

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 160 – WEDNESDAY 19 FEBRUARY 2014

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), Doug Lesh (Session 1 only), George Maly and Leonie Hill (Development Assessment Services)

COUNCIL REPRESENTATIVE: Wendy Smith

Meeting opened at 10.45 am and closed at 11.15 am
Reopened at 12.45 pm and closed at 1.00 pm
Reopened 1.15 pm and closed at 2.15 pm

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

ITEM 1 **EARTHWORKS AND ONSITE STORMWATER DETENTION WORKS**
PA2014/0006 **LOTS 7765, 7766 & 11037 (5, 15 & 11) YARRAWONGA ROAD, TOWN OF**
PALMERSTON
APPLICANT **NESTFALL PTY LTD**

Mr Martin Klopper (Elton Consulting) attended on behalf of the applicant and tabled an amended plan

Submitter:- Mr John Venn on behalf of Super Highway Express sent his apologies.

RESOLVED That, pursuant to section 53(b) of the *Planning Act*, the Development Consent
19/14 Authority alter the proposed development and consent to the proposed development as altered to develop Lots 7765, 11037 and 7766 (5, 11 and 15) Yarrowonga Road, Town of Palmerston for the purpose of earthworks and onsite stormwater detention works, subject to the following conditions:

CONDITIONS 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 and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show the exact location of the proposed access and any haulage routes to the requirements and approval of the City of Palmerston and / or the Department of Transport to the satisfaction of the consent authority.
2. Prior to endorsement of plans and prior to commencement of works (including site preparation), the applicant is to prepare a stormwater drainage plan showing the overall ultimate stormwater drainage system for the site, the design criteria and standards adopted, and proposed stages of the overall drainage system, to the requirements of the Department of Transport and/or City of Palmerston as the case may be, to the satisfaction of the consent authority. The stormwater drainage plan shall include an assessment of the potential increased stormwater run-off based on the full development potential of the catchment area(s), and impact on the existing downstream stormwater drainage systems. The assessment report must identify upgrades and/or retention facilities required to accommodate flows for each proposed stage of development of the overall stormwater drainage system.
3. Prior to the commencement of works a Construction Traffic Management Plan (detailing all appropriate site management measures, including construction access, proposed haulage routes, vehicles types, protection of existing assets,

protection of public transport access and a risk assessment) should be submitted to and approved by the Department of Transport to the satisfaction of the consent authority.

4. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management and the City of Palmerston, and an endorsed copy of the Plan will form part of this permit. 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.
5. Prior to the commencement of works and for the duration of works the area of the site located within Zone PS (Public Open Space) of the Scheme is to be marked to delineate the zone and fenced off so as to ensure that no site preparation works impact on the land within this zone to the satisfaction of the consent authority.

GENERAL CONDITIONS

6. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
7. 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.
8. 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.
9. All proposed work affecting the Stuart Highway and / or the Roystonea Avenue road reserves shall 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.
10. All works within or impacting upon the Yarrowonga Road road reserve should be to the standards and requirements of the City of Palmerston excluding any part of the Roystonea Avenue / Yarrowonga Road and the Stuart Highway / Yarrowonga Road intersections.
11. Access to the site for the proposed earth and stormwater detention works is not permitted from the Stuart Highway or Roystonea Avenue road reserves.

12. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets to the satisfaction of the Department of Transport.
13. Any area of the verges fronting the development site disturbed by or as a result of the proposed works should be rehabilitated to the standards and requirements of the Department of Transport.
14. 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 and / or the Department of Transport, to the satisfaction of the consent authority.
15. 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.
16. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
17. Dust control measures must be employed throughout the construction stage and for the duration of the development, to the satisfaction of the consent authority on the advice of the NT Environment Protection Authority.
18. Stormwater emanating from the site and adjoining road reserves is to be collected in accordance with the technical standards of the City of Palmerston and Road Network Division, Department of Transport and discharged into the downstream drainage networks to the technical standards of and at no cost to City of Palmerston or Department of Transport to the satisfaction of the consent authority.
19. The clearing, excavation and fill of the land should not be detrimental to the drainage of the Stuart Highway or Roystonea Avenue road reserves through the blocking of offlet drains, natural drainage channels or overland flow to the to the satisfaction of the Department of Transport.

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. 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.
4. 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 ie: 'A frame, vehicle or trailer mounted etc shall not be erected or located within the road reserve.

5. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway or Roystonea Avenue traffic.

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 primary purpose of Clause 6.16 (Excavation and Fill) of the Scheme is to ensure that excavation and fill does not adversely affect adjacent land or waters, or the quality of adjacent waterways, and associated riparian areas and is suited to the intended future use of the site.

The works will be limited to the portion of the site which is zoned SC (Service Commercial). The proposed earthworks and onsite stormwater detention works will prepare the site for redevelopment in the future.

Hyder Consulting have advised that preliminary drainage works to connect Yarrowonga Road to the existing drainage channel on the northern boundary of the site would ensure that stormwater flows from external catchments are maintained through the site in accordance with pre development condition and as such works would not be expected to have any measurable impact on peak flows downstream of the site.

The propose sediment and erosion control measures include a sediment basins. Hyder Consulting Pty has advised in their Hydrological Statement that the basin would, in many storm events, perform a detention function which would reduce peak discharge from the site.

In regards to erosion and sediment control there are no medical entomology comments as temporary ponding areas in development sites

away from tidal areas do not usually become mosquito breeding sites until semi-aquatic vegetation colonises the ponding area. The sediment basins are well designed in terms of preventing potential mosquito breeding.

It is therefore considered that the proposed development is in accordance with the purpose of Clause 6.16 (Excavation and Fill) of the Scheme.

2. Pursuant to Section 49 of the *Planning Act*, the consent authority must take into consideration any submissions in relation to the development application.

In consideration of the submission received from John Venn, on behalf of Super Highway Express Pty Ltd the authority considers that the application is for earthworks and onsite stormwater detention works.

The majority of the site is in Zoned SC (Service Commercial) a small portion of the boundary is in Zoned PS (Public Open Space). Whilst there are no permitted uses for land within Zone PS it is noted that showroom sales is a permitted use within Zone SC and the land could be developed without further approvals for sport and recreation as per Clause 1.3 (Exceptions) of the Scheme.

The applicant has advised that the proposal involves works which are not specific to any particular development however notes that the works will enable the future redevelopment of the site. As per page 4 of the statement of effect the application only involves work on land which is in Zone SC (Service Commercial). No works are proposed to be undertaken on land within Zone PS (Public Open Space).

The requirement for the inclusion of condition 4 to ensure that Zones PS (Public Open Space) and SC (Service Commercial) to be clearly delineated and fenced on site prior to the commencement of works and through the duration of works will ensure that no site preparation works adversely impact on the land within Zone PS

ACTION: Notice of Consent and Development Permit

ITEM 2 20 X 2 & 3 X 3 BEDROOM MULTIPLE DWELLINGS IN 7 SINGLE STOREY
PA2013/1027 BUILDINGS
APPLICANT LOT 8357 (100) FARRAR BOULEVARD, TOWN OF PALMERSTON
BELL GABBERT ASSOCIATES

Mr Mark Bell (Bell Gabbert Associates) attended.

**RESOLVED
20/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 8357 (100) Farrar Boulevard, Town of Palmerston for the purpose of 20 x 2 and 3 x 3 bedroom multiple dwellings in 7 single storey buildings, subject to the following conditions:

CONDITIONS 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 and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) alternatives to fencing facing road frontages, including a mixture of solid and open spaced fencing with landscaping screening to a height of 1.8 metres.
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 commencement of works an Erosion and Sediment Control Plan (ESCP), is to be prepared 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 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.

GENERAL 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 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.
 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;
10. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
11. The bus stop outside 84 Farrar Boulevard is to be kept clear at all times, to the satisfaction of the Department of Transport.
12. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
13. 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.
14. 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.
15. 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.

16. 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.
17. 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 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 Farrar.

Furthermore, the proposal complies with the relevant provisions of the Northern Territory Planning Scheme.

2. Pursuant to Section 51(e) of the *Planning Act*, the consent authority must take into consideration any submissions made under section 49 in relation to the development application.

In consideration of the public submission the DCA noted that

- the Units are part of the Northern Territory Government’s call for Real Housing for Growth Initiative in creating more affordable accommodation;
 - as the proposal is not for a residential subdivision there is no requirement to include public open space. Furthermore, it is noted that Clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is not applicable this application as each dwelling is private with ground level access private open space. It is however noted that 3 large areas of communal open spaces has been provided and are suitable for recreational activities including children’s play;
 - as the development is for 23 multiple dwellings it is anticipated that traffic on Farrar Boulevard will increase; and
 - there are a number of multiple dwelling zoned lots on Farrar Boulevard, Farrar Boulevard is predominately zoned SD (Single Dwelling Residential) of the Scheme. As the development is considered significant the following design elements have been incorporated to soften the impact of the development when viewed from the street:
 - the dwellings have been setback into the site; and
 - a large area of communal open space which includes landscaping has been provided as a buffer between the development and Farrar Boulevard.
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.

Provided that an ESCP is approved and implemented during both the construction and operational phase of the development and the collection and discharge of stormwater is managed to Council’s satisfaction, the proposal is considered likely to positively contribute to the future amenity of the locality.

ACTION: Notice of Consent and Development Permit

ITEM 3 **13 X 2 & 1 X 3 BEDROOM MULTIPLE DWELLINGS IN 5 SINGLE STOREY**
PA2013/1028 **BUILDINGS**
LOT 8070 (89) FARRAR BOULEVARD, TOWN OF PALMERSTON
APPLICANT **BELL GABBERT ASSOCIATES**

Mr Mark Bell (Bell Gabbert Associates) attended.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.1.1
21/14 (Residential Density Limitations) and 7.3 (Building Setbacks of Residential Buildings)
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 8070 (89) Farrar Boulevard, Town of Palmerston for the purpose of 13 x

2 and 1 x 3 bedroom multiple dwellings in 5 single 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 and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) the removal of sheds over drainage easements, and
 - (b) alternatives to fencing facing road frontages, including a mixture of solid and open spaced fencing.
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 commencement of works an Erosion and Sediment Control Plan (ESCP), is to be prepared 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 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.

GENERAL 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 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.
9. 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;
11. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
12. The bus stop outside 84 Farrar Boulevard is to be kept clear at all times, to the satisfaction of the Department of Transport.
13. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
14. 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.
15. 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.
16. 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.

17. 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.
18. 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 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 future residents of Farrar.

2. A variation to Clause 7.1.1 (Residential Density Limitations) is supported as:
 - there is a minor 1.67% shortfall in the density requirements,
 - the lot is of an irregular dimension,
 - in addition to private open space the development provides communal open space with is not a requirement for dwellings with ground floor access to private open space, and

- the density is compatible with the existing and planned provision of reticulated services as no objections were received from the relevant service authorities.
3. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme can be supported as:
 - only a small portion of the verandah encroaches into the required setback due to the unusual shape of the site,
 - the single storey appearance of the verandah will not result in building massing when viewed from the street;
 - the proposed verandah is opened sided and as such will encourage breeze penetration throughout the site; and
 - solid and semi-solid fencing has been provided to ensure privacy of the residents of Unit 11.
 4. Pursuant to Section 51(e) of the *Planning Act*, the consent authority must take into consideration any submissions made under section 49 in relation to the development application.

In consideration of the public submission the DCA noted that

- the Units are part of the Northern Territory Government's call for Real Housing for Growth Initiative in creating more affordable accommodation;
 - as the proposal is not for a residential subdivision there is no requirement to include public open space. Furthermore, it is noted that Clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is not applicable this application as each dwelling is private with ground level access private open space. It is however noted that 3 large areas of communal open spaces has been provided and are suitable for recreational activities including children's play;
 - as the development is for 14 multiple dwellings it is anticipated that traffic on Farrar Boulevard will increase; and
 - there are a number of multiple dwelling zoned lots on Farrar Boulevard, Farrar Boulevard is predominately zoned SD (Single Dwelling Residential) of the Scheme. As the development is considered significant the following design elements have been incorporated to soften the impact of the development when viewed from the street:
 - the dwellings have been setback into the site; and
 - a large area of communal open space which includes landscaping has been provided as a buffer between the development and Farrar Boulevard and the development and Pumpa Court.
5. 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.

Provided that an ESCP is approved and implemented during both the construction and operational phase of the development and the collection and discharge of stormwater is managed to Council's

satisfaction, the proposal is considered likely to positively contribute to the future amenity of the locality.

ACTION: Notice of Consent and Development Permit

ITEM 4 **CARPORT ADDITION TO EXISTING SINGLE DWELLING WITH REDUCED**
PA2013/1016 **FRONT SETBACK**
APPLICANT **LOT 7554 (26) MACADAM PLACE, TOWN OF PALMERSTON**
BENCH MARKETING SERVICE PTY LTD

Ms Wendy Hutchinson (Bench Marketing Service Pty Ltd) attended.

RESOLVED
22/14

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 7554 (26) Macadam Place, Town of Palmerston for the purpose of a carport addition to an existing single dwelling with a reduced front setback, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2013/1016/01 and 2013/1016/02 endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
3. 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.
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.

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. 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.

REASONS FOR THE DECISION

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

A variation to Clause 7.3 (Setbacks of Residential Buildings) of the Scheme can be supported as:

- the shape of the boundary is unusual;
- the area of setback encroachment is restricted to a small portion of the front boundary;
- the open sided nature of the carport will encourage breeze penetration through the site;
- the single storey and open sided appearance of the carport will not result in building massing when viewed from Macadam Place or the neighbouring property; and
- the reduced setback is unlikely to have any adverse impact on the streetscape as a result of the front fencing and vegetation surrounding all boundaries, and the street vista terminating at the end of the cul-de-sac.

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.

Located within the suburb of Gunn the subject site has an area of 808m², is irregular in shape and has street frontage to Macadam Place. The site is currently developed for residential purposes.

Provided that stormwater will be appropriately managed on site without impacting on the adjoining lot and disposed of into Council's stormwater drainage system, no adverse impact on the surrounding land is anticipated.

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2014/0002

APPLICANT

6 X 2 & 5 X 3 BEDROOM MULTIPLE DWELLINGS IN 4 X 2 STOREY BUILDINGS
PART LOT 10974 FARRAR BOULEVARD (PROPOSED LOT 11248) (26) LIND
ROAD, TOWN OF PALMERSTON
ZEST HOMES

Mr David Anthony (Zest Homes) attended.

RESOLVED
23/14

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 10974 (Proposed Lot 11248) Farrar Boulevard, Town of Palmerston for the purpose of 6 x 2 and 5 x 3 bedroom multiple dwellings in 4 x 2 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 and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) alternatives to the private open space fencing, including a mixture of solid and open fencing, and
 - (b) further variation to the carport rooflines.
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 to be prepared 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 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.

GENERAL 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.
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 balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
15. 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.
16. 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.
4. 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.

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 option for potential residents of Johnston.

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.

Once formalised the site will have an area of 3428m², will be irregular in shape and will have 2 street frontages (Lind Road and Camm Street). Access is proposed to be off the Lind Road (primary street frontage). The site has been cleared and is undeveloped. The site slopes towards the eastern side boundary.

The site is within a residential suburb that is currently being developed. 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 the development as proposed.

ACTION: Notice of Consent and Development Permit

**ITEM 6
PA2014/0013**

**8 X 2 BEDROOM & 6 X 3 BEDROOM MULTIPLE DWELLINGS IN 4 X 2 STOREY BUILDINGS
PART LOT 10974 FARRAR BOULEVARD (PROPOSED LOT 1288) (8) CAMM STREET, TOWN OF PALMERSTON
ZEST HOMES**

APPLICANT

Mr David Anthony (Zest Homes) attended.

**RESOLVED
24/14**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory 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 10974 (Proposed Lot 11288), Farrar Boulevard, Town of Palmerston, for the purpose of 8 x 2 bedroom and 6 x 3 bedroom multiple dwellings in 4 x 2 storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. 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.

- (a) alternatives to the private open space fencing, including a mixture of solid and open fencing, and
 - (b) further variation to the carport rooflines.
2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show a swimming pool and playground.
 3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, 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. 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.

GENERAL 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 balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.

15. 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.

16. 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.
4. 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.

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 option for potential residents of Johnston.

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow the verandah of Unit 1 to be setback 2.2m where 3 m is required for the secondary street is granted as:
 - the site has an unusual shape with 2 street frontages;
 - Unit 6 is located on a corner of Farrar Boulevard and Camm Street and as such no adverse effects of building massing are anticipated; and
 - landscaping has been provided to soften the impact of the development when viewed from the street.
3. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow Unit 6 to be setback 4.5m where 6.0m is required for the primary street is granted as:

- the site has an unusual shape with 2 street frontages;
 - Unit 6 is located on a corner of Farrar Boulevard and Camm Street and will present as a single dwelling. It is therefore anticipated that there will be no adverse effects of building massing when viewed from the street; and
 - landscaping has been provided to soften the impact of the development when viewed from the street.
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.

Once formalised the site will have an area of 4217m², will be irregular in shape and will have street frontages to Farrar Boulevard and Camm Street (Street Road No 3). Access to the site is proposed off the secondary street. The site has been cleared, is undeveloped and has a gentle slope towards the secondary street frontage.

The site is within a residential suburb that is currently being developed. Provided that stormwater is appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system and Erosion and Sediment Control measures are implemented, the land is considered capable of supporting the development as proposed.

ACTION: Notice of Consent and Development Permit

ITEM 7
PA2013/1012
APPLICANT

SUBDIVISION TO CREATE 79 LOTS
LOT 11738 (270) RADFORD ROAD, TOWN OF PALMERSTON
URBEX NO106 PTY LTD

Mr Aidan Geaney (Urbex), Mr Andrew Bartington (Urbex) and Ms June D'Rozario (June D'Rozario & Associates) attended.

RESOLVED
25/14

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 Lot 11738 (270) Radford Road, Town of Palmerston for the purpose of a subdivision to create 79 lots, subject to the following conditions:

CONDITIONS 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 and two copies must be provided. The plans must be generally in accordance with the plans submitted

with the application but modified to show no lots will be subject to Q100 inundation to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Access and Building Envelope Plan Sheet 2 of 6 is to be amended to show Lots 250 & 251 having no access from the secondary collector road to the south of the site and proposed alternative access is to be to the satisfaction of the City of Palmerston, and
 - b) Park and Pedestrian Links plan is to be amended to show more detail around the pedestrian linkages interface with Zuccoli Parade and the ingress to the commercial centre as this will demonstrate the linkages interaction with the broader network.
3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared to the requirements of an independent suitably qualified professional and 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. 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.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. All existing and proposed easements and sites for existing and required utility services 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.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, and telecommunication networks to each lot 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. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
9. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin
others as appropriate.
10. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
11. Landscaping and development of open space and streets/roads shall be designed and constructed to the requirements of the Department of Transport, the Department of Land Resource Management, and the City of Palmerston to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
12. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Palmerston to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
13. The developer is required to undertake all reinstatement and remediation works to any areas allocated for open space and for conservation disturbed during the construction period.
14. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT (Department of Land Resource Management/ Northern Territory Fire and Rescue Services).

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - a) the development and use is/are not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.
The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au)

should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of 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.
4. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities
5. "All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>."

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 proposal is generally in accordance with the requirements of the SP9 Specific Use Zoning, having an average size and dimension of the mixed use dwelling lots in accordance with the SP9 Zoning of the NT Planning Scheme. The development has a mixture of smaller lots ranging up to larger lots to assist with the diversity of the housing market.

2. Amended plans are required to address concerns over:
 - Erosion and Sediment Controls,
 - WSUD bio-retention basins and stormwater management concerns,
 - Vegetation buffer areas to the Mitchell Creek tributary,
 - Multiple dwelling lot accesses, and
 - Pedestrian linkages.
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.

Key land constraints and their impact on residential development have largely been addressed through the SP9 Zoning which has been created to reflect or take advantage of the topography of the site and its constraints. In consequence the majority of the land comprises of land unit 1c and unit 2a1 both of which are considered suitable for residential purposes as soils in these areas are generally unconstrained in terms of drainage. Both land units are also characterised by relatively shallow soils. The impacts of subdivision works and particularly land clearing must therefore be carefully controlled to prevent loss of topsoil and the associated sedimentation of the creek lines.

The land subject to this application is not constrained by acid sulphate soils and is well away from storm surge zones. The land also lies outside of any defined flood areas though the drainage floor of the creek line along northern boundary is seasonally inundated.

Provided stormwater flows and quality and the associated sediment displacement and erosion is effectively controlled the land is considered capable of accommodating residential subdivision as proposed.

4. Pursuant to section 51(k) of the *Planning Act*, the consent authority must take into consideration the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer.

The proposal provides extensive areas of designated public open space comprising approximately 10% of the Stage 2.1 site area. It is understood these areas will be readily accessible to the general public and will serve as an open space network, with existing and proposed trees and planting to act as a buffer between zones while providing shaded areas for seating and passive recreation.

ACTION: Notice of Consent and Development Permit

ITEM 8 **ADDITIONS TO AN EXISTING SHOPPING CENTRE INCLUDING THE**
PA2013/1009 **CONSTRUCTION OF AN UPPER LEVEL FOR OFFICES AND THE**
RECONFIGURATION OF SHOPS AT GROUND LEVEL
LOT 1219 (15) TEMPLE TERRACE, TOWN OF PALMERSTON
APPLICANT **MASTERPLAN NT**

Ms Adelle Godfrey (Masterplan NT) attended.

RESOLVED That, the Development Consent Authority reduce the carparking requirements of
26/14 Clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme
through Clause 6.5.2 (Reduction in Parking Requirements) of the Northern Territory
Planning Scheme from 81 car parks to 77 car parks and pursuant to section 53(a) of
the *Planning Act*, consent to the application to develop Lot 1219 (15) Temple
Terrace, Town of Palmerston for the purpose of additions to an existing shopping

centre including the construction of an additional level for offices, and the shops at ground level to change in use from 'shop', to 'shop', 'office' and 'medical clinic', subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2013/1009/01 to 2013/1009/08 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 and approval to carry out works shall be obtained prior to the commencement of construction, 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 services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. 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.
5. 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.
6. 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.
7. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
8. All requirements in regards to a food premises must be in accordance with the Department of Health's requirements.

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 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.

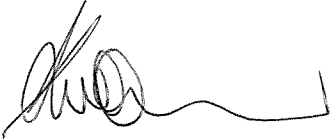
It is noted that the purpose of SP1 (Specific Use Palmerston 1) is to "facilitate the use and development of the land for the purpose of a shopping centre with ancillary services". The proposed development is for additions to the existing shopping centre and in accordance with the keeping of the zoning.

2. A reduction of car parking requirements as specified by clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to 77 car parking bays is determined in accordance with clause 6.5.2 (Reduction of Parking Requirements) of the Scheme for the proposed use as:
 - The site has an area of 28,100m² and is fully developed and additional parking cannot be provided onsite; and
 - The requirements of car spaces per use under the NT Planning Scheme are less for offices than shops to a significant degree. The proposal is not expected to exceed the current demand for carparking as the alterations require a similar amount of carparking as what is currently approved on the site in accordance with the NT Planning Scheme.
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.
There is considered to be minimal impact through the improved design of the building, and active interface treatment to the northern elevation. The proposal will achieve a great improvement to the existing built form

as it seeks upgrades to the existing building. The refurbishment of the shopping centre will also improve the visual appeal of the shopping centre to the surrounding area.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

26/12/14

