

**DEVELOPMENT CONSENT AUTHORITY**

**PALMERSTON DIVISION**

**MINUTES**

**MEETING No 123 - WEDNESDAY 17 NOVEMBER 2010**

**PALMERSTON ROOM  
PALMERSTON SPORTS CLUB  
3 MALUKA STREET, PALMERSTON**

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

**APOLOGIES:** Graeme Chin and Ian Abbott

**OFFICERS PRESENT:** Margaret Macintyre (Secretary) and George Maly (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Paul Flannagan and Peter Lindwall

**Meeting opened at 9:30 am and closed at 11.45 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**                    **GARAGE WITH REDUCED SIDE & REAR SETBACKS AND DEMOUNTABLE**  
**PA2010/1142**           **STRUCTURE WITH REDUCED FRONT SETBACK**  
                             **LOT 1569 (26) DAVOREN CIRCUIT, TOWN OF PALMERSTON**  
**APPLICANT**           **GARTH CROWHURST**

Mr Garth Crowhurst attended.

**RESOLVED**            That the Development Consent Authority vary the requirements of Clause 6.8  
**155/10**                (Demountable Structures) and Clause 6.11 (Garages and Sheds) 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 1569 (26) Davoren Circuit, Town of Palmerston, for the purpose of a garage, with reduced side and rear setbacks, and a demountable structure, with reduced front setback, subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the commencement of works (including site preparation) a full set of amended plans 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 must be provided, and be generally in accordance with the plans submitted with the application but modified to show that the visual appearance of the proposed demountable structure will be suitably altered to help it blend with the existing and proposed landscaping and disassociate its appearance from that of a sea container.

**GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with 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 of the relevant service authority to the satisfaction of the consent authority.

**NOTE:**

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.

## REASON FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into account the planning scheme that applies to the land to which the application relates. The proposed garage and demountable structure are consistent with the primary purpose of Zone SD (Single Dwelling Residential), which is to provide for single dwellings and ancillary structures on individual lots.

A variation to Clause 6.11 (Garages and Sheds) of the NT Planning Scheme, for side and rear setbacks of 0.5m where 1.5m is required by the Scheme, is granted as the proposed garage is unlikely to have an adverse impact on the streetscape or the amenity of the adjoining properties. It will be located in the rear corner of the site and the 1.8m high link mesh fence and tall, dense vegetation will provide effective screening along the side boundary.

A variation to Clause 6.8 (Demountable Structures) of the NT Planning Scheme, for a front setback of 2m where 6m is required by the Scheme, is granted as visual appearance proposed container will be suitably improved to help it blend with the existing and proposed landscaping and disassociate its appearance from that of a sea container.

**ACTION:** Notice of Consent and Development Permit

**ITEM 2**  
**PA2010/1095**

**1 X 3 BEDROOM & 2 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS**  
**PART LOT 10038 (8), TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

**APPLICANT**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that this development will have.

**RESOLVED**  
**156/10**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10038 (8) Johnston, Town of Palmerston, for the purpose of 1 x 3 bedroom and 2 x 2 bedroom multiple dwellings in two single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1095 – 01/A through to 2010/1095 – 09/A inclusive 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 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.

4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
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.
8. 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.
  9. 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.
  10. 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.
  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. Soil erosion control measures must be employed throughout the construction stage of the development 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](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.

**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, and is compliant with the relevant clauses of the NT Planning Scheme.

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

The proposed development will provide adequately sized dwellings, each with private open space, double car parking spaces and concrete driveways. The yards are adequately sized and well-landscaped without compromising privacy and security and the building has been designed to allow cross-ventilation and shading to most of the habitable rooms.

**ACTION:** Notice of Consent and Development Permit

ITEM 3  
PA2010/1096

**1 X 3 BEDROOM & 2 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE  
STOREY BUILDINGS**

APPLICANT

**PART LOT 10038 (113), TOWN OF PALMERSTON  
KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that this development will have.

**RESOLVED  
157/10**

That, the Development Consent Authority vary the requirements of Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 10038 (113) Johnston, Town of Palmerston, for the purpose of 1 x 3 bedroom and 2 x 2 bedroom multiple dwellings in two single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1096 – 01/A through to 2010/1096 – 09/A inclusive 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 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.
4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
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.

8. 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.
9. 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.
10. 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.
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. Soil erosion control measures must be employed throughout the construction stage of the development 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](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.

## 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 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, for 287m<sup>2</sup> per dwelling where 300m<sup>2</sup> is normally required by the Scheme, is granted as the proposal is considered to be compatible with the planned provision of reticulated services and community facilities which will service the area as Power Water Corporation did not raise any issues when specifically requested to comment on this aspect of the application. The site can be serviced by waste disposal vehicles and Council did not raise any concerns with vehicle manoeuvrability in relation to this development. The proposal complies with all other provisions of the Scheme.

3. 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 proposed development will provide adequately sized dwellings, each with private open space, double car parking spaces and concrete driveways. The yards are adequately sized and well-landscaped without compromising privacy and security and the building has been designed to allow cross-ventilation and shading to most of the habitable rooms.

**ACTION:** Notice of Consent and Development Permit

**ITEM 4**  
**PA2010/1097**  
**APPLICANT**

**4 X 3 BEDROOM MULTIPLE DWELLINGS IN 4 SINGLE STOREY BUILDINGS**  
**PART LOT 10038 (36), TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that this development will have.

**RESOLVED**  
**158/10**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Part Lot 10038 Johnston, Town of Palmerston, for the purpose of 4 x 3 bedroom multiple dwellings in two single storey buildings 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:

- Amended plans demonstrating removal of one dwelling to achieve compliance with clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme; and
- Amended dwelling layout which would provide the opportunity for each dwelling to overlook the adjoining parkland.

**ACTION:** Advice to Applicant

**ITEM 5**  
**PA2010/1098**  
**APPLICANT**

**2 X 3 BEDROOM & 1 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS**  
**PART LOT 10038 (29), TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that this development will have.

**RESOLVED**  
**159/10**

Pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10038 (29) Johnston, Town of Palmerston, for the purpose of 2 x 2 bedroom and 1 x 3 bedroom multiple dwellings in two single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1098 – 01/A through to 2010/1098 – 10/A inclusive 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 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.
4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.

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.
8. 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.
9. 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.
10. 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.
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. Soil erosion control measures must be employed throughout the construction stage of the development 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](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.

#### 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, and is compliant with the relevant clauses of the NT Planning Scheme.

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

The proposed development will provide adequately sized dwellings, each with private open space, double car parking spaces and concrete driveways. The yards are adequately sized and well-landscaped without compromising privacy and security and the building has been designed to allow cross-ventilation and shading to most of the habitable rooms.

**ACTION:** Notice of Consent and Development Permit

**ITEM 6**  
**PA2010/1099**  
**APPLICANT**

**4 X 3 BEDROOM MULTIPLE DWELLINGS IN 3 SINGLE STOREY BUILDINGS**  
**PART LOT 10038 (28), TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that this development will have.

**RESOLVED**  
**160/10**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Part Lot 10038 Johnston, Town of Palmerston, for the purpose of 4 x 3 bedroom multiple dwellings in three single storey buildings 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:

- Amended plans demonstrating removal of one dwelling to achieve compliance with clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme; and

- Amended vehicle access and parking layout which would facilitate safe and convenient vehicle manoeuvring.

**ACTION:** Advice to Applicant

**ITEM 7**  
**PA2010/1100**

**1 X 3 BEDROOM & 2 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS**

**APPLICANT**

**PART LOT 10038 (7), TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that these developments will have.

**RESOLVED**  
**161/10**

That the Development Consent Authority vary the requirements of Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 10038 (7) Johnston, Town of Palmerston, for the purpose of 1 x 2 bedroom and 2 x 3 bedroom multiple dwellings in two single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1100 – 01/A through to 2010/1100 – 09/A inclusive 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 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.
4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
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.
8. 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.
9. 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.
10. 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.
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. Soil erosion control measures must be employed throughout the construction stage of the development 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](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.

### 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 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, for 293m<sup>2</sup> per dwelling where 300m<sup>2</sup> is normally required by the Scheme, is granted as the proposal is considered to be compatible with the planned provision of reticulated services and community facilities which will service the area as Power Water Corporation did not raise any issues when specifically requested to comment on this aspect of the application. The site can be serviced by waste disposal vehicles and Council did not raise any concerns with vehicle manoeuvrability in relation to this development. The proposal complies with all other provisions of the Scheme.

3. 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 proposed development will provide adequately sized dwellings, each with private open space, double car parking spaces and concrete driveways. The yards are adequately sized and well-landscaped without compromising privacy and security and the building has been designed to allow cross-ventilation and shading to most of the habitable rooms.

**ACTION:** Notice of Consent and Development Permit

**ITEM 8**  
**PA2010/1101**

**1 X 2 BEDROOM & 2 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS**

**APPLICANT**

**PART LOT 10038 (112), TOWN OF PALMERSTON  
KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended and tabled four photos showing similar finishes in the kitchen, bathroom and bedroom that these developments will have.

**RESOLVED  
162/10**

That the Development Consent Authority vary the requirements of Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 10038 (112) Johnston, Town of Palmerston, for the purpose of 1 x 2 bedroom and 2 x 3 bedroom multiple dwellings in two single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1101 – 01/A through to 2010/1101 – 09/A inclusive 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 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.
4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
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.
8. 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.
- 9. 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.
  - 10. 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.
  - 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. Soil erosion control measures must be employed throughout the construction stage of the development 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](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.

#### 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.

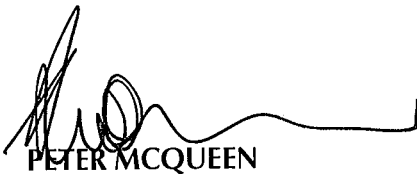
A variation to Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme, for 292m<sup>2</sup> per dwelling where 300m<sup>2</sup> is normally required by the Scheme, is granted as the proposal is considered to be compatible with the planned provision of reticulated services and community facilities which will service the area as Power Water Corporation did not raise any issues when specifically requested to comment on this aspect of the application. The site can be serviced by waste disposal vehicles and Council did not raise any concerns with vehicle manoeuvrability in relation to this development. The proposal complies with all other provisions of the Scheme.

3. 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 proposed development will provide adequately sized dwellings, each with private open space, double car parking spaces and concrete driveways. The yards are adequately sized and well-landscaped without compromising privacy and security and the building has been designed to allow cross-ventilation and shading to most of the habitable rooms.

**ACTION:** Notice of Consent and Development Permit

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



PETER MCQUEEN

Chairman

22/11/10