



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 158 –THURSDAY 12 DECEMBER 2013

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

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

APOLOGIES: Steve Ward

OFFICERS PRESENT: Margaret Macintyre (Secretary), Deborah Curry, Leonie Hill and Stephanie Bruer (Development Assessment Services)

COUNCIL REPRESENTATIVE: Wendy Smith

Meeting opened at 9.30 am and closed at 10.00 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 **6 X 3 BEDROOM MULTIPLE DWELLINGS IN 4 SINGLE STOREY BUILDINGS**
PA2013/0846 **LOT 10289 (2) TARAKAN COURT, TOWN OF PALMERSTON**
APPLICANT **KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended.

RESOLVED
145/13

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 10289 (2) Tarakan Court, Town of Palmerston for the purpose of 6 x 3 bedroom multiple dwellings in 4 x single storey building, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of any works, an Erosion and Sediment Control Plan (ESCP) is to be developed and subsequently implemented to the satisfaction of the Consent Authority. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the Department's website: <http://lrm.nt.gov.au/soil/management>.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with drawings numbered 2013/0846/1 through to 2013/0846/10 inclusive 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 and approval to carry out works shall be obtained prior to the commencement of construction, 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. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
7. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
8. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;Car spaces and driveways must be kept available for these purposes at all times.
9. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
14. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the 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. The bus stop located outside the development on Farrar Boulevard to the north of the site, is to be kept clear of car parking at all times during the life of the development to the requirements of the Department of Transport and to the satisfaction of the consent authority.
5. Deliveries for the construction of the development should be via Tarakan Court; and trade vehicles, trucks and trailers are to be parked either on site or on Tarakan Court. Farrar Boulevard to be kept clear of parked vehicles at all times to the requirements of the Department of Transport and to the satisfaction of the consent authority.

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 Johnston.

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow the carport of Unit 1 and the verandah of Unit 6 to have a front setback of 3.0m and 3.86m respectively where 4.5m is required by Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme is granted as:

be, 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), 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 plan must show:
 - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - (b) details of surface finishes of pathways and driveways;
 - (c) 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;
 - (d) landscaping and planting within all open areas of the site;
 - (f) 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 City of Palmerston to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
8. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) undertake reinstatement works;

All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.

9. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;Car spaces and driveways must be kept available for these purposes at all times.
10. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston and/or the Department of Health as the case may be to the satisfaction of the consent authority.
15. Construction and delivery vehicles shall not be parked on the Driver Avenue road reserve to the requirements of the Department of Transport and 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. The development and use hereby permitted should be designed, constructed, registered and operated in accordance with the Building Code of Australia, the *NT Public Health Act* and Regulations, the *NT Food Act* and National Food Safety Standards.

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.

2. A reduction of parking bays required by Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme from 5 to 1 in accordance with the provisions of Clause 6.5.2 (Reduction in Parking Requirements) is granted as:
 - the site has an area of 3000m² and is currently developed for the purpose of a small neighbourhood shopping village. Due to the unusual shape of the lot and the proposed building footprint any future development of the land would be restricted; and
 - whilst there are no car parking spaces in the vicinity of the land there are two bus routes which will service the proposed development (Bus Routes 463 and 477). The bus stops for these routes are located at the front of the site.
3. A variation to Clause 6.5.3 (Parking Layout) of the Scheme is granted for car parking bays 34 – 36 not to have a 3m landscaping buffer in accordance with the requirements of Clause 6.5.3(g) is granted as the parcel has an irregular shape, the encroachment is considered to be minor and landscaping has been provided adjacent to the car parking area.
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.

Located within the existing suburb of Driver the subject site has an area of 3000m², is irregular in shape and has street frontage to Driver Avenue. The site is currently developed for the purpose of a supermarket.

Provided that stormwater will be appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Driver Avenue and landscaping is provided to soften the impact of the development on the streetscape, no adverse impact on the surrounding land is anticipated.

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

The proposal is 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 in close proximity to bus stops and neighbourhood park parks.

ACTION: Notice of Consent and Development Permit

**ITEM 3
PA2013/0861
APPLICANT**

**3 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 11126 (8) HODGE STREET, TOWN OF PALMERSTON
GL TOWN PLANNING**

Mr Christopher Cheung (GL Town Planning) attended and tabled:-

- plans and photos of a triple development built in 2012; and
- his address to the DCA.

**RESOLVED
147/13**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 11126, (8) Hodge Street, Town of Palmerston for the purpose of 3 x 3 bedroom multiple dwellings in a single storey building to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- (a) details of any special circumstances that the applicant wishes to have considered in relation to the required variation to Clause 7.3 (Building Setbacks to Residential Buildings) of the Scheme or amended plans demonstrating compliance with Clause 7.3 noting that the development should demonstrate articulation to the walls and roof in accordance with the purpose and requirements of Clause 7.3 (Building Setbacks of Residential Buildings); and
- (b) details of landscaping to the driveway.

REASON 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 consent authority considers that the additional information is necessary to enable it to consider the application properly.

ACTION: Advice to Applicant

ITEM 4 **7 X 3 BEDROOM MULTIPLE DWELLINGS IN 3 SINGLE STOREY BUILDINGS**
PA2013/0874 **LOT 10974 FARRAR BOULEVARD, TOWN OF PALMERSTON**
APPLICANT **RAW DESIGNS**

Mr Rob Watt (Raw Designs), Mr Israel Kgosiemang (One Planning Consult), Mr Andrew Bartington and Ms Kerrie Zin attended.

Mr Kgosiemang tabled a response and amended plans in response to the deferral recommendation.

RESOLVED
148/13

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 10974 (proposed lot 908A) Farrar Boulevard, Town of Palmerston for the purpose of 7 x 3 bedroom multiple dwellings in 3 x 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) solid fencing to a height of 1500mm with slatting to a height of 1800mm along the western boundary of the site
2. Prior to the commencement of any works, an Erosion and Sediment Control Plan (ESCP) is to be developed and subsequently implemented to the satisfaction of the Consent Authority. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the Department's website: <http://lrm.nt.gov.au/soil/management>.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
8. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
9. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;Car spaces and driveways must be kept available for these purposes at all times.
10. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

12. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
15. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

REASON 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 Johnston.

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme, to allow:
 - Units 1 – 4 to be setback 1.5m where 2.5m is required; and
 - Units 5 – 7 to be setback 2.3m where 4m is required

is granted as:

- the single storey appearance of the development and the articulated facade will not result in building massing when viewed from the street and neighbouring lots;
 - significant landscaping along the all boundaries will ensure privacy of residents; and
 - the requirement for solid fencing with slats along the western side boundary will ensure breeze penetration while maintaining privacy.
3. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

Located within the new residential subdivision of Johnston, the lot will have an area of 2100m² and will have street frontage to Lind Road. Zoned MD (Multiple Dwelling Residential) of the Scheme, the site is adjacent to zones SD (Single Dwelling Residential) to the west and south and MD (Multiple Dwelling Residential) to the east.

The site is currently vacant land that slopes towards the western side boundary. Provided that an Erosion Sediment Control Plan is developed and implemented and the collection and discharge of stormwater is managed to Council's satisfaction, the land is considered capable of supporting a multiple dwellings development.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

18/12/13