

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 166 – WEDNESDAY 20 AUGUST 2014

BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON

MEMBERS PRESENT: Denis Burke (Chairman), Steve Ward, Heather Malone, Paul Bunker and Andrew Byrne

APOLOGIES: Nil

OFFICERS PRESENT: Nicole Negrete (A/Secretary), Deborah Curry, George Maly and Leonie Hill (Development Assessment Services)

COUNCIL REPRESENTATIVE: Wendy Smith

Meeting opened at 9.15 am and closed at 12.00 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 **2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**
PA2014/0428 **LOT 11295 (23) POLGLASE CIRCUIT, TOWN OF PALMERSTON**
APPLICANT **GL TOWN PLANNING**

Chris Cheung (GL Town Planning) attended.

Wendy Smith (City of Palmerston) attended.

RESOLVED
121/14

That, the Development Consent Authority vary the requirements of Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 11295 (23) Polglase Circuit, 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 the endorsement of plans and prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the DLRM website: <http://lrm.nt.gov.au/soil/management>
2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston 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

3. Works carried out under this permit shall be in accordance with the 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 and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.

5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston 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.
8. 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.
9. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;Car spaces and driveways must be kept available for these purposes at all times.
10. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

14. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
15. Storage for waste disposal bins is to be provided to the requirements of 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 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 RECOMMENDATION:

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 for 2 x 3 bedroom multiple dwelling in a single storey building. It is considered that the proposed development is consistent with the purpose of Zone MD as it will provide a variety of housing options for potential residents of Johnston.
2. A variation to Clause 7.5 (Private Open Space) for Unit 1 is granted as the private open space:
 - is in excess of 45m²;
 - is of a size adequate for domestic purposes, as a verandah, pool and grassed area has been provided;
 - is directly accessible from the lounge room and therefore it is considered to be appropriately sited; and
 - takes into consideration the adjoining neighbours' concerns regarding noise and privacy.

3. 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 land parcel is within the suburb of Johnston. The site has an area of 874m², is regular in shape and has dual street frontages to Polglase Circuit.
- The site is currently vacant land that has been cleared as part of Stage 2B6 of Johnston residential subdivision. Provided stormwater is managed to Council's satisfaction and an Erosion and Sediment Control Plan is implemented to the satisfaction of the consent authority, the land is considered capable of supporting the development as proposed.

ACTION: Notice of Consent and Development Permit

ITEM 2 **SHED AND CARPORT ADDITIONS TO AN EXISTING SINGLE DWELLING WITH A REDUCED SIDE SETBACK**
PA2014/0443 **LOT 4487 (5) SQUATTER ROAD, TOWN OF PALMERSTON**
APPLICANT **ONE PLANNING CONSULT**

Israel Tshepo Kgosiemang (One Planning Consult), Terry Reichstein (Land owner) attended

Anthony and Sarah Gotch (Submitters) attended

Wendy Smith (City of Palmerston) attended.

RESOLVED
122/14

That, pursuant to section 53(c) of the Planning Act, the Development Consent Authority refuse to consent to the application to develop Lot 4487 (5) Squatter Road, Town of Palmerston for the purpose of a shed and carport additions to an existing single dwelling with a reduced side setback for the following reasons:

REASONS:

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 site has an area of 4280m² and was formed as part of a rural residential subdivision where lots were integrated in terms of size, site orientation, building and access, consistent with rural residential uses. In order to ensure the residential amenity of the dwellings is maintained, the setback to each boundary required under Clause 6.11 is not to be varied except in extenuating circumstances.
2. A variation to clause 6.11 (Garages and Sheds) of the NT Planning Scheme for a reduced side setback of 3.0m where 5m are required by the Scheme, is not granted as:

- the shed's height, its relatively large footprint of 218.5m² and its 23m length will result in building massing when viewed from the neighbouring (affected) lot;
 - the proposed location of and access to the shed along the affected side will necessitate the removal of the existing vegetation which would screen the proposed shed from neighbour's view;
 - a reduced setback also limits the opportunity for the provision of additional vegetation along the western side boundary that would screen the shed from neighbour's view;
 - there appears to be adequate room on-site to build the shed without a side setback reduction;
 - the affected neighbour has objected to the reduced setback citing concerns over the potential loss of amenity;
 - there were no other constraints such as easements, irregularities of the parcel boundaries or any other circumstance which would preclude the proposal's compliance with the requirements of clause 6.11 (Garages and Sheds) of the Scheme; and
 - despite the reasons in support of the proposed variation listed in the application, no special circumstances have been provided in the application.
3. It is considered that there are no constraints such as easements, irregularities of the parcel boundaries or any other special circumstance (in accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority) which would preclude the proposal's compliance with the requirements of clause 6.11 (Garages and Sheds) of the Scheme.

ACTION: Notice of Refusal

ITEM3
PA2014/0489
APPLICANT

12 X 3 BEDROOM MULTIPLE DWELLINGS IN 6 X 1 STOREY BUILDINGS
LOT 11290 (4) GAYLER COURT, TOWN OF PALMERSTON.
RAW DESIGNS

Robert Watt (Raw Designs), Israel Tshepo Kgosiemang (One Planning Consult) attended

Wendy Smith (City of Palmerston) attended

Israel Tshepo Kgosiemang (One Planning Consult) tabled amended plans

RESOLVED
123/14

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setback of 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 11290 (4) Gayler Court, Town of Palmerston for the purpose of 12 x 3 bedroom multiple dwellings in 6 x 1 storey buildings, subject to the following conditions:

CONDITION PRECEDENT

1. 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. The plans must be generally in accordance with the plans submitted with the application but modified to include and show:
 - a) a detailed fencing plan including not more than two types of fencing for the development;
 - b) powder coated good neighbour fencing between each private open space area; and
 - c) elevations showing proposed building levels and natural ground levels of the site.
2. Prior to the 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.
3. Prior to the endorsement of plans and commencement of works Erosion and Sediment Control Plan (ESCP), is developed by a suitably qualified and experienced professional in erosion and sediment control planning and approved prior to the commencement of any works, and on the advice of the Department of Land Resource Management and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority. The Department of Land Resource Management advises that the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP.

CONDITIONS:

4. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority and approval to carry out works shall be obtained prior to the commencement of construction, 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 services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

15. Storage for waste disposal bins is to be provided to the requirements of 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 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 RECOMMENDATION

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 for 12 x 3 bedroom multiple dwellings in 6 x 1 storey buildings. It is considered that the proposed development is consistent with the purpose of Zone MD as it will provide a variety of housing options for potential residents of Johnston.
2. A variation to Clause 7.3 (Building Setbacks for Residential Buildings) is granted as:
 - only a small portion of Unit 12 encroaches into the relevant setback and thus no building massing is anticipated as a result of this setback reduction;
 - the development of the site is constrained by the three road frontages; and
 - significant landscaping along the all boundaries will ensure privacy for the residents of the site and the area generally.
3. 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 3,830m², is irregular in shape and has three street frontages, Farrar Boulevard, Polglase Circuit and Gayler Court. Access is proposed to be off Gayler Court. The site

has been cleared, is undeveloped and is generally flat. Provided that an ESCP is developed and implemented, and stormwater is appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system, the land is considered capable of supporting a multiple dwelling development.

ACTION: Notice of Consent and Development Permit

**ITEM4
PA2013/0900
APPLICANT**

**SUBDIVISION TO CREATE 2 LOTS
LOT 6956 (21) SURCINGLE DRIVE, TOWN OF PALMERSTON
MASTERPLAN NT**

Nigel Bancroft (MasterPlan NT), Alfie Wong (Land owner) attended

Wendy Smith (City of Palmerston) attended

**RESOLVED
124/14**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 6956 (21) Surcingle Drive, Town of Palmerston, for the purpose of a subdivision to create 2 lots, subject to the following conditions:

PRECEDENT CONDITIONS:

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge 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 indicate how stormwater will be collected on both lots and appropriately discharged.
2. Prior to the endorsement of plans and prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning to the requirements of and on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority. The plan should detail the extent of cut and fill required for the construction of access to proposed Lot B and methods and treatments for minimising erosion and sediment loss from the site during the subdivisional, construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP.

GENERAL CONDITIONS:

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

4. All existing and proposed easements and sites for existing and required utility services, including roads, must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General. Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to the City of Palmerston and/or neighbouring property owners.
5. 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.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity, sewerage, water and telecommunications to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation.
7. 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.
8. No access shall be permitted to the subject Lot from the 80 metre wide road reserve (Weddell Arterial) adjoining the western boundary of the lot. All access arrangements should be via the internal local road network (Surcingle Drive) to the standards and approval of the City of Palmerston.
9. Where unfenced, the frontage to the 80 metre wide road reserve adjoining the western boundary of the lot, is to be appropriately fenced in accordance with the Department of Transports' standards and requirements to deter unauthorised vehicular and/or pedestrian movement.
10. 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.
11. Before issue of title for the new lots and pursuant to section 34 of the Land Title Act, a Caution Notice shall be lodged with the Registrar-General on the affected parcel (containing the battle-axe access) to include the following advice: "Additional cost may be incurred with the installation of services to this allotment". Evidence of a Notice on the newly created parcel at the rear of the site shall be provided to the satisfaction of the consent authority.
12. Before issue of titles and pursuant to section 34 of the Land Title Act, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to state that: "This lot is close to the mangrove margin and will likely be exposed to high levels of mosquitos and biting midges from time to time". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

NOTES:

1. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure
3. The current vacuum sewer system in Surcingle Drive has limited capacity and hence the developer will be required to contribute to upgrades of the sewer system. The developer will be required to contribute \$19,800.00 for their proposed development. Under this cost, PWC will provide an additional sewer service to the boundary of the proposed subdivision.
4. The subdivision should conform to applicable sections of the Medical Entomology (Department of Health) guideline 'Guidelines for preventing biting insect problems for new rural residential developments or subdivisions in the Top End of the NT'.
5. Any proposed work within, or impacting upon the 80 metre wide road reserve adjoining the western boundary of Lot 6956 should be in accordance with the standards and specifications of the Department of Transport. Design documents must be submitted to the Road Network Division for Road Agency Approval and no works are to commence prior to approval.

REASONS FOR RECOMMENDATION:

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 proposal generally meets the requirements of Part 5 (Subdivision) of the Northern Territory Planning Scheme and the proposed lots would be of a size that could independently continue the current land use of rural residential living in accordance with the provisions of the RR (Rural Residential) zone of the NT Planning Scheme.
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 is 1.18ha in area, is irregular in shape and has street frontage to Surcingle Drive, Marlow's Lagoon. The site is currently developed for rural residential purposes. The constraints on the site include a potential

waterlogged access which can be addressed via engineering methods as with stormwater methods. Potential effects of biting insects will be addressed via a caution notice, to ensure the purchasers are aware of the risk of biting insects and the future Weddell arterial, and the costing of electrical installation onsite.

ACTION: Notice of Consent and Development Permit

ITEM 5 **EXTENSIONS TO AN EXISTING WAREHOUSE**
PA2014/0438 **SECTION 5655 (47) MARJORIE STREET, TOWN OF PALMERSTON**

APPLICANT **TAILOR-MADE BUILDING SERVICES PTY LTD**

Tailor Made, Ray Somerville, David Page, (Tailor-Made Building Services pty ltd) and Shawn James (MMC) attended

Wendy Smith (City of Palmerston) attended

RESOLVED
125/14

That the Development Consent Authority determine, in accordance with Clause 6.5.1(3) (Parking Requirements) of the NT Planning Scheme, that the provision of 35 car parking spaces is adequate for the proposed development and vary the requirements of Clauses 6.1 (General height Control) and 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 5655 (47) Marjorie Street, Hundred of Bagot for the purpose of an extension to an existing warehouse, subject to the following conditions:

CONDITION PRECEDENT:

1. Prior to the endorsement of plans and prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation) amended site plans must be submitted to the satisfaction of the Development Consent Authority on the advice of the Department of Health. These plans must clearly show the proposed wastewater treatment system, including tanks and effluent disposal locations, with all setback requirements taken into consideration, as per the Code of Practice for Small Onsite Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent.

GENERAL CONDITIONS:

3. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. All proposed work affecting the Tiger Brennan Drive road reserve is to be designed, supervised and certified on completion by a Chartered Professional Civil Engineer in accordance with the standards and specifications of the Department of Transport to the satisfaction of the consent authority.
7. Access to the site shall be provided from Marjorie Street to the requirements and standards of the City of Palmerston to the satisfaction of the consent authority.
8. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Department of Lands Planning and the Environment and/or the Department of Transport and/or the City of Palmerston to the satisfaction of the consent authority.
9. Dryland grassing shall be established on the Tiger Brennan verge fronting the development and shall be undertaken to the Department of Transport's standards to the satisfaction of the consent authority where works impact on the road reserve.
10. Before the use 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. Where unfenced, the Tiger Brennan frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction to the consent authority.
13. Where on-site effluent treatment and disposal methods are used in this development, these systems must comply with the "Code of Practice for Small On-Site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent". Where it is determined that in accordance with the Code, a

traditional septic system cannot be installed, an alternative septic system shall be provided to the satisfaction of Department of Health and Families.

14. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (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.
15. Soil erosion control and dust 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 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.
2. The consent authority may extend the periods referred to if a request is made in writing before the permit expires. 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. A "Permit to Work Within a Road Reserve" may be required from the Department of Infrastructure before commencement of any work within the road reserve. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - (a) so as not to create sun or headlight reflection to motorists; and
 - (b) be located entirely (including foundations and aerially) within the subject lot.Advertising signage, either permanent or temporary i.e.: 'A frame, vehicle or trailer mounted etc. shall not be erected or located within the Tiger Brennan road reserve.
4. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Tiger Brennan traffic.

REASONS:

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 applicant has advised that the proposed tenant for the workshop will use the workshop for servicing large mining vehicles. As such the proposal is considered consistent with the purpose of Zone GI (General Industry) as it will positively contribute to the future economic development of the Territory by providing services to the mining industry.

In accordance with Clause 6.5.1(3) (Parking Requirements), the consent authority is to determine the number of car parks required by an undefined use. The land is to be used and developed for the of 'Heavy Vehicle Maintenance and Servicing', and the provision of 35 car parking spaces is determined to be adequate given that the development is not expected to generate a significant demand for parking in the area.

2. A variation to Clause 6.1.1 (General Height Control) of the Scheme to allow the warehouse to have a height in excess of 8.5m is granted as:

- the site is relatively large and is zoned for industrial uses;
- the development will not be seen from public areas as the workshop is located at the rear of the site;
- the building height is well articulated when viewed from all boundaries; and
- the crane is unlikely to impact on the amenity of the area; and
- no submissions were received under Section 49 of the Planning Act.

Furthermore the proposal is considered consistent with the anticipated uses within the zone.

3. A variation to Clause 9.1.1 (Industrial Setbacks) of the Scheme to allow a side setback of 3m where 5m is required is granted as:

- the site is of a large industrial nature;
- the development is not able to be seen from public views as the workshop is located at the rear of the site;
- the building height is well articulated when viewed from all boundaries; and
- the crane is unlikely to impact on the amenity of the area; and
- no submissions were received under Section 49 of the Planning Act.

4. 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 6930m², is regular in shape and has street frontage to Marjorie Street. The site is cleared. Provided that an ESCP is development and implemented and stormwater is

appropriately managed on site without impacting on surrounding areas no adverse impact on the surrounding land is anticipated.

ACTION: Notice of Consent and Development Permit

ITEM 6 **SUBDIVISION TO CREATE THREE LOTS**
PA2014/0275 **LOT 5694 (1) MANNIKAN COURT, TOWN OF PALMERSTON**

APPLICANT **FABCOT PTY LTD**

Graeme Jones (Fabcot Pty Ltd) attended

Sue Mckinnon (submitter) attended

Wendy Smith (City of Palmerston) attended

RESOLVED
126/14

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 5694 (1) Mannikan Court, Town of Palmerston for the purpose of a subdivision to create 3 lots 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 drawings demonstrating compliance with Clause 13.2 (Land Adjacent to main Roads) of the NT Planning Scheme;
- Written confirmation from the Department of Transport that proposed access from Chung Wah Terrace and Lambrick Avenue meets their requirements; and
- Written confirmation from the City of Palmerston that access from Mannikan Court meets their requirements.

ACTION: Notice of Deferral

ITEM 7 **SHOPS, RESTAURANT AND A SERVICE STATION**
PA2014/0275 **LOT 5694 (1) MANNIKAN COURT, TOWN OF PALMERSTON**

APPLICANT **FABCOT PTY LTD**

Graeme Jones (Fabcot Pty Ltd) attended

Sue McKinnon (submitter) attended

Wendy Smith (City of Palmerston) attended

RESOLVED
127/14

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 5694 (1) Mannikan Court, Town of Palmerston for the purpose of a subdivision to create 3 lots 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 drawings demonstrating compliance with Clause 13.2 (Land Adjacent to main Roads) of the NT Planning Scheme;
- Written confirmation from the Department of Transport that access from Chung Wah Terrace meets their requirements; and
- Written confirmation from the City of Palmerston that access from Mannikan Court and Lambrick Avenue meets their requirements.

ACTION:

Notice of Deferral

ITEM 8 **CHILDCARE CENTRE AND COMMERCIAL USES PLUS 6 X 1, 24 x 2 AND 6 x 3 BEDROOM SERVICED APARTMENTS WITH 6 x 1, 18 x 2 AND 6x3 BEDROOM MULTIPLE DWELLINGS IN 1X1 AND 2 x 4 STOREY BUILDINGS**
PA2014/0467 **LOT 10281 (127) FLYNN CIRCUIT, TOWN OF PALMERSTON**

APPLICANT **ELTON CONSULTING**

Martin Klopper (Elton Consult) Attended

Martin Klopper (Elton Consult) tabled a photo of the proposed site,

RESOLVED
128/14

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 10281 (127) Flynn Circuit, Town of Palmerston for the purpose of a childcare centre and commercial uses plus 6 x 1, 24 x 2 and 6 x 3 bedroom serviced apartments with 6 x 1, 18 x 2 and 6 x 3 bedroom multiple dwellings in 1 x 1 and 2 x 4 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 drawings demonstrating:

- Compliance with Clause 6.5.1 (Parking Requirements) of the Scheme;
- Compliance with Clause 6.5.3 (Parking Layout) of the Scheme. Plans are to include annotations of internal driveway width, loading bay dimensions, parking space dimensions and landscaping dimensions;
- Compliance with Clause 7.1.2 (Residential Height Limitations) of the Scheme;
- Compliance with Clause 7.6 (Communal Open Space) of the Scheme;
- Compliance with Clause 8.2 (Commercial and Other Developments in Zones HR... SC... and T) of the Scheme. Amendments are to show the location of condenser units associated with the retail portion of the development and enclosure of the plant room wall opening to ensure that the proposal does not adversely impact on the residential amenity of the site or the adjoining residential uses; and
- Access to the requirements and approval of the City of Palmerston.

REASONS:

- 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 requirement for amended plans and written confirmation from the City of Palmerston confirming access to their requirements will ensure that the proposal will not prejudice the amenity of the area.

ITEM 9

**81 x 2 BEDROOM AND 4 x 3 BEDROOM MULTIPLE DWELLINGS
AND RECREATIONAL FACILITIES IN 31 SINGLE STOREY BUILDINGS
LOT 11201 (26) ANGEL ROAD, TOWN OF PALMERSTON**

PA2014/0111

APPLICANT

BELL GABBERT ASSOCIATES PTY LTD

Bell Gabbert (Bell Gabbert Associates Pty Ltd) attended

Wendy Smith (City of Palmerston) attended

K Stove, Tarryn McColley, David Hartley and (Submitter) attended.

**RESOLVED
63/14**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 11201 (26) Angel Rd, Town of Palmerston for the purpose of 81 x 2 bedroom and 4 x 3 bedroom multiple dwellings in 25 single storey buildings and require the applicant to provide the following additional information that the authority considers necessary to enable proper consideration of the application:

1. amended plans showing:

- a) Revised access to and from the site, including pedestrian access, in accordance with the requirements of City of Palmerston;
- b) sufficient detail of proposed landscaping and fencing around any proposed egress to external roads to ensure adequate sight lines are maintained for vehicles exiting the site;
- c) variation of the internal streetscapes to improve the visual amenity proposed to be characterised by rows of car ports for the residents of the site; and
- d) external fencing design (including materials) along the site's external boundary, interspersed with other design elements including visually permeable fencing, to break up the expanse of solid material and to facilitate a better integration of the site with the surrounding residential development.

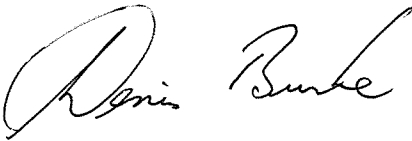
2. A schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston's stormwater drainage system approved by the City of Palmerston. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system. Calculations used in determining the Q100 flood event for the site will need to be included with the plan to demonstrate how Q100 flows

will be contained to the easement onsite and discharged to the local stormwater drainage system.

3. An Erosion and Sediment Control Plan (ESCP), developed on advice from the Department of Land Resource Management to ensure sediment laden run off does not leave the site during both the construction phase of the development. The IECA Best Practice Erosion and Sediment Control Booklets 2008 should be referenced as a guide to the type of information, detail and data that should be included in an ESCP and the Plan should detail control measures for construction phase of the proposed use including:
 - a) proposed measures to be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways; and
 - b) proposed dust mitigation measures to be implemented.

ACTION: Advice to Applicant

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



DENIS BURKE
Chairman

25/8/14