DEVELOPMENT CONSENT AUTHORITY
TENNANT CREEK DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: 3 MEETING DATE: 14 September 2020 FILE: PA2020/0235

APPLICATION: 6 x 1 bedroom dwellings-group in 3 x 1 storey buildings
APPLICANT/CONTACT: Department of Local Government, Housing and Community Development (DLGHCD)
LAND OWNER: Chief Executive Officer (Housing)
BENEFICIARY: Chief Executive Officer (Housing)
LOCATION: Lot 2475 (74) Peko Road, Town of Tennant Creek (Bookmark A)
ZONE: LMR (Low-Medium Density Residential)
AREA: 1820m²
SUBMISSIONS: Nil

ASSESSMENT SYNOPSIS
This report concludes that the Authority should vary the requirements of additional setback requirements for residential buildings longer than 18 metres and for residential buildings over 4 storeys in height, and private open space of the NT Planning Scheme 2020 and approve the application subject to permit conditions as recommended in this report.

PROPOSAL
The application proposes the development of the site for the purpose of 6 x 1 bedroom dwellings-group in 3 x single storey buildings with 2 car parks provided per dwelling. Each unit is provided with compliant areas of private open space. A copy of the application including additional development plans submitted on 27 July 2020 is provided at Bookmark B.

REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

<table>
<thead>
<tr>
<th>Zoning and Level of Assessment on Assessment Table</th>
<th>Part 3 Overlay</th>
<th>Part 5 – General and Specific Development Requirements</th>
<th>Level of Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>LMR (Low-Medium Density Residential)</td>
<td>Nil applicable</td>
<td>The proposal requires variations to: – clause 5.4.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height) – clause 5.4.6 (Private Open Space)</td>
<td>Merit</td>
</tr>
</tbody>
</table>

The proposed use (Dwelling Group 3+) requires consent pursuant to clause 1.8.1(b)(i) of the Northern Territory Planning Scheme 2020 (NTPS 2020) as the use is listed in the zoning table for Zone LMR (Low Medium Density Residential) as ‘Merit Assessable’. Clause 1.10(3) of NTPS2020 lists required considerations for the assessment level.
BACKGROUND

The lot is vacant and undeveloped. The locality includes a mix of predominantly LMR (Low Medium Density Residential), LR (Low Density Residential) and TC (Tourist Commercial) zoned land and the site is located approximately 1km from the central business area. Adjacent lot 1382 to the north is developed as a caravan park (Lot 1382) and vacant crown land (Lot 2099). Adjoining Lot 2475 on the eastern and western boundaries are Low Density residential developments. Abutting the property are Lots 2471 and 2470, currently vacant and zoned (LR) low density residential development.

PUBLIC EXHIBITION

The application was advertised in the Tennant and District Times on 7 August 2020 and placed on public exhibition for a period of two weeks until 21 August 2020. No submissions were received under section 49(1) of the Planning Act 1999.

THIRD PARTY APPEAL RIGHTS

Pursuant to sections 14(2) and 14(3)(d) of the Planning Regulations, there is no right of appeal by a third party under section 117 of the Planning Act 1999 (the Act) in respect of the determination of the application.

AMENDMENTS TO PLANNING ACT 1999 AND NT PLANNING SCHEME

An amendment to the Act took effect on 31 July 2020 and includes transitional provisions in section 167(2) which states:

If:

a) an application was made to the former Authority as consent authority under section 48, 57 or 58 of the former Act; and

b) a hearing in respect of the application had not been commenced under the former Act, this Act applies to the application as if it were an application under section 46, 59 or 57, respectively, of this Act.
Subsequent to the subject application being submitted, the Northern Territory Planning Scheme 2007 (NTPS 2007) was repealed and the Northern Territory Planning Scheme 2020 (NTPS 2020) took effect on 31 July 2020.

It is noted that at the time the application was submitted, the NTPS 2007 was in effect, and was addressed by the applicant in the Statement of Effect.

Because the application was not heard before the commencement of the amendment to the Act, and to satisfy the requirements of Section 51, the application is required to be assessed against NTPS 2020. This assessment has been undertaken by Development Assessment Services (DAS) having regard to the applicant’s Statement of Effect and how this relates to the current provisions of NTPS 2020 and amended Act.

**MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT)**

Pursuant to Section 51(1) of the Planning Act 1999, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

(a) any planning scheme that applies to the land to which the application relates

Under clause 1.10.5, the consent authority may consent to a proposed use or development that is not in accordance with a requirement set out in Part 5 only if it is satisfied that the variation is appropriate having regard to:

− the purpose and administration clauses of the requirement; and
− the considerations listed under clause 1.10(3) or 1.10(4).

Under clause 1.10.3 of NTPS2020, in considering an application for consent for a use or development identified as ‘Merit Assessable’ the consent authority must take into account all of the following:

<table>
<thead>
<tr>
<th>Considerations</th>
<th>Summary</th>
</tr>
</thead>
</table>
| (a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6; | It is noted that Part 5 requirements of NTPS 2020 closely reflect the Part 4 requirements of the superseded NTPS 2007. A technical assessment against requirements of NTPS 2020 is included at Bookmark C. Plans used to assess the technical assessment (the development plans) are omitted from the reference material as the same plans are included at Bookmark B. The proposal requires variations to:

− clause 5.4.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height)

− clause 5.4.6 (Private Open Space) |
| (b) any Overlays and associated requirements in Part 3 that apply to the land; | There are no applicable overlays. |
| (c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6; and | The NTPS 2020 applies to the land which is within Zone LMR (Low Medium Density Residential). The purpose of Zone LMR is to “Provide a range of low rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available.” |
Discussion is provided below.

(d) if an Area Plan in Part 2 applies to the land, any component relevant to a variation of requirements in Parts 5 or 6.

There are no applicable Area Plans.

The Tennant Creek Land Use Plan (TCLUP) is an applicable Strategic Land Use Plan and forms part of the Strategic Framework under Part 2 of the NTPS2020 and identifies the site as part of the area currently identified for ‘Urban’ use. The proposed development is expected to support listed objectives by:

- Contributing to the range of dwelling types and sizes available to accommodate the needs of all household profiles;
- Supporting efficient, economic and viable use of existing and future infrastructure;
- Increasing housing choice by providing a wide range of housing types and sizes to cater for all households, including smaller sized households, dependent or temporary residents and retirement living; and
- Providing infill residential development that is generally consistent with the Northern Territory Compact Urban Growth Policy.

The proposal is assessed as accordant with the TCLUP.

**PART 5**

Non-compliances have been identified against the following clauses within Part 5 of NTPS2020:

The following sections address the proposals non-compliances in consideration of the relevant clause purposes and requirements.

Clause 5.4.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height)

The purpose of the clause is to ensure that residential buildings respond to the potential adverse effects of building massing and visual bulk when viewed from adjoining land and the street.

The dwellings are fully compliant with front setback requirements. The building containing units 1 & 2 have a total length of 26.19m which exceeds the 18m requirement by 8.19m. The development can only achieve a 1.5m setback from the wall of bedroom and laundry for Units 1 & Unit 2, but is articulated to a 2.5m setback for a total length of 11.4 metres of façade to the western side boundary.
An additional 1.5m is to be added to the normal setback of 1.5m, therefore requiring a 3m setback to the western side boundary.

Non-compliant setbacks are shown in the table below.

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Proposed minimum setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side boundary (west)</td>
<td></td>
</tr>
<tr>
<td>3.0m for residential buildings, and ancillary structures with external walls</td>
<td>1.5m to walls of Units 1 &amp; 2</td>
</tr>
</tbody>
</table>

The reduced setback is not expected to:
- have any discernible building massing impact on adjacent land or streets;
- result in any overlooking of adjoining properties; or
- have any discernible impact on breeze penetration to and through the site; or
- be discordant with the LMR Zone ‘Purpose’ or ‘Outcomes’.

Clause 5.4.6 (Private Open Space)
The purpose of clause 5.4.6 is to “extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:
(a) of an adequate size to provide for domestic purposes;
(b) appropriately sited to provide outlook for the dwelling;
(c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site; and
(d) inclusive of areas for landscaping and tree planting.”

Under clause 5.4.6.1 “the consent authority may consent to private open space that is not in accordance with sub-clauses 4 and 5 only if is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.”

The proposal does not comply with clause 5.4.6.5(b) with respect to privacy fencing to the perimeter of the property.

Compliance with the ‘open to the sky’ requirements have been achieved, however the proposed development is expected to:
- offer occupants of all dwellings a good level of private open space amenity complemented by screening/fencing to a height of 1.8m providing a visual barrier to public spaces; and
Item 3

- fenced to a height at least 1.8m and planted with dense vegetation.

It is recommended that any permit issued includes conditions requiring the above matters to be addressed with a view to ensuring that the development meets the purpose of clause 5.4.6 and achieves a satisfactory level of compliance.

(b) any proposed amendments to such a planning scheme:
   (i) that have been or are on exhibition under Part 2, Division 3;
   (ii) in respect of which a decision has not been made under Part 2, Division 5; and
   (iii) that are relevant to the development proposed in the development application

There are no proposed amendments to the Northern Territory Planning Scheme which affect this proposal.

(c) an interim development control order, if any, in respect of the land to which the application relates

There are no interim development control orders relevant to the site or proposal.

(d) an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates

There are no environmental protection objectives relevant to the land.

(e) any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application

No public submissions were received during the exhibition period under section 49 of the Planning Act 1999 with respect to the application.

(f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally

The Minister has not made any direction in relation to the application.

(h) the merits of the proposed development as demonstrated in the application

The application identifies/contends the following merits (in summary):
- This is a purpose built development to the requirements of Department of Housing (DHLGCD) for one bedroom urban public housing dwellings as part of the Government’s Urban Public Housing package;
- The development will improve the streetscape and generally lift building standards in the township of Tennant Creek; and
- The development will stimulate the building industry in the town and support many local businesses, whether directly or indirectly, which is essentially sustaining, maintaining and possibly creating jobs.

The proposed development is assessed as aligning with the purpose of Zone LMR, which is to “provide a range of low rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available.”
Item 3

(j) 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 Department of Environment and Natural Resources (DENR) did not make a submission, however, it expected there are no identified issues of concern. The site is not located within a defined flood area and no land capability issues have been identified.

(k) 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 site is located approximately 1 km from the business area, and features nearby public space and organised recreation zones.

Figure 3 – Proximity of community open space

(m) the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose

The proposal was circulated to the Barkly Regional Council, Department of Environment & Natural Resources, NBN, Power and Water Corporation, Surveys (DIPL), and Telstra for comment. Comments received are summarised below.

Barkly Regional Council Bookmark D refers
Barkly Regional Council comment included the standard comment regarding kerb crossovers, and stated residents would be responsible for placing rubbish bins on curb for collection. Standard general conditions and advisory notes are also recommended for site access, stormwater drainage and work within road reserves and may be expected to ensure that the Council’s interests as a relevant authority are duly recognised.

NBNCo. Bookmark E refers
Telstra has advised that the site falls into a NBN fixed line Fibre to the Node network and the development will need to be registered with NBN.
Power and Water Corporation (PAWC) **Bookmark F** refers
PAWC Network Development and Water Services respectively have outlined relevant requirements relating to upgrading of service infrastructure and connection to network services.

Survey - DIPL **Bookmark G** refers
Survey Land Records has nil comment regarding this application.

Standard conditions for access, stormwater management, servicing (power and water metering and easement protection) and telecommunications are recommended for inclusion on any permit issued.

**(n)** the potential impact on the existing and future amenity of the area in which the land is situated

The proposed development is of a form and scale expected to be compatible with the established streetscape and locality and is not expected to adversely impact on the amenity of the locality. Relevant standard permit conditions relating to landscaping and screening of air-conditioning units may be expected to assist in integrating the development into the streetscape.

**(p)** the public interest, including (if relevant) how the following matters are provided for in the application:

(i) community safety through crime prevention principles in design;
(ii) water safety;
(iii) access for persons with disabilities

The development has been designed with regard to community safety through crime prevention principles and includes provision of passive surveillance opportunities. No swimming pools are proposed and no special disabled accessible provision is required for development of this type.

**(q)** for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)

Not applicable to this application.

**(r)** any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

**(s)** any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992

There is no declared beneficial use relevant to the subject site.
No other matters identified.

**RECOMMENDATION**

That, the Development Consent Authority varies the requirements of clause 5.4.3.1 - Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height, and clause 5.4.6 - Private Open Space of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consents to the application to develop Lot 2475 (74) Peko Road, Town of Tennant Creek for the purpose of 6 x 1 bedroom dwellings-group in 3 x single storey buildings, subject to the following conditions and for the following reasons:

**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 in Adobe PDF format, drawn to scale with dimensions and generally consistent with the plans publicly exhibited, but modified to include:
   a) An amended fencing plan maintaining good passive surveillance opportunities and sight lines for vehicles entering and exiting the site and detailing solid 1.8m high Colorbond© good neighbour fencing to all private open space areas;
      Note: The applicant is recommended to review species selection for trees/shrubs with a view to including trees likely to provide winter solar access to outdoor spaces, while providing shading during summer
   b) details of location of proposed air-conditioner condenser units and/or suitable notes on drawings showing:
      (i) all condenser units ‘ground-mounted’ or ‘low-mounted’ such that they are screened from adjoining dwellings by proposed internal or side boundary screen fencing with condenser units extending no higher than the adjacent screen fencing; or
      (ii) (if condenser units or other air-conditioner units are proposed to be roof-mounted or mounted partially or wholly above the height of adjacent privacy screening) other suitable screening of the units from adjacent dwellings and the street;
   c) a stormwater drainage concept plan for the site designed to ensure that any stormwater not retained on site:
      (i) is not directed to adjacent dwellings or properties; and
      (ii) is directed to the stormwater drainage network to the requirements of the Barkly Regional Council, to the satisfaction of the consent authority; and
   d) written support (in principle) of the Barkly Regional Council in relation to the stormwater drainage concept plan prior to its endorsement.

Amended plans and associated supporting documentation prepared in response to the conditions precedent may be submitted to the Development Consent Authority C/- Development Assessment Services, DIPL (Alice Springs Branch) via email to DAS.NTG@nt.gov.au. When endorsed, the plans will form part of the permit.
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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities and telecommunication networks to the development shown on the endorsed drawings in accordance with the authorities' requirements and relevant legislation at the time.

4. Stormwater is to be retained on the site or collected and discharged into the drainage network to the technical standards of, and at no cost to, the Barkly Regional Council, to the satisfaction of the consent authority.

5. The kerb crossover and driveway to the site approved by this permit is to be provided, and any required re-instatement works are to be completed, to the requirements and technical standards of the Barkly Regional Council and at no cost to the Council, to the satisfaction of the consent authority.

6. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street. This condition is to the technical standards of the Barkly Regional Council, to the satisfaction of the consent authority.

7. Before the use or occupation of the development starts, driveways and areas set-aside for the parking of vehicles 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) sealed; and
   d) drained;
   to the satisfaction of the consent authority.

8. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

9. 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.

10. 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.

11. Before the use/occupation of the development starts, the private open space area/s of each dwelling shall be screened in accordance with a landscaping and fence plan endorsed by the consent authority as part of this permit and fences must be a minimum of 1.8m above ground level and a minimum of 1.6m above the finished floor level of the adjacent dwellings on the site. This condition is to the satisfaction of the consent authority.

12. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both waterdevelopment@powerwater.com.au and powerconnections@powerwater.com.au.
13. 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 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 meters within the development in accordance with the allocation. A Certificate of Compliance (section 65 of the *Planning Act 1999*) will not be able to be granted until such time as addressing is obtained.

14. If provision for the storage and collection of garbage and other solid waste is proposed to be provided other than within private yards, the area/s must be screened from public view to the satisfaction of the consent authority.

15. All air conditioning units (evaporative or condenser units), including any units required to be added or replaced in the future, are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of at ground level in a controlled manner, to the satisfaction of the consent authority.

NOTES:

1. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the *Northern Territory Building Act 1993* before commencing any construction works.

2. A “Permit to Work Within a Road Reserve” is required from the Barkly Regional Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Council’s road network.

3. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 8995 5354 (surveylandrecords@nt.gov.au).

4. The Power and Water Corporation advises that the Water and Sewer Services Development Section (water development@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.

5. You are advised to contact Dial Before You Dig on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.


8. There are statutory obligations under the Waste Management and Pollution Control Act 1998 (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines.

9. 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

10. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 2005 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.

**REASONS**

1. Pursuant to section 51(a) of the Planning Act 1999, the Development Consent Authority (the consent authority) must take into consideration the planning scheme that applies to the land to which the application relates. An amendment to the Planning Act 1999 took effect on 31 July 2020. The amendment to the Planning Act 1999 includes transitional provisions in section 167(2) which states: *If:*
   - an application was made to the former Authority as consent authority under section 48, 57 or 58 of the former Act; and
   - a hearing in respect of the application had not been commenced under the former Act, this Act applies to the application as if it were an application under section 46, 59 or 57, respectively, of this Act.

Subsequent to the subject application being submitted, the Northern Territory Planning Scheme 2007 (NTPS 2007) was repealed and the Northern Territory Planning Scheme 2020 (NTPS 2020) took effect on 31 July 2020. At the time the application was submitted, the Northern Territory Planning Scheme (2007) was in effect, and was addressed by the applicant in the Statement of Effect.
Because the applications were not heard before the commencement of the amendment to the Planning Act 1999, and to satisfy the requirements of Section 51 of the Planning Act 1999, the application is required to be assessed against NTPS 2020. The proposal has been assessed against the requirements of the Planning Act 1999 (as at 31 July 2020) and the requirements of the NTPS 2020 (as at 31 July 2020).

The proposed development as approved is considered to respond satisfactorily to applicable requirements and objectives of NTPS 2020 as it relates to the site and locality and is assessed as aligning with the purpose of Zone LMR, which is to “provide a range of low rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available.”

The consent authority grants variation/s to:

a) clause 5.4.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height) to allow a building which houses Units 1 & 2 to be constructed less than the required minimum setback distance from the front boundary, as:

(i) the wall of units 1 & 3 fully comply with the primary street setbacks;
(ii) the development is expected to be compatible with the streetscape and surrounding development including residential buildings on the same site; and
(iii) the building is not expected to:
  • have any discernible building massing impact on adjacent land or streets;
  • the streetscape or surrounding development; or
  • result in any overlooking of adjoining properties; or
  • have any discernible impact on breeze penetration to and through the site; or
  • be discordant with the LMR Zone ‘Purpose’ or ‘Outcomes’.

2. Pursuant to section 51(e) of the Planning Act 1999, in considering a development application the consent authority is required to take into account any submissions made under section 49 of the Act and any evidence or information received under section 50 of the Act. The application was publicly exhibited and no submissions were received. The Barkly Regional Council was invited to comment on the application, but did not make any submissions in its capacity as local authority.

3. Pursuant to section 51(h) of the Planning Act 1999, in considering a development application the consent authority is required to take into account the merits of the proposed development as demonstrated in the application. The application identified/contended generally as follows:

a) The development is a purpose designed to the requirements of Department of Housing (DHLGCD) for one bedroom urban public housing dwellings as part of the Government’s Urban Public Housing package;

b) The development will improve the streetscape and generally lift building standards in the township of Tennant Creek; and

c) The development will stimulate the building industry in the town and support many local businesses, whether directly or indirectly, which is essentially sustaining, maintaining and possibly creating jobs.

4. Pursuant to section 51(j) of the Planning Act 1999, in considering a development application the consent authority is required to take into account the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development. Neither the Department of Infrastructure, Planning and Logistics nor the Department of Environment and Natural Resources has identified any issues of concern in terms of land capability or suitability. Advisory notes
included in the development permit may be expected to assist in ensuring appropriate management of erosion, dust and noise during construction.

5. Pursuant to section 51(m) of the Planning Act 1999, the consent authority must take into account the public utilities or infrastructure provided in the area in which the land is situated, services to be connected to the land and the requirement, if any, for those facilities or infrastructure to be provided by the developer. Service authorities have not identified any concerns in principle with the proposed development and the conditions of approval are expected to assist in ensuring that the Barkly Regional Council, the Power and Water Corporation and the relevant telecommunications authority’s respective interests as a service authorities are duly recognised and that the development is serviced in an orderly manner.

6. Pursuant to section 51(n) of the Planning Act 1999 the consent authority must take into consideration the potential impact of development on the existing and future amenity of the area in which the land is situated. The proposed development is of a form and scale expected to be compatible with the established streetscape and locality and is not expected to adversely impact on the amenity of the locality. Permit conditions relating to landscaping and screening for air-conditioning units may be expected to assist in ensuring that the development is integrated into the streetscape.

7. Pursuant to section 51(p) of the Planning Act 1999 the consent authority must take into consideration the public interest, including (if relevant) how the following matters are provided for in the application;
   (i) community safety through crime prevention principles in design;
   (ii) water safety; and
   (iii) access for persons with disabilities.

The Community Safety Design Guide promotes community safety through crime prevention principles in design. The development has been designed with regard to the guide through crime prevention principles and includes provision of passive surveillance opportunities. No swimming pools are proposed and no special disabled accessible provision is required for development of this type.

8. Pursuant to section 51(r) of the Planning Act 1999 the consent authority must take into consideration any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011. There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

REPORT PREPARED BY DEVELOPMENT ASSESSMENT SERVICES

________________________________________
Manager Planning and Development (Southern Region)

Peter Somerville
2020.09.11 09:38:52 +09’30’
LOT 2475, 74 PEKO ROAD, TENNANT CREEK
Map created Tue Sep 01 08:31:45 CST 2020

Legend

- General Lines
- ANEF Darwin 2030
- ANEF Darwin and Alice Springs 2024
- Town Planning Zones
  - A - Agriculture
  - CV - Caravan Park
  - CR - Central Business
  - C - Commercial
  - CL - Community Living
  - CP - Community Purpose
  - CN - Conservation
  - DV - Development
  - RH - Rural Residential
  - GI - General Industry
  - HT - Heritage
  - HR - High Density
  - H - Horticulture
  - LI - Light Industry
  - M - Main Road
  - MR - Medium Density
  - MD - Multiple Dwelling
  - LMR - Medium Density Residential
  - CA - No Planning Scheme Controls
  - OR - Organised Recreation
  - PM - Proposed Main Road
  - PS - Public Open Space
  - RW - Railway
  - RD - Restricted Development
  - R - Rural
  - RL - Rural Living
  - SC - Service Commercial
  - SD - Single Dwelling
  - LR - Low Density Residential
  - S - Specific Use
  - TC - Tourist Commercial
  - U - Utilities
  - WM - Water Management
  - FD - Future Development
  - RJ - Residential Jabiru
  - PSJ - Public Open Space Jabiru
  - ORJ - Organised Recreation Jabiru
  - CJ - Commercial Jabiru
  - SCJ - Service Commercial Jabiru
  - TCJ - Tourist Commercial Jabiru
  - CPJ - Community Purpose Jabiru
  - FDJ - Future Development Jabiru
  - LJ - Industrial Jabiru
  - MJ - Main Road Jabiru
  - UJJ - Utilities Jabiru

Road Labels
- Road Controllines
- Highway
- Other Road
- Street Numbers
- Parcel Numbers

Created by JULDR

Bottom Left: 134° 11' 55", -19° 38' 55"
Top Right: 134° 12' 03", -19° 38' 45"
Approximate Scale: 1:1,800
Datum: GDA 1994
Data for information purposes only - accuracy not guaranteed
N.T. Land Information System
Copyright Northern Territory of Australia
STATEMENT OF EFFECT

74 PEKO ROAD, TENNANT CREEK
(LOT 2475 TOWN OF TENNANT CREEK)
6 X 1-BED MULTIPLE DWELLINGS

JULY 2020
 Contents

1. INTRODUCTION .................................................................................................................. 4

2. SITE & LOCALITY DESCRIPTIONS .................................................................................. 5
   2.1. Description of Site ........................................................................................................ 5
   2.2. Zoning .......................................................................................................................... 5
   2.3. Description of Locality ................................................................................................ 5

3. PROPOSED DEVELOPMENT ........................................................................................... 7

4. PLANNING ASSESSMENT ............................................................................................... 8
   4.1. 46(3)(a) – Compliance with the Planning Scheme ....................................................... 8
   4.2. Section 46(3)(b) – Interim Development Control Order ............................................... 13
   4.3. Section 46(3)(c) – Public Environmental Report/Environmental Impact Statement .... 13
   4.4. Section 46(3)(d) – Merits of Proposed Development .................................................. 13
   4.5. Section 46(3)(e) – Subject Land, Suitability of Development and Impact on Locality ... 13
   4.6. Section 46(3)(f) – Available Public Facilities/Open Space .......................................... 13
   4.7. Section 46(3)(g) – Public Utilities/Infrastructure ......................................................... 14
   4.8. Section 46(3)(h) – Impact on Amenity ....................................................................... 14
   4.9. Section 46(3)(j) – Benefit/Detriment to Public Interest .............................................. 14
   4.10. Section 46(3)(k) – Subdivision and compliance with the Building Act ....................... 14
   4.11. Section 46(3)(l) – Scheme Land .............................................................................. 14

5. DRAFT NT PLANNING SCHEME 2020 .......................................................................... 15

6. CONCLUSION ..................................................................................................................... 17
1. INTRODUCTION

This development application is for six, one-bedroom multiple dwellings in three single-storey buildings at Lot 2475 Town of Tennant Creek (74 Peko Road, Tennant Creek).

The proposal constitutes a discretionary use within Zone MD (Multiple Dwelling Residential) and requires a Development Permit pursuant to Section 44(a) of the Planning Act 1999.

The site is owned by the Chief Executive Officer (Housing), Department of Local Government, Housing and Community Development (DLGHCD).

Included in the development application are the Statement of Effect (this report) and development plans. The application is supported by landowner authorisation and relevant Certificate of Title documents. The proposal has been assessed against the provisions of the NT Planning Act, the NT Planning Scheme, referenced documents and guidelines. A desktop site inspection and a Dial Before You Dig investigation has been undertaken.

This report also addresses the Draft NT Planning Scheme 2020 and the Draft Planning Amendment Regulations 2020, under the Planning Amendment Bill passed by the Legislative Assembly on 25 June 2020 (not yet Gazetted).
2. SITE & LOCALITY DESCRIPTIONS

2.1. Description of Site

The subject site is identified as Lot 2475, Town of Tennant Creek. The site is also referred to as 74 Peko Road, Tennant Creek.

The subject site is within Zone MD (Multiple Dwelling Residential) under the NT Planning Scheme and has an area of 1820 square metres. Access to the site is gained directly from the sealed, two lane Peko Road.

The subject site is located within an Indigenous Land Use Agreement (ILUA) area. The site is not subject to Native Title.

The site is relatively flat and currently vacant. The site has reticulated electricity connections, and reticulated water and sewer are also available.

The site survey is provided at Attachment A.

2.2. Zoning

The subject site is within Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme. A multiple dwelling is a D (Discretionary) use in the zone, and requires consent.

2.3. Description of Locality

The subject site is located in the urban residential area of Tennant Creek, approximately 1 km from the town centre. The site is located adjacent to land zoned also zoned MD (Multiple Dwelling Residential), and is located between two existing multiple dwelling developments at 5 Chittock Crescent, Tennant Creek and 78 Peko Road, Tennant Creek. To the rear of the site there are two vacant lots, zoned SD (Single Dwelling Residential).

The site is located in proximity to land zoned SD (Single Dwelling Residential), MD (Multiple Dwelling Residential), C (Commercial), TC (Tourist Commercial), OR (Organised Recreation), CP (Community Purpose), PS (Public Open Space) and R (Rural). An extract of the zoning map is shown below at Figure 1.

The subject site is in reasonable proximity to schools, including the Tennant Creek High School (Barkly College), as well as public open spaces and recreation areas such as the Tennant Creek Public Swimming Pool, bowling club, recreation parks and football ovals.
Figure 1: Zoning Map
3. PROPOSED DEVELOPMENT

The proposal is for six, one-bedroom multiple dwellings in three single-storey buildings on the subject site. The delivery of the proposed dwellings is part of the Urban Public Housing works within the DLGHCD’s $100b Stimulus Package.

The proposal comprises six, one-bedroom dwellings on a currently vacant site. There is a shared driveway within the common property. Each dwelling is provided with two car parking spaces. Each dwelling is provided with both private open space areas and access to common property areas.

The dwellings have been carefully designed to meet the requirements of AS4299 – Adaptable Housing – Class C. This ensures that the dwellings can be adapted to meet full accessibility requirements if necessary.

No variations to the requirements of the current NT Planning Scheme are proposed.

The proposed Development Plans are provided at Attachment B.
4. PLANNING ASSESSMENT

4.1. 46(3)(a) – Compliance with the Planning Scheme

The following is an assessment against the provisions of the current NT Planning Scheme, in accordance with the provisions of the NT Planning Act 1999.

Clause 2.7 of the NT Planning Scheme (NTPS or Scheme) states that the interpretation of the Scheme and the determinations of a consent authority must have regard to the policies and planning concepts contained within Part 8 or Schedule 2 of the Scheme.

Tennant Creek is not subject to any area plans detailed in Part 8 of the Scheme.

Tennant Creek is subject to the Tennant Creek Land Use Plan 2019 (TCLUP), as referenced by Schedule 2 of the Scheme.

The TCLUP identifies the subject site as being within the ‘Urban’ area of the Land Use Structure. This is consistent with the current zoning of MD (Multiple Dwelling Residential) and the intended use of the site for residential purposes.

The proposal is subject to the Northern Territory Compact Urban Growth Policy (NTCUGP), as referenced by Schedule 2 of the Scheme. The relevant design principles that relate to compact urban growth are briefly discussed below:

- **Accessibility**
  
  The proposed multiple dwellings are within reasonable proximity to the Tennant Creek town centre, as well as reasonable proximity to schools, including the Tennant Creek High School (Barkly College), and public open spaces and recreation areas such as the Tennant Creek Public Swimming Pool, bowling club, recreation parks and football ovals.

- **Neighbourhood Character**
  
  The proposal provides dwellings that are consistent with the existing building type and dwelling typology of the immediate neighbourhood. The proposal and dwelling density are consistent with the intent of the NTPS zone, and the intent of the TCLUP.

- **Traffic Management**
  
  The proposal will not cause any detrimental impact on existing traffic movement or traffic networks.

- **Service Infrastructure**
  
  The proposal will not cause any detrimental impact on the operation of essential power, water, sewerage and stormwater infrastructure.

- **Constrained Land**
The proposed development is not within a locality that is affected by constraints such as airport noise, flooding, storm surge, public health constraints such as odour or biting insects, or public safety constraints.

- **Social infrastructure**

  The proposed development will provide for the construction of six urban social housing dwellings, and is considered to be complimentary to the existing social infrastructure of the locality.

**Clause 2.8 of the NTPS** states that a use or development must demonstrate consideration of, and the consent authority must have regard to, the use or development appearing in Schedule 3 of the Scheme.

The **Community Safety Design Guide 2010**, contained within Schedule 3, is applicable to the site.

The purpose of the Community Safety Design Guide 2010 is to ensure the design of buildings and public spaces, and the way land uses are set out in cities and towns eliminates the fear of crime and do not influence crime in a detrimental way. The relevant design principles that relate to community safety design are discussed below:

- **Surveillance**

  The proposed multiple dwellings contain clear windows from all habitable rooms, which look directly out to the shared driveway for internal surveillance. Fencing to road frontages will be chain mesh to allow for visual permeability and to provide passive surveillance of the street.

- **Sightlines**

  The proposal provides dwellings that will contribute the amenity of the streetscape without restricting sightlines to public spaces.

- **Lighting**

  Each dwelling will be provided with lighting to the carport and portico, as well as low level lighting to the common areas, typical of any residential development.

- **Signage and Way Finding**

  Each dwelling will be easily identifiable for the local residents of the community.

- **Movement Predictors and Entrapment Locations**

  The proposed development provides for passive surveillance and does not contain any enclaves that pose an unreasonable threat of entrapment.

- **Residential Development**

  The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community. The dwellings contain habitable room windows that provide passive surveillance over the street.

The proposal is considered to satisfy the general requirements of the Community Safety Design Guidelines.
Clause 3.0 of the NTPS defines “Multiple Dwellings” as:
“A building or group of buildings on a site which individually or collectively contain more than one dwelling (including serviced apartments) but does not include an independent unit”.

The proposed development accords with this definition.

Clause 5.7.1 of the NTPS states that the primary purpose of Zone MD (Multiple Dwelling Residential) is to 'provide for a range of housing options to a maximum height of 2 storeys above ground level'.

The proposed dwellings will increase housing options available within the locality and importantly provide for additional urban public housing within the locality. The proposed dwellings are all one bedroom, in line with the highest waitlist demand for urban public housing in Tennant Creek.

The proposed multiple dwellings are consistent with the primary purpose of Zone MD (Multiple Dwelling residential). Multiple Dwellings are a discretionary use within the zone and therefore the proposed development complies with this clause.

Clause 6.1 of the NTPS establishes general building height controls. Within Zone MD (Multiple Dwelling Residential) the maximum building height is two storeys to a maximum of 8.5 metres. The proposed development is single storey and does not exceed 8.5 metres in height.

Clause 6.5.1 of the NTPS ensures “that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.”

The table to Clause 6.5.1 identifies that multiple dwellings require a minimum of two car parking spaces per dwelling. Accordingly, each dwelling will provide sufficient area for a minimum of two car parking spaces.

Dwelling Type A (Units 3 – 6 inclusive) provides for two car parking spaces immediately adjacent to each dwelling, one covered and one uncovered. The covered car park is compliant with the required dimensions under AS 4299 – Adaptable Housing.

Dwelling Type B (Units 1 and 2) provides for two undercover car parks immediately adjacent to the dwelling. However, in order for the undercover car parking area of Units 1 and 2 to meet the requirements of AS 4299 – Adaptable Housing, an additional uncovered car bay has been provided to the end of the shared driveway. This will allow the undercover car parking for Units 1 and 2 be used for as a single, accessible parking area, whilst still meeting the requirements of the NTPS.

Clause 6.5.3 of the NTPS relates to the layout of car parking areas and states they should be "appropriately designed, constructed and maintained for its intended purpose."

Each dwelling proposed provides parking areas suitable for the parking of two cars that are functional for the proposed use. The car parking areas will be sealed and well drained.

There is a single entry/exit point onto Peko Road, and vehicles are able to enter from and exit to Peko Road in a forward gear. Sightlines for drivers are compliant, and landscaping proposed will not impede sightlines.
The dimensions of the proposed car parking areas meet or exceed the requirements of the NTPS, and a minimum of 1 bay per dwelling is compliant with the dimension requirements of AS 4299 – Adaptable Housing.

Clause 6.16 of the NTPS ensures that the excavation or filling of land does not adversely affect adjacent land or water, or the quality of adjacent waterways, and associated riparian areas and is suited to the intended future use of the site.

It is noted that, in accordance with subclause 2, consent is not required for the excavation or filling of land normally required in association with the construction of a building. Minor excavation and fill works as part of standard site preparation are proposed as part of this application, however, do not require consent as they are in association with the construction of the proposed new dwellings. Notwithstanding the above, the site is not within the vicinity of any waterways and the proposal will not undermine the intent of this clause.

Clause 7.1 of the NTPS ensures that residential density is compatible with existing and planned provision of reticulated services and community facilities and consistent with land capability.

The prescribed density in Zone MD (Multiple Dwelling Residential) is 1 dwelling per 300 square metres of land. The site is 1820 square metres, and six multiple dwellings are proposed. Therefore, the proposal provides a multiple dwelling development that meets the density prescribed by the NTPS.

Clause 7.1.2 of the NTPS provides height limitations for residential development and states that for dwellings in Zone MD (Multiple Dwelling Residential), height is restricted to 2 storeys, to a maximum of 8.5 metres.

The proposed dwellings are all single storey and will not exceed 8.5m, as shown on the elevation drawings provided at Attachment B.

Clause 7.3 of the NTPS ensures that "residential buildings and structures without external walls are located so:
• they are compatible with the streetscape and surrounding development including residential buildings on the same site;
• as to minimise any adverse effects of building massing when viewed from adjoining land and the street;
• as to avoid undue overlooking of adjoining properties; and
• as to encourage breeze penetration through and between buildings."

Table A to Clause 7.3 specifies minimum setbacks to the primary street as being 6 metres for residential buildings and ancillary structures with external walls, and 4.5 metres for verandahs, balconies and ancillary structures without external walls.

Table A to Clause 7.3 specifies minimum setbacks to the side and rear lot boundaries being 1.5 metres.

The proposed dwellings are setback 6 metres from the primary road frontage, with the verandah of Unit 2 having a primary street setback of 4.75 metres.

The rear and side boundary setbacks meet or exceed the minimum 1.5 metres required.

The proposal accords with Clause 7.3.
Clause 7.3.1 of the NTPS ensures that residential buildings respond to the potential adverse effects of building massing and visual bulk when viewed from adjoining land and the street.

The combined length of Units 1 and 2 is over 18 metres, and therefore additional setbacks are required. The westernmost side façade has been articulated so that a combined length of 11.4 metres of facade is set back at 2.5 metres, rather than 1.5 metres.

The proposal accords with Clause 7.3.1, as the configuration of the dwellings on site will not have any adverse effects of building massing.

Clause 7.5 of the NTPS specifies characteristics and requirements of private open space for dwellings.

Each dwelling has direct access to a private outdoor area. The private open space areas are of a sufficient size, permeable and open to the sky areas to allow for a range of outdoor activities to occur. Each dwelling provides for the minimum private open space areas as prescribed by the table to Clause 7.5, being 45 square metres, exclusive of driveways and car parking areas but inclusive of a 4 metre by 4 metre area.

Private open space has been provided as follows:

- Unit 1: 84 square metres, inclusive of a 4 metre by 4 metre area;
- Unit 2: 89 square metres, inclusive of a 4 metre by 4 metre area;
- Unit 3: 131 square metres, inclusive of a 4 metre by 4 metre area;
- Unit 4: 67 square metres, inclusive of a 4 metre by 4 metre area;
- Unit 5: 67 square metres, inclusive of a 4 metre by 4 metre area; and
- Unit 6: 75 square metres, inclusive of a 4 metre by 4 metre area.

Sub-clause 4 requires private open space to be screen fenced to a height of at 1.8 metres or fenced to 1.8 metres with dense vegetation to provide a visual barrier. The dwellings are proposed to be fenced with a combination of 1.8 metre high chain wire mesh fencing and 1.8 metre Colorbond fencing, as is typical in Tennant Creek.

The proposal accords with Clause 7.5.

Clause 7.6 of the NTPS relates to communal open space but does not apply to multiple dwelling developments in which each dwelling has direct and independent access to provide open space at ground level. This clause is therefore not applicable.

Clause 7.7 of the NTPS requires landscaping for multiple dwellings that “complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment.” The clause specifies that “not less than 30% (which may include communal open space) of a site that is used for...multiple dwellings... is to be landscaped.”

A total of 36% of the site is landscaped, being 513 square metres of landscaped private open space, and 145 square metres of communal open space.

The proposal accords with Clause 7.7.

Clause 7.8 of the NTPS promotes “site-responsive designs for ... multiple dwellings ... which are pleasant for the occupants and do not unreasonably affect the use and enjoyment of adjacent land.”
The dwellings are single storey and constructed of reinforced blockwork material and glass windows. Roof design includes steel trusses and Colorbond cladding. The dwellings all have eaves to all sides.

Any air conditioners proposed will be evaporative air conditioners and will be fully screened and easily accessible, given the single storey design of the buildings. There will be limited service equipment necessary, and any such equipment will be located such that it is not directly visible from the street. The dwellings are setback significantly from the nearest public road which will assist in effectively obscuring views of any air conditioning equipment.

There are no large expanses of blank walls, as the design incorporates windows on all sides. The use of windows will optimise breeze penetration and circulation. The blockwork design and eave overhangs will provide significant insulation to reduce temperatures when windows are open and to retain temperatures when air conditioning is being used.

There are no known noise sources that may impact on the dwelling, other than what would normally be expected in a residential neighbourhood. However, the blockwork design will limit the transmission of noise sources and provides a balance between the visual and acoustic privacy. Passive climate control features such as Colorbond wall cladding and cross ventilated windows are also incorporated into the design.

No undue overlooking is expected as all dwellings are single storey.

4.2. Section 46(3)(b) – Interim Development Control Order

There are no Interim Development Control Orders applicable to this application.

4.3. Section 46(3)(c) – Public Environmental Report/Environmental Impact Statement

No Public Environmental Report or Environmental Impact Statement is required under the Environmental Assessment Act for the proposed alterations and additions.

4.4. Section 46(3)(d) – Merits of Proposed Development

The proposal will provide much needed access to contemporary, one-bedroom urban public housing dwellings in Tennant Creek. The provision of one-bedroom units addresses the greatest housing demand for public housing in Tennant Creek.

4.5. Section 46(3)(e) – Subject Land, Suitability of Development and Impact on Locality

For a description of the subject land and locality, refer Sections 2.1 and 2.2 of this report. The investigations contained herein demonstrate that the site can accommodate this form of development. The proposal is not expected to significantly increase traffic in the surrounding locality.

4.6. Section 46(3)(f) – Available Public Facilities/Open Space
As described in Section 2 of this report, the site has access to a range of services in the wider locality. No additional public open space or facilities are considered necessary through this application.

4.7. Section 46(3)(g) – Public Utilities/Infrastructure

No additional infrastructure is required for this application.

4.8. Section 46(3)(h) – Impact on Amenity

The development of the six, one-bedroom dwellings will provide positive benefits to the lives of the people that live within the community as well as positive amenity impacts to the surrounding locality.

As discussed previously in the report, it is considered that there will be no detrimental impact on the amenity of the locality.

4.9. Section 46(3)(j) – Benefit/Detriment to Public Interest

The proposal will provide much needed one-bedroom public housing dwellings in Tennant Creek. The housing proposed will better address the public housing waitlist demands and lead to better social outcomes that will benefit the entire community.

4.10. Section 46(3)(k) – Subdivision and compliance with the Building Act

No subdivision of land is proposed.

4.11. Section 46(3)(l) – Scheme Land

The site is not subject to a unit title scheme, and no unit title subdivision is proposed in the future. The site in its entirety will remain under the ownership of the CEO (Housing), for public housing purposes.
5. DRAFT NT PLANNING SCHEME 2020

The following is a brief assessment against the provisions of the Draft NT Planning Scheme 2020, not yet Gazetted.

It is expected that upon gazettal of the Draft NT Planning Scheme 2020, that the zoning of the site would be amended from Zone MD (Multiple Dwelling Residential) to Zone LMR (Low-Medium Density Residential), however this will be subject to Gazettal of the Scheme mapping.

It is expected that upon gazettal of the Draft NT Planning Scheme 2020, that the proposed use would be considered as 'Dwellings – Group'.

Should the above occur, the development as proposed would be consistent with the objectives of the LMR zone, and would be considered Merit Assessable. The subject site is not subject to any overlays.

The proposal is considered to be complaint with the relevant General Development Requirements under the Draft NT Planning Scheme 2020 as follows:

• 5.2.1 General Height Control

The proposal is compliant with the general height controls, as the proposed dwellings are single storey and less than 8.5 metres in height.

• 5.2.4 Vehicle Parking

The proposal is compliant with the vehicle parking requirements as each dwelling provides for two car parking spaces, one covered and one uncovered. The covered car park is compliant with the required dimensions under AS 4299 – Adaptable Housing.

• 5.2.6 Landscaping

The proposal is compliant with the landscaping requirements, as 36% of the site is landscaped.

The proposal is considered to be complaint with the relevant Specific Development Requirements under the Draft NT Planning Scheme 2020 as follows:

• 5.4.1 Residential Density Limitations

The proposal is compliant with the residential density limitations of the site, being 1 per 300m².

• 5.4.2 Residential Height Limitations

The proposal is compliant with the residential height limitations, as the proposed dwellings are single storey and less than 8.5 metres in height.

• 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

The proposal is compliant with the setback requirements for residential buildings.

• 5.4.4 Extensions and Structures Ancillary to a Dwelling – Group or Dwelling – Multiple

N/A

• 5.4.6 Private Open Space
The proposal is compliant with the required provision of private open space, including minimum dimensions.

- **5.4.7 Communal Open Space**
  
  N/A

- **5.4.8 Building Design for Dwelling – Group, Dwelling – Multiple, Rooming Accommodation and Residential Care Facility**

  The proposal is considered to be compliant with building design requirements for a 'Dwelling – Group' use.
6. CONCLUSION

The proposal is for the construction of six, one-bedroom multiple dwellings at Lot 2475 Town of Tennant Creek (74 Peko Road, Tennant Creek).

The proposed development is compliant with the requirements of the NT Planning Scheme and has significant merit, including:

- satisfying an urgent requirement for additional public housing;
- providing appropriate housing commensurate to the public housing waitlist in Tennant Creek;
- creating a positive improvement to the amenity of the area; and
- satisfies the expectations of the zone.

It is noted that the proposal is also considered likely to comply under the provisions of the Draft NT Planning Scheme 2020, should this scheme be gazetted under the NT Planning Act 2020.

Accordingly, given its adherence to the general controls of the NT Planning Scheme and the matters discussed above, the authority’s supportive consideration is sought.

Catriona Tatam
MPIA, Bachelor of Urban and Regional Planning
27 July 2020
Cover Sheet

View from Peko Road entry

Locality Plan

View from southern end of entry driveway

Isometric View

Note: views represent overall spatial relationship of dwellings on site, colours shown are notional only.
SITE DATA: LOT 2475

SITE AREA: 1826m²
BUILDING AREA: 494m²
HARDSCAPE: 329m²
PERCENTAGE SITE COVER: 45%
PERCENTAGE SOFTSCAPE: 55%

6X 1 BEDROOM DWELLINGS (81 & 85m² each)
TOTAL: 6 DWELLINGS
UNIT 1  84m² PRIVATE OPEN SPACE
UNIT 2  90m² PRIVATE OPEN SPACE
UNIT 3  131m² PRIVATE OPEN SPACE
UNIT 4  67m² PRIVATE OPEN SPACE
UNIT 5  67m² PRIVATE OPEN SPACE
UNIT 6  75m² PRIVATE OPEN SPACE
TOTAL POS: 514m²
RESIDENT PARKING: 12 CARPARKS
TOTAL: 12 CARPARKS

LEGEND
PRIVATE OPEN SPACE
CONCRETE DRIVEWAY
1.8m HIGH GOOD NEIGHBOUR FENCING
1.8m HIGH CHAIN MESH FENCING
LANDSCAPE
COLOURED CONCRETE

Concept Drainage Plan 1:200

Northern Territory Government

Concept Drainage  1:200

Concept Drainage Plan for development approval

May 20
RJ DIPL

B0-0000
A3

A3
Plan & Elevations 1 Bed Unit Type A
SK02

Plan & Elevations 1:200

Northern Territory Government

6 x 1 BEDROOM UPH DWELLINGS
74 Peklo Rd Tennant Creek
PROPOSED PLANS & ELEVATIONS TYPE A UNITS

Elevation 1

Elevation 3

Elevation 2

Elevation 4
Site Section A-A

6 x 1 BEDROOM UPH DWELLINGS
74 PEKO RD TENNANT CREEK
SITE SECTION A-A

Northern Territory Government

Verification for development approval: May 2020
RJ DPL

DIPL

Site Boundary

Site Section A-A

SK04
## Technical Assessment PA2020/0235

**TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME**

Application No: PA2020/0235  
Lot number: 2475 (74) Peko Road  
Town/Hundred: Tennant Creek  
Zone: LMR (Low-Medium Density Residential)  
Site Area: 1820m²  
Proposal: Construct 6 x 1 bedroom dwellings-group in 3 x single storey buildings  
Plans used for assessment: PA2020/0235/01 – PA2020/0235/06  
Date Assessment finalised: 27 August, 2020

Dwelling-Group (3+) is a merit assessable use in Zone LMR. The application includes 3 single storey buildings, and is subject to the following provisions:

<table>
<thead>
<tr>
<th>Zone LMR (Low-Medium Density Residential)</th>
<th>Development Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use</strong></td>
<td><strong>Assessment Category</strong></td>
</tr>
</tbody>
</table>
| Dwelling-Group (3+) | Merit Assessable | Clause 4.3 (Zone LMR – Low-Medium Density Residential)  
Clause 5.2.1 (General Height Control)  
Clause 5.2.4.1 (Parking Requirements)  
Clause 5.2.4.4 (Parking Layouts)  
Clause 5.2.6 (Landscaping)  
Clause 5.4.1 (Residential Density Limitations)  
Clause 5.4.2 (Residential Height Limitations)  
Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)  
Clause 5.4.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height)  
Clause 5.4.3.2 (Distance Between Residential Buildings on one Site)  
Clause 5.4.4 (Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development)  
Clause 5.4.6 (Private Open Space)  
Clause 5.4.7 (Communal Open Space)  
Clause 5.4.8 (Building Design for Dwelling-Group, Dwelling-Multiple, Rooming Accommodation and Residential Care Facility)  
Schedule 5 Reference Guidelines (Design Guidance for Development in Zone LMR (Low-Medium Density Residential) in Tennant Creek) |

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 2.5 (Exercise of Discretion by the Consent Authority) allows the Development Consent Authority discretion to vary standards only where special circumstances justify the giving of consent or impose a condition requiring a higher standard if it considers it necessary to do so.
### 4.3 Zone LMR (Low-Medium Density Residential)

The primary purpose of Zone LMR is to provide a range of low rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available.

<table>
<thead>
<tr>
<th>Sub Clause</th>
<th>Requirements</th>
<th>Comment</th>
</tr>
</thead>
</table>
| 4.3.1      | A blend of dwellings single, associated dwellings independent, dwellings group and dwellings multiple predominantly of two storeys or less, on a range of lot sizes that respond to changing community needs. | Complies –
- The land is relatively flat and undeveloped.
- The proposed use is dwellings-group.
- The site is serviced with power, water, and sewerage.
- The site abuts a mix of residential zones. |
| 4.3.2      | Home based businesses and dwellings community residence are conducted in a manner consistent with residential amenity. | N/A to this application. |
| 4.3.3      | Residential care facilities are of a scale and conducted in a way that maintains the residential character and amenity of the zone. | N/A to this application. |
| 4.3.4      | Non-residential activities are limited to community centres that:
(a) support the needs of the immediate residential community;
(b) are of a scale and intensity compatible with the residential character and amenity of the area;
(c) wherever possible, are co-located with other non-residential activities in the locality;
(d) avoid adverse impacts on the local road network; and
(e) are managed to minimise unreasonable impacts to the amenity of surrounding residents. | Complies –
- The subject site abuts a mix of residential uses.
- The site is within close proximity to community purpose areas and recreation parks and football ovals.
- The site is in reasonable proximity to schools, including the Tennant Creek High School, Public Swimming Pool, and Bowling Club.
- There are no adverse impacts on the local road network, and no unreasonable impacts to the amenity of the area. |
| 4.3.5      | Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and between neighbours, provides privacy and attractive outdoor spaces. | Complies – Building design, site layout and landscaping have been incorporated into the development as well as private open space provisions. |
| 4.3.6      | An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks, and with reasonable access to open space and community facilities. | Complies – All lots will be connected with essential services. There is public transport on Gap Road (within a radius of 70m), and walking distance to sporting facilities i.e. Traeger Park and the Aquatic Centre. |

**COMPLIES**

### 5.2.1 General Height Control

The purpose of this clause is to ensure that the height of buildings in a zone is consistent with development provided for by that zone.

1. This clause does not apply:
   (a) within Zones CB or DV or TC; or
   (b) to education establishments or hospitals within zones CL or CP; or, subject to clause 5.4.2, Zone C; or
   (c) where a height is specified elsewhere in this Planning Scheme.
2. The height of any point of a building is to be measured from ground level vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
3. The consent authority may consent to a development that is not in accordance with sub-clause 4 if it considers the height of the building or structure achieves the zone purpose, having regard to such matters as its location, nature, scale and potential impact on adjoining property.
4. The height of any part of a building is not to exceed 8.5m above the ground level, unless it is:
   (a) a flag pole, aerial or antenna; or
   (b) for the housing of equipment relating to the operation of a lift; or
   (c) a telecommunications facility.

- All dwellings are single storey and do not exceed 8.5m in height.

COMPLIES

5.2.4.1 Parking Requirements

The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.

1. The consent authority may consent to a use or development that is not in accordance with the table to this clause only if it is satisfied the use or development is appropriate to the site having regard to the purpose of this clause and the potential impact on the surrounding road network and the amenity of the locality and adjoining property.
2. If a proposed use or development which is not listed in the table to this clause requires consent, the number of car parking spaces required for that use or development is to be determined by the consent authority.
3. The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause. Northern Territory Planning Scheme 2020 Part 5-13
4. Despite anything to the contrary in this clause, on land within an area depicted as 'Activated Frontages' within the 'Residential and Mixed Use Map' of the Central Darwin Area Plan, an alfresco dining area that results in the loss of up to 25 ground level car parking spaces associated with any existing development is exempt from providing replacement car parking spaces ordinarily required by this clause.
5. A change of use from an alfresco dining area (including the provision of air conditioning) will result in the new use being subject to full car parking requirements of this clause.

6. A use or development specified in column 1 of the table to this clause is to provide the number of car parking spaces (rounded up to the next whole number) required for that development and is to be calculated in accordance with the formula specified opposite in column 2 or, if the development is within Zone CB in Darwin, column 3.

<table>
<thead>
<tr>
<th>Use or Development</th>
<th>Minimum Number of Car Parking Spaces Required</th>
<th>Dwellings-group</th>
<th>Minimum Number of Car Parking Spaces Required Within Zone CB in Darwin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling-group</td>
<td>2 per dwelling</td>
<td></td>
<td>1 per one bedroom dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.5 per two bedroom dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.7 per three bedroom dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2 per dwelling with four or more bedrooms</td>
</tr>
</tbody>
</table>

**Table to Clause 5.2.4.1: Parking Requirements**

In respect to the proposed use the car parking requirement is assessed as follows:

- The application states dwellings 3-6 will be provided with 2 spaces, being a combination of 1 x covered and 1 x uncovered parking space
- Units 1-2 will have 1 x covered car park
- An additional 2 open air parking spaces will be provided in the shared driveway for Units 1 & 2

COMPLIES
5.2.4.4 Parking Layout

The purpose of this clause is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

1. The consent authority may consent to a car parking area that is not in accordance with sub clause 3 if it is satisfied that the non-compliance will not:
   (a) result in adverse impacts on the local road network or internal functionality of the car parking area; and
   (b) unreasonably impact on the amenity of the surrounding locality.

2. A car parking area is to be established, used and maintained for the purpose of vehicle parking only.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Design Requirements</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.2.4.4.3</td>
<td>A car parking area is to:</td>
<td></td>
</tr>
<tr>
<td>5.2.4.4.3(a)</td>
<td>be of a suitable gradient for safe and convenient parking;</td>
<td>The parking layout is of a suitable gradient for parking.</td>
</tr>
</tbody>
</table>
| 5.2.4.4.3(b) | be sealed and well drained; | • The driveway and parking areas are sealed.  
• Entrance and communal space of driveways have stormwater drainage. |
| 5.2.4.4.3(c) | be functional and provide separate access to every car parking space; | • Separate access to each car park is provided. |
| 5.2.4.4.3(d) | limit the number of access points to the road; | • There is one access and exit point to the Peko Road sealed carriageway. |
| 5.2.4.4.3(e) | allow a vehicle to enter from and exit to a road in a forward gear; | • All vehicles will be able to reverse out of parking spaces and exit the driveway in forward gear. |
| 5.2.4.4.3(f) | maximise sight lines for drivers entering or exiting the car parking area; | • Application states the proposed landscaping will not impede sightlines at the exit/entry point. |
| 5.2.4.4.3(g) | be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area; | • Setback from Peko Road to parking area is 6m and will be landscaped. |
| 5.2.4.4.3(h) | be in accordance with the dimensions set out in the diagram to this clause; | • Unit 1 & 2 have carports measuring 5.6m wide x 6m long with additional 6m clearance behind parking space.  
• Units 3, 4 & 5 have 1 undercover space measuring 3.8m wide x 6m long, and 1 open air car park measuring 2.5m wide x 6m long.  
• The double spaces in the shared driveway measure 6m wide x 5.5m long. |
| 5.2.4.4.3(i) | have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and | • Driveway width is 6.5m |
| 5.2.4.4.3(j) | be designed so that parking spaces at the end of, and perpendicular to a driveway be 3.5m wide or so that the driveway projects 1m beyond the last parking space. | Appears to comply |
| 5.2.4.4.4 | Despite sub-clause 3, dust suppression may be an acceptable alternative to sealed surfaces in non-urban areas. | The application does not propose dust suppression in place of a sealed surface. |
Figure 1: Parking Layout Plan

- Unit 1 can accommodate 1 vehicle only in order to still comply with the manoeuvring dimensions.
- The parking spaces in the shared driveway are available to units 1 & 2.

COMPLIES

5.2.6 Landscaping

The purpose of this clause is to ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.
1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
2. The consent authority may consent to landscaping that is not in accordance with sub clauses 4 and 5, only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.
### 5.2.6.3 Where landscaping is required by this scheme it should be designed so that:

<table>
<thead>
<tr>
<th>Subclause</th>
<th>Design Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.2.6.3(a)</td>
<td>Planting is focused on the area within the street frontage setbacks, side setbacks, communal open space areas and uncovered car parking areas;</td>
<td>A conceptual landscaping plan was included in the application and shows planting is focussed around street frontage, eastern side boundary, western end or rear boundary, and between units in the shared driveway.</td>
</tr>
<tr>
<td>5.2.6.3(b)</td>
<td>It maximises efficient use of water and is appropriate to the local climate;</td>
<td>Species native to Australia and appropriate to the central Australian climate will be used.</td>
</tr>
<tr>
<td>5.2.6.3(c)</td>
<td>It takes into account the existing streetscape, or any landscape strategy in relation to the area;</td>
<td>There is no notable landscape strategy for Peko Road.</td>
</tr>
<tr>
<td>5.2.6.3(d)</td>
<td>Significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;</td>
<td>There are no significant trees or vegetation on the site.</td>
</tr>
<tr>
<td>5.2.6.3(e)</td>
<td>Energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;</td>
<td>The proposed landscaping will assist with energy conservation by providing shade to the dwellings from the afternoon sun.</td>
</tr>
<tr>
<td>5.2.6.3(f)</td>
<td>The layout and choice of plants permits surveillance of public and communal areas; and</td>
<td>The proposed landscaping will allow for passive surveillance.</td>
</tr>
<tr>
<td>5.2.6.3(g)</td>
<td>It facilitates on-site infiltration of stormwater run-off.</td>
<td>The site has grassed areas/unsealed areas to facilitate stormwater run-off.</td>
</tr>
<tr>
<td>5.2.6.4</td>
<td>Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.</td>
<td>The application states a total of 36% of the site will be landscaped equating to: 513m² of private open space, and 145m² of communal open space.</td>
</tr>
<tr>
<td>5.2.6.5</td>
<td>In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.</td>
<td>N/A</td>
</tr>
<tr>
<td>5.2.6.6</td>
<td>The quality and extent of the landscaping consented to must be maintained for the life of the development.</td>
<td>Proposed landscaping includes a mix of trees and shrubs.</td>
</tr>
</tbody>
</table>

### EXPECTED TO COMPLY

#### 5.4.1 Residential Density Limitations

The purpose of this clause is to ensure that the development of residential buildings is:

(a) of a density compatible with adjoining or nearby existing development or development reasonably anticipated

(b) of a density compatible with the existing or planned provision of reticulated services and community facilities which will service the area; and

(c) consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.

1. The consent authority may consent to a development that is not in accordance with sub-clause 2 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

2. The maximum number of dwellings that may be constructed on a site is to be determined in accordance with tables A, B, C, D and E (as the case requires) to this clause.
The subject site has a total area of 1820 m².
The development proposes 6 x dwellings and therefore complies with density of 1 per 300 m².

5.4.2 Residential Height Limitations

The purpose of this clause is to ensure that the development of residential buildings is of a height that:
(a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
(b) does not unduly overlook adjoining properties.

1. The height of any point of a residential building is to be measured from ground level vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
2. The consent authority may consent to a residential building that is not in accordance with sub-clause 5 only if:
   (a) it is satisfied that the height of the building is appropriate having regard to the purpose of this clause and the relevant Zone Purpose and Outcomes in Part 3 of this Scheme; or
   (b) additional height is provided for by an applicable Area Plan.
3. The consent authority must not consent to a residential building in Zone MR that abuts land in Zone LR that:
   (a) exceeds a height of 3 storeys above ground level; or
   (b) subject to clause 5.2.2, in any other circumstance exceeds 4 storeys above ground level.
4. The consent authority may consent to a residential building that exceeds 8 storeys in height in Zone HR only if:
   (a) it is satisfied that the height of the building is appropriate having regard to the purpose of this clause and the relevant Zone Purpose and Outcomes in Part 3 of this Scheme; or
   (b) it is provided for within an applicable Area Plan.
5. Subject to clause 5.2.2, the height of a residential building that may be constructed on a site is to be determined in accordance with the table to this clause.

All 6 dwellings are single storey and do not exceed 8.5m in height.

---

<table>
<thead>
<tr>
<th>Zone</th>
<th>Dwelling Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR, RR, RL, R and for a dwelling-single in CL, CV and T</td>
<td>1 dwelling-single per lot</td>
</tr>
<tr>
<td>LMR and for dwellings-group in CL and T and dwellings-multiple in T</td>
<td>1 per 300 m²</td>
</tr>
<tr>
<td>A and H</td>
<td>2 per lot</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Number of Storeys and Maximum Dwelling Height above Ground Level for Residential Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR and for a dwelling-single in Zones CL, CV and T</td>
<td>2 – to a maximum height of 8.5m</td>
</tr>
<tr>
<td>LMR and for dwellings-group in Zones CL, T and for dwellings-multiple in Zone T</td>
<td>2 – to a maximum height of 8.5m</td>
</tr>
</tbody>
</table>
5.4.3 Building Setbacks of Residential Buildings & Ancillary Structures

The purpose of this clause is to ensure that residential buildings and ancillary structures are located in a manner that:

(a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
(b) minimises adverse effects of building massing when viewed from adjoining land and the street;
(c) avoids undue overlooking of adjoining properties; and
(d) facilitates breeze penetration through and between buildings.

1. The consent authority may consent to a development that is not in accordance with sub-clause 5 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

2. In this clause:
   (a) an ancillary structure includes an outbuilding, verandah, balcony, shade sail and the like, which may or may not include external walls; and
   (b) where a lot has a boundary with a public street from which vehicular access to the lot is restricted by the controlling Agency or local authority, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the building setback.

3. Despite subclause 5 a shed in Zones other than H, A, RR, RL and R may have a nil setback to the side and rear boundaries provided it is
   (a) 6m or more from the primary street and 2.5m or more from a secondary street when measured to the wall of the shed or where there is no wall, the outer face of any column;
   (b) has a cumulative floor area of 15m2 or less;
   (c) is 2.5m or less in height;
   (d) has no openings in walls that are less than 1.5m from a lot or unit title; and
   (e) does not discharge rainwater on an adjacent lot or unit title.

5. Subject to clause 5.2.7, residential buildings and ancillary structures are to be setback from lot boundaries in accordance with table A or B (as the case requires) to this clause noting that no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.

<table>
<thead>
<tr>
<th>Boundary</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street (north)</td>
<td>6m for external walls of residential buildings, and ancillary structures with external walls; and 5.1m for roof eaves; 4.5m for ancillary structures without external walls;</td>
<td>6m (wall Unit 2) 4.75m (verandah unit 2) 6m (wall Unit 3) 6m (carport Unit 3)</td>
<td>Complies</td>
</tr>
<tr>
<td>Side Boundary (west)</td>
<td>1.5m for walls and support columns to ancillary structures; and 0.6m for roof eaves/gutters</td>
<td>1.5m or greater (wall Unit 1) 1.5m or greater (wall Unit 2)</td>
<td>Does not Comply</td>
</tr>
<tr>
<td>Rear boundary (south)</td>
<td>1.5m for walls and support columns to ancillary structures; and 0.6m for roof eaves/gutters</td>
<td>1.5m (unit 6) 1.5m (carport, unit 6) 2.1 (verandah (unit 1) 4.2m (wall unit 1)</td>
<td>Complies</td>
</tr>
</tbody>
</table>

NOT APPLICABLE – REFER CLAUSE 5.4.3.1
Clause 5.4.3.1 Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 Storeys in Height

Ensure that residential buildings respond to the potential adverse effects of building massing and visual bulk when viewed from adjoining land and the street.

1. The consent authority may consent to a development that is not in accordance with sub-clause 3 if it is satisfied it is consistent with the purpose of this clause and that the design of the development adequately mitigates the adverse effects of building massing and visual bulk that may arise from non-conformity with sub-clause 3.

2. The length of the building excludes verandahs, balconies, carports and porticos integrated into the residential building design and fully open to affected boundaries.

3. For residential buildings, except dwellings-single, that are longer than 18m or taller than 4 storeys, additional setback requirements apply to those outlined in the tables to clause 5.4.3 as follows:

<table>
<thead>
<tr>
<th>Subclause</th>
<th>Design Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.4.3.3(a)</td>
<td>for each additional 3m or part thereof in building length over 18m, an additional building setback to the affected boundary of 0.5m; and</td>
<td>Does not comply – (see table below)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Units 1 &amp; 2 have a total length of 26.19m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• This exceeds the 18m maximum length by 8.19m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• An additional 1.50m is to be applied to the western side boundary setback making the total setback 3.0m, where a 1.5m setback is ordinarily required.</td>
</tr>
<tr>
<td>5.4.3.3(b)</td>
<td>for each additional storey over four storeys above ground level, an additional building setback to that storey of 1.5m from all boundaries.</td>
<td>Not applicable – all dwellings are single storey</td>
</tr>
<tr>
<td>5.4.3.4</td>
<td>No part of a residential building is required to exceed a building setback of 10.5m from any boundary</td>
<td>There are no setbacks exceeding 10.5m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Boundary</th>
<th>Total Length</th>
<th>Scheme Requirement</th>
<th>Setback(s) Proposed</th>
<th>Complies Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street – North (Peko Road)</td>
<td>N/A</td>
<td>6m</td>
<td>6m (to walls)</td>
<td>YES</td>
</tr>
<tr>
<td>Side – West Lots 2489, 2490, 2491, 2492, 2497, 2498, 2494, 2495, 2496</td>
<td>26.19m</td>
<td>2.9m</td>
<td>1.5m (Units 1 &amp; 2)</td>
<td>NO</td>
</tr>
<tr>
<td>Side – East Lots 2554, 2553, 2552, 2555, 2551, 2550 &amp; 2549</td>
<td>N/A</td>
<td>1.5m</td>
<td>All setbacks are 3.0m or greater</td>
<td>YES</td>
</tr>
<tr>
<td>Rear – South (Lots 2470 &amp; 2471)</td>
<td>N/A</td>
<td>1.5m</td>
<td>1.5m or greater (to walls)</td>
<td>YES</td>
</tr>
</tbody>
</table>

- The application states the building containing units 1 & 2 recedes to a 2.5m setback and a combined length of 11.4 metres of façade.
- The development can only achieve a 1.5m setback from the wall of bedroom and laundry for Unit 1 & Unit 2, to the western side boundary.

**DOES NOT COMPLY – VARIATION SOUGHT**
Clause 5.4.3.2 Distance Between Residential Buildings on one Site

The purpose of this clause is to ensure residential buildings provide a sympathetic interface with the streetscape and surrounding development, minimise adverse effects of building massing, and avoid undue overlooking of adjoining residential buildings and private open space.

1. The consent authority may consent to a development that is not in accordance with sub-clauses 2 and 3 only if it is satisfied it is consistent with the purpose of this clause and that the design of the development adequately mitigates the adverse effects of building massing and privacy and overlooking impacts that may arise from non-conformity with sub-clauses 2 and 3.

<table>
<thead>
<tr>
<th>Subclause</th>
<th>Design Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.4.3.2</td>
<td>Where more than one building comprising one or two storey residential buildings is located on a site the distance between the buildings is to be calculated in accordance with Table A to Clause 5.4.3 as if there was a lot boundary between the buildings.</td>
<td>• Building setback distance between Unit 4 and Unit 5 achieves a 3 metre setback. • Building setback distance between Unit 1 and building containing Units 5 &amp; 6 is approximately 10m • Building setback distance between unit 2 and building containing Units 3 &amp; 4 is approximately 7m or greater.</td>
</tr>
<tr>
<td>5.4.3.3</td>
<td>Where more than one building comprising residential buildings that exceeds two storeys in height is located on a site, the distance between buildings is to be a minimum of: (a) 3m for walls to non-habitable rooms and habitable rooms without windows or doors; and (b) 4.5m for walls with windows or doors to habitable rooms or to a verandah or balcony.</td>
<td>Not Applicable. • The proposed development will be construction of 6 x 1 bedroom dwellings-group in 3 x one single storey buildings.</td>
</tr>
<tr>
<td>5.4.3.4</td>
<td>For each storey over four storeys, the distance between buildings referred to in sub-clause 3 is measured from a straight line that is half the average distance between the walls of the buildings.</td>
<td>Not Applicable. • The proposed development will be single storey.</td>
</tr>
</tbody>
</table>

COMPLIES

Clause 5.4.6 (Private Open Space)

Extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:

(a) of an adequate size to provide for domestic purposes;
(b) appropriately sited to provide outlook for the dwelling;
(c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site; and
(d) inclusive of areas for landscaping and tree planting.

1. The consent authority may consent to private open space that is not in accordance with sub-clauses 4 and 5 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.
2. If a dwelling within a dwelling-multiple development has no direct access at ground level to private open space, and where on-site communal open space is provided, compliance with purpose provisions (c) and (d), and sub-clauses 4(d), (e) and (f) is not required. Northern Territory Planning Scheme 2020 Part 5-47.
3. The consent authority may consent to dwellings-multiple comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 4 and 5 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.
### Table to Clause 5.4.6.4: Minimum Areas of Private Open Space

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Private Open Space Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling-multiple without direct ground level access</td>
<td>12m² with no dimension less than 2.8m</td>
</tr>
</tbody>
</table>

For clarity, in this table:
- **Area A** is the minimum area, for each dwelling, that must be open vertically to the sky and have no dimension less than 1.5m.
- At least half of **Area A** must be permeable, and may include the 5m² required for deep soil planting.
- **Area B** is the minimum dimensioned space that extends the function of the dwelling and may be covered or open to the sky.

Any part of **Area B** that is open to the sky may form part of **Area A**.

<table>
<thead>
<tr>
<th>Dwelling-group and dwelling-multiple with direct ground level access</th>
<th>A. 45m², open vertically to the sky, with no dimension less than 1.5m; and</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling-single on a lot less than 450m²</td>
<td>B. 24m², all or partly covered, with no dimension less than 4m</td>
</tr>
<tr>
<td>Dwelling-independent in addition to the private open space requirement for the dwelling - single</td>
<td>A. 50m², open vertically to the sky, with no dimension less than 1.5m; and</td>
</tr>
<tr>
<td></td>
<td>B. 36m², all or any part covered, with no dimension less than 6m</td>
</tr>
</tbody>
</table>

### Design Requirement

<table>
<thead>
<tr>
<th>Subclause</th>
<th>Design Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.4.6.4</td>
<td><strong>Private open space for a dwelling-single, dwelling-group, dwelling-multiple or dwelling-independent should:</strong></td>
<td></td>
</tr>
</tbody>
</table>
| 5.4.6.4(a)| **Satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause:** | **Unit 1:**  
- Area A – 84m² with no dimension less than 1.5m  
- Area B – 25m², partly covered, with no dimension less than 4m  
- Can achieve a 4m x 4m envelope  
**Unit 2:**  
- Area A – 89m² with no dimension less than 1.5 metres.  
- Area B – 25m², partly covered, with no dimension less than 4m  
- Can achieve a 5m x 5m envelope  
**Unit 3:**  
- Area A – 131m² with no dimension less than 1.5m  
- Area B – 24m², partly covered, with no dimension less than 4m  
- Can achieve a 5m x 5m envelope  
**Unit 4:**  
- Area A – 67m², with no dimension less than 1.5m  
- Area B – 24m² with no dimension less than 4m  
- Can achieve a 4m x 4m envelope  
**Unit 5:**  
- Area A – 67m², with no dimension less than 1.5m  
- Area B – 24m², with no dimension less than 4m  
- Can achieve a 3m x 3m envelope  
**Unit 6:**  
- Area A – 75m², with no dimension less than 1.5m  
- Area B – 25m², with no dimension less than 4m  
- Can achieve a 5m x 5m envelope  |
| 5.4.6.4(b)| **Be directly accessible from the dwelling and enable an extension of the function of the dwelling; and** | All units have direct access to private open space areas from lounge/dining area. |
5.4.6.4(c) be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings;  

| All units have views to private open space from the lounge/dining area and bedroom. |

5.4.6.4(d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;  

| • The Landscape Plan indicates all private open space areas will be permeable.  
  • Some communal space areas will be landscaped.  
  • Shared driveway area will have 4 stormwater pits (600mm x 600mm) |

5.4.6.4(e) include at least one area of at least 5m², with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and  

| Units 2, 3 & 6 can achieve a 5m x 5m envelope with no dimension less than 1.5 metres.  
  Units 1 & 4 can achieve a 4m x 4m envelope, with no dimension less than 1.5 metres.  
  Unit 5 can achieve a 3m x 3m envelope, with no dimension less than 1.5 metres. |

5.4.6.4(f) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.  

| • Landscaping is proposed for the property frontage and the eastern side boundary;  
  • Some landscaping is proposed to the western corner of the southern rear boundary. |

5.4.6.5 Where the private open space is at ground level and other than for a dwelling-single, or a dwelling-single and associated dwelling-independent it should be:  

| 5.4.6.5(a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or  
  Screen fencing for privacy between the 6 dwellings is 1.8m high colorbond© good neighbour fencing |

| 5.4.6.5(b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.  
  Does not comply –  
  • proposed fencing to the perimeter of property is 1.8m high chain mesh fencing; and  
  • The landscape plan indicates a mix of native trees and shrubs to most boundaries. |

Under the NT Planning Scheme 2020, perimeter fencing is to be 1.8m high solid screen to provide privacy to private open space areas. An amended plan will need to be submitted to reflect this.

**DOES NOT COMPLY**

**Clause 5.4.7 (Communal Open Space)**

*Ensure that suitable areas for communal open space are provided for dwellings-group, dwellings-multiple, residential care facilities and rooming accommodation.*

1. This clause does not apply to dwelling-group or dwelling-multiple where each dwelling has direct and independent access to private open space at ground level.
2. The consent authority may consent to a dwelling-multiple comprising serviced apartments in Zone TC that is not in accordance with sub-clause only if it is satisfied it is consistent with the purpose of this clause and that the private open space associated with each dwelling provides appropriate opportunities for outdoor activities.
3. A minimum of 15% of the site, being not less than 6m wide at any point, is to be communal open space.
4. The design of the communal open space should address:
   (a) the overall dwelling density proposed for the site;  
   (b) the proximity and quality of alternative private or public open space;  
   (c) the need to clearly distinguish communal open space from private and public open space and the need to maintain the reasonable privacy of nearby dwellings;  
   (d) the type of activities to be provided for;  
   (e) the projected needs of children for outdoor play;  
   (f) safety issues including lighting and informal surveillance;  
   (g) on-site traffic circulation; and  
   (i) future maintenance and management requirements.
• All dwellings have direct access to private open space at ground level, therefore communal open space is not required.

**NOT APPLICABLE**

**Clause 5.4.8 (Building Design for Dwelling-Group, Dwelling-Multiple, Rooming Accommodation and Residential Care Facility)**

The purpose of this clause is to promote site-responsive designs for dwelling-group, dwelling-multiple, rooming accommodation and residential care facility, which provide a pleasant living environment for the occupants and a sympathetic interface with adjoining lots, to minimise unreasonable impacts on the privacy and amenity of surrounding residents.

1. This clause does not apply when only two dwellings form the dwellings-group.
2. The consent authority should take into account how the building design has addressed sub-clauses 3-14.

<table>
<thead>
<tr>
<th>Subclause</th>
<th>Design Requirement</th>
<th>Comment</th>
</tr>
</thead>
</table>
| 5.4.8.3   | Locate development on the site for correct solar orientation. | • All dwellings have an east-west orientation.  
• Construction will be reinforced blockwork.  
• Windows are incorporated on all sides to maximise breeze penetration and circulation. |
| 5.4.8.4   | Minimise expanses of walls by varying building heights, building setbacks and façades. | • Windows are incorporated on all sides of the dwelling.  
• The design is articulated to reduce wall expanse. |
| 5.4.8.5   | Locate air conditioners where they are accessible for servicing. | • The application states evaporative air conditioners are proposed  
• The dwellings are single storey and all A/C units will be easily accessible  
• Any service equipment is minimal and will not be visible from the street.  
• The plans do not indicate where A/C units will be mounted. |
| 5.4.8.6   | Conceal service ducts, pipes, air conditioners, air conditioning plants etc | • The dwellings have ample setback which would minimise views of any air conditioning equipment.  
• A/C units will be fully screened  
• any service equipment will not be visible from the street |
| 5.4.8.7   | Avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites. | • The design of the dwellings does not allow for overlooking. |
| 5.4.8.8   | Locate bedrooms and private open spaces away from noise sources. | • There are no major noise sources nearby |
| 5.4.8.9   | Control its own noise sources and minimise the transmission of noise between dwellings. | • The units are separated by reinforced masonry walls |
| 5.4.8.10  | Where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction. | • There are no major noise sources nearby  
• Adjacent roads are all for local traffic. |
| 5.4.8.11  | Balance the achievement of visual and acoustic privacy with passive climate control features. | • Fencing and landscaping will enhance the visual and acoustic privacy of outdoor living areas.  
• Buildings are designed to provide passive climate control with eaves facing east and west to minimise effects of morning and afternoon sun.  
• Outdoor living areas are largely with an eastern or northern orientation, with units 1 & 2 having some areas with a western and/or southern orientation. |
| 5.4.8.12  | Allow breeze penetration and circulation. | • The design allows for prevailing breeze penetration.  
• Living areas have windows to encourage cross flow ventilation. |
5.4.8.13 Minimise use of reflective surfaces.
- All finishes on walls will be low sheen.
- Fencing will be a combination of chain mesh fencing and colorbond®

5.4.8.14 Provide internal drainage of balconies and coving on the edge of balconies.
N/A to this development.

An amended plan will need to be submitted to indicate where A/C units will be placed/mounted, and include proposed screening of ducts, pipes etc.

MAY COMPLY
Schedule 5 Reference Guidelines

1. The interpretation of the NT Planning Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in those documents appearing in Part 5 or Schedule 5 and ensure that a use or development or proposed use or development is consistent with them.

2. Where there is an inconsistency between any applicable policy and this Planning Scheme, the provisions of the Planning Scheme will prevail.

Community Safety Design Guide

<table>
<thead>
<tr>
<th>Surveillance</th>
<th>The proposed multiple dwellings contain clear windows from all habitable rooms, which look directly out to the shared driveway for internal surveillance.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For residential buildings: does the building include habitable room windows, balconies and verandahs that overlook public spaces?</td>
<td>The proposed multiple dwellings contain clear windows from all habitable rooms, which look directly out to the shared driveway for internal surveillance.</td>
</tr>
<tr>
<td>For commercial buildings: are there active frontages at ground level?</td>
<td>N/A</td>
</tr>
<tr>
<td>Are front fences low, or not solid?</td>
<td>Fencing to road frontages will be chain mesh to allow for visual permeability and to provide passive surveillance of the street.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sightlines</th>
<th>The proposal provides dwellings that will contribute to the amenity of the streetscape without restricting sightlines to public spaces.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there clear sightlines along pathways and through public spaces?</td>
<td>The proposal provides dwellings that will contribute to the amenity of the streetscape without restricting sightlines to public spaces.</td>
</tr>
<tr>
<td>Do site layouts establish clear, easy-to-find pedestrian routes?</td>
<td>The dwellings contain habitable room windows that provide passive surveillance over the street.</td>
</tr>
<tr>
<td>Are sightlines obscured by landscaping, walls or other barriers?</td>
<td>The dwellings contain habitable room windows that provide passive surveillance over the street.</td>
</tr>
<tr>
<td>Are there opportunities for concealment along paths or around entrances?</td>
<td>The dwellings contain habitable room windows that provide passive surveillance over the street.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Activity generation</th>
<th>Are activity generating activities located where they can maximise surveillance of public spaces?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there a mix of uses to facilitate surveillance at day and night?</td>
<td>Are proposed uses and facilities compatible or incompatible from a safety perspective?</td>
</tr>
<tr>
<td>Are activity generating activities located where they can maximise surveillance of public spaces?</td>
<td>Are proposed uses and facilities compatible or incompatible from a safety perspective?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building exteriors and openings</th>
<th>The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are building entrances clearly visible from the street, well lit, articulated and secure?</td>
<td>The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community.</td>
</tr>
<tr>
<td>Have areas of blank walls facing streets, public spaces and car parks been minimised?</td>
<td>The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community.</td>
</tr>
<tr>
<td>Are loading bays, car parking and delivery areas well lit and secure?</td>
<td>The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community.</td>
</tr>
<tr>
<td>Are lifts, stairwells and ramps in a visible locations that minimise entrapment opportunities?</td>
<td>The proposed development contributes to the availability of residential development within the locality, promoting a diverse and vibrant community.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lighting</th>
<th>Each dwelling will be provided with lighting to the carport and portico, as well as low level lighting to the common areas, typical of any residential development.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is lighting used to identify safe routes?</td>
<td>Each dwelling will be provided with lighting to the carport and portico, as well as low level lighting to the common areas, typical of any residential development.</td>
</tr>
<tr>
<td>Are recesses and entrances, pathways and potential entrapment locations well lit?</td>
<td>Each dwelling will be provided with lighting to the carport and portico, as well as low level lighting to the common areas, typical of any residential development.</td>
</tr>
<tr>
<td>Is a lighting scheme well designed such that it allows identification of other pedestrians provides even lighting levels and minimises glare?</td>
<td>Each dwelling will be provided with lighting to the carport and portico, as well as low level lighting to the common areas, typical of any residential development.</td>
</tr>
</tbody>
</table>
Way finding

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has visible, concise, vandal-proof signage been provided to identify major pedestrian routes and activity nodes?</td>
<td>Each dwelling will be easily identifiable for the local residents of the community.</td>
</tr>
<tr>
<td>Is signage illuminated and clear of vegetation?</td>
<td></td>
</tr>
<tr>
<td>Has the design used changes in materials, textures and colours to delineate boundaries and activities?</td>
<td></td>
</tr>
</tbody>
</table>

Movement predictors and entrapment locations

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have movement predictors and entrapment locations been removed from the design? If not, have mitigation</td>
<td>The proposed development provides for passive surveillance and does not contain any enclaves that pose an unreasonable threat of entrapment.</td>
</tr>
<tr>
<td>Have measures been incorporated to provide passive surveillance and increased reaction time?</td>
<td></td>
</tr>
<tr>
<td>Is it possible to provide for and identify multiple routes?</td>
<td></td>
</tr>
</tbody>
</table>

Part 2 - Tennant Creek Regional Land Use Plan 2019

The Tennant Creek Land Use Plan 2019 is listed as a relevant policy document. The subject site is located within an established urban area of Tennant Creek and the land use is considered compatible with the guidance / objectives contained within the Land Use Plan including:
- Utilising a well located, appropriately zoned site, with access to established infrastructure and services, to promote compact urban form;
- Adding to housing choice (number of dwellings / style of housing) within the urban area of Tennant Creek

Clause 2.7 NT Compact Urban Growth Policy

The Compact Urban Growth Policy is listed as a reference document under the Table to Clause 2.3. This Policy aims to create compact and mixed activity places, and higher density residential buildings can be encouraged where they align with the philosophy of occurring within 400m of activity centres and public transport nodes, with a transition zone where dwelling and activity density will become less intense and will transition to lower densities generally matching the surrounding locality outside of the 400m radius. The Policy provides objectives and key performance indicators which can be used in an assessment.

- The subject site is zoned LMR (Low-Medium Density Residential) and dwellings-group are a merit assessable land use in the zone.
- The site is within a mix of single and two-storey residential uses.
Julie Driver

From: Steve Moore <Steve.Moore@barkly.nt.gov.au>
Sent: Thursday, 13 August 2020 1:40 PM
To: Julie Driver
Subject: RE: PA2020/0235 & PA2020/0234 - Peko Road, Tennant Creek

Julie
We have reviewed the above development paperwork.
Council is supportive of the development and offers the following comment:
Council’s crossover requirements would need to be met.
Both developments have rubbish bin enclosures, residents would need to be aware it is there responsibility to place the bins on the curb on collection day.

Regards

Steve Moore | Chief Executive Officer
Barkly Regional Council
t: 08 8962 0000 | d: 08 8962 0020
m: 0448 051 384
e: steve.moore@barkly.nt.gov.au
w: www.barkly.nt.gov.au

IMPORTANT NOTICE REGARDING CONTENT
The views expressed in this e-mail are not necessarily those of the Barkly Regional Council unless otherwise stated. The Council does not warrant that this message is free from viruses or other defects or any errors. Scanning for Viruses is recommended.
IMPORTANT NOTICE REGARDING CONFIDENTIALITY
This electronic message is intended for the addressee and may contain confidential and/or legally privileged information. If you are not the addressee, you are notified that any transmission, distribution or photocopying of this e-mail is strictly prohibited. The confidentiality attached to this e-mail is not waived, lost or destroyed by reasons of a mistaken delivery to you. The information contained in this e-mail transmission may also be subject to Freedom of information legislation. If you have received this e-mail in error, please contact the author of the message, as soon as practicable and delete the email, along with your reply.

From: Julie Driver <JulieM.Driver@nt.gov.au>
Sent: Tuesday, 11 August 2020 11:29 AM
To: Steve Moore <Steve.Moore@barkly.nt.gov.au>
Subject: PA2020/0235 & PA2020/0234 - Peko Road, Tennant Creek

Good morning Steve,

As requested, please find attached:

- PA2020/0234 (Lot 2478, 86 Peko Road, Tennant Creek); and
- PA2020/0235 (Lot 2475, 74 Peko Road, Tennant Creek)

Both applications commenced exhibition on 7th August and will remain on exhibition for 2 weeks until 21st August, 2020.
Kind regards,

Julie

Julie Driver | Planner | Development Assessment Services
Department of Infrastructure, Planning and Logistics
(08) 8951 9249 | (08) 8951 9222 | juliem.driver@nt.gov.au | www.dlpe.nt.gov.au | https://www.facebook.com/NT.DIPL

Please consider the environment before printing this email.
The information in this email is intended solely for the addressee named. It may contain legally privileged or confidential information that is subject to copyright. Use or transmittal of the information in this email other than for authorised NT Government business purposes may constitute misconduct under the NT Public Sector Code of Conduct and could potentially be an offence under the NT Criminal Code. If you are not the intended recipient you must not use, disclose, copy or distribute this communication. If you have received this message in error, please delete the email and notify the sender. No representation is made that this email is free of viruses. Virus scanning is recommended and is the responsibility of the recipient.
NBN Classification - Commercial

Hi Julie,

And standard **nbn** notes on this one too please.

Cheers

Jodie

---

Julie Driver

From: Julie Driver <JulieM.Driver@nt.gov.au>
Sent: Wednesday, 5 August 2020 3:31 PM
To: reception@barkly.nt.gov.au; RmuBenHammond PWC <RmuBenHammond.PWC@powerwater.com.au>; Jodie Lunn <jodielunn@nbnco.com.au>; SurveyLand Records <surveylandrecords@nt.gov.au>; dev4national@team.telstra.com
Subject: [External] PA2020/0235 - Lot 2475, 74 Peko Road, Tennant Creek

**This message is from an external sender - be cautious, particularly with links and attachments.**

Good afternoon,

Due to ILIS not allowing us to send planning applications to service authorities, I’m sending manually. This is the second proposed development on Peko Road, Tennant Creek.

This application is for 6 x 1 bedroom dwellings-group in 3 x 1 storey buildings. It will commence it’s exhibition period on 7th August until 21st August, 2020.

Hopefully, you should still be able to upload your submissions to ILIS.

Kind regards,

Julie
Please consider the environment before printing this email.

The information in this email is intended solely for the addressee named. It may contain legally privileged or confidential information that is subject to copyright. Use or transmittal of the information in this email other than for authorised NT Government business purposes may constitute misconduct under the NT Public Sector Code of Conduct and could potentially be an offence under the NT Criminal Code. If you are not the intended recipient you must not use, disclose, copy or distribute this communication. If you have received this message in error, please delete the email and notify the sender. No representation is made that this email is free of viruses. Virus scanning is recommended and is the responsibility of the recipient.
Dear Julie

Re: Lot 2475, 74 Peko Road, Town of Tennant Creek

In response to your letter of the above proposal for the purpose of constructing 6 x 1 bedroom dwellings-group in 3 x 1 storey buildings, Power and Water advises the following with reference to electricity enquiries:

1. This lot is allocated with a limited capacity of power supply. Any new development that requires additional power supply will be subject to assessment by Power and Water, in accordance with the current Networks Capital Contributions Policy (NCCP). The Developer in this case is responsible for the full cost of power upgrade requirements when applicable.

2. The Developer shall engage a licensed electrician to submit an overall maximum power demand calculation of the proposed development to Power and Water for assessment.

3. The Developer shall be responsible to supply and install suitable consumer’s mains capable of carrying the maximum demand of the new development.

4. The Developer shall obtain written approval from the Network Connections Officer (email: CustConnStnRegion.PWC@powerwater.com.au) for compliance on customer’s internal electricity reticulation in accordance with Power and Water’s current Installation Rules, Service Rules and specific Metering requirements for multi-metering development prior to commencing any electrical installation. Non-compliant customer’s electrical installations would cause significant delays to rectify by the Developer prior to power service be made available to the development for obtaining Permit to Occupy authorisation.

If you have any further queries, please contact the undersigned on 8951 7302.

Yours sincerely

Richard Drummond
Customer Connections Coordinator
12th August 2020
Dear Sir/Madam,

**PA2020/0235**

**DATE:** 10 August 2020

Survey Land Records has NIL comment regarding the Planning Application PA2020/0235.

Survey Land Records will assign street addressing to the development on data allocation according to the Australian/New Zealand Standard.

Please be aware that there may be survey marks within the area, if any of these become disturbed please advise Survey Land Records.

Kind Regards
Survey Land Records