



**DEVELOPMENT CONSENT AUTHORITY**

**PALMERSTON DIVISION**

**MINUTES**

**MEETING No 132 - WEDNESDAY 21 SEPTEMBER 2011**

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

**MEMBERS PRESENT:** Peter McQueen (Chairman), Steve Ward, Susan McKinnon and Graeme Chin

**APOLOGIES:** Jeffrey Porter

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), George Maly, Deborah Buise and Belinda Osborne (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Ted Vivian and Wendy Smith

**Meeting opened at 9.30 am and closed at 12.45 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**                    **A SHED WITH A REDUCED SIDE AND REAR SETBACKS**  
**PA2011/0482**           **LOT 2982 (8) HARRISON CIRCUIT, TOWN OF PALMERSTON**  
**APPLICANT**           **NOW RENOVATIONS**

Mr Sam Hedger (Now Renovations), Mr Scott Newhouse and Ms Leonie Wolfe (owners) attended.

Mr Hedger tabled an amended plan showing location of landscaping and three pages of photographs showing the type of plants to be used as landscaping within the one metre setback between the proposed shed and the boundary.

**RESOLVED**  
**90/11**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 2982 (8) Harrison Circuit, Town of Palmerston for the purpose of a shed addition with reduced side and rear setbacks to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:-

- Dimensioned plans depicting the size and location of all structures on the lot;
- Dimensioned plans depicting the distance between the proposed shed and the pool and the proposed shed and the closest corner of the dwelling;
- Dimensions of the existing shed; and
- Advice on whether the existing shed is to be retained or removed from the site.

#### **REASONS FOR THE DECISION**

Further information is required for the Authority to determine what special circumstances apply to the proposal and to determine the likely impact of the 3.5m high structure on the amenity of adjoining properties.

**ACTION:**                    Advice to applicant

**ITEM 2**                    **A DWELLING, SHED AND DEPENDANT UNIT WITH REDUCED FRONT AND**  
**PA2011/0375**           **SIDE SETBACKS**  
**APPLICANT**           **LOT 9544 (24) CATALINA ROAD, TOWN OF PALMERSTON**  
**SHARYN INNES CONSULTANCIES PTY LTD**

Ms Sharyn Innes (Sharyn Innes Consultancies) attended.

**RESOLVED**  
**91/11**

That, pursuant to section 46(4)(b) the Development Consent Authority defer consideration of the application to develop Lot 9544 (24) Catalina Road, Town of Palmerston for the purpose of a single dwelling, dependant unit and shed with reduced front, side and rear setbacks to require the applicant to provide the following

additional information that the Authority considers necessary in order to enable proper consideration of the application:-

- provision of advice on any certification of all current structures on site;
- amended plans showing the new location of carport; and
- any further information on special circumstances which the applicant may wish to provide.

and

- Information from DAS on the subdivision and zoning history of this lot;

#### **REASONS FOR THE DECISION**

1. Further information is required for the Authority to determine what/whether special circumstances apply to the proposal which would justify granting of setbacks to the front, side and rear boundaries.
2. Further information in regards to the zoning and subdivision history is required for the Authority to determine whether the land is capable of supporting residential uses.

**ACTION:** Advice to applicant

**ITEM 3**  
**PA2011/0479**

**ADDITIONS OF 9 DEMOUNTABLE STRUCTURES FOR USE AS TEMPORARY WORKERS' ACCOMMODATION**  
**LOT 5012 (18) BERESFORD ROAD, TOWN OF PALMERSTON**  
**JUNE D'ROZARIO & ASSOCIATES PTY LTD**

**APPLICANT**

Ms June D'Rozario (June D'Rozario & Associates) attended.

**RESOLVED**  
**9/11**

That, pursuant to section 46(4)(b) the Development Consent Authority defer consideration of the application to develop Lot 5012 (18) Beresford Road, Town of Palmerston for the purpose of addition of 9 demountable structures for use as a temporary workers accommodation to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:-

- A management plan describing the proposed operation and the manner in which the site will be used demonstrating the limitation of the use and demonstrating consideration of health and safety of the occupants of the site including proposed method of rubbish removal.

#### **REASONS FOR THE DECISION**

A management plan is required to address concerns about the potential impacts of the residential use on the existing use of the site and on the amenity of the occupants of the demountable structures and the amenity of the area generally.

**ACTION:**

Advice to Applicant

**ITEM 4  
PA2011/0421  
APPLICANT**

**SUBDIVISION TO CREATE 143 LOTS (ZUCCOLI STAGE 1 PHASE 1)  
LOT 11022 (270) LAMBRICK AVENUE, TOWN OF PALMERSTON  
JUNE D'ROZARIO & ASSOCIATES PTY LTD**

DAS tabled an addendum – revised plans showing revised lot sizes, amended plans showing bus stops, information on stormwater drainage and comments from Department of Lands and Planning.

Council tabled Council comments dated 15 September 2011.

Ms June D'Rozario (June D'Rozario & Associates) attended and tabled:-

- a copy of a letter from LDC to Palmerston City Council in relation of Radford Road dated 10 August 2011;
- response to issues raised in the submissions;
- a draft phase 1 – Landscape Concepts; and
- a subdivision plan showing a sample of lots with deep lots ie: bigger back garden.

Mr Andrew Bartington (Project Director, URBEX) and Mr Peter Ingram (Engineer, URBEX) attended.

Ms Cassie Picken and Mr Paul Schneider (Land Development Corporation) attended.

**RESOLVED  
93/11**

That, the Development Consent Authority vary the requirements of Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 11022 (270) Lambrick Avenue, Town of Palmerston for the purpose of a subdivision to create 142 lots in 7 stages, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to commencement of works, 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 more detail of the urban design treatment of the rear of all lots facing the spine road, Lambrick Avenue and Radford Road frontages to address concerns over amenity and/or pedestrian safety in those areas.
2. Prior to the commencement of works (including site preparation) an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport (Natural Resources Management Division) and

the Medical Entomology Unit, Department of Health, and an endorsed copy of the Plan will form part of this permit. The ESCP must include:

- (a) details of protection measures along boundaries;
- (b) anticipated period of construction;
- (c) a conceptual native vegetation clearing plan;
- (d) stormwater management and discharge on and off site;
- (e) mitigation measures for dust generation
- (f) measures to be implemented for the prevention of biting insects breeding sites.

All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

### **GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
4. 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.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity supply and telecommunications to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. 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.
7. All proposed roads and public open space reserves 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.
8. Firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services and to the technical requirements of Department of Natural Resources, Environment, the Arts and Sport
9. 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 and/ or the Department of Lands and Planning as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
10. Landscaping and development of open space and streets/ roads shall be designed and constructed to the requirements of City of Palmerston and/ or the

Department of Lands and Planning as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

11. Storm water is to be collected and discharged into the drainage network, and incorporate Water Sensitive Urban Design (WSUD) to the requirements of and at no cost to the City of Palmerston and/ or Department of Lands and Planning as the case may be, to the satisfaction of the consent authority.
12. Design specifications for Water Sensitive Urban Design (WSUD) structures and stormwater drainage are to be submitted to the Medical Entomology Branch of Department of Health for assessment so as to ensure the appropriateness of the designs to limit biting insect breeding sites.
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. A Covenant shall be placed on the Title of each lot proposed to be zoned MD, located at the end of a cul-de-sac and/or fronting Radford Road limiting the development on each lot to two dwellings only, to the satisfaction of the consent authority.

#### NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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 permit holder shall ensure that all necessary permits and approvals are obtained in respect to any archaeological and heritage sites/ material located within the site.
3. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Natural Resources, Environment, the Arts and Sport.

#### 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 subdivision is consistent with the purpose of Zone FD (Future Development) which includes "to provide for development in accordance with the Area Plan once services are (or can be) made available to the land".

2. The proposed subdivision is also consistent with the following requirements of the NT Planning Scheme:
  - Clause 11.1.2 (Integrated Residential Development), the purpose of which is to provide for integrated residential development to accommodate lots of less than 800m<sup>2</sup>; and
  - Clause 14.5.1 (Palmerston Eastern Suburbs Planning Principles and Area Plans).
3. A variation to clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) for lots less than 50% of lots being greater than 800 m<sup>2</sup> is considered satisfactory in this instance as the minimum lot size is 700 m<sup>2</sup> and the average lot size is 804m<sup>2</sup> , and the development will result in a greater overall proportion of larger lots.
4. Amended plans are required to address concerns over public, pedestrian and road user safety and the amenity of areas fronting the proposed spine road and Radford Road.
5. The requirement for a conceptual stormwater plan to be completed prior to commencement of works will ensure the matter is satisfactorily dealt with to the requirements of Department of Lands and Planning, Department of Natural Resources, Environment, the Arts, and Sport, Department of Health and City of Palmerston.
6. The requirement that stormwater drainage incorporates Water Sensitive Urban Design (WSUD) will ensure consistency with the requirements of the Palmerston Eastern Suburbs Planning Principles and Area Plan of clause 14.5 of the NT Planning Scheme.

**ACTION:** Notice of Consent and Development Permit

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



**PETER MCQUEEN**  
Chairman

30/9/11

