



## **DEVELOPMENT CONSENT AUTHORITY**

### **DARWIN DIVISION**

### **MINUTES**

**MEETING No. 222 – FRIDAY 22 NOVEMBER 2013**

**BILLABONG ROOM  
NOVOTEL DARWIN ATRIUM  
100 THE ESPLANADE  
DARWIN**

**MEMBERS PRESENT:** Peter McQueen (Chairman)( for item 1 & 2 only), Grant Tambling (Presiding Member for items 3 to 6), David Hibbert, Garry Lambert and Robin Knox

**APOLOGIES:** Peter McQueen (Chairman)( for items 3 to 6),

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Linda Henning, Dawn Parkes and for part of the meeting Steven Conn, Sally Cunningham and Anthony Brennan (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Cindy Robson (Strategic Town Planner) City of Darwin – Item 2 only

**Meeting opened at 9.15 am and closed at 1.15 pm**

**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**                    **INSTALLATION OF 3 LIGHT POLES (12M) ON THE FIRST HOLE OF AN**  
**PA2013/0588**            **EXISTING GOLF COURSE**  
                                 **LOT 5944 (1) CHIN QUAN ROAD, TOWN OF DARWIN**  
**APPLICANT**            **PERRY PARK PTY LTD**

That, pursuant to section 97 of the *Planning Act*, Mr Garry Lambert and Ms Robin Knox, members of the Darwin Division of the Development Consent Authority declared an interest and were not present and did not take part in the deliberation of item 1.

Mr Roger Dee (Perry Park Pty Ltd), Mr Brad Cunnington and Ms Adelle Godfrey (Masterplan NT) attended.

Submitters in attendance:- Mr Troy and Mrs Janine Troy, Mr Daniel Leather, Ms Nen Nen Chin, Ms Shannon Coetzee, Mrs Suzanne Burnett, Ms Lorna Drummond and Ms Patsy Hickey.

Mr Leather tabled Australian Standard – Control of the obtrusive effects of outdoor lighting – AS4282

**RESOLVED**  
**251/13**

That, the Development Consent Authority vary the requirements of Clause 6.1 (General Height Control of the Northern Territory Planning Scheme and pursuant to section 53(a) of the *Planning Act* consent to the application to develop Lot 5944 (1) Chin Quan Road, Town of Darwin for the purpose of installation of 3 light poles (12m) on the first hole of an existing golf course, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings 2013/0588/1 and 2013/0588/2 endorsed as forming part of this permit.
2. A Certificate of Compliance is required for this development before the use commences.
3. The use of the lighting approved by this permit is limited to a period of 12 months from the date a Certificate of Compliance is issued. Any subsequent application to vary or remove this condition must be publically exhibited prior to determination by the Darwin division of the Development Consent Authority.
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. The lighting must be designed and constructed to comply with Australian Standards AS 4282 – 1997 (*Control of the Obtrusive Effects of Outdoor Lighting*), to the satisfaction of the consent authority.
6. The lighting may only operate until 10:00 pm.
7. Prior to the commencement of use of the lighting a legible copy of the ‘as constructed’ documents shall be provided to the City of Darwin.
8. External materials/ finishes of the solar panels attached to the lighting poles must be non-reflective so as to prevent any adverse effect on the surrounding residential areas, 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 to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. The Power and Water Corporation advises that the developer is responsible for safety clearance compliance between existing overhead powerlines in the area and any new building or extension during construction and its completed stage in accordance with the NT Electricity Reform (Safety and Technical) Regulations 2000. If any work is required on exiting overhead powerlines, the design and installation cost shall be borne by the developer.
3. Notwithstanding the approved plans, any works and/ or landscaping within Council’s road reserve is subject to Council’s approval and shall meet all Council’s requirements to the satisfaction of the City of Darwin and at no cost to Council.
4. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.
5. The Department of Lands, Planning and the Environment’s ‘Environment Protection Agency’ advises that construction work should be conducted in accordance with the Department’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.

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

1. The proposed development is considered to be generally in accordance with the purpose of Zone OR (Organised Recreation) which is “to provide areas for organised recreational activity. The proposal is for lighting facilities to the first hole of an existing golf course to facilitate

recreational use in the evenings until 10:00pm and is seen to be furthering the recreational opportunities of the land as expressed in the purpose.

2. Condition 3 limiting the use for a period of 12 months from the date the Certificate of Compliance is issued, is considered reasonable to gauge the use of lighting on the first hole. Should the use prove not to be a nuisance or detract from the amenity of the surrounding area, an application could be made to the Development Consent Authority for a Variation to remove this condition. Condition 3 furthermore requires any subsequent application to vary or remove this condition to be publically exhibited prior to determination by the Darwin division of the Development Consent Authority.
3. A variation to Clause 6.1 (General Height Control) is acceptable as the light poles are of a form that is of minimal bulk and intrusion, and a vegetated buffer with tall established trees exists between the developed area and adjacent uses which should act to soften the impact of the light poles and the effect of the development on the existing and future amenity of the locality.
4. Pursuant to section 51(e) of the *Planning Act*, in considering a development application the consent authority is required to take into account any submissions made under section 49. Twenty four submissions were received with twenty submissions raising concerns with the proposal, particularly in regard to the visual impacts of the lighting, noise and behavioural impacts, and the effect of the proposal on animal and bird life in the area.

The lighting structures themselves are of a form that is of minimal bulk and intrusion, and are largely screened behind existing vegetation and unlikely to cause any visual impacts. Design and construction of the lighting to comply with Australian Standard AS 4282 – 1997 (*Control of the Obtrusive Effects of Outdoor Lighting*) ensures that there will be minimal light spill impacts on surrounding land uses. The Department of Land Resource Management, who are the service authority responsible for commenting on biodiversity issues, advises that they have not identified any issues of concern with respect to this proposal.

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. The application is consistent with the primary purpose of Zone OR (Organised Recreation), and the variation to clause 6.1 (General Height Control) is considered acceptable given the minimal bulk and form of the light poles which are largely screened behind existing vegetation and unlikely to cause any visual impacts. Consideration has been given to surrounding land uses, and subject to the satisfaction of all conditions, including the requirement to design and construct the lighting to comply with Australian Standard AS 4282 – 1997 (*Control of the Obtrusive Effects of Outdoor Lighting*) and

to use solar panels with non-reflective external materials and finishes, no amenity impacts are expected.

**ACTION:** Notice of Determination

**ITEM 2**  
**PA2013/0730**  
**APPLICANT**

**SUBDIVISION TO CREATE 451 LOTS**  
**LOT 11070, MUIRHEAD, TOWN OF NIGHTCLIFF**  
**MASTERPLAN NT**

Mr Brad Cunnington and Ms Adelle Godfrey (Masterplan NT) Mr Michael Donnelly and Mr Luke Hassett (Investa), Mr Sean Sandford (SMEC) and Mr James Wallace (DHA) attended.

**RESOLVED**  
**252/13**

That, the Development Consent Authority vary the requirements of subclause 4(b) of zone SD23 (Specific Use No. 23 – Darwin), and pursuant to section 53(a) of the Planning Act, consent to the application to develop part Lot 11070, Town of Nightcliff, for the purpose of a subdivision to create 451 lots (stages 5 – 7 of Muirhead), 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 prepare a schematic plan demonstrating that all stormwater can be collected on the site and discharged, in accordance with the requirements of the City of Darwin’s guidelines and technical requirements, to the written approval of the City of Darwin and the Department of Health’s ‘Medical entomology’ division, to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how construction will be managed on the site, and is to include details of the haulage of excavated and new materials, traffic management for construction vehicles, management of stormwater during the construction phase, fencing and hours of construction.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a comprehensive traffic impact assessment report, which must outline changes that will be required to the surrounding road network and address vehicular, pedestrian, cyclist and public transport issues and opportunities. The report is to be to the approval of the City of Darwin, to the satisfaction of the consent authority.
4. Prior to the endorsement of the plans and prior to commencement of works (including site preparation), an erosion and sediment control plan (ESCP) is to be developed, by a suitably qualified professional, and subsequently approved and implemented in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008 ([www.austieca.com.au](http://www.austieca.com.au)). The ESCP should

detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. Erosion and sediment control information can also be sourced from: <http://lrm.nt.gov.au/soil/management>. The ESCP must be provided to the Department of Land Resource Management for review, to the satisfaction of the consent authority.

## **GENERAL CONDITIONS**

5. Works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
6. Prior to the issue of Part V clearance, a 100m wide grassland buffer is to be planted along the eastern boundary of the site, as shown on the endorsed plans. The preparation and planting of this grassland buffer is to be to the requirements of the Department of Health's Medical Entomology division, to the satisfaction of the consent authority.
7. All works recommended by the Traffic Impact Assessment report are to be completed to the requirements of the City of Darwin, to the satisfaction of the consent authority.
8. The applicant is to present confirmation that agreements are in place with either the City of Darwin, the Northern Territory Government, or another body, for the ongoing maintenance of the 100 grassed strip (incorporating drainage) along the eastern boundary of the site, to the satisfaction of the consent authority. Maintenance procedures are to give consideration to the concerns of the Department of Health's Medical entomology division, with regard to minimising the potential for mosquito breeding habitats to be created.
9. The subdivision as shown on the endorsed plans must not be altered without the further consent of the consent authority.
10. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
11. 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.
12. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity supply and telecommunications to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
13. 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.

14. All proposed roads and public open space reserves to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the City of Darwin.
15. A monetary contribution is to be paid to the City of Darwin, in accordance with its Lee Point Road Contribution Plan, to the satisfaction of the authority.
16. The inclusion of a design covenant that future development is required to comply with, is to be registered on the title of each lot which enforces compliance with zone SD23 of the Northern Territory Planning Scheme, in particular subclauses 2(d), 2(e), 2(f) and 2(g), to the satisfaction of the consent authority.
17. Any planting or construction activity within any easement or within road reserves adjacent to assets of any public agency or authority shall conform to the requirements of the relevant agency or authority to the satisfaction of the consent authority.
18. Engineering design and specifications of the proposed and affected roads, including street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors, streetscaping and landscaping of nature strips are to be to the technical requirements of the City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the permit holder's expense.
19. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin or the Department of Lands, Planning and the Environment, to the satisfaction of the consent authority.
20. The site must be appropriately engineered, graded and contoured to eliminate the need for any back of lot drainage to the requirements of the City of Darwin and/ or the Department of Lands, Planning and the Environment, to the satisfaction of the consent authority.
21. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.
22. Design specifications for Water Sensitive Urban Design (WSUD) structures and stormwater drainage are to be to the requirements of the Department of Health's Medical Entomology division, to the satisfaction of the consent authority. The WSUD structures are to give consideration to limiting biting insect breeding sites, algae growth, and surface ponding.
23. All access roads are to be constructed, operated and maintained so as not to create a nuisance from dust or other particulates.
24. The developer is to ensure that all development work is undertaken in a manner that prevents the creation of a public health nuisance from dust or other particulate matter.

25. 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. Notwithstanding the approved plans, any proposed works (including landscaping and structures) within Council's road reserve and Council land is subject to Council's approval and shall meet all Council's requirements, to the satisfaction of the General Manager of Infrastructure, City of Darwin and at no cost to Council.
2. Should the proposed parks be intended to be gifted to the City of Darwin at any point in the future, they will require separate Council consideration and approval.
3. The developer shall have regard to the City of Darwin's Subdivision and Development guidelines.
4. The Power and Water Corporation advises that:
  - Payment is to be made in accordance with PAWC's 'water and sewerage services extension policy' (WASSEP) prior to the receipt of development clearance from PAWC.The Water and Sewer Services Development Section
  - (landdevelopmentnorth@powerwater.com.au) and the 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 servicing requirements of the Corporation, and the need for upgrading of on-site and/or surrounding infrastructure.
5. The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra network: <http://www.telstrasmartcommunity.com/>, and is to register the development with NBN Co at <http://www.nbnco.com.au/gettingconnected/new-developments.html>.
6. The developer is required to contact 'Dial Before You Dig' on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
7. 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.
8. The NT Environment Protection Authority advises that the transportation of any contaminated soils from the site must be conducted in compliance with the *Waste Management and Pollution Control Act*.



9. The Department of Lands, Planning and the Environment's 'Environment Protection Agency' advises that construction work should be conducted in accordance with the Department'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.
10. It is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Act*. Should any heritage or archaeological material be discovered during site works, operations should cease immediately, and the Heritage division of the Department of Lands, Planning and the Environment should be contacted.

### REASONS FOR THE DECISION

1. The subdivision is consistent with the purpose of zone SD23 which is "to facilitate the subdivision, use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types".
2. The subdivision accords with the primary design philosophy for zone SD23, for the provision of lot patterns that "are best suited to catching prevailing breezes". The lots are generally orientated with the long axis of the lot being 30° of north, with this characteristic further aided by the imposition of setbacks that achieve a 6m separation between all buildings, this assisting in the natural flow of air through, and between, buildings. The layout is also consistent with that shown on the endorsed master plan (for DP12/0704) and the previously approved for stages 1 – 4.
3. A variation to the minimum lot size for parcels 5-122 and 5-21 is considered acceptable as the non-compliances, of just 3m<sup>2</sup> and 2m<sup>2</sup>, represents an inconsequential variation of 0.67% and 0.44% respectively, or a combined shortfall of just 5m<sup>2</sup> across the whole development, having no impact on the amenity of future occupants or the ability of the lots in question to satisfy the primary design philosophy of zone SD23, to present lots that "are best suited to catching prevailing breezes".
4. The registration of design covenants and setback provisions on each title will ensure future development over Lot 11070, Town of Nightcliff, will comply with the zone SD23 provisions and be consistent with the Ecologically Sustainable Design principles that underpin the development for the ready flow of breezes through, and between, buildings.

5. In accordance with the requirements of section 51(m) of the *Planning Act*, consideration has been given to all comments received from service authorities, with particular regard to the servicing requirements of the Power and Water Corporation, the maintenance issues raised by the City of Darwin and the Department of Lands, Planning and the Environment, and the environmental matters raised by the Department of Health and the Department of Land Resource Management. Appropriate responses to the matters raised, as reflected by the conditions and notes given on the development permit, will ensure an appropriate level of service is maintained for the site and surrounding locality.
6. Confirmation of an agreement with regard to maintenance of the 100m grassed strip (incorporating drainage) along the eastern boundary of the site, is required to ensure that this space is appropriately maintained, noting that the amenity concerns that could potentially arise from the creation of mosquito habitats in this area. Accordingly it is recommended that any maintenance program be developed in consultation with the Department of Health's Medical entomology division in acknowledgement of the requirements of section 51(n) of the *Planning Act*, thereby giving adequate consideration to the "Potential impact on the existing and future amenity of the area in which the land is situated".

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

**ITEM 3**                    **CARPORT AND GARAGE WITH A FIRST FLOOR ENTERTAINMENT AREA**  
**PA2013/0673**           **ADDITION TO AN EXISTING SINGLE DWELLING WITH A REDUCED SIDE**  
**SETBACK**  
**LOT 1325 (10) SNIPE COURT, TOWN OF SANDERSON**  
**APPLICANT**           **ABP PERMITS PL**

Mr Chris Lovewell (ABP Permits) attended and tabled a response to the DAS report.

**RESOLVED**            That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent  
**253/11**                    Authority defer consideration of the application to develop Lot 1325 (10) Snipe  
Court, Town of Nightcliff for the purpose of a carport and garage addition to an  
existing single dwelling with a first floor entertainment area and a reduced side  
setback to require the applicant to provide the following information the authority  
considers necessary to enable proper consideration of the application:

- plans demonstrating full compliance with the requirements of Clauses 6.11 (Garages and Sheds) and Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme.

**REASON FOR THE DECISION**

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable the proper consideration of the proposal. The Authority considers additional information regarding the requirements of Clause 6.11 and Clause 7.3

and the required building setbacks necessary in order for proper consideration of the potential impacts that the development may have on the amenity of the adjacent land.

**ACTION:** Advice to Applicant

**ITEM 4  
PA2013/0729  
APPLICANT**

**2 X 3 BEDROOM MULTIPLE DWELLINGS IN A TWO STOREY BUILDING  
LOT 11022 (14) BARRATT STREET, TOWN OF NIGHTCLIFF  
GL PLANNING**

Mr Christopher Cheung (GL Planning) attended.

Submitter:- Mr Wayne Gibbons attended.

**RESOLVED  
254/13**

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 11022 (14) Barratt Street, Town of Nightcliff for the purpose of 2 x 3 bedroom multiple dwellings in a two storey building, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with drawing numbers 2013/0729/01 to 2013/0729/06 (inclusive) 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, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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 kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.
5. The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their guests.
6. 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.
7. 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.

8. 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.
9. 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.
10. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, 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. 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 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.
3. A "Permit to Work Within a Road Reserve" may be required from the City of Darwin before commencement of any work within the road reserve.

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

1. The proposal to construct 2 x 3 bedroom multiple dwellings in a two storey buildings is consistent with the purpose of Zone SD23 (Specific Use No. 23 Darwin) in that it allows 'use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types.'
2. A variation to Clause 7.5 (Private Open Space) to allow private open space areas that do not meet the dimensional requirements of the clause is considered appropriate as:
  - Despite the non-compliant dimensions, both dwellings are provided with yard space that exceeds the 45m<sup>2</sup> area requirement quite generously. Unit one (off Barratt St) has over twice the required area at 105m<sup>2</sup> and unit 2 (off Hogan St) meets the 45m<sup>2</sup> area requirement and provides an extra 100m<sup>2</sup> in the front yard that could meet any additional demands of future residents;
  - The proposed private open space is just 0.5m from complying with the

- dimension requirements with the length of both private open space areas far exceeding 5m in any case; and
- The private open space is appropriately sited and of an adequate size to provide for domestic purposes and is therefore assessed as meeting the purpose of the clause.
3. Pursuant to section 51(n) of the *Planning Act* the consent authority must give consideration to the potential impact on the existing and future amenity of the area in which the land is situated. The application provides a development that is consistent with the overall purpose of Zone SD23 (Specific Use No. 23 Darwin) as it provides an appropriate development on land identified for multiple dwelling purposes. The application satisfies most minimum standards of the Planning Scheme including building height, landscaping, vehicle parking and building setbacks. The design also complies with the building envelope plan endorsed as part of the subdivision. For these reasons, the development proposed is assessed as being unlikely to adversely impact on the existing and future amenity of the surrounding area.

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

**ITEM 5 WITHDRAWN**

**ITEM 6 PA2013/0740**  
**8 X 2 BEDROOM MULTIPLE DWELLINGS IN A 3 STOREY BUILDING WITH GROUND LEVEL CAR PARKING**  
**LOT 4899 (23) SOMERVILLE GARDENS, TOWN OF DARWIN**  
**APPLICANT ROSSI ARCHITECTS**

Mr Rossi Kourounis and Mr Brody McDonald (Rossi Architects) and Mr Andrew Milatos (owner) attended.

Submitter in attendance:- Ms Marion Gordon and Ms Kim Lane.

Interested party in attendance:- Mr Patrick Glynn.

**RESOLVED** That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 4899 (23) Somerville Gardens, Town of Darwin for the purpose of 8 x 2 bedroom multiple dwellings in a 3 storey building with ground level car parking, 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:

- Plans demonstrating greater compliance with the requirements of Clause 7.3.1 (Additional Building Setback Requirements for Residential Buildings longer Than 18 metres and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme; and
- Plans showing mature trees adjacent to each balcony at the rear of the building to reduce undue overlooking.

## REASON FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable the proper consideration of the proposal. The Authority considers additional information regarding the requirements of Clause 7.3.1 and the required building setbacks necessary in order for proper consideration of the potential impacts that the development may have on the amenity of the adjacent land.

**ACTION:** Advice to Applicant

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

  
GRANT TAMBLING  
Delegate

27/11/13