



**DEVELOPMENT CONSENT AUTHORITY**

**PALMERSTON DIVISION**

**MINUTES**

**MEETING No. 211 – WEDNESDAY 25 JULY 2018**

**BIGG ROOM  
LEVEL 1  
ENERGY HOUSE  
18 CAVENAGH STREET  
DARWIN**

**MEMBERS PRESENT:** Suzanne Philip (Chair), Steve Ward, Ben Giesecke and Sarah Henderson

**APOLOGIES:** Bob Flanagan

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Ann Marie Dooley, Sarah Silva Alexander Deutrom and Poppy Zaronias (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Gerard Rosse

**Meeting opened at 10.00 am and closed at 11.15 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**                    **CHANGE OF USE FROM WAREHOUSE TO LEISURE AND RECREATION**  
**PA2018/0228**            **(GYM)**  
**APPLICANT**           **LOT 1142 (55) GEORGINA CRESCENT, TOWN OF PALMERSTON**  
**GEORGE SAVVAS**

Mr George Savvas attended and tabled an existing site plan, on-road parking plan and seven photos of the site and surrounding area.

**RESOLVED**            That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent  
**26/18**                    Authority, defer consideration of the application to develop Lot 1142 (55) Georgina  
Crescent, Town of Palmerston for the purpose of a change of use from warehouse  
to leisure and recreation (gym) to require the applicant to provide the following  
information necessary in order to enable the proper consideration of the  
application:

- Further details on the operational aspect of the business and how it will impact upon the requirement for parking.
- Further evidence as to the availability of on-street parking on Callanan Street and Georgina Crescent, and how it is / will be used by businesses in the surrounding area.
- A response to the City of Palmerston's comments relating to their concern over vehicle and pedestrian safety in the area.

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

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

A variation to clause 6.5.1 (Parking Requirements) has been requested and assessed with consideration to clause 6.5.2 (Reduction in Parking Requirements). A variation, however, cannot be supported at this time as there is insufficient information and evidence provided to justify such a significant parking shortfall. A deferral will give the applicant time to collect and submit new information and evidence to enable the Authority make a more informed decision.

2. 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

The City of Palmerston service authority comments raised concerns about the potential effect of the development on the amenity of the area in relation to parking overflow and pedestrian and vehicle safety. It is also noted that amenity, in regards to noise control, was not addressed in the application. The deferral gives the applicant time to respond to

City of Palmerston's comments and provide details to the authority around noise control measures.

3. 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

Further information is required to demonstrate the proposal does not unduly impact on the existing and future amenity of the area. Notably, the applicant has not justified how a significant parking shortfall, which has the potential to impact the amenity of the area, will be managed. Furthermore, the application does not specify how additional noise generated but the use will be mitigated.

**ACTION:** Notice of Deferral

**ITEM 2  
PA2018/0237  
APPLICANT**

**CAR WASH AND DETAILING FACILITY  
LOT 14828 (1) ROYSTONEA AVENUE, TOWN OF PALMERSTON  
NESFALL P/L AS TRUSTEE FOR THE PALMERSTON PROPERTY TRUST  
AND CHALLENGER LIFE NOMINEES P/L AS TRUSTEE FOR THE  
CHALLENGER GATEWAY PALMERSTON TRUST**

Mrs Hanna Steevens (Elton) attended via telephone link up and Ms Lauren Milne (Elton) attended.

**RESOLVED  
27/18**

That, the Development Consent Authority vary the requirements of Clause 6.6 (Loading Bay), and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 14828 (1) Roystonea Avenue, Town of Palmerston for the purpose of a car wash and detailing facility (light industry), 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:
  - safe and accessible pedestrian access throughout the site that provides legible pedestrian connections between the car wash and the main shopping centre, pedestrian access should also include appropriate access for persons with a disability; and
  - parallel car parking bays in accordance with the requirements of clause 6.5.3 (Parking Layout) as an alternative to the "mega" parks proposed along the south eastern boundary.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating the proposed method of stormwater management during the construction and operational phase including details of existing and proposed stormwater infrastructure, stormwater drains and drainage easements and how stormwater is to be discharged underground to City of

Palmerston's and/or Department of Infrastructure, Planning and Logistics (Transport and Civil Services Division) stormwater drainage system, to the requirements of City of Palmerston and/or Department of Infrastructure, Planning and Logistics as the case may be, to the satisfaction of the consent authority.

3. Prior to the commencement of works, an operational environmental management plan for the site, shall be submitted to and approved by the Northern Territory Environmental Protection Authority, to the satisfaction of the consent authority. The plan should provide appropriate maps and sufficient detail of all structures, processes and management related to stormwater, contaminated waters, wastes, manures and animal effluent, to demonstrate the full protection of offsite water quality.
4. Prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating the location of bin enclosure and its access for pick up, in accordance with Council requirements, as per the City of Palmerston Waste Management Policy, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. 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.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
8. 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.
9. Engineering design and specifications for the affected roads, street lighting, stormwater drainage, vehicular access, and streetscaping including kerb crossovers and driveways to the site approved by this permit are to be to the technical requirements of the City of Palmerston and/or Department of Infrastructure, Planning and Logistics (Transport and Civil Services Division), to the satisfaction of the consent authority and all approved works are to be constructed at the developer's expense.
10. No temporary access for construction purposes shall be permitted from the Stuart Highway road reserve. Construction and delivery vehicles shall not be parked on the Stuart Highway road reserve.
11. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston and/or the Department of Infrastructure, Planning and Logistics (Transport and Civil Services Division) to the satisfaction of the consent authority.

12. 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.

13. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided to the requirements and satisfaction of the consent authority.
14. Where unfenced, the Stuart Highway road frontage is to be appropriately fenced in accordance with the Department of Infrastructure, Planning and Logistics (Transport and Civil Services Division) standards and requirements to the satisfaction of the consent authority.
15. No goods are to be stored or left exposed outside the buildings so as to be visible from any public street.
16. Appropriate protection shall be provided to contain potential spills of waste and prevent contaminants from entering adjacent properties, roadways, and the stormwater drainage system. The wash-down bay/ fuel delivery area shall be designed and constructed such that spillage and run-off containing waste is free from cross-contamination and isolated from the stormwater drainage system.
17. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.
18. Storage for waste bins is to be provided to the requirements of the City of Palmerston to the satisfaction of the consent authority.
19. 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.
20. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority

#### **NOTES:**

1. The Northern Territory Environment Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section

[landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

## **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 SC is to provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites.

The proposal is to construct and operate a car wash and detailing business. The development is consistent with surrounding service commercial and light industrial uses within the vicinity and is set well away from residential uses. It is considered that the proposed use is appropriate for the site and complies with the objectives of Zone SC (Service Commercial).

Pursuant to Clause 2.5 (Exercise of Discretion by the Consent Authority) of the Northern Territory Planning Scheme the Authority may consent to a development that does not meet the standard set out in Part 4 and 5 of the Planning Scheme where it is satisfied that special circumstances justify the granting of consent.

A variation to the requirements of Clause 6.6 (Loading Bays) to remove the loading bay provision is supported; the authority considers that the day to day deliveries of consumables associated with the car wash is unlikely to impact on the car parking area given a surplus of car parking bays will be provided.

The provision of amended plans showing safe and legible pedestrian connections throughout the site is in the consent authority's opinion important for securing the future safe operations of the onsite development and improve the overall amenity and useability of the site as a whole.

The authority also considers the provision of amended plans illustrating parallel car parking bays in lieu of the "mega" parking bays will ensure the car parking bays proposed comply with the provisions of Clause 6.5.3 (Parking Layout) and facilitate the safe movement of traffic. The authority envisages a minimum of two car parking spaces achievable along the south eastern boundary which will ensure compliance with the requirements of Clause 6.5.1 (Parking Requirements) is still achieved.

2. 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 with a shopping centre and service station. The Department of Environment and Natural Resources advised that there were no concerns.

3. 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 all conditions of development are adhered to, in particular the requirement for a designated loading bay, operational environmental management plan, stormwater disposal and general environmental duties, it is considered that the development is unlikely to have an amenity impact on the surrounding area.

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

**ITEM 3  
PA2018/0239  
APPLICANT**

**CHANGE OF USE FROM SHOP TO AN INDOOR PLAY FACILITY AND CAFÉ  
LOT 148 (1) ROYSTONEA AVENUE, TOWN OF PALMERSTON  
(LEISURE AND RECREATION AND RESTAURANT) (TENANCY MM7)  
NESFALL P/L AS TRUSTEE FOR THE PALMERSTON PROPERTY TRUST  
AND CHALLENGER LIFE NOMINEES P/L AS TRUSTEE FOR THE  
CHALLENGER GATEWAY PALMERSTON TRUST**

Ms Hanna Steevens (Elton) attended via telephone link up and Ms Lauren Milne (Elton) attended

**RESOLVED  
28/18**

That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 14828 (1) Roystonea Avenue, Town of Palmerston for the purpose of a change of use from shop to an indoor play facility and café (leisure and recreation and restaurant) (Tenancy MM7), subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the commencement of works (including site preparation), a waste management plan addressing the City of Palmerston's Waste Management Policy TECO4 must be prepared, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

**GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with the drawings numbered 2018/0239/01 through to 2018/0239/03, 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 facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

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

#### **NOTES:**

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. Notwithstanding the approved plans, all signage is subject to City of Palmerston approval, at no cost to Council.

#### **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 SC is to provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites.

The proposal is for a change of use of Tenancy MM7 to an indoor play facility and ancillary café. The proposal includes four different play areas, café seating, kitchen, four party areas and its own dedicated amenities. The play areas cater for a range of ages and interests and includes a climbing zone, general play area, Lego area and toddler area. The four individual party rooms will provide a private area for children's birthdays and other celebrations. Entry to the facility is from the food court area with the Gateway Shopping Centre.

It is considered that the proposed use does not conflict with the purpose of the zone and is consistent with the surrounding uses

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 all conditions of development are adhered to, it is considered that the development is unlikely to have an amenity impact on the surrounding area.

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



**ITEM 4**  
**PA2018/0219**  
**APPLICANT**

**SUBDIVISION TO CREATE 187 LOTS IN 7 STAGES (ZUCCOLI STAGE 5 –  
PRECINCT D)**  
**LOT 12448 RADFORD ROAD, TOWN OF PALMERSTON**  
**JUNE D'ROZARIO & ASSOCIATES PTY LTD**

Ms June D'Rozario (June D'Rozario and Associates), Mr Mike Schokman and Mr Herminus Louw attended.

Mr Simon Saunders (Executive Director, Passenger Transport) attended.

**RESOLVED**  
**29/18**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lots 12433, Town of Palmerston for the purpose of subdivision to create 187 lots in seven stages (Stage 5 Precinct D), subject to the following conditions:

#### **CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) A revised subdivision plan illustrating that all lots comply with Clause 11.2.4 (Lots less than 600m<sup>2</sup> for Single Dwellings) to the satisfaction of the consent authority; and
  - (b) A revised subdivision plan capable of accommodating a suitable and safe public transport route that provides adequate public transport coverage to the requirements of the Transport Civil Services Division of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system or an alternate approved connection.
3. Prior to the commencement of works (including site preparation), an updated water and sewer infrastructure Masterplan for the entire Zuccoli Aspire development is to be submitted to and approved by the Power and Water Corporation, to the satisfaction of the consent authority.
4. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the Consent Authority on the advice of the Department of Environment and Natural Resources (DENR). The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and in accordance with the Key Principals of erosion and sediment control as specified in the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The ESCP should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase and that all disturbed soil surfaces must be

satisfactorily stabilised against erosion at completion of works. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the NTP website: <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP should be emailed for assessment to: [DevelopmentAssessment.DENR@nt.gov.au](mailto:DevelopmentAssessment.DENR@nt.gov.au).

## **GENERAL CONDITIONS**

5. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
7. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, on the advice of the Department of Environment and Natural Resources.
8. Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m<sup>2</sup> for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.
9. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
10. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services 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 City of Palmerston, to the satisfaction of the consent authority.
13. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Palmerston, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
14. Designs and specifications for landscaping of the public open spaces and road verges adjacent to the property shall be submitted for approval by the Director City Growth and Operations, City of Palmerston, and all approved works constructed to Council's requirements at no cost to the City of Palmerston.

15. Sight lines shall be provided at crossovers to public streets to the satisfaction of the Director City Growth and Operations, City of Palmerston. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
16. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority; and  
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.
17. The developer must implement necessary measures to ensure mosquito breeding does not occur during the construction phase of the development, to the requirements of the Department of Health, to the satisfaction of the consent authority.
18. Dust control measures must be employed throughout the construction stage of the development to the requirements of the NT EPA, to the satisfaction of the consent authority.

#### **NOTES:**

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please visit <http://www.nt.gov.au/weeds> or alternatively contact the Weed Management Branch of the Department of Environment and Natural Resources on (08) 8999 4567.
3. 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>
4. 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.

5. The Northern Territory Environment Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
6. 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.
7. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
8. All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or place.names@nt.gov.au. Further information can be found at [www.placenames.nt.gov.au](http://www.placenames.nt.gov.au).

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

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

The Authority considers that the Zuccoli Stage 5 Precinct D layout is generally consistent with the relevant Palmerston Eastern Suburbs Area Plan outlined by clause 14.5.1 (Palmerston Eastern Suburbs Planning Principles and Area Plans) in the Northern Territory Planning Scheme. It presents a compact walkable urban residential subdivision with lot sizes for single dwellings ranging from between 330m<sup>2</sup> and 490m<sup>2</sup>. The lot sizes are considered to be of a size and configuration capable of accommodating potential future uses with the requirements of the Scheme. Therefore, it is considered that the proposed subdivision is consistent with the intended future use of the land and achieves the requirements of the Scheme.

An amended subdivision plan is required to ensure the boundary of proposed Lot 639 complies with the required 13 m boundary to the road and achieve compliance with the requirements of Clause 11.2.4 (Lots less than 600m<sup>2</sup> for Single Dwellings).

Amendments required by Condition Precedent 1 are also considered to address the concerns raised by the Transport Civil Services Division (TCSD) of the Department of Infrastructure, Planning and Logistics with regards to the public bus route proposed and the provision for adequate public transport coverage.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must 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. The subdivision area is not affected by either storm surge or riverine flooding and the Department of Environment and Natural Resources has no objection to the proposal subject to an Erosion and Sediment Control Plan being developed by a suitably qualified and experienced professional.

3. 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.

Precedent and general conditions in response to service authority comments are included on the development permit ensure that an appropriate level of service is maintained for the site and surrounding locality.

4. 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 site is within Zone FD (Future Development) and subject to Clause 14.5.1 (Palmerston Eastern Suburbs Planning Principles and Area Plans) of the NT Planning Scheme. The proposal generally accords with the layout depicted within the Area Plan and is considered unlikely to adversely impact on the area or alter community expectations for the site.

Overall, the Zuccoli residential suburb is currently being developed and the amenity of the area is being established. The relevant area plan, zoning provisions and the application all seek to promote the best amenity outcomes for the future residents of the estate. Provided pedestrian and cycle corridors are established in appropriate locations and in a timely manner and, provided that site levels and associated stormwater drainage is appropriately managed, the proposed subdivision can achieve appropriate levels of residential amenity.

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

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

**SUZANNE PHILIP**  
Chair

2nd August 2018