



## **DEVELOPMENT CONSENT AUTHORITY**

### **PALMERSTON DIVISION**

### **MINUTES**

### **MEETING No 155 – WEDNESDAY 18 SEPTEMBER 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 (except Item 8)

**Meeting opened at 9.15 am and closed at 1.15 pm  
Reopened at 2.15 pm and closed at 2.30 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 ADDITION TO AN EXISTING MULTIPLE DWELLING DEVELOPMENT**  
**PA2013/0620**              **WITH A REDUCED FRONT SETBACK**  
                                 **LOT 11021 (174) FORREST PARADE, TOWN OF PALMERSTON**  
**APPLICANT**              **THE BUILD WITH PRIDE TRUST**

Mr Ken Bryan (Sunbuild) attended on behalf of the applicant.

**RESOLVED**              That, the Development Consent Authority vary the requirements of Clause 7.3  
**100/13**                      (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 12210 (174) Forrest Parade, Town of Palmerston for the purpose of a shade sail addition to an existing multiple dwelling development with a reduced front setback, subject to the following conditions:

**GENERAL CONDITIONS**

1. Works carried out under this permit shall be in accordance with the drawings numbered 2013/0620/1 and 2013/0620/2 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) 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](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.

## 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 the shade sail to be set back 0.9m to the front boundary where 4.5m is required by the Scheme is granted as:

- the shade sail will not result in massing when viewed from the street due to the open sided appearance of the structure; and
- the post supporting the shade sail will blend with the colour scheme of the building, and furthermore once the existing landscape is established it will assist in softening the structure when viewed from the street.

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

**ITEM 2**  
**PA2013/0543**

**8 x 3 BEDROOM MULTIPLE DWELLINGS IN 3 SINGLE STOREY BUILDINGS  
PART LOT 11705 (PROPOSED LOT 11706) (270) LAMBRICK AVENUE, TOWN OF  
PALMERSTON  
RAW DESIGNS**

**APPLICANT**

Mr Rob Watt (Raw Designs) attended.

**RESOLVED**  
**101/13**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) 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 part Lot 11705 (proposed Lot 11706) (270) Lambrick Avenue, Town of Palmerston for the purpose of 8 x 3 bedroom multiple dwellings in 3 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) Garage doors widened to 5m and parking bays delineated on the drawings (demonstrating separate access to each parking bay and compliant with the dimensions contained in Clause 6.5.3 of the NT Planning Scheme);
  - (b) Proposed surfacing of parking areas and driveways;
  - (c) The location of water meter arrangements and sewer access points;

- (d) All existing and proposed easements, substations and services on the site (refer to easement detail shown on survey plan LTO2012/128C and matters identified in the Power and Water Corporation correspondence dated 29/07/2013 and 06/08/2013).
- 2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared to the requirements of 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.
- 3. Prior to the endorsement of plans and the commencement of works (including site preparation), the applicant is to submit a Waste Management Plan demonstrating waste disposal, storage and removal, to the requirements of the City of Palmerston and 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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the land 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. 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) 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.
- 9. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.

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. 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;to the satisfaction of the consent authority.  
Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
12. 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.
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. 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.
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 polluted and/or sediment laden run-off is to be discharged directly or indirectly to City of Palmerston drains or to any watercourse.

**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](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 in order 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 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 suburb of Zuccoli and wider Palmerston locality.

Subject to the receipt of amended drawings, the development will comply with the majority of performance criteria of the NT Planning Scheme.

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow reduced building setbacks to the primary street frontage for Unit 3 and Unit 8 is granted as:

- the single storey appearance of the development and the articulated facade (which includes open sided verandahs) will not result in building massing when viewed from the street or adjoining property; and
- a mixture of solid and open screen fencing has been provided and, together with landscaping, no undue overlooking of adjoining properties is anticipated

3. Pursuant to section 51(h) of the *Planning Act* the Development Consent Authority must take into consideration the merits of the proposal.

Subject to the receipt of amended drawings, the proposed will comply with most of the relevant performance criteria contained in Part 4 of the NT Planning Scheme applicable to residential development.

The development is consistent with the zoning of the land and as such is expected to contribute positively to the amenity of the yet to be developed mixed use neighbourhood. The proposed dwellings are of a size and design reasonably expected for this type of development in the

locality and is expected to offer occupants a good level of amenity. The proposal will benefit the local community through the provision of additional residential accommodation.

4. Pursuant to section 51(n) of the *Planning Act* the Development 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 subject to the receipt of amended drawings, will be compliant with the residential performance criteria contained in the NT Planning Scheme, including being below the density level permitted through Clause 7.1 (Residential Density Limitations).

5. 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

<b>ITEM 3</b> <b>PA2013/0534</b>  <b>APPLICANT</b>	<b>14 x 3 BEDROOM MULTIPLE DWELLINGS IN 7 SINGLE STOREY BUILDINGS</b> <b>LOT 10287 (PROPOSED LOT 11102) (235) LAMBRICK AVENUE, TOWN OF</b> <b>PALMERSTON</b> <b>MASTERPLAN NT</b>
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Mr Brad Cunnington and Ms Adelle Godfrey (Masterplan NT) attended and tabled a fencing and landscaping plan.

**RESOLVED**  
**102/13**

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) and Clause 7.3 (Building Setbacks of Residential Buildings) 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 10287 (proposed Lot 11102), (235) Lambrick Avenue, Town of Palmerston for the purpose of 14 x 3 bedroom multiple dwellings in 7 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) annotation(s) on the site plan confirming that parking bay/manoeuvring dimensions for Units 2, 3 and 5 comply with subclause's (h) and (j) of Clause 6.5.3 of the NT Planning Scheme;
  - (b) the location of water meter arrangements and sewer access points;

- (c) all existing and proposed easements, substations and services (refer to sewerage and electricity easements shown on survey plan S2011/207 and matters identified in Power and Water Corporation correspondence dated 22/07/2013 and 29/07/2013).
- 3. 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.
- 4. Prior to the endorsement of plans and prior to commencement of works (including site preparation), an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared to the requirements of 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.

#### **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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- 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 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.
- 9. 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 and Department of Transport, to the satisfaction of the consent authority.



10. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
11. 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.
12. 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) line marked (or otherwise suitably delineated) to indicate each parking space;
  - (c) properly formed to such levels that they can be used in accordance with the plans;
  - (d) surfaced with an all-weather-seal coat;
  - (e) drained;to the satisfaction of the consent authority.  
Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
13. Protective kerbs (*of a minimum height of 150mm*) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.
14. 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.
15. 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.
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 at ground level in a controlled manner to the satisfaction of the consent authority.
17. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
17. No polluted and/or sediment laden run-off is to be discharged directly or indirectly to City of Palmerston and Department of Transport drains or to any watercourse.

#### 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](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 in order 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. A "Permit to Work Within a Road Reserve" may be required from the Department of Transport and City of Palmerston before commencement of any work within the road reserves.

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

1. 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 MR (Medium Density 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 suburb of Johnston and wider Palmerston locality.

Subject to the receipt of amended drawings, the development will comply with the majority of performance criteria of the NT Planning Scheme.

2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for part of a car parking area to be located 0.0m from a street boundary and not landscaped to a depth of 3m is considered satisfactory in this instance as the fencing and landscaping proposed is expected to provide effective screening of that part of the car parking area from the public realm, thereby lessening the visual impact of the car park when viewed from the street. Amended plans showing car parking bays compliant with dimension requirements contained in Clause 6.5.3 will confirm these spaces are appropriately designed, constructed and maintained for their intended purpose.

3. The variations to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow reduced setbacks to the primary street frontage are supported as:
  - special circumstances are identified through the irregular shape of the land and the design response which reflects the irregular shape, with the reduced front setbacks to allow a functional parking layout and compliant private open space dimensions for all dwellings;
  - the single storey appearance of the development and the articulated facades (which includes open sided verandahs) will not result in building massing when viewed from the street or adjoining property; and
  - appropriate fencing and landscaping has been provided and as such no undue overlooking of adjoining properties is anticipated
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 parcel adjoining the site along the eastern boundary (Lot 4250 (512) Stuart Highway, Town of Palmerston) is zoned CN as it contains items of heritage significance and has been protected under a certificate issued by the Aboriginal Areas Protection Authority which stipulates that no works take place on that site. This land is located above and slopes towards the subject land and given such a topography difference stormwater flows are expected to flow onto the subject site and drain towards the Farrar Road boundary.

A conceptual stormwater drainage plan indicating how stormwater flows from Lot 4250 will be handled on site and along the boundary of Lot 10287 and an Erosion and Sediment Control Plan (ESCP) incorporating the Stormwater Management Plan will ensure that future body corporate will not inherit the responsibility for this issue.

The site is currently vacant land that has been cleared. As the site has been cut retaining walls are proposed to all boundaries. Therefore, provided that an ESCP is developed and implemented and the collection and discharge of stormwater is managed to Council's satisfaction, the land is considered capable of supporting the development as proposed.

The parcel is located within the new suburb of Johnston, irregular in shape with minimal gradient and 4410m<sup>2</sup> in area. Current flood mapping identifies that the site is not liable to be inundated in a 1.0% AEP Defined Flood Event. Subject to the developer complying with service authority requirements and other standard condition relating to storm water drainage, access, landscaping, fencing etc, it is unlikely that the development would have an adverse impact on the physical characteristics of adjacent and nearby land.

5. Pursuant to section 51(n) of the *Planning Act* the Development 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 will provide lower density residential development than what is provided for by the Scheme. As such the development is likely to positively contribute to the amenity of the locality provided that landscaping effectively screens the development from the street and the collection and discharge of storm water is managed to Council's satisfaction, the proposed development is considered likely to positively contribute to the future residential amenity of the locality.

6. The conditions of approval are expected to assist in ensuring the orderly servicing and development of the site and minimise potential impacts on the adjoining streets and properties.
7. The application was publicly exhibited in accordance with the requirement contained in the *Planning Act* and *Planning Regulations*. No public submissions were received.

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

**ITEM 4**  
**PA2013/0589**  
**APPLICANT**

**6 x 3 BEDROOM MULTIPLE DWELLINGS IN 3 SINGLE STOREY BUILDINGS**  
**LOT 10287 (235) LAMBRICK AVENUE, TOWN OF PALMERSTON**  
**MASTERPLAN NT**

Mr Brad Cunningham and Ms Adelle Godfrey (Masterplan NT) attended and tabled a fencing and landscaping plan.

**RESOLVED**  
**103/13**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) 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 part Lot 10287 (235) Lambrick Avenue, Town of Palmerston for the purpose of 6 x 3 bedroom multiple dwellings in 3 x single storey building, 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.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation) an Erosion and Sediment Control Plan (ESCP)

incorporating the Stormwater Management Plan as approved by the City of Palmerston, including details and location of stormwater drains, is to be 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.

3. 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 landscaping to the front boundary which will soften the impact of the solid Colorbond fence from the street. The landscaping must be within the boundary of the Lot 10287(235) Lambrick Avenue, Town of Palmerston and must grow to a height that will not impact on sight lines as vehicles exit the site.

#### **GENERAL CONDITIONS**

4. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

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 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.
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.
16. 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](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.

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 development is for 6 x 3 bedroom multiple dwellings in 3 x single storey buildings. It is therefore considered that the proposed development is consistent with the purpose of Zone MR as it will provide 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 – 3 to have a primary street setback of 4.9m where 6.0m is required is granted as:
  - only a small portion of Unit 1(living area) encroaches into the setback due to the unusual alignment of the front boundary;
  - the single storey appearance of the development and the articulated facade will not result in building massing when viewed from the street; and
  - solid fencing has been provided to ensure privacy of the residents of Unit 1.
3. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme to allow the verandahs of units 1 – 3 to have a side setback of 2.0m where 3.0m is required by Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 Storeys in Height) of the Scheme as the development has a length of 25.9m is granted as:
  - the single storey appearance of the development and the articulated facade will not result in building massing when viewed from the adjoining lot;
  - the proposed verandah will be screened from public view by a solid Colorbond fence and as such no impact on the amenity of the adjoining *lot* is anticipated; and
  - the open sided nature of the verandah will encourage breeze penetration through the site.
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.

The land parcel adjoining the site along the eastern boundary (Lot 4250 (512) Stuart Highway, Town of Palmerston) is zoned CN as it contains items of heritage significance and has been protected under a certificate issued by the Aboriginal Areas Protection Authority which stipulates that no works take place on that site. This land is located above and slopes towards the subject land and given such a topography difference stormwater flows are expected to flow onto the subject site. A conceptual stormwater drainage plan indicating how stormwater flows from Lot 4250 will be handled on site and along the boundary of Lot 10287 and an Erosion and Sediment Control Plan (ESCP) incorporating the Stormwater Management Plan will ensure that future body corporate will not inherit the responsibility for this issue.

Once formalised the site will have an area of 1,860m<sup>2</sup>, will be regular in shape and will have street frontage to Guider Court.

The site is currently vacant land that has been cleared. As the site has been cut retaining walls are proposed to the north, east and south boundaries. Therefore, provided that an ESCP is developed and implemented and the collection and discharge of stormwater is managed to Council's satisfaction, the land is considered capable of supporting the development as proposed.

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

**ITEM 5**  
**PA2013/0549**  
**APPLICANT**

**2 x 4 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**LOT 11150 (15) TALL STREET, TOWN OF PALMERSTON**  
**WBE CONSTRUCTIONS P/L AS TRUSTEE FOR WILKIE BUSINESS TRUST**

Mr Wilkie Kalon (landowner) attended.

**RESOLVED**  
**104/13**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 11150 (15) Tall Street, Town of Palmerston for the purpose of 2 x 4 bedroom multiple dwellings in a single storey building, 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) a mixture of permeable fencing to a height of 1.8m and landscaping to the Hodge Street frontage;
  - (b) solid fencing to a height of 1.8m between the private open space of each unit;



- (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; and
  - (d) landscaping and planting within all open areas of the site.
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. 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 and dust 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 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 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](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.
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 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 Tall Street.

2. A variation to Clause 7.5 (Private Open Space) of the Scheme is not supported as it is considered that non compliance with the requirement to provide screening to all boundaries will effect the privacy and amenity of each unit. An amended plan showing detailed fencing treatments and landscaping to all boundaries will ensure the privacy and amenity of the occupants of each dwelling.

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.

The site is 945m<sup>2</sup> in area, is regular in shape and has street frontage to Hodge Street and Tall Street. The site has been cleared and is undeveloped.

The site is within a residential suburb that is currently being developed. Provided that stormwater is appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Hodge Street and Tall Street, the land is considered capable of supporting the development as proposed.

4. Pursuant to Section 51(n) 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 the collection and discharge of stormwater is managed to Council's satisfaction and fencing and/or landscaping is provided to all boundaries in accordance with the requirements of Clause 7.5 the proposal is considered likely to positively contribute to the future amenity of the locality.

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

ITEM 6                    WITHDRAWN

ITEM 7                    WITHDRAWN

ITEM 8                    CONSOLIDATION AND SUBDIVISION TO CREATE 3 LOTS  
PA2013/0576            LOTS 11506 & 11891 (2) ROYSTONEA ROAD & PACKARD AVENUE,  
                                 TOWN OF PALMERSTON  
APPLICANT               ELTON CONSULTING

Mr Martin Klopper (Elton Consulting), Mr Geoff Smith and Mr Jeremy Clark (CIC) attended and tabled an easement plan.

**RESOLVED  
105/13**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 11506 (2) Roystonea Avenue and Lot 11891 Packard Avenue, Town of Palmerston for the purpose of subdivision and consolidation to create 3 lots, subject to the following conditions:

**GENERAL CONDITIONS**

1. Works carried out under this permit shall be in accordance with the drawing numbered 2013/0576/1 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 to the satisfaction of the consent authority.
3. 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.
4. 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.

**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 in order 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 proposal is fully compliant with the relevant provisions of Zone SP8 of the Scheme and consistent with previous subdivision and consolidation applications all of which seek to facilitate the future development of the Heights Durack residential estate.

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 land capability of Lots 11506 and 11891 was considered previously during the assessment for the development of the site in accordance with development permit DP12/0219. The Department of Land Resource Management (DLRM) advised in relation to this current application that there were no land resource issues or requirements identified.

The land is considered capable of supporting the proposed subdivision and consolidation.

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

**ITEM 9**  
**PA2013/0490**  
**APPLICANT**

**SUBDIVISION TO CREATE 11 LOTS IN 4 STAGES**  
**LOT 11498 (15) MALUKA DRIVE, TOWN OF PALMERSTON**  
**LAND DEVELOPMENT CORPORATION**

Ms June D'Rozario (June D'Rozario & Associates) attended on behalf of the applicant.

Mr Greg Clarke and Mr Ken Hawkins (Land Development Corporation) attended.

Submitter in attendance: Ms Judy Lambert.

**RESOLVED**  
**106/13**

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence to any one of the other members of the Palmerston Division the power under section 53 of the Act, to determine the application to develop Lot 11498 (15) Maluka Drive, Town of Palmerston for the purpose of a subdivision to create 11 lots in 4 stages, including with respect to granting any variations to the requirements of the NT Planning Scheme subject to:

- "confirmation that none of the proposed network roads A, A2, E, E2, B or B3 will become bus routes or alternatively modify such roads to enable them to support such proposed bus service; and

- an explanation for the apparent variance between the recommendations contained in Section 7 of the Road Traffic Impact Report lodged with the application regarding the functionality and the dimensions of the proposed road network and the dimensions of the said roads as identified in the application.”

**ACTION:** Advice to Applicant

**ITEM 10** **ADDITION OF A LICENSED CLUB TO AN EXISTING LEISURE AND RECREATION**  
**PA2013/0245** **FACILITY**  
**LOT 2884 (103) DWYER CIRCUIT, TOWN OF PALMERSTON**  
**APPLICANT** **PALMERSTON GOLF & COUNTRY CLUB**

Mr Andrew Swenson and Mr Ray Norman (Chairman of Board at the Club) attended.

**RESOLVED** That, the Development Consent Authority reduce the number of parking bays  
**107/13** determined in accordance with clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to 174 bays through the provisions of clause 6.5.2 (Reduction of Parking 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 2884 (103) Dwyer Circuit, Town of Palmerston for the purpose of an addition of a licensed club to an existing leisure and recreation facility, 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 the provision of bicycle storage facilities.
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’s underground stormwater drainage system shall be submitted to and approved by the City of Palmerston and/or the Department of Transport as the case may 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.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Traffic and Parking Management Plan incorporating a Traffic Impact Assessment prepared to the requirements of the Department of Transport on the advice of City of Palmerston, the Plan is to include details of access and egress, is to be submitted to and approved by the

consent authority. An endorsed copy of the Plan will form part of this 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.

4. Prior to the endorsement of plans and prior to the commencement of works, 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) landscaping to a depth of 3m to the new portion of the car parking area adjacent to Dwyer Circuit;
  - (b) landscaping within the car parking area which will provide shelter to pedestrians from sun and rain; and
  - (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;All species selected must be 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. 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 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. 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.
9. 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 Transport as the case may be to the satisfaction of the consent authority.
10. 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.
11. Access shall be provided off Dwyer Circuit and be provided to the standards of the City of Palmerston to the satisfaction of the consent authority.

12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
18. 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. 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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.



2. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to University Avenue traffic.
3. A "Permit to Work Within a Road Reserve" may be required from the Department of Transport before commencement of any work within their road reserve.
4. The development and use hereby permitted should be designed, constructed, registered and operate 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 an expansion of an existing service provided to club members on the site and is consistent with arrangements in other similar sports clubs in the region where licensed clubs have been developed on sporting grounds and where these facilities are used by club members and their guests. As such the proposal is considered consistent with the purpose of the zone.

2. A reduction of car parking requirements as specified by clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to 174 bays is determined in accordance with clause 6.5.2 (Reduction of Parking Requirements) of the Scheme for the proposed use because:
  - 174 car parking spaces and 42 golf buggy parking bays and are being provided where 176 parking bays are required. Some of the golf buggy parking area could be converted to address the 2 parking bays shortfall however significant portion of the Palmerston Golf Club members arrive to the club using a golf buggy and thus proposed parking area is considered appropriate for the proposed use.
  - the proposal limits any future development/expansion of the site and thus no further parking demand for the site's facilities is anticipated. The peak demand for golf and for the use of the proposed facility is unlikely to occur during the same time period and thus the 174 parking bays are not expected to be fully utilised at any time.
3. Requests for amended plan showing landscaping along the new portion of the car parking area will ensure the proposal's compliance with requirements of Clause 6.5.3 (Car Parking Layout) of the Scheme as the landscaping will minimise the visual impact of the car parking area when viewed from Dwyer Circuit.

4. Amended plans showing compliance with Clauses 8.2(m) of the Scheme is required to allow patrons who live in close proximity to the site who may wish to use a bicycle instead of a car.
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.

Lot 2884 (103) Dwyer Circuit, Town of Palmerston has an area of 22.79ha is irregular in shape and has street frontages to Dwyer Circuit and University Avenue. The site is surrounded by land in zones SD (Single Dwelling), MD (Multiple Dwellings), CP (Community Purposes) and PS (Public Open Space) of the Scheme. The site is currently developed for the purpose of the Palmerston Golf Course and Club.

Provided that stormwater will be appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils and/ or the Department's stormwater drainage system and landscaping is provided to the car parking area to soften the impact of the car park when viewed from the street and to provide protection to pedestrian it is considered the development will not have an adverse impact on the surrounding land.

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

**ITEM 11**  
**PA2013/0655**  
**APPLICANT**

**CHILD CARE CENTRE**  
**LOT 8511 (2) BRENNAN COURT, TOWN OF PALMERSTON**  
**BELL GABBERT ASSOCIATES**

Mr Wayne Gabbert (Bell Gabbert Associates) attended.

**RESOLVED**  
**108/13**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 8511 (12) Brennan Court, Town of Palmerston, for the purpose of a community centre and a child care centre, subject to the following conditions:

#### **CONDITIONS PRECEDENT**

1. 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 prepared by DPL Developments. The plan must show:
  - (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;

- (b) planting around all private open space areas to both dwellings that will provide a visual barrier within two years of planting, in accordance with the requirements of Clause 7.5 (Private Open Space) of the NT Planning Scheme.
  - (c) planting to the Flynn Circuit street frontage that, through design, placement and species selection will assist in lessening the visual bulk of the dwelling facing this street.
  - (d) provision of an in ground irrigation system to all landscaped areas.  
All species selected must be to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Traffic Impact Assessment must be submitted to and approved by the consent authority addressing the use of the property for the purpose of a community and child care centre. 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 and clearly identify:
    - The Centre's peak operational times;
    - Routes of travel;
    - Operational capacity of Roystonea Avenue and Temple Terrace signalised intersection;
    - Identify road safety issues at the existing intersections of Roystonea Avenue/Gurd Street and Temple Terrace/Farrar Boulevard; and
    - Outline required works to mitigate the impact of the proposed development on local traffic; and
  3. Prior to the commencement of the use the applicant shall provide a written confirmation that Lot 8511 Town of Palmerston is vested in the Department of Education and Children's Services (DECS).

## **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. 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 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.
7. 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 Transport as the case may be to the satisfaction of the consent authority.

8. 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.
9. The owner shall:
  - a) remove disused vehicle and/ or pedestrian crossovers;
  - b) collect stormwater and discharge it to the drainage network; 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.
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 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.
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. 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](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 in order 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 authority must consider any planning scheme that applies to the land to which the application relates.

The proposed development is considered to be generally consistent with the primary purpose of Zone SP5 (Specific Use 5) of the NT Planning Scheme) which is to facilitate the use and development of the land for the purposes of health related services and facilities.

The application complies with all relevant Clauses of the NT Planning Scheme.

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The Centre will collaborate with existing service providers in the area to ensure indigenous families with children have access to a range of child and family services for constructive early childhood development.

3. The provision of a Traffic Impact Assessment will allow Department of Transport to assess the impact of the proposal on Roystonea Avenue.

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

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



**PETER MCQUEEN**  
Chairman

23/9/13

