

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 173 – WEDNESDAY 18 FEBRUARY 2015

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

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

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Doug Lesh, Anthony Brennan and Leonie Gleeson (Development Assessment Services)

COUNCIL REPRESENTATIVE: Wendy Smith and Gerard Rosse

Meeting opened at 9.00 am and closed at 1.00 pm

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

ITEM 1 **SHADE SAIL ADDITIONS TO EXISTING MULTIPLE DWELLINGS**
PA2014/1023 **LOT 11706 (37) HAWKER STREET, TOWN OF PALMERSTON**
APPLICANT **RAW DESIGNS**

Mr Israel Kgosiemang attended on behalf of the applicant.

RESOLVED
21/15

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 11706 (37) Hawker Street, Town of Palmerston for the purpose of Shade sail additions to existing multiple dwellings, subject to the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with the drawing numbered 2014/1023/1, 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) development work is not started within two years of the date of this permit; or
 - (b) development work 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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

REASONS FOR THE DECISION

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

The proposal is for a shade sail addition to each of the 8 dwellings onsite. The shade sails will be located adjacent to the verandah of each dwelling. It is considered that the proposal is consistent with the purpose of the

zone, in that a residential multiple dwelling development is provided on the site and the addition is ancillary to the use. The provision of an outdoor covered area will also improve the versatility of the dwellings.

Furthermore, the proposal complies with all 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.

Located within the existing suburb of Zuccoli, the site is zoned MD (Multiple Dwelling) and is surrounded by three frontages; Falco Court, Fiat Court and Hawker Street. The site has an area of 2,660m² and is currently improved by 8 multiple dwellings (DP13/0644).

Provided the shade sails comply with the standard conditions, the land is considered capable of supporting the development as proposed.

ACTION: Notice of Consent and Development Permit

ITEM 2 WITHDRAWN

ITEM 3 WITHDRAWN

**ITEM 4 CHANGE OF USE FROM INDOOR AND OUTDOOR RECREATION TO
PA2015/0004 TEMPORARY PASSENGER TERMINAL (PARK AND RIDE FACILITY)
LOT 4505 (1) TULAGI ROAD, TOWN OF PALMERSTON
APPLICANT NEVILLE JONES SERVICES**

DAS tabled an addendum.

Mr Neville Jones (Neville Jones Services) attended and tabled additional information.

Submitter Mr Frank May attended.

**RESOLVED
22/15**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 4505 (1) Tulagi Road, Town of Palmerston for the purpose of change of use from indoor and outdoor recreation to temporary passenger terminal (Park and Ride facility), subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), a Traffic Management Impact Assessment be completed by a suitably qualified traffic engineer that addresses the impacts on the traffic network, including vehicles, cycling and pedestrian activity, to the satisfaction of the Director Technical Services, City of Palmerston and/or the Department of Transport. The recommendations and outcomes of this assessment must be implemented by the developer at no cost to Council or the Department of Transport.
2. Prior to the commencement of use, a Traffic and Parking Management Plan must be submitted to and approved by the consent authority addressing the use of the property for the purpose of a passenger terminal and car park. When approved, the plan will be endorsed and will form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. Two copies of the plan must be submitted. The plan must be developed in consultation with the City of Palmerston and the Department of Transport. The traffic and parking management plan must also adhere to the requirements of the Ichthys Onshore LNG Facilities Road Transport Management Plan.
3. Before the development starts, 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 (insert date) prepared by (specify consultant), except that the plan must show / 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;
 - (e) (specify number) canopy trees (minimum two metres tall when planted) in the following areas: (specify location); and
 - (f) provision of an in ground irrigation system to all landscaped areas.All species selected must be to the satisfaction of the consent authority.
4. Prior to commencement of works, engineering design and specifications for stormwater management are to be submitted to the satisfaction of Land and Economic Development (Department of Lands, Planning and the Environment) and/or City of Palmerston, to the satisfaction of the consent authority. All stormwater drainage works as agreed shall then be constructed in association with the development.

GENERAL CONDITIONS

5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. This permit will expire 2 years from the date issued.
7. 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.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, and electricity facilities, gas and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
10. 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.
11. 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.
12. No temporary access for construction purposes shall be permitted from the Stuart Highway road reserve. Construction and delivery vehicles shall not be parked on the Stuart Highway road reserve. Access shall be provided to the standards and requirements of the Department of Transport and/or the City of Palmerston, to the satisfaction of the consent authority.
13. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways; and
 - (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.

14. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston or the Department of Lands, Planning and the Environment (Land and Economic Development) to the satisfaction of the consent authority.
15. "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 consent authority.
16. Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line off the adjoining public road.
17. 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.
18. 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.
19. Existing verge landscaping /grassing within the Stuart Highway road reserve shall not be disturbed. Any disturbance of, or works within the road reserve shall require rehabilitation to be undertaken to the Department of Transport's standards and requirements.
20. Storage for waste disposal bins and pick up is to be provided to the requirements of the City of Palmerston to the satisfaction of the consent authority.
21. All proposed works (including provision or connection of services) impacting on Stuart Highway are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Department of Transport. Drawings must be submitted to the Transport Infrastructure Planning Division for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
22. Where unfenced, the frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction to the consent authority.
23. All proposed work (including the provision of services) within, or impacting upon the Stuart Highway road reserve, should be designed, supervised and certified on completion by a practicing and registered Civil Engineer and should be in accordance with the standards and specifications of the Department of Transport to the requirements of the Department of Transport to the satisfaction of the consent authority.

24. Engineering design and specifications for stormwater drainage, vehicular access, pedestrian/cycle corridors and street scaping are to be to the technical requirements of the Department of Transport and or the City of Palmerston, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
25. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tacking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto a sealed road network to the requirements of the Department of Transport to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development and use is/are not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit. The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The applicant is advised to engage a building certifier, within the meaning of the Building Act, as to whether the building/s comply with the Building Act and associated Regulations.
3. 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.
4. A "Permit to Work Within a Road Reserve" may be required from Department of Infrastructure before commencement of any work within the Stuart Highway road reserve.
5. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to the Stuart Highway.
6. Notwithstanding the approved plans, all signage is subject to City of Palmerston approval, at no cost to Council.
7. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - (a) so as not to create sun or headlight reflection to motorists; and

- (b) be located entirely (including foundations and aerially) within the subject lot.

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 the application is to seek consent for the use of Lot 4505 as a temporary passenger terminal (park and ride) to service the JKC workforce associate with the Inpex LNG project for a period of 15 months. It is considered that the proposed development is in accordance with the purpose of the zone as the activity will not by virtue of its operations negatively affect adjoining or nearby land being primarily service commercial and industrial 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.

Provided that landscaping is provided, stormwater is managed on site without impacting on adjoining properties and disposed of into the stormwater drainage system and provided that a traffic impact assessment and transport and parking management plans are implemented, the land is generally considered capable of accommodating the temporary passenger terminal.

ACTION: Notice of Consent and Development Permit

**ITEM 5
PA2014/1034
APPLICANT**

**SUBDIVISION OF ZUCCOLI STAGES 3 & 4 (SUB-STAGE ONE)
LOTS 12422 & 12432, TOWN OF PALMERSTON
MASTERPLAN NT**

DAS tabled late response to submissions from the applicant.

Mrs Linda Henning (Masterplan NT), Mr Michael Schokman, Ms Fiona Huddleston (SMEC), Mr Sean Sandford (SMEC) and Mr David Bennett (Architect - Bennett Design) attended.

Submitters Ms Sue McKinnon, Mr Brad Cunnington (Northern Planning Consultants) and representing City of Palmerston:- Ms Wendy Smith and Mr Gerard Rosse.

Mrs Henning tabled a summary of the response to submissions.

**RESOLVED
23/15**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alters the proposed development and consent to the proposed development as altered to develop Lots 12422 and 12432, Town of Palmerston for

the purpose of a subdivision to create 181 residential lots, 2 public open space lots plus the remaining balance area, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works approved by this permit, 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 either two copies must be provided or they must be submitted electronically. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Realignment of the stage one boundary generally in accordance with figure 3 of the DAS report to the DCA dated 18 February 2015 to include part of the open space currently proposed in stage three. The open space should form part of proposed lot 181 (Public open space) to ensure connectivity,
 - b) Proposed lots 028 and 029 to be reclassified as zone MD (Multiple Dwelling – use Multiple dwellings) lots,
 - c) Proposed lot 004 to be reclassified as 2 x zone MD (Multiple Dwelling – use Single Dwelling) lots,
 - d) Proposed lot 095 to be reclassified as a zone MD (Multiple Dwelling – use Single Dwelling) lot,
 - e) Remove the cul-de-sac and part of Road 3 to the north of proposed lot 01 and replace with a pedestrian and cycle access link to Zuccoli Parade to City of Palmerston’s requirements,
 - f) Remove the stub section of road 7 adjacent to proposed lots 28 and 29 and replace with one additional zone MD (Multiple Dwelling – use Single Dwelling) lot generally in accordance with the plan tabled by the applicant at the DCA meeting dated 18 February 2015, and
 - g) The cul-de-sac at the end of Road 4 shall be altered to provide for a pedestrian access way link to South Loop Road with a width to City of Palmerston’s requirements, or amended as deemed necessary in accordance with city of Palmerston’s requirements.
2. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared by an independent suitably qualified professional and submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority. The Department of Land Resource Management advises that the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP.
3. Prior to the commencement of works, a Construction Management Plan is to be submitted to the Department of Transport. The Construction Management Plan is to detail all appropriate site management measures including

construction access, proposed haulage routes, vehicle types, protection of existing assets, protection of public access and a risk assessment.

4. Prior to the commencement works, confirmation of the road reserves and carriageways widths is to be provided to City of Palmerston, meeting the requirements of City of Palmerston, to the satisfaction of the consent authority.

GENERAL CONDITIONS

5. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. Before issue of titles and pursuant to section 55 of the *Planning Act* and division 5 of the *Land Titles Act*, a restrictive covenant shall be lodged with the Registrar-General for notation on the titles of all lots 600m² and over designated for single dwellings. The restrictive covenant shall require that they not be further subdivided or developed with more than a single dwelling and associated ancillary structures, to the satisfaction of the consent authority.
7. 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.
8. All proposed works (including the provision or connection of services) within, or impacting on the Southern Connector Road road reserves are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Department of Transport. Drawings must be submitted to the Transport Infrastructure planning Division for approval and no works are to commence prior to gaining road agency approval.
9. 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.
10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
11. Design specifications for stormwater treatment are to be to the technical standards and at no cost to the City of Palmerston and/or the Department of Lands, Planning and the Environment on the advice of the Department of Health (Medical Entomology Branch) to the satisfaction of the consent authority.
12. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston and/or the

Department of Lands, Planning and the Environment as the case may be to the satisfaction of the consent authority.

13. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services.
14. Engineering design and specifications for the proposed and affected roads, street lighting, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Palmerston to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
15. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
16. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tacking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto a sealed road network to the requirements of the Department of Transport and/or the City of Palmerston to the satisfaction of the consent authority.
17. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

NOTES:

1. This permit does not endorse or provide preliminary support or approval for the concept master plan submitted with the application. The consent authority advises that any proposed future stages that are not generally in accordance with the Palmerston Eastern Suburbs Area Plan will need to be resolved in consultation with the Northern Territory Government and relevant agencies prior to consideration by the consent authority.
2. The SMEC Traffic Impact Assessment Report and additional information clarifying the methodology should be provided to the City of Palmerston for review prior to any future development applications being considered by the consent authority.
3. 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.
4. 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.

5. A "Permit to Work Within a Road Reserve" may be required from the Department of Infrastructure before commencement of any work within the road reserve.
6. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
7. All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>.
8. The Department of Land Resource Management (DLRM) advises that the development area and surrounding land supports a population of threatened shrub *Atalaya brevialata* and the Howard River Toadlet (*Uperoleila daviesae*) both of which are respectively listed as critically endangered and vulnerable under the Environment Protection and Biodiversity Conservation Act. DLRM recommends that targeted surveys should be conducted at appropriate times of the year to clarify the presence of *Atalaya brevialata* and *Uperoleila daviesae* on the subject and adjacent land and an appropriate mitigation measures be developed should either of these species be found to be present in the area.
9. The Department of Transport advises that the developer shall consider the Department's policy "Road Traffic Noise on Northern Territory Government Controlled Roads" and where appropriate provide noise attenuation measures.

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 site is located within areas designated as urban residential under the Palmerston Eastern Suburbs Area Plan. The purpose of the application is to create 181 residential lots, 2 public open space lots plus the remaining balance area. The lot sizes proposed by the subdivision are considered to be of a size capable of accommodating potential future uses in accordance with the requirements of the Northern Territory Planning Scheme. It is therefore considered that the proposal is consistent with the intended future use of the land. Furthermore, the proposal generally complies with the relevant provisions of the Northern Territory Planning Scheme.
2. Pursuant to section 51(e) of the *Planning Act*, the consent authority must take into account any submissions made under section 49 in relation to

the development application. Three submissions were received which raised concerns with the proposal, particularly in regard to the loss of open space and community purpose land; compliance with the Palmerston Eastern Suburbs Planning Principles and Area Plan; density; road design; provision of open space within stage one, and the location of MR development.

Amendments required by Condition 1 are considered to address the concerns around road design, provision of open space within stage one, and the location of MR development. The loss of open space and community purpose land relates to the later stages of this subdivision and is not the subject of this application. Any reduction in the size of the open space or CP area land provided for in future stages would require an application by the proponent and would be subject to consultation with the NT Government and relevant agencies such as the Department of Education prior to consideration by the DCA.

3. Pursuant to section 51(j) of the *Planning Act*, the consent authority must also take into account 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. In addition, pursuant to section 51(m) of the *Planning Act*, the consent authority must take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer.

Precedent and general conditions on the development permit require: an erosion and sediment control plan and a construction management plan. It is anticipated that these measures, combined with standard conditions relating to the connection and upgrade of utility services, are expected to ensure that the land is developed in accordance with physical capabilities; address concerns raised by service authorities; and, ensure utility and infrastructure requirements are appropriately addressed.

4. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The application and supporting documents confirm that the design of the proposal has taken into account the effect on Mitchell Creek. Provided that the active management of the Creek is maintained, ESCP implemented and construction works managed, it is considered that the subdivision is unlikely to impact on the existing and future amenity of the area.
5. The requirement to alter the proposal to realign the stage one boundary to include additional public open space is considered acceptable to ensure the majority of dwellings are within 400m of a neighbourhood park and are provided with an adequate level of amenity.

6. The requirement to alter the proposal to reclassify lots 28 and 29 as MD (Multiple Dwelling) is considered acceptable to ensure compliance with planning principle 4 which requires medium density development to be located near a neighbourhood centre or an area of high amenity.
7. The requirement to remove the cul-de-sac and part of Road 3 to the north of proposed lot 01 and replace with a pedestrian and cycle access link to Zuccoli Parade to City of Palmerston's requirements is considered necessary to ensure MR (Medium Density Residential) development is not located at the end of a cul-de-sac.
8. The requirement to alter the proposal to reclassify proposed lot 004 as 2 x zone MD (Multiple Dwelling – use Single Dwelling) lots and proposed lot 095 to be reclassified as 1 x zone MD (Multiple Dwelling – use Single Dwelling) lot is considered necessary to improve the serviceability of the lots.
9. The requirement to remove the stub section of road 7 adjacent to proposed lots 28 and 29 and replace with one additional zone MD (Multiple Dwelling – use Single Dwelling) lot generally in accordance with the plan tabled by the applicant at the DCA meeting dated 18 February 2015 is considered necessary to improve vehicle circulation and access arrangements.
10. The consent authority acknowledges that the Northern Territory Planning Scheme does not adequately address the situation that lots over 600m² and identified as zone MD (Multiple Dwelling – use Single Dwelling) could be subdivided or developed with more than one dwelling. The consent authority has been advised by the Department of Lands, Planning and the Environment that an amendment to the scheme to address this situation is advanced and is expected to be placed on exhibition in the near future. The consent authority is further advised that a restrictive covenant will be required on the titles of all lots 600m² and over designated for single dwellings giving effect to the requirement that they may not be further subdivided or developed with more than a single dwelling and associated ancillary structures. Additionally, the Department of Lands, Planning and the Environment advises that the proponent has entered into a development agreement with the Northern Territory Government and removing this covenant at any stage would be a breach of this agreement. For the above reasons the consent authority is satisfied that that lots over 600m² and identified as (Multiple Dwelling – use Single Dwelling) will not be subdivided or developed with more than one single dwelling.

ACTION: Notice of Consent and Development Permit

**RESOLVED
24/15**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lots 12422 and 12432, Town of Palmerston for the purpose of a building envelope and setback plan, 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:

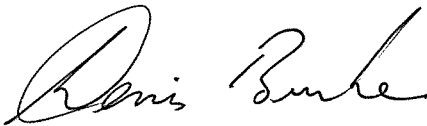
- Further refinement of the conceptual building envelope/setback plan and car parking arrangements in consultation with DAS and the City of Palmerston. This consultation should ensure that issues in relation to the streetscape and overall built form are addressed in such a way as to ensure adequate space for on-site parking is provided and on-street vehicle manoeuvrability is not compromised.

REASON FOR THE DECISION

Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable the proper consideration of the proposal and its impact on the site and surrounding area.

ACTION: Advice to Applicant

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



DENIS BURKE
Chairman

23/2/15

