



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 134 - WEDNESDAY 16 NOVEMBER 2011

BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON

MEMBERS PRESENT: Peter McQueen (Chairman), Steve Ward, Jeffrey Porter, Susan McKinnon and Ian Abbott

APOLOGIES: Graeme Chin

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly and Deborah Buise (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.15 am and closed at 10.00 am

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 **EXTENSION TO AN EXISTING WAREHOUSE AND OFFICE ADDITION**
PA2011/0668 **SECTION 3824 (81) MCKINNON ROAD, HUNDRED OF BAGOT**
APPLICANT **STELIOS FITIRIKKOS**

Mr Stelios Fitirikkos attended.

RESOLVED
110/11

That the Development Consent Authority vary clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act* consent to the application to develop Section 3824 (81) McKinnon Road, Hundred of Bagot, for the purpose of extensions to an existing warehouse with office addition, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston's underground stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected to Council's stormwater system.

GENERAL CONDITIONS

2. 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.
4. The owner of the land must enter agreements with the relevant service authorities for the provision of water supply and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Before the use of the warehouse/workshop and ancillary office commences the owner is to provide documentary evidence to Department of Health and Families that the existing effluent disposal system is of sufficient capacity to cope with the projected loading, to the satisfaction of the consent authority.
6. Storage for waste disposal bins is to be provided to the requirements of Palmerston City Council to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that any structure 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.
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.

REASONS FOR THE DECISION

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

The proposed extension to an existing warehouse and workshop and office addition is consistent with the primary purpose of Zone GI (General Industry), which is to provide for a range of industrial activities.

A variation to clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme for a reduced rear setback of 0.1m where 5m is required and a reduced side setback of 3m where 5m is required by the Scheme is granted as:

- the warehouse extension will be located at the rear of the subject land with no impact on the streetscape;
 - the proposed rear setback of 0.1m is consistent with the existing warehouse setback;
 - the proposed eastern side setback of 3m is considered consistent with surrounding development on neighbouring and adjoining land; and
 - no objections were received.
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 has an area of 2750m², is generally rectangular in shape with street frontage to McKinnon Road. The subject land is currently developed with two warehouse buildings and is considered capable of supporting the proposed development.

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 2
PA2011/0659
APPLICANT

2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 9978 (3) DEANE CRESCENT, TOWN OF PALMERSTON
KASSIOU CONSTRUCTION PTY LTD

Mr Illias and Mr Louis Kassiou attended (Kassiou Constructions Pty Ltd) attended.

RESOLVED
111/11

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 9978 (3) Deane Crescent, Town of Palmerston for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston's underground stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), 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 plan must show a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with 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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Palmerston City Council to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Palmerston City Council, to the satisfaction of the consent authority.
8. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (d) undertake reinstatement works;All to the technical requirements of and at no cost to the Palmerston City Council, to the satisfaction of the consent authority.
9. Before the use or occupation of the development starts, the areas 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;Car spaces and driveways must be kept available for these purposes at all times.
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. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. 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.
15. Storage for waste disposal bins is to be provided to the requirements of Palmerston City Council to the satisfaction of the consent authority.

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.

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 for Residential Buildings) of the NT Planning Scheme for a reduced side setbacks of 1.55m where 2.0m is required by the Scheme, is granted as
 - the dividing wall between the units will have a total length of 19.5m which has resulted in an additional 0.5m setback to both side boundaries however, the façade facing the affected boundaries will only have a length of 14.5m and therefore, no adverse effects of building massing is anticipated;
 - the verandah located at the rear of each of the units reduces the footprint of the dwellings whilst the verandah's open sided nature will encourage breeze penetration; and
 - condition precedent 2 has been included to ensure that landscaping will break up the mass of the building and provide privacy to the affected properties.
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 will be appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Deane Crescent, no adverse impact on the surrounding land is anticipated.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

18/11/11

