



**DEVELOPMENT CONSENT AUTHORITY**

**PALMERSTON DIVISION**

**MINUTES**

**MEETING No 126 - WEDNESDAY 16 MARCH 2011**

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

**MEMBERS PRESENT:** Peter McQueen (Chairman), Steve Ward, Jeffrey Porter, Susan McKinnon and Graeme Chin

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary) and George Maly (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Ted Vivian

**Meeting opened at 9.30 am and closed at 10.45 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**                      **TWO DEMOUNTABLE STRUCTURES**  
**PA2011/0046**              **LOT 5812 (14) TRILLER CIRCUIT, TOWN OF PALMERSTON**  
**APPLICANT**                **ROBERT HENDERSON**

The applicant did not attend.

**RESOLVED**                Pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority  
**26/11**                        consent to the application to develop Lot 5812 (14) Triller Court, Bakewell for the  
purpose of installing two demountables structures subject to the following conditions:

#### **CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawing numbered 2011/0046/1 endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.
3. The containers shall be painted green in accordance with Clause 6.8.4 (Demountable Structures) of the NT Planning Scheme to the satisfaction of the consent authority.
4. The demountables shall be removed two years from the date of issue of this permit.

#### **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.

The location of the proposed demountables meets the setback requirements of Clause 6.8 (Demountable Structures). A condition to paint both demountables has been included to assist in enhancing the appearance of the demountable structures in accordance with the requirements of Clause 6.8.4 (Demountable Structures).

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

The proposed demountables will be both painted green and located to the rear of the site some 30 metres from the road reserve and will therefore have a minimal impact on the public environment. In addition

a two year timeframe has been included in the conditions to allow the applicant to use the demountables until the dwelling on the site is completed. It is not envisaged that the proposed location of the demountables will have a long term impact on the existing and future amenity of the area.

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

**ITEM 2**  
**PA2011/0025**

**CARPORT ADDITION WITH REDUCED SIDE SETBACK TO AN EXISTING SINGLE DWELLING**

**APPLICANT**

**LOT 3634 (11) REGULUS COURT, TOWN OF PALMERSTON  
NOW RENOVATIONS**

DAS tabled further information from the applicant.

Mr Sam Hedger (Now Renovations) sent his apologies as he is interstate.

**RESOLVED**  
**27/11**

That the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 3634 (11) Regulus Court, Town of Palmerston, for the purpose of an addition of a carport with a reduced side setback to an existing single dwelling subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2011/0025/1 and 2011/0025/2 00 endorsed as forming part of this permit.
2. 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.
3. The owner shall collect stormwater and discharge it to the drainage network all to the technical requirements of and at no cost to the City of Palmerston, to the satisfaction of the consent authority.

**NOTE:**

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that any structure 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.

**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 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for a side setback of 0.5m where 1.5m is required by the Scheme, is granted as the setback of the proposed carport is consistent with existing buildings on the site, is well setback from the rear boundary, and will be screened from view by existing vegetation. There is unlikely to be any adverse impact on the streetscape or the amenity of neighbouring properties.

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

The land is considered capable of supporting the proposed development and the proposal will not have a negative impact on the amenity of the neighbourhood

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

**ITEM 3**  
**PA2010/1097**  
**APPLICANT**

**4 X 3 BEDROOM DWELLINGS IN 4 SINGLE STOREY BUILDINGS**  
**LOT 10038 (36) JOHNSTON, TOWN OF PALMERSTON**  
**KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended.

**RESOLVED**  
**28/11**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 10038 (36) Johnston, Town of Palmerston for the purpose of 4 x 3 bedroom dwellings in 4 single storey buildings, to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Plans showing an amended parking layout on the site, including, if required, an additional entry to the site, which would allow for a safe and convenient vehicle manoeuvring within and access to the site.

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

Amendments to the proposed parking layout will address concerns relating to safe and convenient vehicle manoeuvring on the site.

**ACTION:** Advice to Applicant

ITEM 4  
PA2010/1099  
APPLICANT

**4 X 3 BEDROOM MULTIPLE DWELLINGS IN 4 SINGLE STOREY BUILDINGS  
LOT 10038 (28) JOHNSTON, TOWN OF PALMERSTON  
KILLARNEY HOMES**

Mr Damien Moriarty (Killarney Homes) attended.

**RESOLVED  
29/11**

That, pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10038 (28) Johnston, Town of Palmerston, for the purpose of 3 x 3 bedroom multiple dwellings in three single storey buildings subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawings numbered 2010/1099/1 through to 2010/1099/9 inclusive endorsed as forming part of this permit.
2. 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.
3. 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 plans in accordance with the authorities' requirements and relevant legislation at the time.
4. An Occupancy Permit under the Building Act must not be granted until title to the property has been issued.
5. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. 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.

8. Before the occupation of the development 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. 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 driveways and the public street.
10. Before the 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.
11. 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.
12. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

#### **NOTES:**

1. This permit will expire if one of the following circumstances applies:
  - a) the development and use are 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](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 onsite 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.

## REASONS FOR THE DECISION

1. More detailed information and assessment of stormwater management will address submitter's concerns relating to management of stormwater and its downstream impacts on the residential suburb of Durack.
2. More detailed information on vehicular access to each created parcel and an assessment of the capacity of the proposed vehicular access to accommodate additional traffic to Lot SSSS to address Authority's concerns relating to the potential conflict for vehicles accessing the site and the future residential subdivision proposed on Lot SSSS Town of Palmerston.

**ACTION:** Advice to applicant

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



**PETER MCQUEEN**  
Chairman

21 /3/11

The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) to provide for a range of housing options.

2. 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 proposal complies with all relevant provisions of the NT Planning Scheme.

3. Pursuant to Section 51(h) of the *Planning Act*, the consent authority must take into consideration the merits of the proposed development as demonstrated in the application.

The proposed development will provide adequately sized, three-bedroom dwellings with private open space, double car parking spaces and concrete driveways. Two of the three dwellings (Type 'C' units) also include verandah's, carports and larger yards. All the yards are adequately sized and well-landscaped without compromising privacy and security. The buildings have been designed to allow cross-ventilation and shading to most of the habitable rooms.

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

**ITEM 5**  
**PA2010/1422**  
**APPLICANT**

**SUBDIVISION AND CONSOLIDATION TO CREATE 3 LOTS**  
**LOTS 4206, 8405 & 8404 (4, 6 & 20) UNIVERSITY AVENUE, TOWN OF PALMERSTON**  
**DEPARTMENT OF CONSTRUCTION AND INFRASTRUCTURE**

Ms Kate Large (Aurecon) attended on behalf of the Department of Construction and Infrastructure.

Submitter Ms Heather Ryan attended.

**RESOLVED**  
**30/11**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lots 8404, 8405 and 4206 (20, 6 and 4) University Avenue, Town of Palmerston, for the purpose of a subdivision and consolidation to create 3 lots, to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Proposed method of storm water management and disposal within each site including an assessment of its downstream impact; and
- Further detail on proposed vehicular access to each site from Roystonea Avenue including consideration of potential traffic to Lot XXX Town of Palmerston.