



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 125 - WEDNESDAY 24 FEBRUARY 2011

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

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

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly and Peter Lindwall (Development Assessment Services)

COUNCIL REPRESENTATIVE: Ted Vivian

Meeting opened at 10.30 am and closed at 12.15 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 DEMOUNTABLE STRUCTURE
PA2010/1327 LOT 9417 (13) GREENHIDE ROAD, TOWN OF PALMERSTON
APPLICANT JOSEPHINE GENTLE

Ms Josephine Gentle attended.

RESOLVED
10/11

That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 9417 (13) Greenhide Road, Town of Palmerston, for the purpose of a demountable structure, subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1327 - 01 and 2010/1327 - 02 endorsed as forming part of this permit.
2. 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.
3. The container shall be appropriately painted (Paper Bark by Colorbond steel or similar) to match the existing adjacent shed on site, in accordance with Clause 6.8.4 (Demountable Structures) of the Northern Territory Planning Scheme to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - a) the development and use 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.

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 onsite and/or surrounding infrastructure.

REASON FOR THE DECISION

The sea container can be suitably painted to reduce its impact on the residential amenity of the area and as such the proposal is in accordance with Clause 6.8 (Demountable Structures) of the Northern Territory Planning Scheme.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2010/1288
APPLICANT

3 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 9974 (11) DEANE CRESCENT, TOWN OF PALMERSTON
DPL DEVELOPMENTS

Mr Darron Lyons (DLP Developments) attended and tabled 17 amended plans.

RESOLVED
11/11

That the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme, and pursuant to Section 53(b) of the *Planning Act*, alter the proposed development and consent to the proposed development as altered to develop Lot 9974 (11) Deane Crescent, Town of Palmerston, for the purpose of 3 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. An endorsed copy of the plan will form part of this permit.
2. 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 show:
 - (a) the provision of fencing around private open space of unit 2 which will promote circulation of breezes through that area; and
 - (b) a roof design over the existing drainage easement on the site consistent with the requirements and to the satisfaction of City of Palmerston to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. The 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. 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.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston to the satisfaction of the consent authority;
and
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.
7. 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 driveways and the public street.
8. Before the 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.
9. 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.
10. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

11. Before the 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;to the satisfaction of the consent authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

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.

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

2. 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 6.5.3 (Parking Layout) of the NT Planning Scheme, for not providing a turning space for vehicles and for providing a shared driveway of 4.5m in width, is granted as the subject site is located on a low-order, local road, the number of driveways has been reduced from three to two, and the shared driveway services only 2 units. The provision

of a wider driveway for a turning space would require a large expanse of hardstand area which would preclude the landscaping of this part of the site and detract from the visual amenity of the area. The ability to enter and exit the site in a forward gear is not considered necessary as any safety implications do not differ from that of a large single dwelling development.

3. Pursuant to Section 51(n) of the *Planning Act*, 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 subject site is located within a residential area that is currently being developed and provides for a mix of housing options. Provided that sediment is appropriately managed onsite, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

4. Amended plans relating to fencing around private open space of unit 2 will promote ventilation of the yard and the dwelling.
5. Encroachment of a minor portion of roof overhang over the existing stormwater drainage easement requires consent of City of Palmerston.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2010/1382
APPLICANT

60 X 2 AND 12 X 3 BEDROOM MULTIPLE DWELLINGS IN 5 X 4 STOREY BUILDINGS
LOT 10038 JOHNSTON, TOWN OF PALMERSTON
ARCHTECH DESIGN

DAS tabled an addendum which consisted of the submission by Mr Karl Hell which was inadvertently omitted from the DAS report.

DAS tabled a Traffic Impact Report on the proposed medium density development on Lot 901, Farrar Boulevard, Johnston dated February 2011 (version 1).

Mr Ross Kourounis (Archtech Design) and Mr Andrew Milatos (owner) attended and tabled a map of Johnston showing zones and the stages.

Mr Mathew Tomazos attended the meeting on behalf of submitter Mr Karl Hell. Mr Emmanuel Hatzigeorgiou attended.

RESOLVED
12/11

That the Development Consent Authority vary the requirements of Clause 7.3. (Building Setbacks of Residential Buildings over Two Storeys in Height) of the NT Planning Scheme, and pursuant to Section 53(b) of the *Planning Act*, alter the proposed development and consent to the proposed development as altered to develop Part Lot 10038, Town of Palmerston, for the purpose of 54 x 2 bedroom and 12 x 3 bedroom multiple dwellings in 3 x 4 storey buildings and 2 x 3 storey buildings subject to the following conditions:

CONDITIONS PRECEDENT

1. Before the development starts, a landscaping plan must be prepared to the satisfaction of the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:
 - (a) planting within all open areas of the site including building setbacks, communal areas and pedestrian connections;
 - (b) 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;
 - (c) details of surface finishes of pathways and driveways and proposed methods of lighting and illumination; and
 - (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 the commencement of works, including site preparation, an erosion and sediment control plan be developed, approved and subsequently implemented to the satisfaction of the consent authority with advice from the Natural Resources Division of NRETAS. The plan should detail but not be limited to drainage design and soil erosion control measures to be employed both during and post construction of the development to the satisfaction of the consent authority.
3. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the 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. An endorsed copy of the plan will form part of this permit.
4. 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 show:
 - The implementation of recommendations of a Traffic Study prepared on behalf of the applicant by XXXXX to the technical requirements of City of Palmerston to the satisfaction of the consent authority.

GENERAL CONDITIONS

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

6. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority.
 7. 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 telecommunication services to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
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8. Before the occupation of the development starts the landscaping works shown on the plans must be carried out and completed to the satisfaction of the consent authority.
 9. 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.
 10. Before the 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;to the satisfaction of the consent authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
 11. Waste bin storage shall be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
 12. 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.
 13. 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.
 14. An Occupancy permit under the *Building Act* must not be issued until title to the subject lot has been issued.

NOTE:

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.

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 development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which seeks to provide for a range of housing options to a maximum height of four storeys.

2. 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

- Clause 7.1 Residential Density and Height Limitations of the NT Planning Scheme requires that residential building in Zone MR located opposite land in Zone SD on a street no more than 18m wide is not to exceed a height of 3 storeys above ground level.

The proposed buildings facing land in Zone SD have a height of 3 storeys above ground level and therefore comply with this clause.

3. 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 over Two Storeys in Height) of the NT Planning Scheme is supported as:

The only lot directly adjoining the subject site is zoned for public open space, while a 25 metre roadway runs along the north-eastern boundary and 15 metre roadways run along both the northern and north-western boundaries of the site, thereby clearly minimising any potential impacts from bulk and mass or possible overlooking of nearby residential areas.

Circulation of breezes is guaranteed within the site through the minimum separation distance of about 4 metres between each of the buildings.

It is anticipated that the proposed location and external articulation of each building and suitable landscaping of open areas will set appropriate standard of residential amenity for the future residents of the site and the surrounding area.

4. 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.

Clause 7.4 (Building Setbacks and Fencing of Multiple Dwellings and Supporting Accommodation in Zone MR) of the NT Planning Scheme requires that residential building in Zone MR (Medium Density Residential) is to have a landscaped building setback of not less than 3m to each frontage of a street reserve not exceeding 18m in width on the opposite side of which is land in Zone SD (Single Dwelling).

The provision of a detailed landscaping plan will ensure that the development will provide a visual screen to the adjacent land Zoned SD.

5. 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 design of the proposal attempts to create a tropical resort style accommodation with a mix of two bedroom and three bedroom units. The five residential buildings are planned around a communal open area containing a swimming pool and a running track. The proposal is for a medium density housing development which does not seek to maximise the residential density allowed for multiple dwellings in Zone MD (Medium Density Residential). In addition the proposal provides more car parking spaces that required by the Planning Scheme.
6. Implementation of a traffic study recommendations will address concerns relating to the potential impact of traffic generated by the proposed development on the surrounding road network and safety of pedestrians.

ACTION: Notice of Determination

ITEM 4
PA2010/0599
APPLICANT

LIGHT INDUSTRY
LOT 6319 (7) TOUPEIN ROAD, TOWN OF PALMERSTON
WESTERN DIESEL INVESTMENTS

Mr John Bloss (Western Diesel Investments) attended.

RESOLVED
13/11

That pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 6319 (7) Toupein Road, Town of Palmerston for the purpose of light industry to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- Clarification and further detail of the nature of intended activities to be conducted within each proposed tenancy to enable the Authority to evaluate the anticipated demand for parking spaces on site; and

- A schematic plan demonstrating the on-site collection of stormwater and its discharge into Toupein Road or Stuart Highway stormwater drainage system prepared on the advice of and to the satisfaction of the City of Palmerston/Department of Lands and Planning as the case may be, to the satisfaction of the consent authority.

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.

Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme allows the consent authority to determine the number of parking spaces to service the proposed use of a **site**.

Whilst the primary purpose of Zone SC (Service Commercial) is to provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites, there are concerns that use of the proposed workshops for repairs and maintenance of ordinary private cars will lead to a parking shortfall on-site.

Further information on the proposed use of the site will allow the Authority to determine whether the proposed number of parking spaces is adequate for the proposed use.

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



PETER MCQUEEN
Chairman

2/3/11

