



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 153 – WEDNESDAY 17 JULY 2013

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

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

APOLOGIES: Nil

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

COUNCIL REPRESENTATIVE: Wendy Smith

Meeting opened at 9.00 am and closed at 11:30 am

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

ITEM 1 **ADDITION TO SINGLE DWELLING WITH REDUCED SIDE SETBACK**
PA2013/0397 **LOT 1409 (42) DRIVER AVENUE, TOWN OF PALMERSTON**
APPLICANT **LINDA OUWERKERK**

Mr Andre & Mrs Linda Ouwerkerk (owners) attended.

RESOLVED
71/13

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(a) of the *Planning Act*, consent to the application to develop Lot 1409 (42) Driver Avenue, Town of Palmerston for the purpose of a carport and storeroom addition to an existing single dwelling with a reduced side setback, 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;
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plan 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 plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:
 - (a) Details of the colour and finishing treatments of the blockwork wall when viewed from the neighbouring property Lot 1410 (40) Diver Avenue, Town of Palmerston and confirmation from the owners of this property that they are satisfied with the colour and finishing treatments.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the drawings numbered 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. 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

REASONS FOR THE DECISION

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

A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow a nil side setback where 1.5m is required by the Scheme is granted as:

- the single storey appearance of the development will not result in building massing when viewed from Driver Avenue;
 - the blockwork wall will be treated to the requirements of the effected neighbour (Lot 1410, (40) Driver Avenue, Town of Palmerston) so as to minimise the effects of building massing when viewed from that lot;
 - the blockwork wall will avoid any undue overlooking over the neighbouring property, Lot 1410 (40) Driver Avenue, Town of Palmerston; and
 - the owner of the effected property did not lodge an objection to the proposed development.
2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The site has an area of 810m², is regular in shape with street frontage to Driver Avenue. The site is currently developed for the purpose of a single dwelling.

Provided that stormwater is appropriately managed on site without impacting on the surrounding residential area and disposed of into Councils stormwater drainage system within Driver Avenue, the land is considered capable of supporting the development as proposed.

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 the blockwork wall is treated to the requirements of the owners Lot 1410 (40) Driver Avenue, Town of Palmerston, it is considered that the proposed development will not impact on the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 2 **SHADE SAIL ADDITION TO SINGLE DWELLING WITH REDUCED FRONT**
PA2013/0396 **SETBACK**
APPLICANT **LOT 8279 (69) INVERWAY CIRCUIT, TOWN OF PALMERSTON**
AEROSAIL ENGINEERED FABRIC STRUCTURES PTY LTD

Ms Cecilia Da Silva (Aerosail) and Mrs Amanda Huckin (owner) attended.

Mrs Huckin tabled three photos of her driveway and garage, one photo showing a house with shade sail over the driveway and an amended site plan showing the location of existing vegetation at the front of the lot.

RESOLVED
71/13

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(a) of the *Planning Act*, consent to the application to develop Lot 8279 (69) Inverway Circuit, Town of Palmerston for the purpose of a shade sail addition to an existing single dwelling with a reduced front setback for the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with the drawing numbered 2013/0396/1 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

REASONS FOR THE DECISION

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

A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow a front setback of 2.55m where 4.5m is required by the Scheme is granted as the applicant advised at the meeting and the Authority considered that:

- the shade sail would have no impact on the streetscape due to the open sided appearance of the structure and the curved nature of the Inverway Circuit;
 - the post supporting the shade sail will be staggered one post will be setback 2.55m and the other will be setback 2.95m due to the unusual shape of the street frontage;
 - the posts will be screened from view by existing landscaping; and
 - no objections were received.
2. Pursuant to Section 51(n) of the *Planning Act*, the consent authority must take into consideration the potential impact of the development on the existing and future amenity of the area in which the land is situated.

Provided that the posts are sufficiently screened by landscaping and the colours of both the posts and the fabric are sympathetic to the existing dwelling it is anticipated that the shade sail will not adversely affect the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2013/0384

**COMMUNITY CENTRE IN A SINGLE STOREY BUILDING INCORPORATING A
TEMPORARY SALES AND INFORMATION CENTRE
LOTS 11505 & 11889 (20) ROYSTONEA AVENUE & (33) PACKARD AVENUE,
TOWN OF PALMERSTON**

APPLICANT

CIC - LDC PTY LTD

Mr Jeremy Clark (CIC LDC P/L) and Mr Steve Ehrlich (MKEA) attended.

RESOLVED
73/13

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop part Lot 11889 (33) Packard Avenue, Town of Palmerston for the purpose of Community Centre in a single storey building incorporating a Temporary Sales and Information Centre, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and 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.
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 plan must show:
 - (a) details of surface finishes of pathways and driveways;
 - (b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (c) landscaping and planting within all open areas of the site; and
 - (d) provision of an in ground irrigation system to all landscaped areas.All species selected must be to the satisfaction of the consent authority.

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 the 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 and dust 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 development is not started within two years of the date of this permit; or
 - (b) The development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

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 purpose of Zone SP8 (Specific Use Zone Palmerston No. 8) of the NT Planning Scheme is to facilitate the subdivision, use and development of the land that provides for housing choice through a range of lot sizes and housing types and includes opportunities for commercial and community uses. The zone purpose also includes a community centre and as such the proposal is consistent with the purpose of Zone SP8 as the building will be partially used for community purposes before fully reverting into a community centre in 5 – 7 years.

Furthermore, it is noted that the proposal complies with the relevant provisions of the Northern Territory 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.

Provided that stormwater will be appropriately collected on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Packard Avenue without affecting the

water quality of the Lake, no adverse physical impact on the surrounding land is anticipated.

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

The development will be located next to the University Lake and is orientated to look over this area. As such it is considered that the proposed development will have a positive impact on the existing and future amenity of the area.

Furthermore, it is noted that as the proposed development will ultimately provide for communities facilities in line with the approved Master Plan and as such it is considered that the proposed development is unlikely to have any negative impact on the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 4 **2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**
PA2013/0460 **LOT 11665 (16) WARBIRD STREET, TOWN OF PALMERSTON**
APPLICANT **BELL GABBERT ASSOCIATES PTY LTD**

DAS tabled an addendum – further information and amended plans submitted by the applicant.

Mr Mark Bell (Bell Gabbert Associates Pty Ltd) attended.

RESOLVED
74/13

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout), Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.3.1 (Additional Setback Requirements) 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 11665 (16) Warbird Street, Town of Palmerston for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation works), a consolidated set of 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 include/show:
 - a) a car parking layout that better facilitates vehicles conveniently exiting the site in a forward gear;
 - b) details (including height and materials) of the dividing wall/screen separating the courtyards of the proposed dwellings; and

- c) a minimum driveway width of 6 metres (both on site and between the front boundary and the Warbird Street road carriageway).
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 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 prior to the commencement of works (including site preparation), a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan dated April 2013 and must show:
 - a) details of all surface finishes of pathways and driveways;
 - b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - c) landscaping and planting within all open areas of the site;
 - d) planting adjacent to property boundaries that may be expected to satisfactorily achieve privacy screening outcomes under Clause 7.8(2)(i) of the NT Planning Scheme;
 - e) planting between the front boundary and the car parking area that may be expected to limit the visual impact of the parking area on the streetscape, while still maintaining sight lines.
All species selected must be to the satisfaction of the consent authority.

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. 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.
6. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;
 all to the technical requirements of the City of Palmerston and at no cost to the (insert relevant Council or the Department of Lands, Planning and the Environment), to the satisfaction of the consent authority.

7. Stormwater is to be collected and discharged into the drainage network to the technical standards of, and at no cost to, the City of Palmerston, to the satisfaction of the consent authority.
8. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access to parking spaces, 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; and
 - (d) drained.Car spaces and driveways must be kept available for these purposes at all times.
9. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent Authority.
10. 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.
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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
14. Any developments on or adjacent to any easements on site must be carried out to the requirements of the relevant service Authority to the satisfaction of the consent authority.
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.
16. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

NOTES:

1. 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.
2. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.The consent Authority may extend the periods referred to if a request is made in writing before the permit expires.
3. The NT Environment Protection Agency 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 Authority must consider any planning scheme that applies to the land to which the application relates and the Northern Territory Planning Scheme (the Planning Scheme) applies to the land.

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options. The subject lot is located within a newly completed residential subdivision that includes a mix of SD (Single Dwelling Residential) and MD (Multiple Dwelling Residential) zoned lots.

The design is considered to respond satisfactorily to relevant objectives and provisions of the Planning Scheme, subject to appropriate revisions to the parking layout to improve functionality and standard development conditions as recommended.

2. Clause 6.5.3(3)(g) of the Planning Scheme requires a car parking area to be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area. The proposed landscaped areas screening the parking area have a width dimension of approximately 0.8m. A variation is granted as:
 - i. the parking area is for two dwellings only and designated parking spaces are within double garages; and

the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
6. No direct access, either for construction purposes or permanently, shall be permitted from the Forest Parade road reserve. All access shall be from the internal road network (via Haydon Street) to the standards and approval of City of Palmerston. Construction and delivery vehicles shall not be parked on the Forest Parade road reserve.
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;
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. 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.

The subdivision has only very recently been completed and the area is still being developed. The proposal is not expected to adversely impact on the existing or future amenity of adjoining properties or the locality.

7. The application was publicly exhibited in accordance with the *Planning Act* and Planning Regulations. No public or local authority submissions under section 49 of the *Act* were received.

ACTION: Notice of Consent and Development Permit

ITEM 5 WITHDRAWN

**ITEM 6
PA2013/0372
CHANGES TO THE DEVELOPMENT APPROVED DP13/0123 FOR 10 X 3
BEDROOM MULTIPLE DWELLINGS IN 4 SINGLE STOREY BUILDINGS
LOT 11544 (4) KYPREOS COURT, TOWN OF PALMERSTON
APPLICANT RAW DESIGNS**

Mr Rob Watt (Raw Designs) and Mr Israel Kgosiemang (One Planning Consult) attended.

**RESOLVED
75/13**

That, the Development Consent Authority vary the requirements of Clauses 7.3 (Building Setbacks of Residential Buildings) and 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 11544 (4) Kypreos Court, Town of Palmerston for the purpose of 10 x 3 bedroom multiple dwellings in 4 single storey buildings, subject to the following conditions:

CONDITION 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.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to

the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
6. No direct access, either for construction purposes or permanently, shall be permitted from the Forest Parade road reserve. All access shall be from the internal road network (via Haydon Street) to the standards and approval of City of Palmerston. Construction and delivery vehicles shall not be parked on the Forest Parade road reserve.
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;
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. 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. Soil erosion control measures must be employed throughout the construction stage of the development 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.

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

REASONS FOR THE DECISION

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

The 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 area.

2. In addition to the approved variations approved by Development Permit DP13/0123 a variation to Clause 7.3 (Setbacks of Residential Buildings) of the Scheme to allow:
 - units 3, 4 and 5 to be setback 2.6m from the north side boundary where 5.5m is required; and
 - units 8, 9 and 10 to be setback 5.4m from the primary street frontage where 8.5m is required
 is granted as:
 - the single storey appearance of the development and an articulated facade will not result in building massing when viewed from the neighbouring lot (lot 11543 (6) Kypreos Court, Town of Palmerston) and Forrest Parade Road;
 - a mix of Colorbond privacy fencing, pool fencing and landscaping has been provided to the affected boundaries and therefore no issues of undue overlooking of adjacent properties is anticipated;
 - spaces between buildings and thoroughfares coupled with articulated walls provide some opportunity for breeze penetration; and
 - the owner of the effected property did not lodge an objection to the proposed development.

3. A variation to Clause 7.5 (Private Open Space) to allow unit 4 to have an area of private open space of 4.2m x 5m where 5m x 5m is require by the Scheme is granted as:
 - Unit 4 exceeds 45m²;
 - is located in close proximity to land in Zone PS (Public Open Space) which provides for children's play activities; and
 - is directly accessible from the lounge room.

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 is currently vacant as it has recently been cleared and levelled as part of subdivision works. Provided that stormwater is appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Haydon Place and Kypreos Court, the land is considered capable of supporting the development as proposed.

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.

It is noted that the land is currently vacant and the landscaping associated with the development will enhance the visual amenity the area. Furthermore, provided that 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 7
PA2013/0439
APPLICANT

CHANGE OF USE FROM SHOP TO MEDICAL CLINIC (UNIT 2)
LOT 5903 (6) MALUKA DRIVE, TOWN OF PALMERSTON
DOLLY PTY LTD SUPERANNUATION FUND

Mrs Bernie Dayaratne and Dr Nelumka Dayaratne (wife and daughter of the Doctor practising at the clinic) attended.

RESOLVED
76/13

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 5903 (6) Maluka Drive, Town of Palmerston for the purpose of a change of use of Unit 2 from shop to medical clinic, subject to the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with drawing numbered 2013/0439/1 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent Authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. 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 change of use from shop to medical clinic (unit 2) is considered to be consistent with the purpose of Zone CB which is to provide for a range of business and community uses. The proposal is compatible with the existing development at 6 Maluka Drive which includes a medical clinic and restaurant.

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

ACTION: Notice of Consent and Development Permit

ITEM 8
PA2013/0351

8 X 2 BEDROOM AND 7 X 1 BEDROOM MULTIPLE DWELLINGS, OFFICES, RESTAURANT, SHOPS, SERVICE STATION, MEDICAL CLINIC AND DAY SURGERY IN 1 X SINGLE STOREY BUILDING AND 2 X 3 STOREY BUILDINGS, PLUS BASEMENT PARKING

APPLICANT

**LOT 11020 (164) FORREST PARADE, TOWN OF PALMERSTON
JUNE D'ROZARIO & ASSOCIATES**

DAS tabled an addendum – amended plans submitted by the applicant.

June D'Rozario (June D'Rozario & Associates) and Mr John Anictomatis (Owner and Developer) attended.

RESOLVED
77/13

That, the Development Consent Authority vary the requirements of Clause 7.6 (Communal Open Space) and Clause 8.3 (Setbacks for Commercial Uses Adjacent to Land in Zones SD, MD, MR or HR) 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 11020 (164) Forrest Parade, Town of Palmerston for the purpose of shops, service station, offices, medical clinic, day surgery and multiple dwellings in 1 x 1 and 2 x 3 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 basement car parking laneway reconfigured to prevent cars reversing using other car parking bays to manoeuvre;
- b) annotations of driveway width and parking space dimensions of parking spaces within the basement parking area to ensure safe and convenient parking on the site;
- c) vehicle swept path diagram relating to access to the basement parking (via 90° corner) and to the residential parking area to ensure these access ways are adequately wide to accommodate two way traffic flow;
- d) the provision of bicycle access, parking and storage in suitable locations;
- e) potential noise sources and how will these be addressed or concealed;
- f) way-finding measures directing traffic to the basement parking area; and
- g) removal of all signage from areas subject to control of City of Palmerston.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
6. No direct access, either for construction purposes or permanently, shall be permitted from the Forest Parade road reserve. All access shall be from the internal road network (via Haydon Street) to the standards and approval of City of Palmerston. Construction and delivery vehicles shall not be parked on the Forest Parade road reserve.
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;
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. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the Chairman, Development Consent Authority.
12. 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.
13. 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.
14. 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.
15. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
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. Waste bin storage shall be provided in accordance with Council guidelines.
18. 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 Chairman, Development Consent Authority.

NOTES:

1. 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.
2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
3. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent Authority may extend the periods referred to if a request is made in writing before the permit expires.

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 considered to be consistent with the purpose of the zone and in being of appropriate scale and character to service the surrounding area.

A variation to Clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme for the provision of rooftop gardens instead of communal open space which would meet the technical dimensions of the Scheme is granted as parkland is located diagonally opposite to the site which future residents of the site can use as communal facility and because the residential component of the proposal is a relatively small and it would be unreasonable to provide communal open space at ground level as a proportion of the commercially zoned land.

A variation to Clause 8.3 (Setbacks for Commercial Uses Adjacent to Land in Zones SD,MD, MR or HR) of the NT Planning Scheme for a 3m wide landscaped setback to the southern boundary with Lot 11021 Town of Palmerston zoned MR where a 5m setback is required is granted as the location and orientation of dwellings on the adjoining Lot 11021 Town of

Palmerston and the design of the subject development will minimise the impact on visual and acoustic privacy of adjoining residential uses on both lots.

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

The application has merit in seeking to combine a range of uses which will improve commercial viability and the focus on the local neighbourhood centres in Palmerston.

The site is well located next to and opposite a medium density residential development and other social and community infrastructure such as schools, child care centre, rugby sports complex as well as parks and public transport routes.

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

The proposal, if well managed, is likely to positively contribute to the amenity of the locality through the range of commercial facilities proposed, through the design of the development on the site and through its location being within walking distance to schools, bus stops, parks and sports facilities.

Amended plans are required to ensure high standard of facilities is provided and that the development does not impact on the amenity of its future residents, visitors and staff or adjoining residents.

ACTION: Notice of Consent and Development Permit

ITEM 9 **1 X 2 BEDROOM AND 4 X 3 BEDROOM MULTIPLE DWELLINGS IN 5 SINGLE**
PA2013/0302 **STOREY BUILDINGS**
LOT 8247 (99) FARRAR BOULEVARD, TOWN OF PALMERSTON
APPLICANT **MARIA PAJARILLO**

Ms Maria Pajarillo, Mr George Kamitsis (Director – Habitat) and Mr Paul Winter (Habitat), Mr Jorge Favaro (developer) attended.

RESOLVED That, pursuant to section 86 of the *Planning Act*, the Development Consent Authority
78/13 delegate to the Chairman the power under section 53 of the Act, to determine the
application to develop Lot 8247, 99 Farrar Boulevard, Suburb of Farrar, Town of
Palmerston for the purpose of 1 x 2 bedroom and 4 x 3 bedroom multiple dwellings
in 4 x single storey and 1 x 2 storey buildings, subject to:

Amended plans showing two driveways with increase landscaping at the front of lot,
subject to the approval of City of Palmerston.

If City of Palmerston does not grant approval for two driveways subject to: as determined by the delegate.

and further 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 drawings that are included as part of "Attachment B" of the July 2012 Development Consent Authority agenda report but modified to show:
 - (a) The private open space areas of each dwelling screened on each boundary by:
 - (i) the erection of a solid wall or screen fence not less than 1.8 metres high:
or
 - (ii) fenced to a height not less than 1.8 metres high and planted with dense vegetation (heights at maturity to be noted on site plan).
 - (b) labelling of the carports (Units 2, 3 and 4) on the site plan.
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. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. 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 the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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 kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.

7. The owner shall:
 - (a) remove disused vehicle and/or pedestrian crossovers;
 - (b) provide footpaths/cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
8. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
9. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
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 or suitably delineated to indicate each car spaceto the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
11. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
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. 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 at ground level in a controlled manner to the satisfaction of the consent authority.
14. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
15. No polluted and/or sediment laden run-off is to be discharged directly or indirectly to City of Palmerston drains or to any watercourse.
19. 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 Chairman, Development Consent Authority.

NOTES:

1. 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.
2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent Authority may extend the periods referred to if a request is made in writing before the permit expires.

REASONS FOR THE DECISION

1. Amended plans demonstrating compliance with the screening requirements of Clause 7.5(3) of the NT Planning Scheme are required as it is considered in the public interest for multiple dwelling developments to provide an adequate level of visual and acoustic screening and amenity to the occupants of each dwelling through appropriate fencing and landscaping. Furthermore, the application (as amended) did not demonstrate any special circumstances which would justify a complete departure from the standards set by the NT Planning Scheme in respect to minimum screening requirements, as specified in accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority).

It is considered that amended plans showing dual access to the site would increase the visual amenity of the development when viewed from Farrar Boulevard as the expanses of the concrete driveway will be minimised through the provision of additional landscaping.

2. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) to provide for a range of housing options. Furthermore, the

proposed development is considered to be of a scale, character and architectural style compatible with the streetscape and surrounding development in the Farrar locality.

3. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is granted for a reduced landscaping buffer between the front property boundary and car parking areas as the landscaping once established is expected to satisfactorily respond to the relevant objectives of the NT Planning Scheme.
4. Pursuant to section 51(e) of the *Planning Act*, in considering a development application the consent authority is required to take into account any submissions made under section 49 of the Act and any evidence or information received under section 50 of the Act. A local authority submission was received from the City of Palmerston about the application. The matters raised in the submission have been noted by the consent authority and the conditions of the permit are intended to assist in ensuring the orderly servicing and development of the property.
5. City of Palmerston advises that it is the sole authority responsible under the *Local Government Act* and associated by-laws for stormwater drainage and waste management, and as such it has requested details of the collection and discharge of stormwater run-off and the storage and disposal of waste.
6. Pursuant to section 51(h) of the *Planning Act*, the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of additional residential accommodation.
7. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated. The proposed development is appropriate for the site and locality. The proposed development is located within Zone MD (Multiple Dwelling Residential), and compliant with the majority of controls in the NT Planning Scheme, including being below the density level permitted through Clause 7.1 (Residential Density and Height Limitations). Consideration has also been given to the streetscape and existing dwellings on Farrar Boulevard, noting the significant roadway separation of approximately 26m and further building setbacks, fencing and landscaping to soften the development's impact.

8. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

22/7/13