DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 197 – WEDNESDAY 22 MARCH 2017

BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON

MEMBERS PRESENT: Denis Burke (Chairman), Bob Flanagan, Andrew Byrne and Seranna Shutt

APOLOGIES: Stephen Ward and Paul Bunker

OFFICERS PRESENT: Margaret Macintyre (Secretary), Anthony Brennan and Alexandra Tobin
(Development Assessment Services)

COUNCIL REPRESENTATIVE: Gerard Rosse

Meeting opened at 9:45 am and closed at 10.20 am
ALTERATIONS AND ADDITIONS TO AN EXISTING WAREHOUSE INCLUDING THE ADDITION OF A CARETAKERS RESIDENCE
LOT 1124 (22) GEORGINA CRESCENT, TOWN OF PALMERSTON
APPLICANT GEORGE SAVVAS

Mr George Savvas attended.

RESOLVED 20/17
That, the Development Consent Authority vary the requirements of Clause 6.1 (General Height Control), Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.10.3 (Caretaker’s Residence) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 1124 (22) Georgina Crescent, Town of Palmerston for the purpose of alterations and additions to an existing warehouse including the addition of a caretaker’s residence, subject to the following conditions.

CONDITION PRECEDENT

1. 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 and/or the Northern Territory Government stormwater drainage system shall be submitted to and approved by the City of Palmerston and/or the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority. The plan shall include details of site levels and Council’s and/or the Northern Territory Government 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

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity networks to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Palmerston and / or the
Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

6. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading areas, and must not disrupt the circulation and parking of vehicles on the land.

7. 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.

8. The owner shall:
   (a) remove disused vehicle and/ or pedestrian crossovers;
   (b) provide footpaths/ cycle ways;
   (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 to the satisfaction of the consent authority.

9. 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.

10. Where unfenced, the Roystonea Avenue road frontage is to be appropriately fenced in accordance with the Department of Infrastructure, Planning and Logistics, Transport Infrastructure Planning division.

11. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

12. Soil erosion and dust control measures must be employed throughout the construction stage of the development 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) 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. Additionally, Water Services advise that the proposed development may have an impact on the existing pressure sewer system and may require upgrades. The Developer shall provide to Water Services a renewed fixture count to determine the level of contribution required to support the proposed development.

2. 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.

3. Upon completion of any works within or impacting upon the Roystonea Avenue road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Department of Infrastructure, Planning and Logistics, Transport Infrastructure Planning division.

4. Surface stormwater run-off from the development site onto the Roystonea Avenue road reserve is not permitted. The developer shall ensure that the stormwater run-off from the development site is wholly contained within the site and discharged into the local underground stormwater system to the standards and approval of the Department of Infrastructure, Planning and Logistics and / or the City of Palmerston. Stormwater design plans submitted for approval shall provide details of site levels and existing downstream drainage infrastructure.

5. 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 account the planning scheme that applied to the land to which the application relates.

The application proposes alterations and additions to an existing warehousing and the addition of a caretaker's residence. The primary purpose of Zone SC (Service Commercial) of the Scheme is to *provide for commercial activities which because of the nature of their business or size of the population catchment require large sites.* The proposed alterations and additions are considered to be consistent with the purpose of the zone as the proposal will further facilitate the intent of the zone as an area for commercial activities.
2. A variation to the requirements of Clause 6.1 (General Height Control) to allow a height of 8.8m where a height of 8.5m is permitted is granted as:
   - The existing structure only marginally exceeds the requirements of the clause and the height of the structure is not a significant departure from the prescribed requirements; and
   - The structure has been designed in a manner that prevents the opportunity for overlooking to adjacent sites;

3. A variation to the requirements of Clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) to allow a 0m setback to the eastern side boundary where a setback of 1.5m is required is granted as:
   - The inclusion of a caretaker's residence within the building triggers the assessment against the requirements of the clause, where assessment against the requirements of the clause is not required for development within Zone SC (Service Commercial);
   - The setbacks of the proposed building would be considered compliant should the caretakers residence use be excluded from the assessment;
   - Overlooking to the adjacent property is prevented as windows are only included along northern and southern walls of the proposed building;
   - The proposed building remains consistent with development that is typically expected within Zone SC (Service Commercial); and
   - The building is setback in excess of the minimum setback requirements at the front and rear boundaries.

4. A variation to the requirements of Clause 7.10.3 (Caretaker's Residence) to allow a floor area of 67m² where a maximum floor area of 50m² is permitted, is granted as:
   - The caretakers residence will be located within an existing building and modification to the floor area to meet the requirements of the Scheme is unable to be achieved;
   - There is only one caretakers residence on site and the primary purpose of the land remains unchanged;
   - A floor area of 67m² is considered reasonable given the size and the use of the site; and
   - Overlooking to adjacent properties is avoided as windows are only incorporated along the northern and southern walls.

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 proposed alterations and additions and caretaker's residence remain consistent with development generally expected within Zone SC (Service Commercial). As such, it is not expected that the proposed development will impact the existing and/or future amenity of the area.

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

**ITEM 2**
PA2016/0713

**RECONSIDERATION: 6 X 1 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**
LOT 7868 (17) BOWREY CRESCENT, TOWN OF PALMERSTON

**APPLICANT**
MASTERPLAN NT

Mr Jack Priestly (Masterplan NT), Ms Meredith Sullivan and Mr Randal Ashford (Ashford Group Architects) attended.

Submitter Elizabeth Wigg sent her apologies.

Submitters Mr Mick & Mrs Jill Corry attended.

**RESOLVED**
21/17

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout), Clause 7.1 (Residential Density and Height Limitations), Clause 7.3 (Building Setbacks of Residential and Ancillary Structures) and Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act consent to the application to development Lot 7868 (17) Bowrey Crescent, Town of Palmerston for the purpose of a 6 x 1 bedroom multiple dwellings in a single storey building, 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:
   a. A notation identifying that each unit is provided with two car parking bays.

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 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, drainage, sewerage, electricity facilities and telecommunications to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

6. 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.

7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the 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 the 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/ cycyleways;
   (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.

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 is to 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 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

Page 7 of 16

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
14. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

15. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.

16. 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.

17. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) demonstrating that the Power and Water Corporation has been provided with a copy of the survey plan with the new lot numbers. This is for the purpose of ensuring the relevant Power and Water Information and Billing System is updated. Please provide a copy of an email addressed to both landdevelopmentnorth@powerwater.com.au and powerconnections@powerwater.com.au.

NOTES:

1. 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.

2. 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 08 936 4070 to determine if the proposed works are subject to the Act.

3. Addressing should comply with the Australian Standard (AS/NZS 4819:2011). You should immediately make application to Survey and Land Records for the assignment of address numbers surveylandrecords@nt.gov.au 08 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

4. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-
developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

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 the development of a 6 x 1 bedroom multiple dwelling in a single storey building and is consistent with the requirements of purpose of Zone MD (Multiple Dwelling) as it will provide a range of housing types not typically available within the Palmerston Region. Furthermore, the proposed multiple dwelling has been articulated and staggered and incorporated in an effort to reduce the expanse of blank wall to adjacent lots and remain sympathetic to the style of existing development and development reasonably expected in the future on other surrounding Zone MD allotments.

2. A variation to the requirements of Clause 6.5.3 (Parking Layout) sub-clause 3(ii) to allow a driveway width of 5.6m where a driveway width of 6m is required is granted as:

- Car parking spaces on site remain in accordance with the parking layout dimensions as per the Scheme;
- A variation of 0.4m is minimal and will only affect the three rear units with no other connections or access ways; and
- A minor reduction in driveways width allows for an increase in private open space areas for units 1 to 3.

3. A variation to the requirements of Clause 7.1 (Residential Density and Height Limitations) to allow a residential density of 1 per 157m² where 1 per 300m² is required is granted as:

- The Authority notes that the density is higher than the scheme requirements, however the development is somewhat unique being single bedroom dwellings, and when compared to the previously approved 3 x 3 bedroom multiple dwellings the expected habitation density is considered to be acceptable;
- The Authority considers that the development has been architecturally designed in a way that minimises the visual impacts of building massing when viewed from Bowrey Crescent and adjoining residential land, with the long axis located adjacent to Zone CN (Conservation) land;
- The design of each dwelling appears to limit the number of occupants that could reasonably be accommodated in each dwelling (i.e. the design

Page 9 of 16

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excludes study rooms or additional living areas that could easily be converted into additional bedrooms);
- The inclusion of building articulation paired with fenestration will assist in minimising the expanse of blank wall and visual bulk of the building; and
- The Authority is therefore satisfied that the level compliance with other aspects of the scheme indicates that the density of the development is appropriate having regard to the purpose of the clause.

4. A variation to the requirements of Clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) to allow a primary street setback of 4.5m where a setback of 6m is required is granted as:

- Fencing along the primary street boundary alternates between solid and lightweight fencing which is expected to add interest at street level and promote breeze penetration throughout;
- Landscaping has been incorporated along the length of the boundary so as to soften the impact of the development when viewed from the street;
- A reduced front boundary setback allows for an increase in private open space areas; and
- The building wall incorporates a variety of building materials and full length windows in an effort to reduce the building bulk to the street.

5. A variation to the requirements of Clause 7.5 (Private Open Space) to allow a units 1 – 5 to have non-compliant private open space is considered appropriate as:

- All units are considered capable of accommodating clothes drying areas, small table and chairs together with adequate room for the in-ground planting of vegetation;
- The design and dwelling configuration of this clause typically apply to multiple dwelling developments of any size and are not considered to accurately reflect the likely demands of the one-bedroom dwellings proposed in this application;
- Proposed private open space areas represent a significant increase in area that is permeable and open to the sky;
- Suitable public open space areas are provided within the immediate vicinity and provide suitable space to fulfil the need for recreation space; and
- 32% of the lot is dedicated to the provision of landscaping, 20% of which is permeable and open to the sky. Plans submitted as part of the application indicate that these areas are planted for shade, amenity, stormwater infiltration and privacy from adjacent units on site.

**ACTION:** Notice of Consent and Development Permit
SUBDIVISION TO CREATE 92 LOTS IN 2 STAGES (ZUCCOLI STAGE 5C)
LOT 12448 RADFORD ROAD & LOT 4251 (575) ROYSTONE AVENUE, TOWN OF PALMERSTON
APPLICANT
MASTERPLAN NT

Mrs Linda Henning and Ms Sandra Howlin (Masterplan NT), Mr Mike Schokman (Director Costojic Pty Ltd - Landowners) and Mr Carl Schokman attended.

RESOLVED
21/17
That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 12448 Radford Road & Lot 4251 (575) Roystone Avenue, Town of Palmerston for the purpose of a subdivision to create 88 lots in 2 stages (Zuccoli Stage 5C), subject to the following conditions.

CONDITIONS PRECEDENT

1. 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.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Palmerston to the satisfaction of the consent authority. All cut and fill works are to be designed to minimise the need for excessive cut/fill/retaining wall works for the proposed lots.

3. Prior to the commencement of works (including site preparation), Engineering drawings and design details for the proposed interface and alignment of Road 01 and the connection to the road within the northern stage of Stage 1 Zuccoli is to be submitted to and approved by the Technical Director Service, with all approved works constructed at the applicants expense to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

4. Prior to the commencement of works (including site preparation), an updated water and sewer infrastructure Masterplan for the entire Zuccoli stage 3, 4, and 5 development is to be submitted to and approved by the Power and Water Corporation, to the satisfaction of the consent authority.

5. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the Consent Authority on the advice of the Department of Environment and Natural Resources (DENR). All works relating to this permit are to be undertaken in accordance with the ESCP to the requirements of the Consent Authority, on the advice from DENR. The ESCP is to be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and in accordance with the IECA Best Practice Erosion and...

GENERAL CONDITIONS

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

7. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

8. Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrated that a 3.5m driveway can be located on each lot whilst ensuring that each lot’s street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

9. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Environment and Natural Resources.

10. 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.

11. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement of site is to be created on the plan for subdivision submitted for approval by the Surveyor General.

12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

13. Stormwater is to be collected and discharged into the drainage network to the technical standard of and at no cost to the City of Palmerston to the satisfaction of the consent authority.

14. Site earthworks are to be carried out in accordance with the approved site earthworks plan to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

Page 12 of 16

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15. The developer will be required to contact the City of Palmerston prior to the relocation of any Council infrastructure or service for the purposes of installation of a driveway crossover.

16. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of the City of Palmerston to the satisfaction of the consent authority and all approved works constructed at the owner’s expense.

17. The developer must implement necessary measures to ensure mosquito breeding does not occur during the construction phase of the development, to the requirements of the Department of Health, to the satisfaction of the consent authority.

18. Dust control measures must be employed throughout the construction stage of the development to the requirements of the NT EPA, 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) 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.

2. The Consent Authority notes from the plans lodged with the application that a large Public Open Space lot is proposed in Stage 5D. The Consent Authority further notes the undertaking provided by the applicant/proponent at the Development Consent Authority Meeting on 22 March 2017 that the park will not be pushed back to a later stage. The Consent Authority considers that the delivery of the park in Stage 5D will be necessary to comply with the requirements of the Palmerston Eastern Suburbs Planning Principles and Areas Plans and Northern Territory Planning Scheme.

3. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advise on weed management please visit http://www.nt.gov.au/weeds or alternatively contact the Weed Management Branch of the Department of Environment and Natural Resources on (08) 8999 4567.

4. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at
5. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011)

For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

6. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites in the Northern Territory. 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.

7. The Northern Territory Environment 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.

8. Any proposed works which fall within the scope of the Construction Industry Long Service Leave ad 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 8936 4070 to determine if the proposed works are subject to the Act.

9. All new roads, including alterations and extensions to existing 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 place.names@nt.gov.au. Further information can be found at www.placenames.nt.gov.au.

10. The Department of Infrastructure Planning and Logistics, Transport Infrastructure Planning advises that the proposed public bus route (Figure 17 on page 28 of the Flanagan Consulting Group Traffic Impact Assessment Report for Zuccoli Aspire Stages 3 to 5, dated 30 November 2016) does not provide adequate coverage of Zuccoli Stage 5 and that parts of Stage 5C are located within a 400m – 600m catchment of the planned bus route. However, future Stage 5 stages will not be. The department recommends that this be revisited now as the current proposal will not provide adequate transport access for the public including school studies.

11. The Department of Environment and Natural Resources advise that it is highly likely that the Darwin Cycad, *Cycas armstrongii* (Vulnerable, TPWC Act) is present within the footprint of the proposed development, however available
data suggests that it is unlikely that these are ‘important populations’ (Commonwealth of Australia, 2009). If the species is present as scattered individuals or at low population densities it is likely that the risk to the global population as a result of the proposal will be low. These potential risks could be further minimized by translocating or retaining individual plants within the landscape design, as per the Management Program for Cycads in the Northern Territory of Australia 2009-2014.

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 generally in accordance with the requirements of Zone FD (Future Development) and the requirements of Clause 14.5.1 (Palmerston Eastern Suburbs Planning Principles and Areas Plans) as the proposal presents a compact walkable urban residential subdivision with lot sizes for single dwellings ranging from between 352m² to 816m², which include larger lots located along the eastern boundary which serve as buffers between the urban residential areas and existing rural living zoned land. The lot sizes are considered to be of a size and configuration capable of accommodating potential future uses with the requirements of the Scheme. Therefore, it is considered that the proposed subdivision is consistent with the intended future use of the land and achieves the requirements of the Scheme.

2. Pursuant to section 51(e) of the Planning Act, the consent authority must take into consideration any public submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

Two public submissions were received during the exhibition period under Section 49 of the Planning Act with respect to the proposal. The submissions raised concerns with regards to the proposed lots sizes and road widths throughout the subdivision. The subdivision remains generally compliant with the requirements of the Scheme. Road widths will be required to be in accordance with the requirements of the City of Palmerston as the controlling agency, and lot sizes to the far eastern corner of the Stage 5C2 subdivision abutting Radford Road have been amended to have larger lot size and street frontage to remain consistent with the requirements of Clause 14.5.1 (Palmerston Eastern Suburbs Planning Principles and Areas Plans) sub-clause 4(c).

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.

Page 15 of 16

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Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
Provided that:

- An ESCP is prepared and suitably implemented;
- Stormwater flows and quality and the associated sediment displacement and erosion is effectively controlled; and
- Modifications are made to the existing soil condition to raise the land capability of the site as per the advice contained within the Flanagan Consulting Group engineering report

The land is considered capable of accommodating the proposed subdivision without any adverse impact on the surrounding land.

4. Pursuant to section 51(k) of the Planning Act, the consent authority must take into consideration the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer.

The proposed subdivision for the subdivision of Stage 5C includes pedestrian linages to large public open space areas located within Stage 5A and 5B. Furthermore, a major park is proposed in future Stage 5D and this area of public open space will be readily accessible to the general public and will serve as an open space network. It is therefore considered that the Stage 5 development, once fully developed, will provide the required 10% public open space.

ACTION: Notice of Consent and Development Permit

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

DENIS BURKE
Chairman
23/3/17