DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 193 – WEDNESDAY 16 NOVEMBER 2016

BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON

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

APOLOGIES: Nil

OFFICERS PRESENT: Kate Walker (A/Secretary), Anthony Brennan and Alexandra Tobin (Development Assessment Services)

COUNCIL REPRESENTATIVE: Gerard Rosse

Meeting opened at 10.00 am and closed at 10.35 am
ITEM 1
PA2016/0586
APPLICANT

2 X 4 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
LOT 13377 (21) KANGAROO STREET, TOWN OF PALMERSTON

APPLICATION

ASSET SERVICES

Landowner Mr Con Lazarou attended with Mr Mike Kardoulias and Ms Crystal Tipper from Asset Services.

RESOLVED
78/16

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent
Authority defer consideration of the application to develop Lot 13377 (21) Kangaroo
Street, Town of Palmerston for the purpose of 2 x 4 bedroom multiple dwellings in a
single storey building to require the applicant to provide the following additional
information that the Authority considers necessary in order to enable the proper
consideration of the application:

- Amended plans demonstrating greater compliance with the following
requirements of the Northern Territory Planning Scheme, and/or further
justification for any special circumstances that the applicant wishes to have
considered in relation to:
  - Clause 6.5.3 (Parking Layout),
  - Clause 7.3.1 (Additional Setback Requirements for Residential Buildings
longer Than 18 metres and for Residential Buildings Over 4 Storeys in
Height) of the Scheme), and
  - Building setback plan endorsed through Development Permit
DP15/0301.
- Any amendments to the application that arise as a result of the above
information request.

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 request for additional information is considered necessary as the submitted plans
do not accord with Clause 6.5.3 (Parking Layout), Clause 7.3.1 (Additional Setback
Requirements for Residential Buildings longer Than 18 metres and for Residential
Buildings Over 4 Storeys in Height) of the Scheme), or the building setback plan
endorsed through Development Permit DP15/0301.

ACTION: Notice of Deferral
CHANGE OF USE FROM OFFICE/SHOP TO LEISURE AND RECREATION
(DANCE STUDIO)
LOT 4737 (32) BALDWIN DRIVE, TOWN OF PALMERSTON
TO THE BEAT DANCE FITNESS

Ms Sarah Douglas attended and tabled a letter of support from the owner of the Woodroffe Supermarket.

RESOLVED
79/16

That, the Development Consent Authority grant a reduction to the parking requirements of Clause 6.5.1 (Parking Requirements) under Clause 6.5.2 (Reduction in Parking Requirements) from 31 to 25 car parking spaces (a reduction of 6), and pursuant to section 53(a) of the Planning Act, consent to the proposed development to develop Lot 4737 (32) Baldwin Drive, Town of Palmerston for the purpose of a change of use from office/shop to leisure and recreation (dance studio) subject to the following conditions:

CONDITIONS

1. Works carried out under this permit shall be in accordance with the drawing numbered 2016/0615/01 endorsed as forming part of this permit.

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

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

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

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

2. Notwithstanding the approved plans, all signage is subject to City of Palmerston Council 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 C (Commercial) of the scheme is to ‘provide for a range of business and community uses.’ This zone applies to shopping areas ranging from neighbourhood convenience shopping to regional centres. The proposed change of use is consistent with the purpose of the zone, as it will continue to provide for a range of business and community uses and will remain of a scale and character appropriate to the service function of the existing shopping centre.

2. A reduction in parking required by Clause 6.5.1 (Parking Requirements) of the Scheme through the provision of Clause 6.5.2 (Reduction in Parking Requirements) from 31 car parking spaces to 25 car parking spaces is granted as:

- Classes are scheduled to operate Monday through to Friday between the hours of 6:00am to 8:00am in the morning and 16:30 to 19:00 in the evening;
- Site visits and a car parking survey confirms that there are sufficient car parking spaces provided on site to cater for morning and afternoon classes;
- The existing 25 car parking spaces on site are readily available throughout the day and during class times as such a requirement for additional off-street car parking is not required.

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.

The proposed change of use is located wholly within the existing shopping centre, which limits any potential impacts on the existing and future amenity of the area. Additionally, the incorporation of large windows to the eastern side of the shopping centre allows passive surveillance of the car parking area and James Circuit.

ACTION: Notice of Consent, Development Permit and Endorsed Drawing

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

DENIS BURKE
Chairman
18/11/16

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.