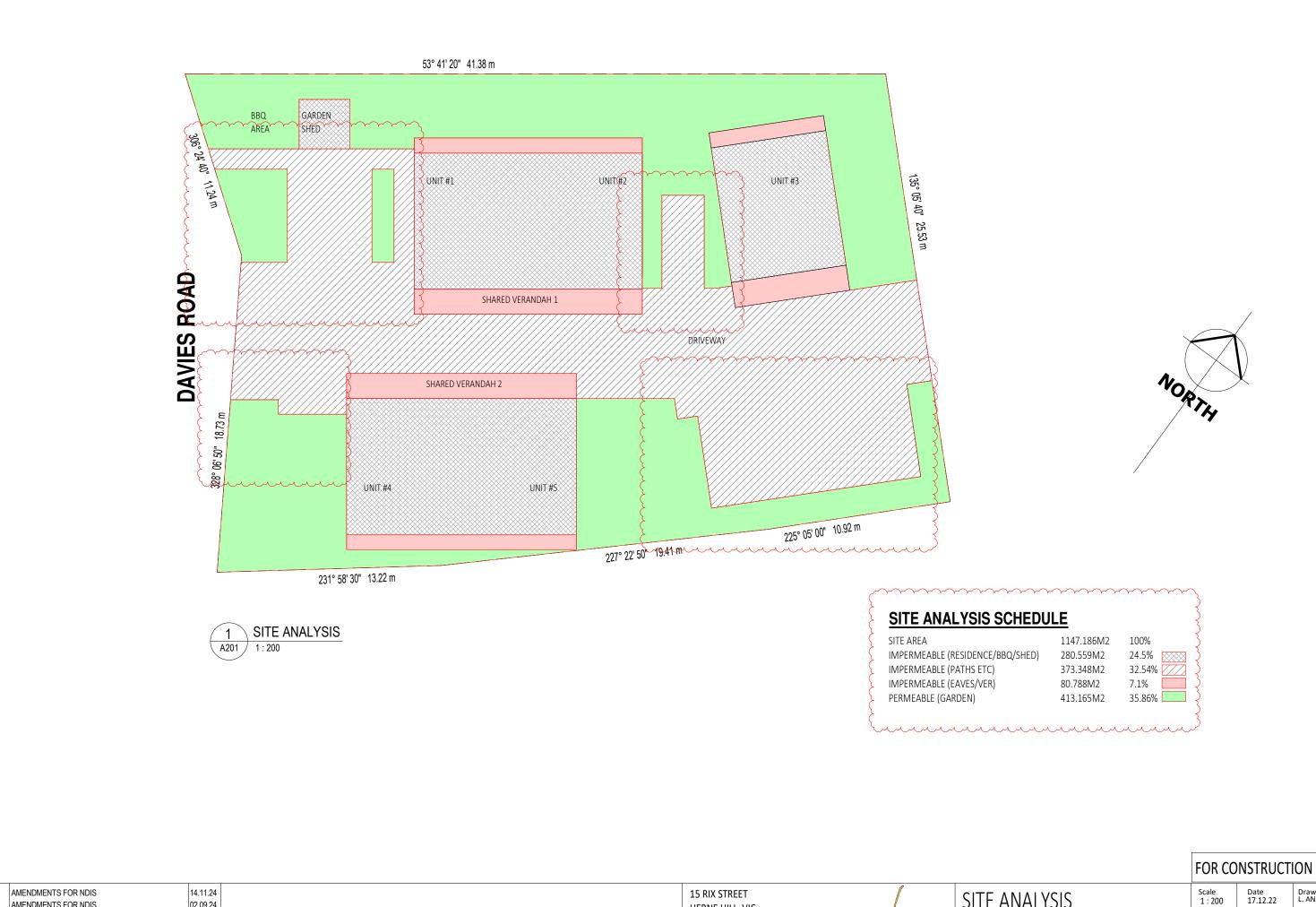
LANDSCAPE PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT

FOR CONSTRUCTION Drawn By Date 17.12.22 1:200 Saved As SPRINGS ROAD

JOB No.

**XB A003** 

Amend.



AMENDMENTS FOR NDIS

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Drawn By

HERNE HILL, VIC PH: 0437 241 576 E: HELLO@LOUISEANDREW.COM.AU LOUISE ANDREW
BUILDING DESIGN SOLUTIONS DP-AD 25358

SITE ANALYSIS PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT

Saved As SPRINGS ROAD JOB No. Amend. **XB A004** 

#### **GENERAL NOTES**

- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS 2018 NATIONAL CONSTRUCTION CODE SERIES 2022 BUILDING CODE OF AUSTRALIA VOL 2 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO THEREIN
- UNLESS OTHERWISE SPECIFIED. THE TERM BCA SHALL REFER. TO NATIONAL CONSTRUCTION CODE SERIES 2022 BUILDING CODE OF AUSTRALIA VOLUME 2.
- ALL MATERIALS AND CONSTRUCTION PRACTICE SHALL MEET. THE PERFORMANCE REQUIREMENTS OF THE BCA. WHERE A PERFORMANCE SOLLITION IS PROPOSED THEN PRIOR TO IMPLEMENTATION OR INSTALLATION, IT FIRST MUST BE ASSESSED AND APPROVED BY THE RELEVANT BUILDING SURVEYOR AS MEETING THE PERFORMANCE REQUIREMENTS OF THE BCA
- GLAZING, INCLUDING SAFFTY GLAZING, SHALL BE INSTALLED. TO A SIZE, TYPE AND THICKNESS SO AS TO COMPLY WITH: - BCA PART 3.6 FOR CLASS 1 AND 10 BUILDINGS WITHIN A DESIGN WIND SPEED OF NOT MORE THAN N3: AND
- BCA VOL 1 PART B1.4 FOR CLASS 2 AND 9 BUILDINGS.
- · WATERPROOFING AND WATER RESISTANCE OF WET AREAS. BEING BATHROOMS, SHOWERS, SHOWER ROOMS, LAUNDRIES, SANITARY COMPARTMENTS AND THE LIKE SHALL BE PROVIDED. IN ACCORDANCE WITH AS 3740-2010: WATERPROOFING OF DOMESTIC WET AREAS.
- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ANY HOUSE ENERGY RATING (HERS) REPORT AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STAMPED PLANS ENDORSED BY THE ACCREDITED THERMAL PERFORMANCE ASSESSOR WITHOUT ALTERATION.
- STEP SIZES (OTHER THAN FOR SPIRAL STAIRS) TO BE: RISERS (R) 190MM MAXIMUM AND 115MM MINIMUM
- GOING (G) 355MM MAXIMUM AND 240MM MINIMUM - 2R + 1G = 700MM MAXIMUM AND 550MM MINIMUM
- WITH LESS THAN 125MM GAP BETWEEN OPEN TREADS.
- · ALL TREADS, LANDINGS AND THE LIKE TO HAVE A SLIP-RESISTANCE CLASSIFICATION OF P4 OR R10 FOR DRY SURFACE CONDITIONS AND P4 OR R11 FOR WET SURFACE CONDITIONS, OR A NOSING STRIP WITH A SLIP-RESISTANCE CLASSIFICATION OF P3 FOR DRY SURFACE CONDITIONS AND P4 FOR WET SURFACE CONDITIONS.
- PROVIDE BARRIERS WHERE CHANGE IN LEVEL EXCEEDS 1000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS. BARRIERS (OTHER THAN TENSIONED WIRE BARRIERS) TO BE:
- 1000MM MIN. ABOVE FINISHED SURFACE LEVEL OF BALCONIES, LANDINGS OR THE LIKE, AND
- 865MM MIN. ABOVE FINISHED SURFACE LEVEL OF STAIR NOSING OR RAMP, AND
- VERTICAL WITH LESS THAN 125MM GAP BETWEEN, AND - ANY HORIZONTAL ELEMENT WITHIN THE BARRIER BETWEEN 150MM AND 760MM ABOVE THE FLOOR MUST NOT FACILITATE CLIMBING WHERE CHANGES IN LEVEL EXCEEDS 4000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS
- WIRE BARRIER CONSTRUCTION TO COMPLY WITH NCC 2022 BCA PART 3.9.2.3 FOR CLASS 1 AND 10 BUILDINGS AND NCC 2022 BCA VOLUME 1 PART D2.16 FOR OTHER CLASSES OF **BUILDINGS**
- TOP OF HAND RAILS TO BE MINIMUM 865MM VERTICALLY ABOVE STAIR NOSING AND FLOOR SURFACE OF RAMPS.
- · WINDOW SIZES NOMINATED ARE NOMINAL ONLY. ACTUAL SIZE MAY VARY ACCORDING TO MANUFACTURER. WINDOWS TO BE FLASHED ALL AROUND.
- WHERE THE BUILDING (EXCLUDES A DETACHED CLASS 10) IS LOCATED IN A TERMITE PRONE AREA THE BUILDING IS TO BE PROVIDED WITH A TERMITE MANAGEMENT SYSTEM.
- CONCRETE STUMPS:
- UP TO 1400MM LONG TO BE 100MM X 100MM (1 NO. H.D. - 1401MM TO 1800MM LONG TO BE 100MM X 100MM (2
- 1801MM TO 3000MM LONG TO BE 125MM X 125MM (2 NO.
- H.D. WIRES) • 100MM X 100MM STUMPS EXCEEDING 1200MM ABOVE
- GROUND LEVEL TO BE BRACED WHERE NO PERIMETER BASE BRICKWORK PROVIDED BUILDINGS IN MARINE OR OTHER EXPOSURE ENVIRONMENTS
- SHALL HAVE MASONRY UNITS, MORTAR AND ALL BUILT IN COMPONENTS AND THE LIKE COMPLYING WITH THE DURABILITY REQUIREMENTS OF TABLE 4.1 OF AS 4773.1-2015 'MASONRY IN SMALL BUILDINGS' PART 1: DESIGN

- ALL STORMWATER TO BE TAKEN TO THE LEGAL POINT OF DISCHARGE TO THE RELEVANT AUTHORITIES APPROVAL.
- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND ALL OTHER CONSULTANTS' DRAWINGS/DETAILS AND WITH ANY OTHER WRITTEN INSTRUCTIONS ISSUED IN THE COURSE OF THE CONTRACT • SITE PLAN MEASUREMENTS IN METRES - ALL OTHER MEASUREMENTS IN MILLIMETRES UNLESS NOTED OTHERWISE. • FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED
- THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW AND/OR EXISTING STRUCTURES DURING ALL WORKS. • THE BUILDER AND SUBCONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS, SETBACKS, LEVELS AND SPECIFICATIONS AND ALL OTHER RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION. • INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS.
- THE BUILDER AND SUBCONTRACTOR SHALL ENSURE THAT ALL STORMWATER DRAINS, SEWER PIPES AND THE LIKE ARE LOCATED AT A SUFFICIENT DISTANCE FROM ANY BUILDINGS FOOTING AND/OR SLAB EDGE BEAMS SO AS TO PREVENT GENERAL MOISTURE PENETRATION, DAMPNESS, WEAKENING AND UNDERMINING OF ANY BUILDING AND ITS FOOTING
- THESE PLANS HAVE BEEN PREPARED FOR THE EXCLUSIVE USE BY THE CLIENT OF LOUISE ANDREW BUILDING DESIGN SOLUTIONS ('THE DESIGNER') FOR THE PURPOSE EXPRESSLY NOTIFIED TO THE DESIGNER. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT THE DESIGNER'S WRITTEN CONSENT DOES SO AT THEIR OWN RISK AND NO RESPONSIBILITY IS ACCEPTED BY THE DESIGNER FOR SUCH USE AND/OR RELIANCE.
- A BUILDING PERMIT IS REQUIRED PRIOR TO THE COMMENCEMENT OF THESE WORKS. THE RELEASE OF THESE DOCUMENTS IS CONDITIONAL TO THE OWNER OBTAINING THE REQUIRED BUILDING PERMIT.
- THE CLIENT AND/OR THE CLIENT'S BUILDER SHALL NOT MODIFY OR AMEND THE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF LOUISE ANDREW BUILDING DESIGN SOLUTIONS, EXCEPT WHERE A REGISTERED BUILDING SURVEYOR MAKES MINOR NECESSARY CHANGES TO FACILITATE THE BUILDING PERMIT APPLICATION AND THAT SUCH CHANGES ARE PROMPTLY REPORTED BACK TO LOUISE ANDREW BUILDING DESIGN SOLUTIONS.
- THE APPROVAL BY THIS OFFICE OF A SUBSTITUTE MATERIAL, WORK PRACTICE, VARIATION OR THE LIKE IS NOT AN AUTHORISATION FOR ITS USE OR A CONTRACT VARIATION, ALL VARIATIONS MUST BE ACCEPTED BY ALL PARTIES TO THE AGREEMENT AND WHERE APPLICABLE THE RELEVANT BUILDING SURVEYOR PRIOR TO IMPLEMENTING ANY VARIATION.

#### STORMWATER

- 90 MM DIA. CLASS 6 UPVC STORMWATER LINE LAID TO A MINIMUM GRADE OF 1:100 AND CONNECTED TO THE LEGAL POINT OF STORMWATER DISCHARGE, PROVIDE INSPECTION OPENINGS AT 9000MM C/C AND AT EACH CHANGE OF DIRECTION.
- THE COVER TO UNDERGROUND STORMWATER DRAINS SHALL BE NOT LESS THAN - 100MM - UNDER SOIL
- 50MM UNDER PAVED OR CONCRETE AREAS
- 100MM UNDER UNREINFORCED CONCRETE OR PAVED DRIVEWAYS
- 75MM UNDER REINFORCED CONCRETE DRIVEWAYS

#### SITE ENVIRONMENT DESIGN INFORMATION SITE CLASSIFICATION

- SITE CLASSIFICATION AS CLASS: P EQUIVALENT TO S
- REFER TO SOIL REPORT NO: NTG20243961
- BY: WANT GEOTECHNICS PTY LTD

#### DESIGN GUST WIND SPEED / WIND CLASSIFICATION

• BUILDING TIE-DOWNS TO BE PROVIDED IN ACCORDANCE WITH AS1684-2010 FOR AN ASSUMED DESIGN GUST WIND SPEED / WIND CLASSIFICATION OF N3 (SUBJECT TO CONFIRMATION ON SITE BY RELEVANT BUILDING SURVEYOR AT FIRST INSPECTION) REFER TO AS1684 FOR CONSTRUCTION REQUIREMENTS.

#### CLIMATE ZONE

• CLIMATE ZONE FOR THERMAL DESIGN / THERMAL PERFORMANCE ASSESSMENT: ZONE 1.

#### CORROSION PROTECTION OF BUILT-IN STRUCTURAL MEMBERS

PROVIDE CORROSION PROTECTION OF BUILT-IN STRUCTURAL STEEL MEMBERS SUCH AS STEEL LINTELS, SHELF ANGLES, CONNECTORS, ACCESSORIES (OTHER THAN WALL TIES) IN ACCORDANCE WITH TABLE 4.1 OF AS4773.1-2015 MASONRY IN SMALL BUILDINGS, PART 1: DESIGN SUITABLE FOR AN

#### ENVIRONMENT CLASSIFICATION OF C2 CORROSION PROTECTION FOR SHEET ROOFING

• PROVIDE CORROSION PROTECTION FOR SHEET ROOFING IN ACCORDANCE WITH BCA TABLE 3.5.1.1A SUITABLE FOR AN ENVIRONMENT CLASSIFICATION OF C2.

#### **AUTHORITIES / CONSULTANTS**

- · MUNICIPALITY TOWN OF PALMERSTON
- PH (08) 8935 9922
- · CONSULTING ENGINEER RAPID ENGINEERING - PH 0450 110 717
- · CIVIL ENGINEER -
- PRECISION CIVIL AND HYDRAULIC ENGINEERING
- PH 0439 390 835

15 RIX STREET HERNE HILL, VIC PH: 0437 241 576 E: HELLO@LOUISEANDREW.COM.AU DP-AD 25358



**GENERAL NOTES** PROPOSED RESIDENCES LOT 11311. NO 5 DAVIES COURT JOHNSTON, NT

FOR CONSTRUCTION Drawn By L. ANDREW 17.12.22 1:100 Saved As SPRINGS ROAD JOB No. Amend. XB A100

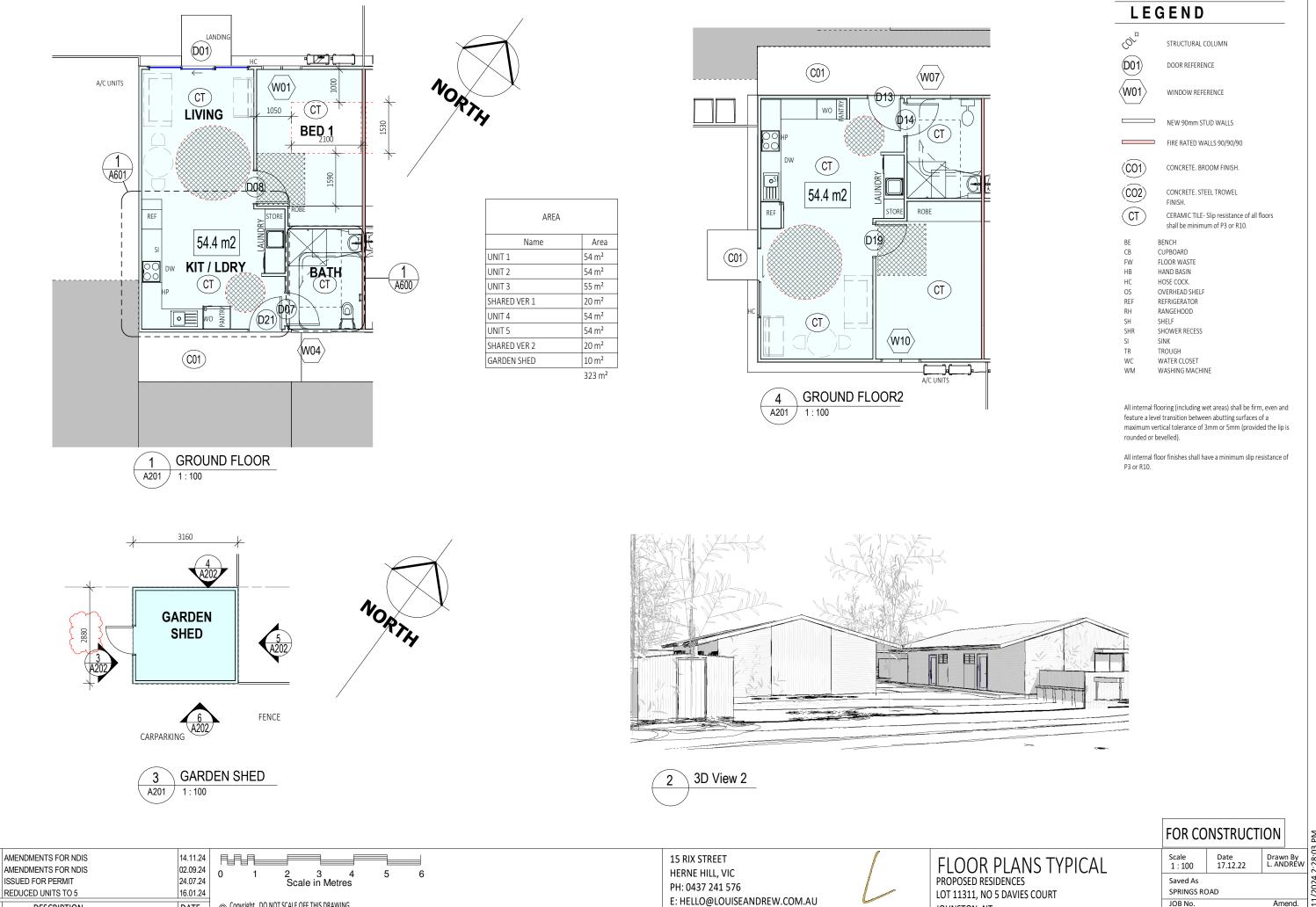
AMENDMENTS FOR NDIS ISSUED FOR PERMIT

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02.09.24

24.07.24



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ISSUE / REVISION

Amend.

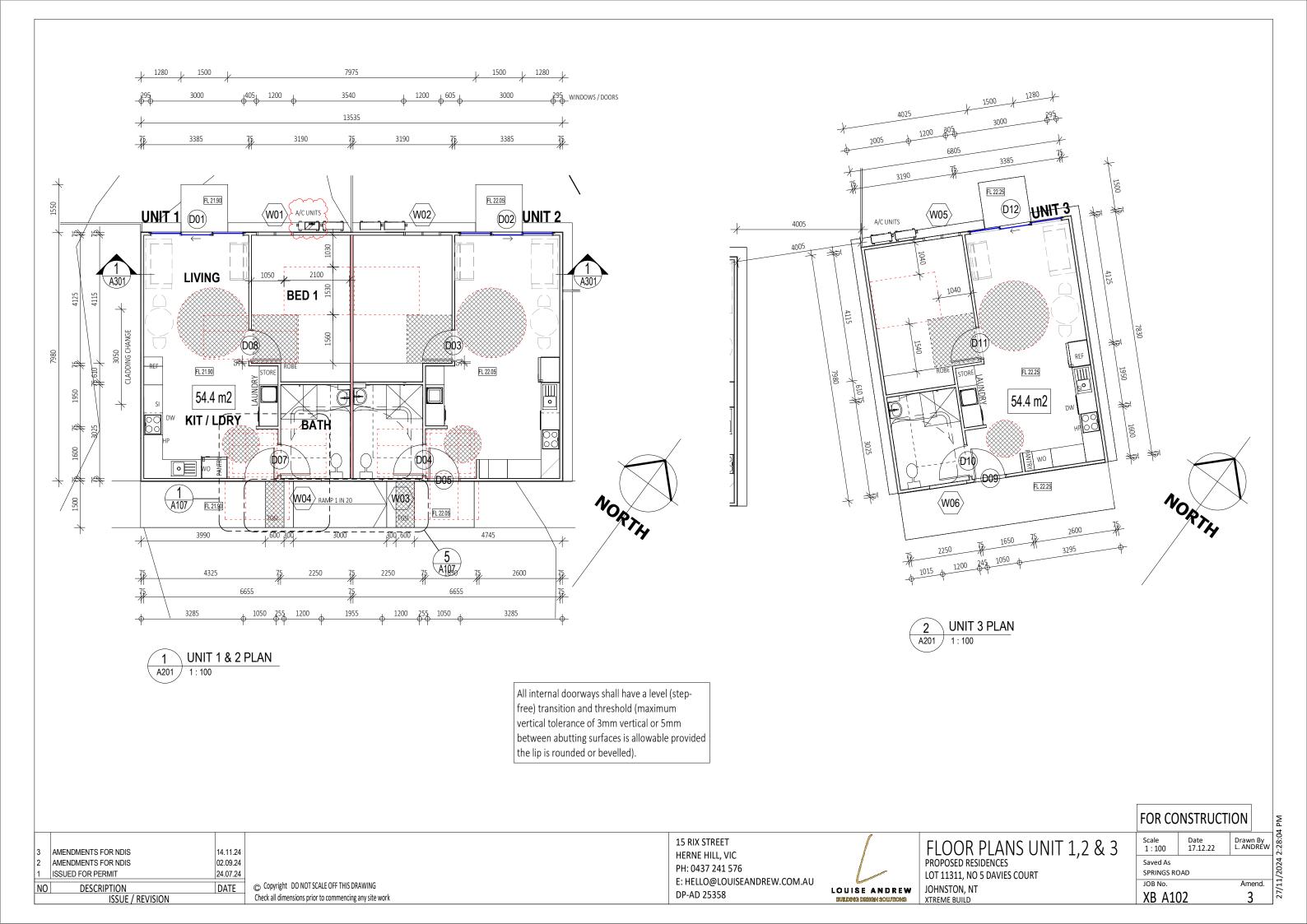
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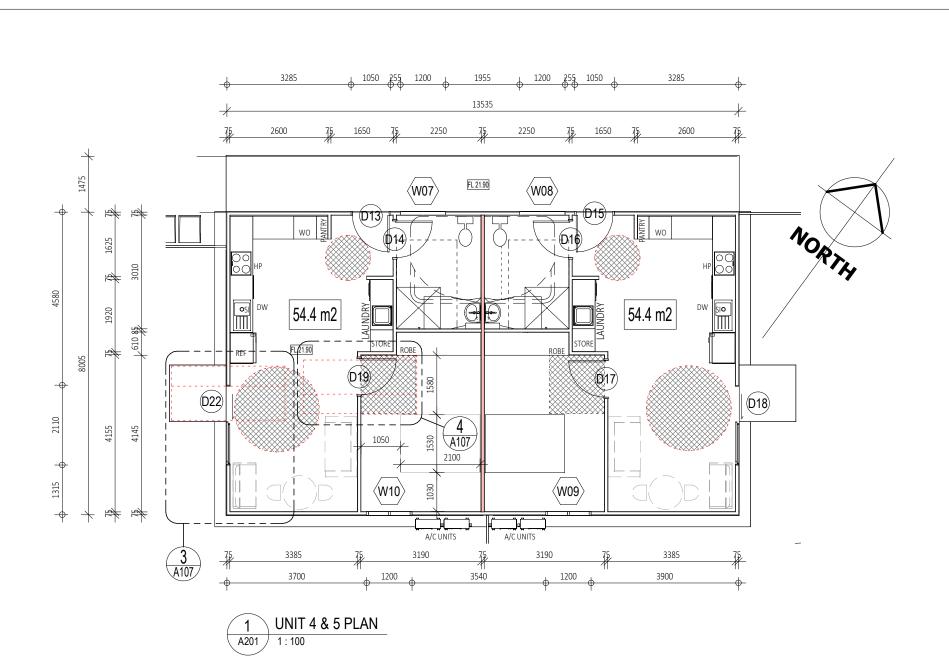
JOB No.

XB A101

JOHNSTON, NT

LOUISE ANDREW





All internal doorways shall have a level (step-free) transition and threshold (maximum vertical tolerance of 3mm vertical or 5mm between abutting surfaces is allowable provided the lip is rounded or bevelled).

15 RIX STREET HERNE HILL, VIC PH: 0437 241 576

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DP-AD 25358

FL PRO LOT

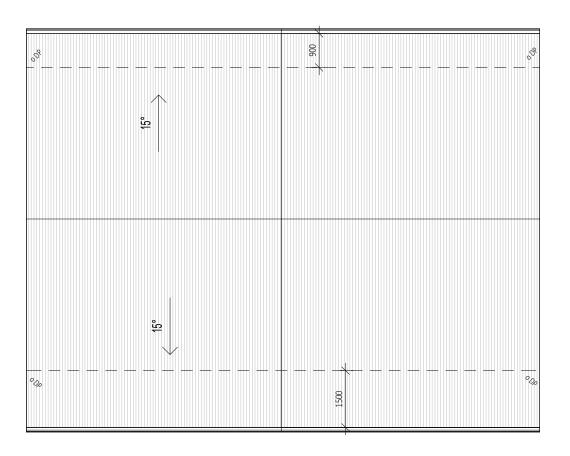
FLOOR PLANS UNIT 4 & 5
PROPOSED RESIDENCES
LOT 11311, NO 5 DAVIES COURT
JOHNSTON, NT

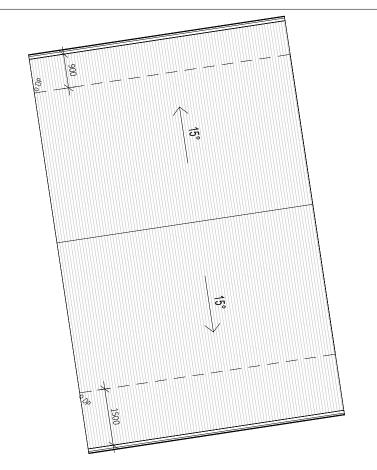
Scale Date 1: 100 Prawn By L. ANDREW
Saved As SPRINGS ROAD
JOB No. Amend.
XB A103 2

2	AMENDMENTS FOR NDIS	02.09.24
1	ISSUED FOR PERMIT	24.07.24
NO	DESCRIPTION	DATE
	ISSUE / REVISION	·

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LOUISE AND REW BUILDING DESIGN SOLUTIONS





## LEGEND

BOX GUTTER BARGE ROLL DOWN PIPE EC EG EXHAUST COWL. EAVES GUTTER OF OVER FLOW RIDGE CAPPING SOLAR HOT WATER UNIT. FIX TO DTC M/534/01/04 DOWNPIPE.

## NOTES

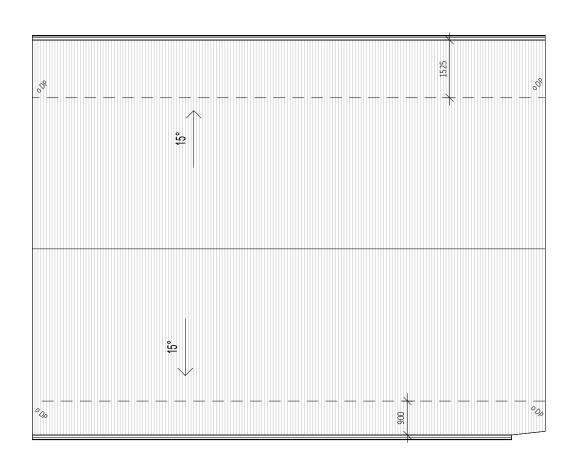
ROOF SHEETING GENERALLY TO BE COLORBOND CUSTOM ORB U.N.O. GENERALLY PROVIDE PAN FLASHING TO EXTEND FROM RIDGE TO COVER ALL ROOF PENETRATIONS. NEATLY SCRIBE FLASHING TO SUIT ROOF SHEET PROFILES. PROVIDE 'DEKTITE' ROOF FLASHING OF MATCHING DIAMETER TO ALL PLUMBING ROOF PENETRATIONS. SELECTED COLOUR TO MATCH ROOF SHEETING.

METAL SHEET ROOF CAPPING AND FLASHING TO COMPLY WITH BCA VOLUME 2 2019 3.5.1.7

STORMWATER FROM ALL ROOF CATCHMENT AREAS TO BE DISPERSED IN ACCORDANCE WITH AS3500.3 AND TO APPROVED LPOD

STORMWATER DRAIN NOTE PROVIDE 90mm DIAMETER PVC STORMWATER PIPE WITH MIN FALL OF 1:100 STORMWATER DRAIN LAYOUT IS INDICATIVE ONLY AND WILL BE LAID AT THE DRAINERS DISCRETION. DISCHARGE TO LEGAL POINT OF DISCHARGE (LPOD)

GUTTERS AND DOWNPIPES LAYOUT IS INDICATIVE ONLY AND SHOULD BE INSTALLED AT THE PLUMBERS DISCRETION IN ACCORDANCE WITH AS3599.3.2018



**ROOF PLAN** A201 1:100

AMENDMENTS FOR NDIS 02.09.24 ISSUED FOR PERMIT 24.07.24 REDUCED UNITS TO 5 16.01.24 LEVELS ADDED AND OTHER DETAIL 14.06.23 © Copyright DO NOT SCALE OFF THIS DRAWING DATE DESCRIPTION Check all dimensions prior to commencing any site work

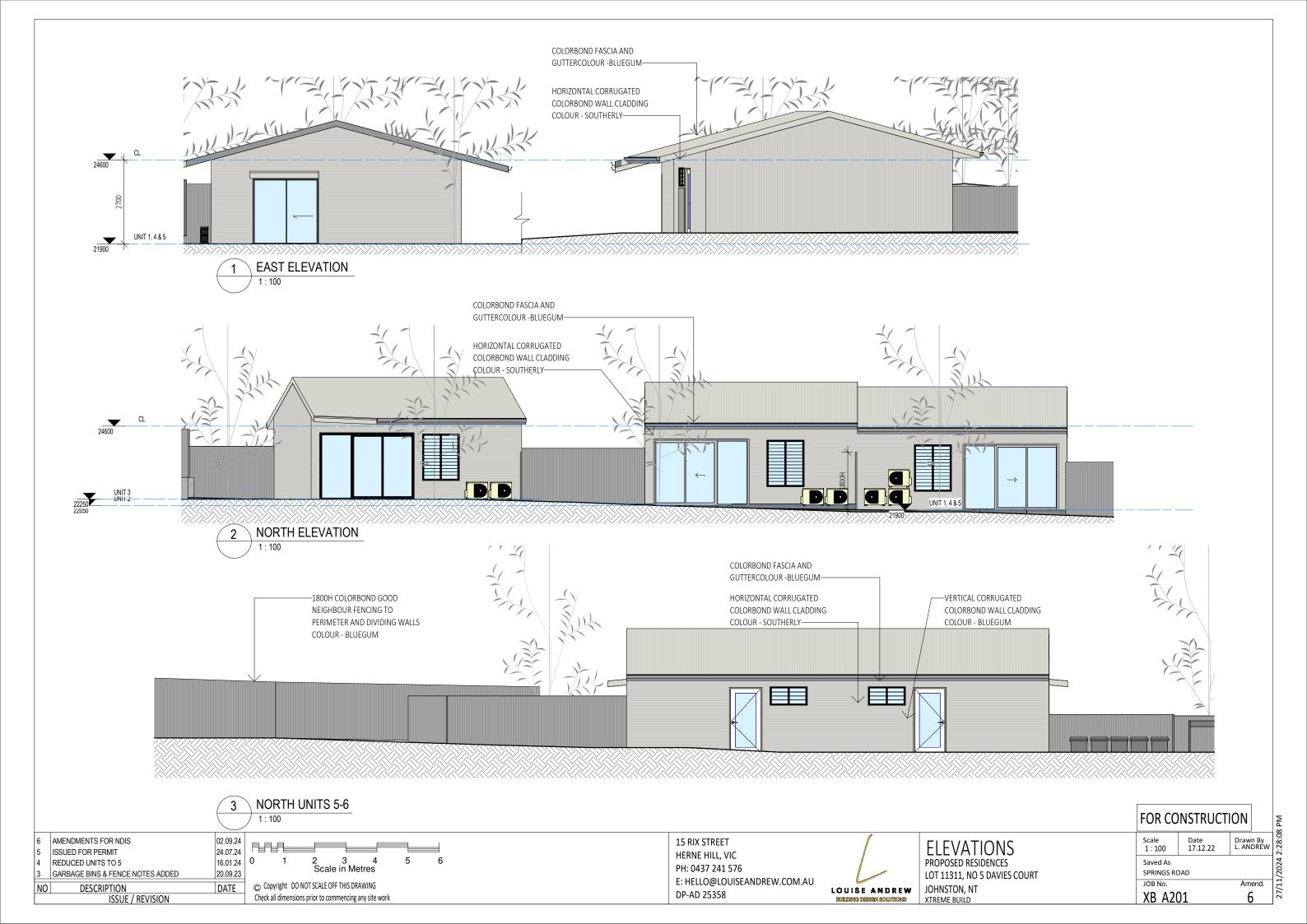
15 RIX STREET HERNE HILL, VIC PH: 0437 241 576 E: HELLO@LOUISEANDREW.COM.AU DP-AD 25358

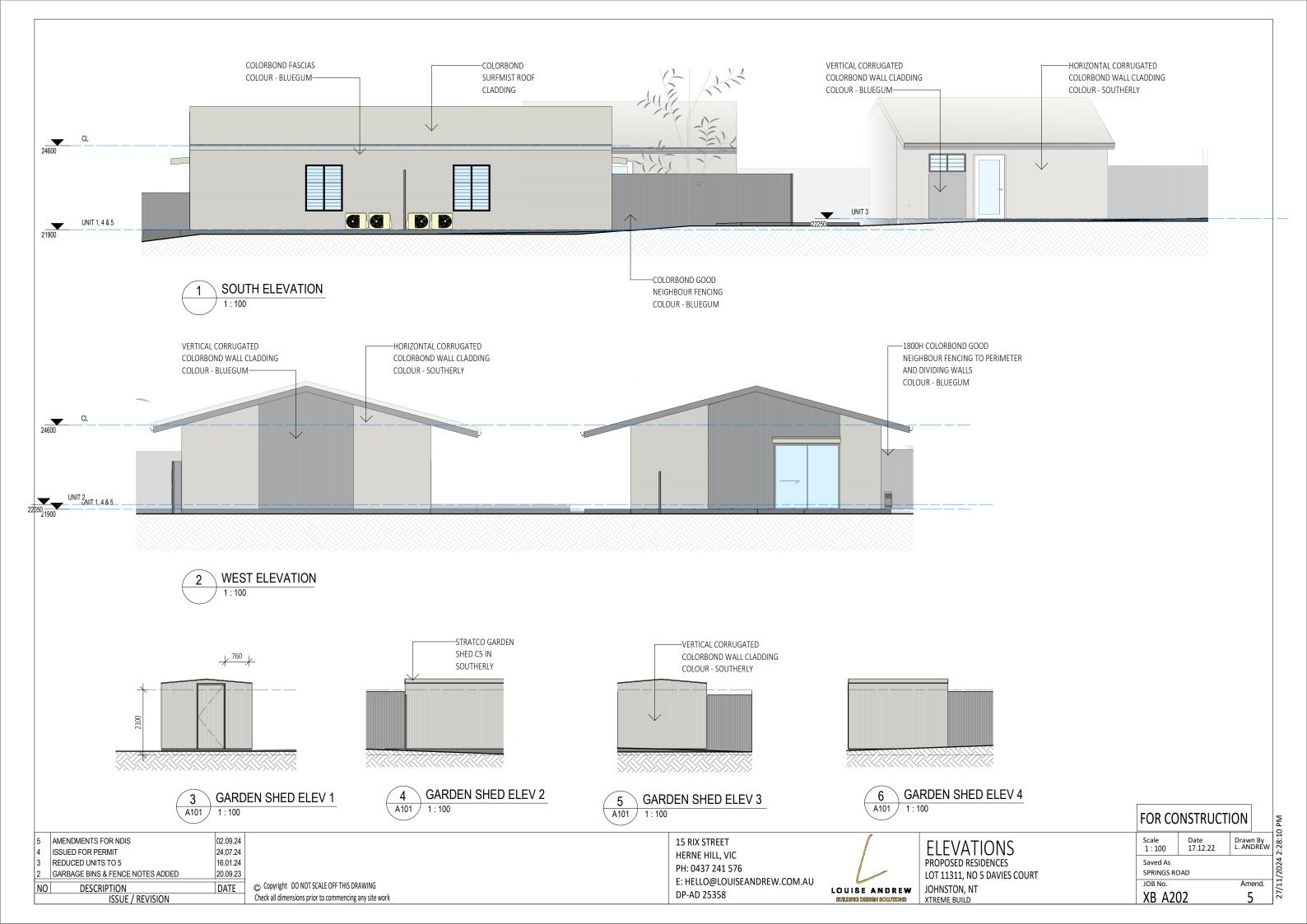


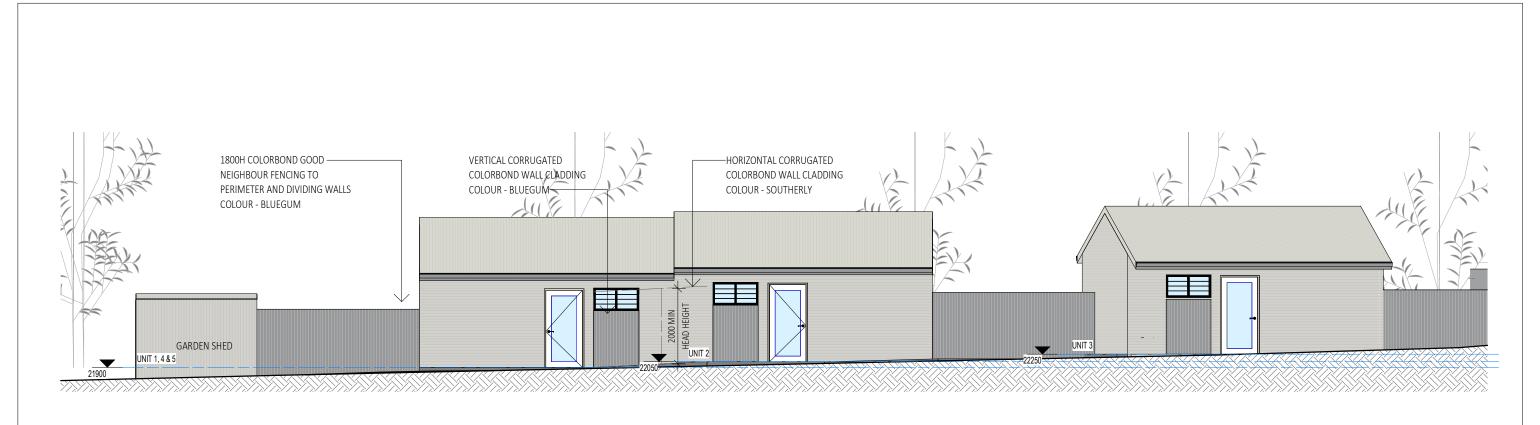
ROOF PLAN PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT

FOR CONSTRUCTION Scale 1:100 Date 17.12.22 Drawn By Saved As SPRINGS ROAD JOB No. Amend.

XB A104









AMENDMENTS FOR NDIS 02.09.24 ISSUED FOR PERMIT 24.07.24 16.01.24 REDUCED UNITS TO 5 GARBAGE BINS & FENCE NOTES ADDED 20.09.23 DESCRIPTION ISSUE / REVISION DATE

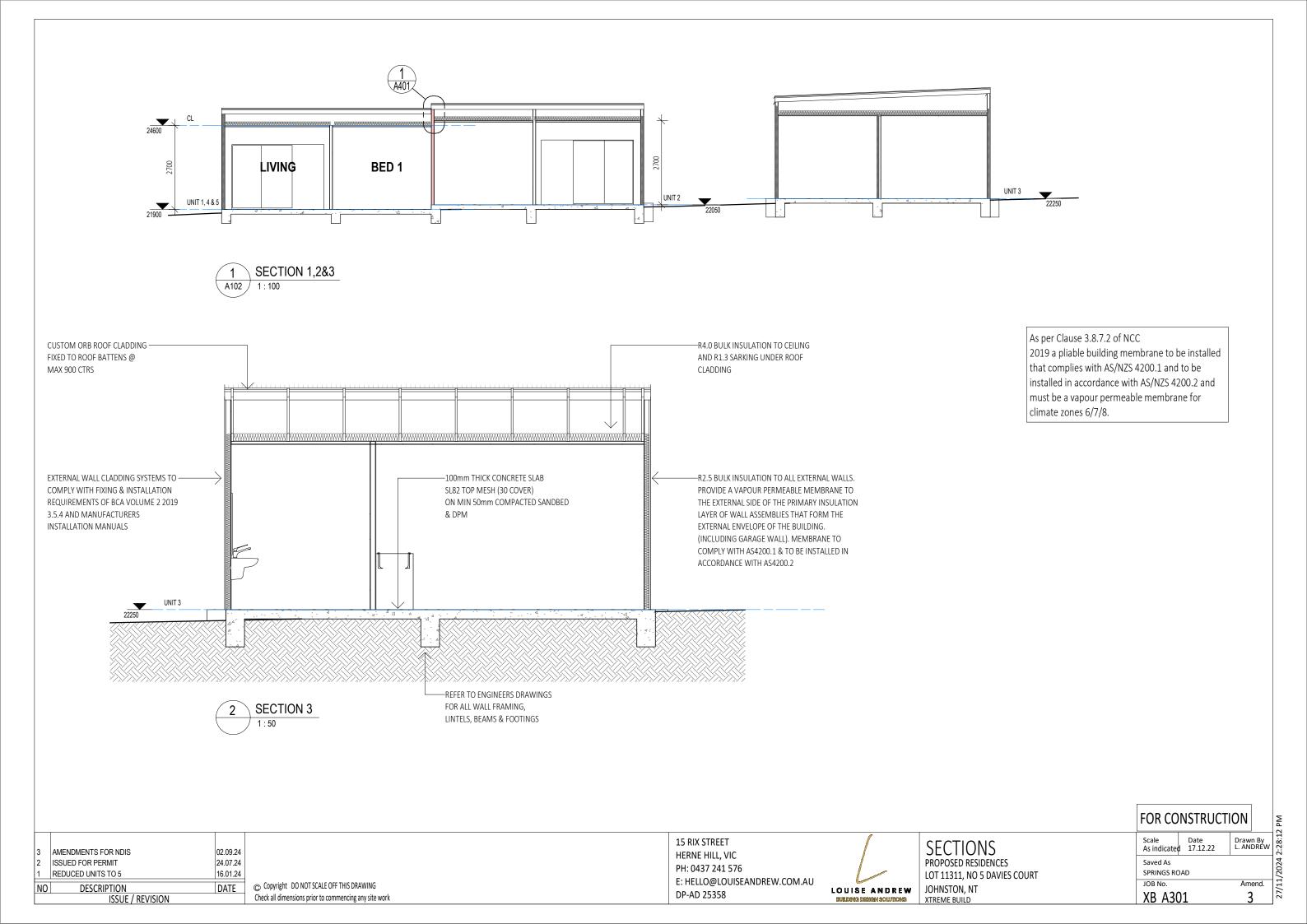
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ELEVATIONS PROPOSED RESIDENCES LOT 11311, NO 5 DAVIES COURT JOHNSTON, NT XTREME BUILD

FOR CONSTRUCTION Scale 1:100 Date 17.12.22 Drawn By 8.2 Saved As SPRINGS ROAD JOB No. Amend. XB A203



As per Clause 3.8.7.2 of NCC 2019 a pliable building membrane to be installed that complies with AS/NZS 4200.1 and to be installed in accordance with AS/NZS 4200.2 and must be a vapour permeable membrane for climate zones 6/7/8. CUSTOM ORB ROOF CLADDING -R4.0 BULK INSULATION TO CEILING FIXED TO ROOF BATTENS @ AND R1.3 SARKING UNDER ROOF MAX 900 CTRS CLADDING 920 EXTERNAL WALL CLADDING SYSTEMS TO -–R2.5 Bylk insulation to all external walls. -100mm THICK CONCRETE SLAB COMPLY WITH FIXING & INSTALLATION -P<del>ROV</del>IDE A VAPOUR PERMEABLE MEMBRANE TO SL82 TOP MESH (30 COVER) ON MIN 50mm COMPACTED SANDBED REQUIREMENTS OF BCA VOLUME 2 2019 THE EXTERNAL SIDE OF THE PRIMARY INSULATION 3.5.4 AND MANUFACTURERS LAYER OF WALL ASSEMBLIES THAT FORM THE INSTALLATION MANUALS EXTERNAL ENVELOPE OF THE BUILDING. (INCLUDING GARAGE WALL). MEMBRANE TO COMPLY WITH AS4200.1 & TO BE INSTALLED IN ACCORDANCE WITH AS4200.2 UNIT 1, 4 & 5 SECTION 4&5 REFER TO ENGINEERS DRAWINGS FOR ALL WALL FRAMING, LINTELS, BEAMS & FOOTINGS 40000 MAX 1:40 MAX 1:20 20000 UNIT 2 DRIVEWAY SECTION 1:200 FOR CONSTRUCTION Scale Date
As indicated 17.12.22 Drawn By 15 RIX STREET **SECTIONS** HERNE HILL, VIC PROPOSED RESIDENCES AMENDMENTS FOR NDIS 02.09.24 Saved As PH: 0437 241 576 24.07.24 SPRINGS ROAD ISSUED FOR PERMIT LOT 11311, NO 5 DAVIES COURT E: HELLO@LOUISEANDREW.COM.AU JOB No. © Copyright DO NOT SCALE OFF THIS DRAWING Amend. DATE DESCRIPTION JOHNSTON, NT LOUISE ANDREW DP-AD 25358 XB A302 Check all dimensions prior to commencing any site work