



DEVELOPMENT CONSENT AUTHORITY

TENNANT CREEK DIVISION

MINUTES

MEETING No. 52 – 16 NOVEMBER 2018

OUT OF SESSION

MEMBERS PRESENT: Suzanne Philip (Chair), Steven Edgington, Kris Civitarese,
Hal Ruger, Siddhant Vashist

APOLOGIES: Nil

Steven Edgington and Kris Civitrase declared a conflict of interest with Item 1 and made no comments with regards to this item.

**ITEM 1 2 X 3 BEDROOM AND 3 X 1 BEDROOM MULTIPLE DWELLINGS IN 5
SINGLE STOREY BUILDING**
PA2018/0340 LOT 2479 (90) PEKO ROAD, TOWN OF TENNANT CREEK
APPLICANT ONE PLANNING CONSULT

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.3.2
0006/18 (Distance between Residential Buildings on one site) and Clause 7.5 (Private Open
Space) of the NT Planning Scheme, and pursuant to section 53 (a) of the Planning
Act, consent to the application to develop Lot 2479 (90) Peko Road, Town of Tennant
Creek for the purpose of constructing 2 x 3 bedroom and 3 x 1 bedroom multiple
dwellings in 5 single storey buildings, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2018/0340/01 through to 2018/0340/08 endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity services to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
3. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained.
4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Barkly Regional Council, 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 Barkly Regional Council to the satisfaction of the consent authority.
6. 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.
7. Appropriate soil erosion, sediment and dust control measures must be effectively implemented throughout the construction stage of the development and all disturbed soil surfaces must be suitably stabilised against erosion at completion of works, to the satisfaction of the Consent Authority.

8. 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.
9. 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.
10. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

NOTES

1. This development permit does not grant building approval. 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.
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. Power Network Division advises that the developer shall obtain written approval from the Customer Connections Officer (email PowerConnections.PWC@powerwater.com.au) for compliance on customer's internal electricity reticulation in accordance with Power and Water's current Installations Rules, commencing any electricity installations. Non-compliant customer's electrical installations would cause significant delays to rectify by the Developer prior to power service be made available to the developer for obtaining Permit to Occupancy authorisation.
4. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both landdevelopmentnorth@powerwater.com.au and powerconnections@powerwater.com.au.
5. The Environment Protection Agency of the Department of Environment and Natural Resources 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.
6. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.

7. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from the Department of Environment and Natural Resources. Information can be obtained from the IECA Best Practice Erosion and Sediment Control Guidelines 2008 available at www.austieca.com.au and the NTG website <https://nt.gov.au/environment/soil-land-vegetation>
8. A permit to work within a road reserve may be required from the Barkly Regional Council before commencement of any work within the road reserve.
9. Notwithstanding the approved plans, any proposed works (including landscaping) within the road reserve is subject to approval and shall meet all requirements of the Barkly Regional Council, and at no cost to the Barkly Regional Council.
10. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08)89955362 (surveylandrecords@nt.gov.au).
11. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

VARIATION

Clause 7.3.2 (Distance between residential buildings on one site) to allow the internal setback between Unit 2 and Unit 3 to be 2.5m where the requirements are 3m; and Clause 7.5 (Private Open Space) to allow Units 2, 3 & 5 to have minor encroachment of verandahs or eaves onto the 5m x 5m envelope.

REASON FOR THE RECOMMENDATION

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 multiple dwelling development is consistent with the purpose of Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme, being to provide for a range of housing options to a maximum height of two storeys above ground level. With the exception of Clause 7.3.2 (Distance between residential buildings on one site) and Clause 7.5 (Private Open Space) the development is compliant with all other provisions of the Scheme.

2. A variation to the distance between Unit 2 and Unit 3 is supported for the following reasons:
 - The reduced setback does not impact on any views from the street or adjoining residential properties;
 - The distance between Units 2 and 3 is 2.5m, where the separation should be 3m, noting that the wall for Unit 3 is less than 3.5m high, and has no windows or doors; and
 - There are no overlooking/privacy issues for either Unit 2 or 3; and
 - A mix of landscaping and a 1.8m Good Neighbour fence with 300mm top lattice will separate Units 2 & 3.

3. A variation to the private open space requirements is supported for the following reasons:
 - The private open space generally satisfies the minimum area and dimensions;
 - Units 2, 3 & 5 have minimal coverage of their envelope as a result of minor coverage by either a verandah or eave; and
 - Excluding the 5m x 5m envelope, all units have additional permeable open space at the rear or side of the dwellings.

In accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, the aforementioned design features and site conditions are considered to be sufficient special circumstances and justify the granting of variations to Clauses 7.3.2 (Distance between Residential Buildings on one site), and 7.5 (Private Open Space) of the Scheme.

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 land is currently vacant and is considered to be suitable for the proposed development. The Department of Environment and Natural Resources did not raise any matters concerning the capability of the land.

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.

The development is in keeping with the style and scale of development in the surrounding area and with the establishment of landscaping as shown on the Landscaping Plan, the impact on the amenity of the area is anticipated to be minimal.

6. The application was subject to Public Exhibition in accordance with the *Planning Act* and *Planning Regulations*. No submissions were received.

ACTION: DAS TO PREPARE NOTICE OF CONSENT AND DEVELOPMENT PERMIT

RATIFIED AS A RECORD OF DETERMINATIONS MADE AT THE MEETING

SUZANNE PHILIP
Chair
04 December 2018