

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 188 – WEDNESDAY 20 APRIL 2016

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

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

APOLOGIES: Nil

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

COUNCIL REPRESENTATIVE: Gerard Rosse

Meeting opened at 10.15 am and closed at 11.30 am

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

ITEM 1 **30 X 3 AND 1 X 4 BEDROOM MULTIPLE DWELLINGS IN 4 X 1 AND 4 X 2**
PA2016/0223 **STOREY BUILDINGS**
LOT 10288 (3) TARAKAN COURT, TOWN OF PALMERSTON
APPLICANT **ONE PLANNING CONSULT**

Mr Israel Kgosiemang (One Planning Consult) and Ms Evan Coyne (Zest Homes) attended.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.5
38/16 (Private Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 10288 (3) Tarakan Ct, Town of Palmerston for the purpose of 30 x 3 and 1 x 4 bedroom multiple dwellings in 4 x 1 and 4 x 2 storey buildings in four stages, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Concept Stage Road Safety Audit, to be carried out in accordance with Department of Transport's policy on Road Safety Audits, shall be submitted to the Department of Lands, Planning and the Environment to the satisfaction of the consent authority. The Road Safety Audit is to assess site and development specific risks to pedestrians, cyclists and road users including addressing traffic volumes, speed environment, landscaping, sight distances, traffic conflict points, streetscaping, traffic control and fencing.
2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - The order of staging (i.e. Stage 1, 2, 3 and 4);
 - East elevation plan showing the maximum height as no higher than 8.5m;
 - Any changes identified in the Concept Stage Road Safety Audit; and
 - Landscaping plan including for any external road verge planting which includes:
 - (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
 - (b) provision of an in ground irrigation system to all landscaped areas.

All external road verge planting must be to the requirements of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department

of Transport as the case may be, to the satisfaction of the consent authority. All other changes are to be to the requirements of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the local stormwater drainage system shall be submitted to and approved by the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be, to the satisfaction of the consent authority. The plan shall include details of the drainage connection points. The plan shall also indicate how stormwater will be collected on the site and discharged to the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport stormwater drainage system.
4. Prior to the commencement of works a Construction Traffic Management Plan detailing construction access, construction vehicle parking management plan, proposed haulage routes, vehicle types, protection of existing road reserve assets, protection of other public assets and a risk assessment is required to be submitted to the requirements of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be, to the satisfaction of the consent authority. The plan is to incorporate a regular road sweeping regime to the satisfaction of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be.
5. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management (DLRM), and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority, on advice from DLRM. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning and the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
6. Prior to the commencement of works the developer shall have carried out, in accordance with AS3671-1989 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction", an assessment by a suitably qualified person of the development's present and predicted future exposure to road traffic noise levels, and where required provide appropriate noise attenuation measures to the satisfaction of the consent authority on the advice of the Department of Transport. All noise attenuation works deemed necessary (e.g. building materials and design, lot layout or noise barriers) shall be carried out by and at the full cost of the developer and shall be wholly contained (including foundations) within the subject lot.

7. Prior to the commencement of works a Design Stage Road Safety Audit, to be carried out in accordance with Department of Transport's policy on Road Safety Audits, shall be submitted to the Department of Lands, Planning and the Environment to the satisfaction of the consent authority.

GENERAL CONDITIONS

8. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
9. On completion of the development works a Post Construction Stage Road Safety Audit carried out in accordance with Department of Transport's policy on Road Safety Audits shall be submitted and approved by the Department of Lands, Planning and the Environment to the satisfaction of the consent authority. Any works identified in the Design Stage and/or Post Construction Stage Road Safety Audit shall be carried out by the Developer, at the developer's cost, to the standards and requirements of the Department of Lands, Planning and the Environment, to the satisfaction of the consent authority.
10. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services and telecommunications networks to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
12. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be to the satisfaction of the consent authority. Underground stormwater infrastructure is to be flushed for adjoining and downstream road sections upon the completion of construction works and a CCTV inspection provided to demonstrate the drains are clear of sediments/debris and are not damaged, in particular at points of connection.
13. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Department of Lands, Planning and the Environment and/or the City of Palmerston as the case may be, to the satisfaction of the consent authority.
14. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;

All to the technical requirements of and at no cost to the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be, to the satisfaction of the consent authority.

15. 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.
16. 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.
17. 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. Approved landscaping and streetscaping is not to be modified without the prior approval of the Department of Lands Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be.
18. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Land Resource Management'.
19. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
20. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
21. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
22. Engineering design and specifications for the affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors and streetscaping including kerb crossovers and driveways to the site approved by this permit are to be to the requirements and approved by the City of Palmerston, the Department of Lands, Planning and the Environment and the Department of Transport, for the aspects under the responsibility of each authority, to the satisfaction of the consent authority and all approved works are to be constructed at the developer's expense. All designs that relate to the Department of Lands Planning and the Environment's infrastructure are to comply with the City of Palmerston's Development Guidelines and Austroads' Standards.
23. No direct or temporary access (for construction purposes) is permitted from the Lambrick Avenue or Farrar Boulevard road reserves. Construction and delivery vehicles shall not be parked on the Lambrick Avenue or Farrar Boulevard road

reserves.

24. All proposed work (including provision of services) within, or impacting upon the Lambrick Avenue, Farrar Boulevard and Tarakan Court road reserve shall be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be. No works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
25. Upon completion of any works within or impacting upon the Lambrick Avenue, Farrar Boulevard or Tarakan Court road reserve, the road reserves shall be rehabilitated to the standards and requirements of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be.
26. Any damage to road, kerbs, footpaths, landscaping or other verge infrastructure or drainage infrastructure by inappropriate access and parking of construction vehicles or any other causes is to be rehabilitated to the standards and requirements of the Department of Lands, Planning and the Environment, City of Palmerston and/or Department of Transport as the case may be.
27. The Lambrick Avenue verge fronting the lot is to be top-dressed, grassed and landscaped consistent with the Department of Transport's standards and approval. Dryland grassing shall be established as a minimum on the Lambrick Avenue verge fronting the development and shall be undertaken to the Department of Transport's standards and requirements.
28. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked/dropped material on the road pavement becomes a potential safety issue, the developer will be obliged to clean material off the road in an environmentally responsible manner.
29. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained.
30. A Compliance Certificate under the *Swimming Pool Safety Act* issued by the Swimming Pool Safety Authority is required for the swimming pool prior to the commencement of the use/development to the satisfaction of the consent authority

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Department of Lands, Planning and the Environment advises that a monetary contribution may be required for any upgrades needed to the stormwater infrastructure associated with the development on Lot 10288 Town of Palmerston.
4. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
5. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
6. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 8995 5362 (surveylandrecords@nt.gov.au).
7. A "Permit to Work Within a Road Reserve" is required from the Department of Lands, Planning and the Environment, City of Palmerston or Department of Transport before commencement of any work within the road reserve.
8. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - a) so as not to create sun or headlight reflection to motorists; and
 - b) be located entirely (including foundations and aurally) within the subject lot.

Advertising signage, either permanent or temporary, e.g 'A' frame, vehicle or trailer mounted shall not be erected or locate within NT Government controlled road reserves.

9. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to road traffic.
10. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

REASONS FOR THE DECISION

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

The proposed development is consistent with the primary purpose of Zone MD as it provides for multiple dwellings in a number of different configurations for potential residents of Johnston.

A variation to the requirements of Clause 7.5 (Private Open Space) to allow the ground floor units within the 2 storey buildings that do not meet the open to the sky requirements of the Northern Territory Planning Scheme is granted as:

- Despite the non-compliances proposed, each ground level dwelling within the two storey buildings is considered to provide a useable, functional area for recreation purposes directly accessible from the dwelling, with adjacent communal open space areas available which are directly accessible from each of the ground level private open space areas;
 - The balconies provided above the ground level private open space areas ensure adequate levels of privacy for the ground level dwellings is maintained; and
 - When considered as a whole the development provides extensive areas of communal open space and landscaping which allow for deep soil planting and are permeable and open to the sky.
2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

Provided that erosion and sediment control measures are in place and stormwater is managed on site without impacting on adjoining properties and disposed of into the Department of Lands, Planning and the Environment and/or City of Palmerston and/or Department of Transport

stormwater drainage system the land is generally considered capable of accommodating a multiple dwelling development.

3. Pursuant to Section 51(m) of the *Planning Act*, the consent authority must take into consideration 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.

Precedent and general conditions on the development permit require the following:

- Road safety audit;
- Schematic stormwater plan;
- Erosion and sediment control plan;
- Construction traffic management plan; and
- Road traffic noise assessment.

It is anticipated that these measures, combined with standard conditions relating to the connection and upgrade of utility services, are expected to ensure that the land is developed in accordance with physical capabilities; address concerns raised by service authorities; and, ensure utility and infrastructure requirements are appropriately addressed.

ACTION: Notice of Consent and Development Permit

**ITEM 2
PA2016/0233
APPLICANT**

**2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 12727 (1) FOLLINGTON STREET, TOWN OF PALMERSTON
RAW DESIGNS**

Mr Israel Kgosiemang (One Planning Consult) attended.

**RESOLVED
39/16**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme and, pursuant to section 53(a) of the *Planning Act*, consent to the proposed development to develop Lot 12727 (1) Follington Street, Town of Palmerston for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected to Council's system.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement of site is to be created.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Palmerston to the satisfaction of the consent authority.
7. All balconies are to be internally drained and discharge is to be disposed of at ground level in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
8. The owner shall:
 - (a) Remove disused vehicle and/or pedestrian crossovers;
 - (b) Provide footpaths/ cycleways;
 - (c) Collect stormwater and discharge it to the drainage network; and
 - (d) Undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
9. 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 is to be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring

properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

14. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
15. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) 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.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. Any proposed works which fall within the scope of the Construction industry Long Service *Leave and Benefits Act* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 936 4070 to determine if the proposed works are subject to the Act.
5. Addressing should comply with the Australian Standard (AS/NZS 4819:2011). You should immediately make application to Survey and Land Records for the assignment of address numbers surveylandrecords@nt.gov.au 08 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

REASONS FOR THE DECISION

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

The proposal is for the development of a 2 x 3 bedroom multiple dwelling in a single storey building located on the corner of Crosby Street and Follington Street. It is therefore considered that the proposal is consistent with the purpose of Zone SP9 (Specific Use 9) as it will provide a range of housing types to the potential residents of Zuccoli.

2. A variation to Clause 7.3 (Building Setbacks) of the Scheme to allow a primary setback of 2.29m where 7.5m is required by the Scheme is granted as:
 - A greater secondary street setback of 6m is proposed where 2.5m is required;
 - The setback to Crosby Street is well articulated due to the unusual shape of the front boundary no adverse effects of building massing are required when viewed from the street. Furthermore landscaping has also been incorporated to soften the building when viewed from the street;
 - The setbacks are consistent with the setbacks proposed on the neighbouring Lot 12728 and as such the proposal is in keeping with the character of the area; and
 - No fencing along the front boundary is proposed the design will encourage breeze penetration.
3. A variation to Clause 7.3 (Building Setbacks) of the Scheme to allow an eastern side setback of 1.5m where 3m is required by the Scheme is granted as:
 - The side of the building is well articulated and will only appear as a single dwelling when viewed from the affected boundary;
 - A variety of materials have been incorporated into the design so as to minimise the expanse of blank walls;
 - Landscaping has been incorporated into the development so as to soften the impact of the development when from the affected boundary;
 - Undue overlooking to surrounding lots is avoided as the private open space areas will be screened utilising a mixture of fencing and landscaping; and
 - Pool fencing will ensure breeze penetration throughout the site.
4. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The Department of Land Resource Management has not identified any issues of concern with respect to land capability. Therefore provided that stormwater is appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system, no adverse impact on the surrounding land is anticipated.

5. Pursuant to section 51 (n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

There is considered to be minimal impact as the site is identified for multiple dwellings and is consistent with the overall expectations of the area being a residential estate. The articulation and fenestration along all boundaries of the building is expected to increase the visual amenity of Crosby and Follington Street and reduce the impact of the additional setbacks.

Provided that the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to not detriment the future amenity of the area

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2016/0193
APPLICANT

3 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 11186 (13) REDWOOD STREET, TOWN OF PALMERSTON
ROSSI ARCHITECTS

Mr Rossi Kourounis and Ms Tammy Neumann (both from Rossi Architects) attended.

RESOLVED
40/16

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme and, pursuant to section 53(a) of the *Planning Act*, consent to the proposed development to develop Lot 11186 (13) Redwood Street, Town of Palmerston for the purpose of 3 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected to Council's system.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement of site is to be created.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Palmerston to the satisfaction of the consent authority.
7. The owner shall:
 - (a) Remove disused vehicle and/or pedestrian crossovers;
 - (b) Provide footpaths/ cycleways;
 - (c) Collect stormwater and discharge it to the drainage network; and
 - (d) Undertake reinstatement works;All to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.
8. 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.
9. The landscaping is to be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
14. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) 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.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. Any proposed works which fall within the scope of the Construction industry Long Service *Leave and Benefits Act* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 936 4070 to determine if the proposed works are subject to the Act.
5. Addressing should comply with the Australian Standard (AS/NZS 4819:2011). You should immediately make application to Survey and Land Records for the assignment of address numbers surveylandrecords@nt.gov.au 08 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

REASONS FOR THE DECISION

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

The proposal is for the development of a 3 x 3 bedroom multiple dwelling in a single storey building located on the corner of Marshall Street and Redwood Street. It is therefore considered that the proposal is consistent with the purpose of Zone MD (Multiple Dwelling) as it will provide a range of housing types to the future residents of Zuccoli.

2. A variation to Clause 7.3 (Building Setbacks) of the Scheme to allow a primary street frontage setback of 6.2m where 9m is required by the NT Planning Scheme is granted as:

- The side of the building includes open verandahs and porches to the façade of the building reducing the length of the solid wall;
- The building is sited in a staggered manner with fenestration in order to minimise the expanses of blank walls when viewed from neighbouring properties;
- A 1.8m high good neighbour fencing is expected to prevent the undue overlooking from neighbouring Lot 11185; and
- The proposed setback is consistent with setbacks of single dwelling in the area and as such it is not anticipated that the proposed setback will impact breeze penetration.

3. A variation to Clause 7.3 (Building Setbacks) of the Scheme to allow a western side setback of 1.5m where 4.5m is required by the Scheme is granted as:

- The side of the building includes open verandahs and porches to the façade of the building reducing the length of the solid wall;
- The building is sited in a staggered manner with fenestration in order to minimise the expanses of blank walls when viewed from neighbouring properties;
- A 1.8m high good neighbour fencing is expected to prevent the undue overlooking from neighbouring Lot 11185; and
- The proposed setback is consistent with setbacks of single dwelling in the area and as such it is not anticipated that the proposed setback will impact breeze penetration.

4. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The Department of Land Resource Management and the City of Palmerston has not identified any issues of concern with respect to land capability. Therefore provided that stormwater is appropriately managed

on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system, no adverse impact on the surrounding land is anticipated.

5. Pursuant to section 51 (n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

There is considered to be minimal impact as the site is identified for multiple dwellings and is consistent with the overall expectations of the area being a residential estate. The articulation and fenestration along all boundaries of the building is expected to increase the visual amenity of Marshall and Redwood Street and reduce the impact of the additional setbacks.

Provided that the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to not detriment the future amenity of the area

ACTION: Notice of Consent and Development Permit

ITEM 4 WITHDRAWN

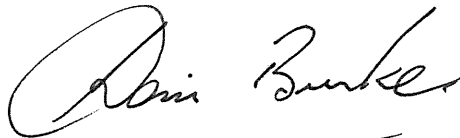
ITEM 5 SUBDIVISION TO CREATE 2 LOTS
PA2016/0030 LOT 6951 (5) SURCINGLE DRIVE, TOWN OF PALMERSTON
APPLICANT EARL JAMES AND ASSOCIATES

The applicant did not attend.

RESOLVED That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent
41/16 Authority defer consideration of the application to develop Lot 6951 (5) Surcingle Drive, Town of Palmerston for the purpose of subdivision to create two lots to require the applicant to attend a DCA meeting to enable proper consideration of the application.

ACTION: Advice to Applicant

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



DENIS BURKE
Chairman
19/5/16

