



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 144 – WEDNESDAY 17 OCTOBER 2012

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

MEMBERS PRESENT: Peter McQueen (Chairman), Steve Ward, Susan McKinnon and Paul Bunker

APOLOGIES: Stuart Delahay

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly, Sarah Gooding, Deborah Curry and Christopher Cheung (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 am and closed at 12.30 pm

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

ITEM 1 **20 x 2 BEDROOM DWELLINGS IN 4 x 2 STOREY AND 7 SINGLE STOREY**
PA2012/0468 **BUILDINGS**
APPLICANT **LOT 1401 (69) DRIVER AVENUE, TOWN OF PALMERSTON**
MASTERPLAN NT

Mr Brad Cunnington (Masterplan NT), Ms Jo Best (Architect), Mr Dereck Beck and Ms Janelle Bronco (Developers Venture Housing) attended.

RESOLVED That, the Development Consent Authority vary Clauses 6.5.3 (Parking Layout), 7.3
116/12 (Building Setbacks of Residential Buildings) and 7.3.2 (Distances between Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 1401 (69) Driver Avenue, Town of Palmerston for the purpose of 20 x 2 bedroom multiple dwellings in 4 x 2 storey and 7 single storey buildings, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to endorsement of plans and prior to the commencement of works (including site preparation), 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.

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 of the relevant service authority.
4. 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.
5. 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.

6. 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.
7. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
8. 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.
9. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
11. 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.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development 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. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies
 - (a) The development is not started within two years of the date of this permit; or
 - (b) The development is not completed within four years of the date of this permit.
The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

REASONS FOR THE DECISION

1. Pursuant to Section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.
 - a) The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Driver Avenue.

A variation to Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme to allow car parking with no separate accesses to each space (tandem parking) is granted as:

- an internal road network has been provided so that cars will not be reversing onto Driver Avenue and this arrangement is unlikely to have any adverse impact on the safety of pedestrians and vehicles exiting the parking spaces;

- the driveways for each dwelling are located within an internal road network and as such no visual impact on Driver Avenue is anticipated;
- the tandem car parking spaces will be in the same ownership; and
- the internal driveway width complies with the requirements of the Northern Territory Planning Scheme and it is considered that the internal road network provides opportunities for the manoeuvrability of cars entering and exiting from parking spaces.

- b) A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme to allow a reduced south side setback of 1.5m where 2.0m for Units 19 and 20 is required due to additional length requirements of Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer than 18m and for Residential Buildings over 4 Storeys in Height) is granted as:

A small portion of Units 19 and 20 are setback 1.5m from the south side boundary where the Scheme requires a side setback of 2m. As only a small portion of the buildings encroach into the side setback no issues with building massing is anticipated.

Furthermore, the encroaching portion of the elevated dwellings does not have any windows facing the adjoining boundary, it is therefore anticipated that no issues with undue overlooking is expected.

- c) A variation to Clause 7.3.2 (Distances Between Residential Buildings) of the Northern Territory Planning Scheme to allow a separation distances of 1.5m between Units 4 & 5, 1.0m between Units 7 & 8, 1.0m between Units 11 & 12 and 1.5m between Units 14 & 15 where the Scheme requires a separation distance of 3m is supported as:

- the applicant has advised that the site will not be subdivided and thus buildings will not cease to comply with relevant building legislation;
 - the design of affected dwellings ensures that there will be no windows facing living areas of adjoining Units and the duplex dwellings will be separated by a carport and landscaping;
 - no windows have been provided in close proximity to the unit boundaries; and
 - landscaping has also been provided between the dwellings to provide screening and mitigate any impacts of building massing.
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 collected on site without impacting on surrounding residential areas and disposed of into Councils

stormwater drainage system within Driver Avenue, no adverse physical impact on the surrounding land is anticipated.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2012/0604
APPLICANT

2 x 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 10635 (13) BENNETT STREET, TOWN OF PALMERSTON
RAW DESIGNS

Mr Rob Watt (Raw Designs) attended.

RESOLVED
117/12

That the Development Consent Authority vary Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer Than 18m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme and pursuant to section 53(a) of the *Planning Act* consent to the application to develop Lot 10635 (13) Bennett Street, Town of Palmerston, for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITION PRECEDENT

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

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. 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.
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. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
6. 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. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.

7. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
8. 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.
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. 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.
11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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.
3. The Power and Water Corporation advises that there is a 1m x 1m electricity easement for the Underground Residential Distribution (URD) pillar on the property. Inappropriate fencing and blocking the 24hr access for operations and maintenance purposes is not permitted.

4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

REASONS FOR THE DECISION

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

The NT Planning Scheme states that the purpose of Zone MD (Multiple Dwelling Residential) is to 'provide for a range of housing options to a maximum height of two storeys'. Lot 10635 is located in the suburb of Bellamack on the corner of Bennett and Henschke Streets. The surrounding area is currently being developed and is predominately zoned SD (Single Dwelling Residential) permeated with MD (Multiple Dwelling Residential) zoned allotments.

The proposed development is for 2 x 3 bedroom multiple dwellings in a single storey building, which is consistent with the zoning purpose of the land.

A variation Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer Than 18m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme, to allow for a setback of 6.0m from the primary street frontage where 7.3m is required by the Scheme, is supported for the following reasons:

- the building frontage has a varied facade, minimising the visual bulk of the building on the streetscape. The front outer edges of the building (bedrooms), with a width of 4.79m, would be setback 6.0m from the streetscape; as required for a building length of less than 18m. The central section of the building (garages) would have a width of approximately 12m and would be setback 7.0m from the streetscape;
- the proposed setbacks will be consistent with other development on the street, as they do not encroach within the 6.0m setback. As the adjacent single dwellings could locate an open structure within 4.5m of the front boundary, it is unlikely that the reduced setback would have a visual impact upon the streetscape;
- It is unlikely that further front setback variations will be sought in the future given the incorporation of garages into the development and outdoor living areas to the rear of the dwellings; and

- the subject site is located on a corner allotment and provides a 3.11m setback to the secondary frontage of Bennett Street where 2.5m is required under the NT Planning Scheme; an excess of 0.61m.
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 City of Palmerston's stormwater drainage system, no adverse impact on the surrounding land is anticipated.

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 proposal is for a duplex style development located within an MD (Multiple Dwelling) zoned allotment. A grassed front lawn is proposed to maximise sightlines for vehicles exiting the site, as Lot 10635 is located on the corner of Bennett and Henschke Streets. It is considered that the development provides for a mix of housing options and is likely to positively contribute to the future residential amenity of the locality

ACTION: Notice of Consent and Development Permit

**ITEM 3
PA2012/0629**

**24 x 3 BEDROOM MULTIPLE DWELLINGS IN 11 X SINGLE AND 13 x 2 STOREY BUILDINGS
PART LOT 10032 (PROPOSED LOT 10535) (395) CHUNG WAH TERRACE, TOWN OF PALMERSTON**

APPLICANT

DPL DEVELOPMENTS

Mr Darron Lyons (DLP Developments) and Mr Israel Kgosiemang attended.

**RESOLVED
118/12**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop part Lot 10032 (proposed Lot 10535), Chung Wah Terrace, Town of Palmerston, for the purpose of 24 x 3 bedroom multiple dwellings in 10 x single and 14 x 2 storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to endorsement of plans and prior to the 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:
 - provision of 1.8m high privacy screening to the sides of the balconies of Units 6, 7, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23 and 24;
 - provision of a waste bin enclosure, meeting the requirements of City of Palmerston; and
 - a 3.5m x 3.5m electricity easement and a 1m x 1m electricity easement, meeting the requirements of Power and Water Corporation.
2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to:
 - prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Palmerston and the Department of Transport (Road Network Division), to the satisfaction of the consent authority; and
 - demonstrate that the kerb crossovers and driveways to the site approved by this permit meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.
5. Storage for waste disposal bins is to be provided to the requirements of the 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. 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.
8. 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.
9. 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.
10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
11. No direct access, either for construction purposes or permanently, shall be permitted from Chung Wah Terrace road reserve. All access shall be from the internal road network (via Forrest Parade). Construction and delivery vehicles shall not be parked on the Chung Wah Terrace road reserve.
12. Stormwater drainage shall be wholly contained within the site and discharged into the local underground stormwater system. Accordingly, all proposed Lots fronting Chung Wah Terrace shall be graded such that the stormwater run-off from the property is away from Chung Wah Terrace and is able to be collected within the development area and appropriately discharged into the local stormwater system to the standards and approval of the City of Palmerston and / or the Department of Transport (Road Network Division), as the case may be.
13. Where unfenced, the Chung Wah Terrace frontage is to be appropriately fenced in accordance with the Department of Transport (Road Network Division)'s standards and requirements to deter unauthorised vehicular and/or pedestrian movement. No pedestrian gates shall be permitted to the Chung Wah Terrace road reserve from individual Lots.
14. Any proposed work within or impacting upon the Chung Wah Terrace road reserve shall be in accordance with the requirements of Department of Transport (Road Network Division) approval.
15. The Developer shall take note of the development's existing and potential future road traffic noise exposure and provide appropriate attenuation measures in accordance with the Herring Storer Acoustics Road Traffic Noise Report (commissioned by Urban Pacific), at the full cost of the developer. All proposed works shall be wholly contained (including foundations) within the subject Lot in accordance with the requirements of Department of Transport (Road Network Division).

16. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
17. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
3. Adjoining owners, residents the general public and adjoining traffic lanes are to be protected against dust, dirt and water nuisance. Where required, dust screens and watering are to be used to reduce dust nuisance. All proper precautions are to be taken by the Contractor to ensure that erosion and sedimentation from any lands or locations used, occupied or controlled by the Contractor is kept to absolute minimum during the course of the works.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that only clean fill (virgin excavated natural material) or inert fill is accepted and that the inert fill has been adequately assessed as being suitable for its intended use(s).
5. A 'Permit to Work Within a Road Reserve' is required for any works within the Chung Wah Terrace road reserve.

REASONS FOR THE DECISION

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

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

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

The development will consist of a number of housing designs with a mixture of single and two-storey dwellings, providing further housing choice within the Palmerston housing market.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

As subdivision works are currently taking place, the amenity of the area is still being developed. The proposal is unlikely to adversely impact on the amenity of the locality.

The requirement of amended plans demonstrating the provision of 1.8m high privacy screening to the side of the balconies of Units 6, 7, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23 and 24, will greatly improve the amenity of the site by increasing the privacy of residents of single-storey dwellings located next to elevated dwellings. Furthermore, the provision of screening will increase the privacy of the balcony areas between the two-storey dwellings.

ACTION: Notice of Consent and Development Permit

ITEM 4
PA2012/0680
APPLICANT

DEMOUNTABLE STRUCTURE
LOT 2791(15) WIESENER COURT, TOWN OF PALMERSTON
KURT BUCHER & ANGELES BUCHER

Mrs Angeles Bucher attended.

RESOLVED
119/12

That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 2791 (15) Wiesener Circuit, Town of Palmerston, for the purpose of a demountable structure, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with drawings numbered 2012/0680/1 through to 2012/0680/3 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 and satisfaction of the relevant service authority at no cost to the relevant service authority.

3. 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.
4. 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.
5. Before the commencement of the use, the existing demountable must be removed from the site.

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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

REASONS FOR THE DECISION

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

The proposed development is deemed to satisfy the purpose and requirements of Clause 6.8 (Demountable Structure) of the NT Planning Scheme as:

- the structure will include architectural embellishments such as a window and cladding to enhance its appearance;
- the demountable will be integrated with the existing dwelling on site through the implementation of Paperbark Beige colour scheme on the external walls and Wilderness Green on flashings and trimmings; and
- the proposed landscaping plan includes the use of existing fruit and palm

- trees, and the planting of shrubs and flowering plants which will integrate with the property's existing landscape design and will aid in screening the demountable; and
 - the demountable structure will be located at the rear of the subject land meeting all setback requirements of the NT Planning Scheme, with minimal impact on the streetscape and as such it is not anticipated to impact on the amenity of the area.
2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The site has an area of 810m², is generally flat, irregular in shape, and has street frontage to Wiesener Rd. The subject land is currently developed with a single dwelling and is considered capable of supporting the proposed development.

ACTION: Notice of Consent and Development Permit

ITEM 5 **4 x 2 AND 2 x 3 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS**
PA2012/0623
APPLICANT **LOT 8310 (1) KIRKIMBIE COURT, TOWN OF PALMERSTON**
KILLARNEY HOMES

Mr Damien Moriarty (Killarney Homes) attended.

Submitters in attendance: - Mr Paul & Mrs Maria Miranda, Mr Stephen & Mrs Crocker, Mr Matt & Mrs Beth Stripling and Mr Bruce Cornell.

RESOLVED
120/12

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 8310 (1) Kirkimbie Court, Town of Palmerston for the purpose of 4 x 2 bedroom multiple dwellings and 2 x 3 bedroom multiple dwellings in 3 x single storey buildings to require the applicant to provide the following information that the authority considers necessary to enable proper consideration of application:

Amended plans demonstrating:

- amended roof design between unit 4 and 3;
- a detailed profile of the proposed retaining wall including details on the management of stormwater between the subject and the adjoining properties;
- proposed fencing to be provided on top of a retaining wall along the boundary between the site and Lot 8311 (2 Kirkimbie Court, Farrar) Town of Palmerston including information on proposed fencing materials and their capacity to address noise transmission between the properties;
- provision of vegetation along the boundary between the site and Lot 8311 (2 Kirkimbie Court, Farrar) Town of Palmerston;

- additional perspective drawings from the park at the rear of the site and from the neighbouring site at Lot 8311 (2 Kirkimbie Court, Farrar) Town of Palmerston; and
- further information detailing what special circumstances pertain to the site or the proposed development which would justify proposed density reduction.

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) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Kirkimbie Court and Inverway Circuit.

Further information on what special circumstances exist to justify variation to clause 7.1.1 (Residential Density Limitations) of the NT Planning Scheme will enable the Authority to consider the proposal against concerns of the local residents;

Further information on the retaining wall will allow the Authority to consider the proposed method of stormwater management on the site with respect to physical and drainage characteristics of the land;

Provision of further landscaping along the proposed fencing between the subject site and Lot 8311 (2) Kirkimbie Court, Town of Palmerston and additional information including perspectives and further information on the proposed fencing detail is required to address submitters' concerns relating to noise transmission and the impact of the proposed wall and fencing on the amenity of the neighbouring properties.

It is anticipated that the requirement for amended roof design between unit 4 and 3 will enable the development to maintain its high energy efficiency rating.

ACTION: Advice to Applicant

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



PETER MCQUEEN
Chairman

22/10/12