DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 277 – FRIDAY 3 JUNE 2016

BROLGA ROOM
NOVOTEL DARWIN ATRIUM
100 THE ESPLANADE
DARWIN

MEMBERS PRESENT: Denis Burke (Chairman), Doug Phillips, John Gleeson, Bob Elix and Garry Lambert

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Adelle Godfrey, Joseph Sheridan, Ann-Marie Dooley, Roxanne Willing and Sarah Gooding (Development Assessment Services)

COUNCIL REPRESENTATIVE: James Whyte & Cindy Robson (item 5 only)

Meeting opened at 9.30 am and closed at 1.15 pm
ITEM 1
PA2016/0265
VERANDAH ADDITION TO AN EXISTING SINGLE DWELLING WITH A REDUCED SIDE SETBACK
LOT 4538 (80) ROSEWOOD CRESCENT, TOWN OF SANDERSON
APPLICANT
IOANNIS & ALAYNE AMANATIDIS

The applicant did not attend.

Submitter Ms Lois Ulyatt attended.

RESOLVED
127/16
That pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 4538 (80) Rosewood Crescent, Town of Sanderson for the purpose of verandah addition to an existing single dwelling with a reduced side setback to allow the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Further information and/or amended plans to address the purpose of Clause 7.3 (Building Setbacks of Residential Buildings) with regard to the overall height of the blockwork wall, the reduced setback to the verandah and the treatment of the blockwork wall.

REASONS FOR THE DECISION

1. Pursuant to Section 51(n) of the Planning Act, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated. The application currently fails to demonstrate compliance with clause 7.3 (Building Setbacks of Residential Buildings) which may affect the general amenity of the area. The Authority requires the submission of additional information to ensure that existing and future amenity of the area is not compromised.

ACTION: Advice to Applicant

ITEM 2
PA2016/0200
35M HIGH TELECOMMUNICATIONS FACILITY WITH ASSOCIATED ANTENNAS AND EQUIPMENT SHELTER
LOT 6536 (63) REICHARDT ROAD, TOWN OF DARWIN
APPLICANT
TELSTRA CORPORATION LIMITED

Mr Mark Baade (Representing Telstra Corporation Limited) attended.

Submitter – Body Corporate 65 Reichardt Road was represented by the Chairperson Mr David Van Halen
RESOLVED 128/16

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 6536 (63) Reichardt Road, Town of Darwin for the purpose of a 35m telecommunications tower with associated antennas and equipment shelter, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to provide advice from the Department of Defence that approval is granted for the height of the structure, to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with 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 and electricity services to the land shown on the endorsed plan in accordance with the authorities’ requirements.

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

NOTES:

1. Darwin International Airport advises that separate requests for assessment and approval must be submitted to Darwin International Airport and the Department of Defence for any cranes used during construction that will infringe on either the Obstacle Limitation Surfaces (OLS) or Procedures for Air Navigation Services – Operations (PANS-OPS) surfaces for Darwin Airport.

2. The site is subject to the ‘Defence Areas Control Regulations (DACR)’. All structures, including temporary structures, higher than 15m above ground level, including, but not limited to, additional buildings, light poles, cranes used during construction, vegetation etc., require approval from the Department of Defence.


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 monopole will not impinge on the primary purpose of Zone GI (General Industry), being “to provide for general industry”.

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The proposal is consistent with the purpose of Clause 13.5 (Mobile Telephone Communications Towers etc) of the Northern Territory Planning Scheme, being to ensure that “the erection of mobile telecommunications towers and infrastructure do not unreasonably detract from the amenity of the locality”.

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

The facility will not be of any detriment to the operation of the facilities on the site, has shown consideration of views from the surrounding area by being positioned away from the Reichardt Road frontage, and has considered the available opportunities for co-location. Its siting in an industrial area, which has a less sensitive character, means that the visual and amenity impacts are far reduced. It is well-screened and set back from the Stuart Highway and more sensitive land uses to the north of the Stuart Highway.

Compliance with the Civil Aviation Safety Authority’s Manual of Standards Part 139 shall ensure that there is no resultant safety impact for aircraft accessing the Darwin International Airport.

3. Pursuant to section 51(p) of the Planning Act, the development will not impact on community safety, water safety or access for persons with disabilities.

It has been confirmed that the level of electromagnetic emissions emitted by the proposed facility, as monitored by the Australian Communication and Media Authority, will not exceed the regulated levels in any way.

4. Pursuant to section 51(e) of the Planning Act, the authority must take into account any submissions made under section 49 in relation to the development application. One public submission was received under section 49 of the Act, the submission raised concerns regarding the proximity of the tower to the existing caretakers residence on the adjacent site and the potential de-valuation of the property (65 Reichardt Road) as a result of the proposed tower.

Having considered the issues raised in the submission, the response from the applicant and the additional information provided; the authority considered the location of the proposed facility was unlikely to negatively impact the adjacent caretaker’s residence given the Environmental Electromagnetic Emissions report indicated that the electromagnetic emissions emitted by the proposed facility would be 0.45% of the standard level mandated by the Australian Communications & Media Authority.

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

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ITEM 3  
PA2016/0157  
CHANGE OF USE OF AN EXISTING 2 STOREY BUILDING TO 45 ROOM HOSTEL  
WITH A GROUND LEVEL SHOP/RESTAURANT AND OFFICE FOR A TEMPORARY  
PERIOD OF 5 YEARS  
LOT 10562 (87) WOODS STREET, TOWN OF DARWIN  
APPLICANT  
NORTHERN PLANNING CONSULTANTS PTY LTD  
Mr Brad Cunnington (Northern Planning Consultants Pty Ltd)  
RESOLVED  
129/16  
That, the Development Consent Authority vary the requirements of Clause 6.5.3  
(Parking Layout), and Clause 7.6 (Communal 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 10562 (87) Woods Street, Town of Darwin for the purpose  
of a change of use of an existing 2 storey building to 45 room hostel with a ground  
level shop/restaurant and office for a temporary period of 5 years, subject to the  
following conditions:

**CONDITION PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works  
   (including site preparation), amended plans to the satisfaction of the consent  
   authority must be submitted to and approved by the consent authority. When  
   approved, the plans will be endorsed and will then form part of the permit. The  
   plans must be drawn to scale with dimensions and either two copies must be  
   provided or they must be submitted electronically. The plans must be generally  
   in accordance with the plans submitted with the application but modified to  
   show:
   - The provision of a loading area that meets the requirements of Clause 6.6  
     (Loading Bays) of the NT Planning Scheme;
   - Either removal of the two-way double door to the office or modification so that  
     it opens inwards only; and
   - Deletion of either parking bay 26 or 32.

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

3. Before the development starts, a landscape plan to the satisfaction of the  
consent authority must be submitted to and approved by the consent authority.  
When approved, the plan will be endorsed and will then form part of the  
permit. The plan must be drawn to scale with dimensions and two copies must be  
provided. The landscaping plan must be generally in accordance with the  
landscape concept plan dated 11.02.16 prepared by Serrata Landscape  
Architects, except that the plan must show:
   a) a survey (including botanical names) of all existing vegetation to be  
      retained and/or removed;
   b) details of surface finishes of pathways and driveways;
c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
d) landscaping and planting within all open areas of the site;
e) provision of an in ground irrigation system to all landscaped areas. All species selected must be to the satisfaction of the consent authority.

4. Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) for the management and operation of the use must be prepared to the requirements of an independent suitably qualified professional and submitted to and approved by the consent authority upon the advice of City of Darwin When approved, the CEMP will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan. The CEMP must include:

(a) waste management;
(b) traffic control;
(c) haulage routes;
(d) stormwater drainage;
(e) use of City of Darwin land; and
(f) day to day management requirements for the use.

5. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.

GENERAL CONDITIONS

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

7. The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.

8. Before the use starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

(a) constructed;
(b) properly formed to such levels that they can be used in accordance with the plans;
(c) surfaced with an all-weather-seal coat;
(d) drained;
(e) line marked to indicate each car space and all access lanes; and
(f) clearly marked to show the direction of traffic along access lanes and driveways;

to the satisfaction of the consent authority.

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

9. 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.
10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, telecommunications and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

11. The owner/developer of the land must enter into agreements with the City of Darwin for all building elements over the City of Darwin road reserve, with design specifications to be to the requirements of the City of Darwin, to the satisfaction of the consent authority.

12. No goods are to be stored or left exposed outside the buildings so as to be visible from any public street.

13. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.

14. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Darwin 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.

18. Use of the site as a hostel must cease on after a period of five years.

NOTES:

1. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the NT Public Health Act and Regulations, the NT Food Act and National Food Safety Standards.

2. Notwithstanding the approved plans, all signage is subject to City of Darwin’s approval, at no cost to Council.

3. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.

4. 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.

**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 primary purpose of Zone CB is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities. The proposal is to utilise an existing building for the purposes of short-term accommodation (hostel), an office and shop/restaurant, which is consistent with the intent of the zone.

   A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is granted for bays 46 and 47 given that vehicles will have room to adequately reverse and manoeuvre out of the subject bays. The removal of either parking bays 26 or 32 will provide a greater reversing area for the remaining bay, to minimise manoeuvring issues associated with bays located at the end of and perpendicular to a driveway. Modification of the double door accessing the office area will ensure adequate driveway widths are maintained and will reduce safety risks to persons exiting the building.

   A variation to clause 7.6 (Communal Open Space) of the NT Planning Scheme is granted for the following reasons:
   - The layout of the building is existing;
   - An additional alfresco dining area will be available adjacent to the shop/restaurant;
   - Approximately 24 large shade trees will be planted throughout the site in addition to other landscaping;
   - The development provides an internal games room and communal dining area;
   - There are areas of public open space located within close proximity to Lot 10562;

   and
   - The use of the site as a hostel is only intended for a period of 5 years.

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

   Provided that adequate landscaping and loading/unloading areas are provided and that stormwater is managed on-site, it is considered that

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the development is unlikely to have an amenity impact on the surrounding area.

3. Pursuant to section 51(p) of the Planning Act, the consent authority must take into consideration of the public interest of the area in which the land is situated. It is unlikely that the development will have any detrimental impact on the public interest.

The principles of CPTED (Crime Prevention through Environmental Design) are met through increased levels of passive surveillance of the surrounding area; by occupying an otherwise vacant building.

4. Pursuant to section 51(j) of the Planning Act, the consent authority must take into consideration of 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.

No land capability concerns were identified as part of the assessment. The site has already been cleared and developed for supporting accommodation uses and the vacant buildings will be re-used.

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

<table>
<thead>
<tr>
<th>ITEM 4</th>
<th>CHANGE OF USE FROM OFFICE TO MULTIPLE DWELLING (UNIT 1)</th>
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<tbody>
<tr>
<td>PA2016/0125</td>
<td>LOT 1762 (10) McLACHLAN STREET, TOWN OF DARWIN</td>
</tr>
<tr>
<td>APPLICANT</td>
<td>HEINER STRUCTURAL ENGINEERING CONSULTANTS PTY LTD</td>
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Mr Michael Van Dyck (Heiner Structural Engineering Consultants Pty Ltd) and Mr Chris Gillard (Structural Engineer) attended.

**RESOLVED**

130/16

That, the Development Consent Authority vary the requirements of Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the Planning Act, consent to the application to develop Lot 1762 (10) McLachlan Street, Town of Darwin for the purpose of a change of use from office to multiple dwelling (Unit 1), subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2016/0125/01 and 2016/0125/02 endorsed as forming part of this permit.

2. The use and/ or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

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

**REASONS FOR THE DECISION**

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

   A multiple dwelling is consistent with the purpose of the Zone CB (Central Business) of the NT Planning Scheme, to provide for residential development.

   A variation to Clause 7.5 (Private Open Space) of the NT Planning Scheme is granted, to reduce the private open space area of 12m2 required to 4.76m2, for the following reasons:
   - The structural engineering restrictions of works within an existing building;
   - The installation of bi-fold doors will assist in opening up the balcony area to the rear of the site (south eastern elevation) and create a more pleasant and usable space;
   - There are two living areas provided within the dwelling;
   - No issues were raised by public submitters or service authorities;
   - The Body Corporate of the building has approved the change of use; and
   - Existing communal open space is provided within the complex.

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

   The proposed use is considered appropriate for the site and unlikely to have an amenity impact on the surrounding area.

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

**ITEM 5**  
**SERVICE STATION**  
**PA2016/0048**  
**LOT 5021 (2) RAILWAY STREET, TOWN OF DARWIN**  
**APPLICANT**  
**MASTERPLAN NT**

Mr Jack Priestly and Mr Simon Tonkin (both from Masterplan), Mr Michael Rumble (Woolworths Petrol) and Ms Melissa Mellen (MFY Traffic) attended.
Submitters who sent their apologies: Mr Allan McEwan, Ms Carmen Verhagen, Ms June Chin, Ms Kerry Blohm, Ms K Young.

Submitters in attendance: Ms Alison Alber, Ms Alison Connochie, Ms Angelique Brett (representing 1-3 Railway Street), Mr Wayne & Mrs Brenda Lindon, Mr Darryl Day, City of Darwin (represented by Mr James Whyte & Ms Cindy Robson), Mr Damien Heaslip, Mr David Forsyth, Mr Frank & Mrs Desley May, Ms Elizabeth Clarke, Mr Ian & Mrs Roxy Watson, Ms Janice Stach, Mr John Gilbert, Ms Jennie Renfree, Ms Johanna Kieboom, Mr Joseph Kuhn, Ms Karen O’Brien, Mr Michael Worn, Mr Peter Jelly, Mr Ross Macmillan, Ms Sally Mills, Mr Steve & Mrs Bron Glover, and United Petroleum (represented by Anita Ellison (United Petroleum) and Mr Martin Klopper (Elton Consulting)).

Mr Worn tabled a further submission.

Interested parties in attendance: Mr Michael O’Neill and Ms Annette Milikins.

A further 6 people attended during the hearing of the item.

**RESOLVED**

131/16

That pursuant to section 53(c) of the *Planning Act*, the Development Consent Authority refuse to consent to the application to develop Lot 5021 (2) Railway Street, Town of Darwin for the purpose of a service station for the following reasons:

1. Pursuant to Section 51(m) of the *Planning Act*, the consent authority must take into account 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. Also, 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.

The application included an access and egress to the Stuart Highway being a road owned and managed by the Department of Transport, and a single egress (available 7am – 7pm only) to Railway Street being a road owned and managed by the City of Darwin. The comments received from the Department of Transport confirmed that the access and egress to the Stuart Highway was marginal in meeting safety and efficiency standards, with this advice being dependent on an egress provided to Railway Street. In addition, the City of Darwin would not accept any egress to Railway Street. The access arrangements as presented to the consent authority remained unresolved at the time of consideration. Despite the information presented in the application documents and at the hearing, the consent authority had a significant concern that the level of traffic that would be generated along Railway Street, when combined with the nature of the proposed use, would unduly impact the amenity of residents in the immediate area surrounding the site, and questioned the appropriateness of the egress to Railway Street. Given the nature of the use and the sensitivities in developing a service station nearby to residential land, the dependency of the proposal on the Railway Street...
egress ultimately renders the consent authority of the opinion that the site is unsuitable for a service station in its current form.

2. Pursuant to Section 51(e) of the Planning Act, the consent authority must take into account any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application. Pursuant to Section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land, with the Northern Territory Planning Scheme applying to the development. A total of 163 public submissions were received objecting to the proposed development. The submissions raised concerns that the service station would have an adverse impact on the surrounding road network, and on residential amenity through increased traffic to Railway Street, noise, odour, anti-social behaviour and light spill. The consent authority identified that the design of the service station along the Railway Street frontage included a 3m landscaped buffer, plus 1.8m colorbond fencing, with the 5.2m open canopy over the forecourt visible above the 1.8m fence. Although the service station met a number of quantitative requirements of the Planning Scheme, amenity matters including the likely impact of lighting, odour, and noise from the 24 hour operation to nearby residents also factored in the determination.

3. Pursuant to Section 51(b) of the Planning Act, the consent authority must take into account any proposed amendments to such a planning scheme that have been or are on exhibition; in respect of which a decision has not been made and that are relevant to the development proposed in the development application.

The consent authority noted that the Darwin Inner Suburbs Area Plan is currently being considered by the Minister for Lands and Planning as a proposed amendment to the Northern Territory Planning Scheme. The Darwin Inner Suburbs Area Plan is premised on focusing new growth toward activity centres to facilitate walkability associated with the co-location of higher density residential development and a mix of business activities, with particular sites being identified as having potential for future residential development irrespective of current zoning.

The Darwin Inner Suburbs Area Plan identifies the subject site and adjacent land as having potential to be developed in accordance with Zone MR (Medium Density Residential) provisions despite its current Zone SC (Service Commercial) status. The consent authority is of the opinion that the nature of the use and the design of the service station will restrict the potential for residential development to occur on adjacent land, and as a result will challenge the achievement of the strategic objectives of the Darwin Inner Suburbs Area Plan in the broader area.

ACTION: Notice of Refusal
APPLECT | MASTERPLAN NT

Ms Kerri-Anne Tachell and Mr Jack Priestly (Masterplan NT) attended. That, the Development Consent Authority grant a reduction to the parking requirements under clause 6.5.2 (Reduction in Parking Requirements), and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 6467 (798) Vanderlin Drive, Hundred of Bagot for the purpose of a Change of Use from showroom sales to medical clinic in two stages, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show the exact staging boundaries of the development proposed.

2. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental and Construction Management Plan (ECMP) to the requirements of the City of Darwin. The ECMP is to address how construction will be managed on the site, and is to include details of waste management, traffic control and haulage routes, stormwater drainage and the use of City of Darwin land during construction. The ECMP should include details of the location of the crane and any holding areas.

GENERAL CONDITIONS

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

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

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

NOTES:

1. A permit to work within a road reserve may be required from the Department of Transport before commencement of any work within the road reserve.

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.

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works commencing to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
   (a) so as not to create sun or headlight reflection to motorists; and
   (b) be located entirely (including foundations and aerially) within the subject lot.

Temporary advertising signage, e.g. ‘A’ frame, vehicle or trailer mounted shall not be erected or located within the Vanderlin Drive or Stuart Highway road reserves.

4. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to the Vanderlin Drive or Stuart Highway traffic.

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 change of use from shop to medical clinic (tenancy 4) is considered to be of a scale and character appropriate to the site and generally consistent with the purpose of Zone C (Commercial) which is to provide for a range of business and commercial uses.

A variation to the on-site provision of parking spaces required under Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is considered acceptable as it is considered that a certain degree of cross utilisation is likely to occur given the peak periods of the medical clinic will be outside of the busy periods of the other tenancies on the site.

In relation to Clause 6.5.2 (Reduction in Parking Requirements) of the Northern Territory Planning Scheme, a reduction of 10 bays is considered acceptable as there is sufficient car parking available onsite to accommodate the development as demonstrated by the car parking assessment. In addition, public transport is available in the immediate vicinity; the proximity to this is considered reasonable and it is expected that patients and staff would be able to access public transport easily if required.
2. Pursuant to Section 51(j) of the Planning Act, the consent authority must give consideration to 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. Due to the nature of the development, the proposal is not expected to have any adverse effect on the physical characteristics of adjacent and nearby land.

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

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

DENIS BURKE
Chairman

9/6/16

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