



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 140 – WEDNESDAY 20 JUNE 2012

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

MEMBERS PRESENT: Peter McQueen (Chairman), Steve Ward, Stuart Delahay, Susan McKinnon, Paul Bunker and Andrew Byrne (observer)

APOLOGIES: Nil

OFFICERS PRESENT: Danna Scoot (A/Secretary), Deborah Bruise and Sarah Gooding (Development Assessment Services)

COUNCIL REPRESENTATIVE: Ted Vivian

Meeting opened at 9.30 am and closed at 10.50pm

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 **GARAGE/SHED ADDITION TO EXISTING MULTIPLE DWELLING WITH
PA2012/0285** **REDUCED SIDE SETBACK (UNIT 1)
LOT 6787 (9) CONNAUGHT COURT, TOWN OF PALMERSTON**
APPLICANT **WILDSIDE CONTRACTING**

The applicant did not attend the meeting but requested that the application be deferred to the July meeting.

ITEM 2 **VERANDAH WITH A REDUCED SIDE SETBACK
PA2012/0317** **LOT 9161 (18) HULL PLACE, TOWN OF PALMERSTON**
APPLICANT **NOW RENOVATIONS PTY LTD**

Applicant Mr Sam Hedger attended.

RESOLVED That, pursuant to section 53(b) of the *Planning Act*, the Development Consent
67/12 Authority alter the proposed development and consent to the proposed development
as altered to develop Lot 9161 (18) Hull Place, Town of Palmerston, for the purpose
of a verandah with a reduce side setback, subject to the following conditions:

CONDITON 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 include screening along the affected portion of the side boundary with Lot 9162 (19) 19 Hull Place, Town of Palmerston.
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston's underground 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.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the 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 facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Palmerston City Council to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies;
 - (a) The development is not started within two years of the date of this permit; or
 - (b) The development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

REASON 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 variation to clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for 0.5m where 1.5m is required by the Scheme, is granted as:

- Screening will ensure that the proposed verandah will not negatively impact on the amenity of adjoining Lot 9162 (19) 19 Hull Place, Town of Palmerston;

- the verandah will be a single storey open sided structure and as such will encourage breeze penetration between the subject and neighbouring building; and
- no submissions have been received.

ACTION: Notice of Consent and Development Permit.

ITEM 3

**PA2012/0341
APPLICANT**

**CARPORT ADDITION AND CHANGES TO THE FRONT BOUNDARY FENCE OF
AN EXISTING MULTIPLE DWELLING WITH A REDUCED SIDE SETBACK
UNIT 11431 (1/2) WEWAK COURT, TOWN OF PALMERSTON
NOW RESOURCES PTY LTD**

Applicant Mr Sam Hedger (Now Resources Pty Ltd) attended.

**RESOLVED
68/12**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 11431 (Unit 1/2) Wewak Court, Town of Palmerston, for the purpose of a carport addition and changes to the front boundary fence of an existing multiple dwelling, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to the 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 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) Site levels and elevations of the proposed fence; and
 - (b) The gates not impacting on Council's verge.
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston's underground 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.

GENERAL CONDITIONS

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

4. 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.
6. 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.
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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

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

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 variation to clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for a reduced side setback of 0.7m where 1.5m is required is supported as:

- The carport will be located adjacent to the neighbouring properties garage and driveway and as such the carport is not considered as likely to adversely affect the privacy of Lot 10316 (4) Wewak Court, Town of Palmerston;
- The carport will have openings at the front and rear and as such adequate breeze penetration is anticipated;
- The single storey appearance and a flat roof which is 2.75m high along the affected boundary will not result in building massing when viewed from the neighbouring property. Furthermore, the solid fence will screen the carport from view of the street; and

- No submissions were received from the owners of Lot 10316 (4) Wewak Court, Town of Palmerston.
2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

Provided that stormwater will be appropriately managed on site without impacting on surrounding residential areas and provided that the proposed gate to the fence will not impact on Council's verge, no adverse physical impact on the surrounding land is anticipated.

ACTION: Notice of Consent and Development Permit.

**ITEM 4
PA2012/0208
APPLICANT**

**SUBDIVISION TO CREATE 10 LOTS
LOT 9637 (152) FORREST PARADE, TOWN OF PALMERSTON
EVDOXIA KYPREOS & JOHN KYPREOS**

Applicant Ms Evoxia and Mr John Kypreos attended.
Ms June D'Rozario attended (on behalf of the applicant).

**RESOLVED
69/12**

That, the Development Consent Authority vary Clauses 11.1.1 (Minimum Lot Sizes and Requirements) and 11.2.3 (Lot Size and Configuration in Residential Subdivisions) of the Northern Territory Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, consent to the application to develop Lot 9637 (152) Forrest Parade, Town of Palmerston for the purpose of subdivision to create 10 lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plans demonstrating the method of stormwater management to the requirements of City of Palmerston and to the satisfaction of the consent authority.
2. Prior to the commencement of works (including site preparation), a 'Comprehensive Traffic Management Plan' shall be prepared to the satisfaction of the Department of Lands and Planning's Public Transport Division that addresses the ongoing provision of public transport services during construction, to the satisfaction of the consent authority
3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment and the Arts (Natural Resources Management Division), and an endorsed copy of the Plan will form part of this permit. All

works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. 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.
6. 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.
7. 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.
8. 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 relevant Northern Territory or local government authority.
9. Storm water is to be collected and discharged into the drainage network, in accordance with the technical standards of and at no cost to the City of Palmerston to the satisfaction of the consent authority.

NOTES:

- 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.
- The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra Network. <https://www.telstrasmartcommunity.com/>.
- 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

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 purpose of this application is to subdivide lot 9637 Town of Palmerston into 10 lots, with 7 lots being for single dwellings and 3 lots being for multiple dwellings. The various sizes allow for a variety of housing options on both the single dwelling and multiple dwellings lots and as such the proposed subdivision is considered to be in accordance with the purpose of zones SD (Single Dwellings Residential) and MD (Multiple Dwellings Residential) of the Northern Territory Planning Scheme.

A variation to Clause 11.1.1 (Minimum Lot Size) of the NT Planning Scheme to allow lot 6 to have a total area of 771m² rather than 800m² is granted as:

- The total reduction in proposed lot size does not exceed 5% of the minimum specified in Table to Clause 11.1.1 (Minimum Lot Size) of the NT Planning Scheme; and
 - The applicant has demonstrated that the proposed lot 6 is capable of accommodating a standard dwelling.
2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

Provided that stormwater is adequately addressed and an Erosion and Sediment Control Plan is implemented in accordance to the requirements of Department of Natural Resources, Environment, the Arts and Sport the land is considered capable of supporting the subdivision without any adverse impact on surrounding land.

ACTION: Notice of Consent and Development Permit.

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



PETER MCQUEEN
Chairman

22/06/12