



## **DEVELOPMENT CONSENT AUTHORITY**

### **PALMERSTON DIVISION**

### **MINUTES**

## **MEETING No 145 – WEDNESDAY 21 NOVEMBER 2012**

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

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

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), George Maly, Deborah Curry and Christopher Cheung (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Martin Kloppe

**Meeting opened at 9.00 am and closed at 1.00 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**                      **2 X 2 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**PA2012/0728**              **LOT 10878 (11) HENSCHKE STREET, TOWN OF PALMERSTON**  
**APPLICANT**              **DEPARTMENT OF INFRASTRUCTURE**

Mr Colin Fripp and Mr Jeff Ockleshaw (Department of Infrastructure), Mr Wayne Wright and Ms Ally Connachie (Department of Housing).

Mr Klopper (City of Palmerston) tabled a turning circle shown on the site plan of the one of the latest's plans.

**RESOLVED**  
**127/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10878 (11) Henschke Street, Town of Palmerton for the purpose of 2 x 2 bedroom multiple dwellings in a single storey building, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified show:
  - (a) Confirmation that the landscaping at the front of the property is capable of screening the proposed development when viewed from the street;
  - (b) Further detail of retaining wall structures and fencing; and
  - (c) The use of cellular paving grids rather than concrete as the treatment of the foundation of the uncovered car parking spaces.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
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 the City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) 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 use or 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;Car spaces and driveways must be kept available for these purposes at all times.
9. 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.
10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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](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.
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.
4. 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.

## 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 proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Henschke Street.

Furthermore, the proposed development generally complies with the relevant provisions of the Northern Territory Planning Scheme.

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.

The subject proposal will provide low density residential dwellings in area that provides for a mix of housing options. Provided that landscaping effectively screens the development from the street and the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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.

Further detail on retaining walls, fencing and landscaping is required to ensure that the development will not impact on the visual amenity of the area.

The provision of permeable paving products within the parking area will reduce the expanse of paved areas along the site's frontage.

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

**ITEM 2**  
**PA2012/0747**  
**APPLICANT**

**2 X 2 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**  
**LOT 10865 (30) CLARKE STREET, TOWN OF PALMERSTON**  
**DEPARTMENT OF INFRASTRUCTURE**

Mr Colin Fripp and Mr Jeff Ockleshaw (Department of Infrastructure), Mr Wayne Wright and Ms Ally Connachie (Department of Housing).

Mr Klopper (City of Palmerston) tabled a turning circle shown on the site plan of the one of the latest's plans.

**RESOLVED**  
**128/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10865 (30) Clarke Street, Town of Palmerston for the purpose of 2 x 2 bedroom multiple dwellings in a single storey building, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified show:
  - (a) Confirmation that the landscaping at the front of the property will screen the proposed development when viewed from the street;
  - (b) Method of fencing to the side and rear boundaries; and

- (c) The treatment of the foundation of the uncovered car parking spaces with cellular paving grids rather than concrete.

## GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
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 the City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) 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 use or 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;Car spaces and driveways must be kept available for these purposes at all times.
9. 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.

10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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](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.
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.
4. 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.

#### **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 proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Clarke Street.

Furthermore, the proposed development generally complies with the relevant provisions of the Northern Territory Planning Scheme.

2. Pursuant to section 51(j) 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.

The subject proposal will provide low density residential dwellings in an area that provides for a mix of housing options. Provided that landscaping effectively screens the development from the street and the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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.

Further detail on retaining walls, fencing and landscaping is required to ensure that the development will not impact on the visual amenity of the area.

The provision of permeable paving products within the parking area will reduce the expanse of paved areas along the site's frontage.

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

**ITEM 3  
PA2012/0745  
APPLICANT**

**2 X 2 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING  
LOT 10898 (3) GROVES STREET, TOWN OF PALMERSTON  
DEPARTMENT OF INFRASTRUCTURE**

Mr Colin Fripp and Mr Jeff Ockleshaw (Department of Infrastructure), Mr Wayne Wright and Ms Ally Connachie (Department of Housing).

Mr Klopper (City of Palmerston) tabled a turning circle shown on the site plan of the one of the latest's plans.



**RESOLVED  
129/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10898 (3) Groves Street, Town of Palmerston for the purpose of 2 x 2 bedroom multiple dwellings in a single storey building, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified show:
  - a) Confirmation that the landscaping at the front of the property will screen the proposed development when viewed from the street;
  - b) Method of fencing to the side and rear boundaries; and
  - c) The treatment of the foundation of the uncovered car parking spaces with cellular paving grids rather than concrete.

**GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
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 the City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) 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 use or 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;Car spaces and driveways must be kept available for these purposes at all times.
9. 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.
10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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](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.
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.

4. 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.

#### 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 proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Groves Street.

Furthermore, the proposed development generally complies with the relevant provisions of the Northern Territory Planning Scheme.

2. Pursuant to section 51(j) 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.

The subject proposal will provide low density residential dwellings in an area that provides for a mix of housing options. Provided that landscaping effectively screens the development from the street and the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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.

Further detail on retaining walls, fencing and landscaping is required to ensure that the development will not impact on the visual amenity of the area.

The provision of permeable paving products within the parking area will reduce the expanse of paved areas along the site's frontage.

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

Mr Colin Fripp and Mr Jeff Ockleshaw (Department of Infrastructure), Mr Wayne Wright and Ms Ally Connachie (Department of Housing).

Mr Klopper (City of Palmerston) tabled a turning circle shown on the site plan of the one of the latest's plans.

**RESOLVED  
130/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10680 (4) Marita Street, Town of Palmerston for the purpose of 2 x 2 bedroom multiple dwellings in a single storey building, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified show:
  - a) Confirmation that the landscaping at the front of the property will screen the proposed development when viewed from the street;
  - b) Method of fencing to the side and rear boundaries; and
  - c) The treatment of the foundation of the uncovered car parking spaces with cellular paving grids rather than concrete.

**GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
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 the City of Palmerston to the satisfaction of the consent authority.
6. 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.

7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) 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 use or 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;Car spaces and driveways must be kept available for these purposes at all times.
9. 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.
10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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](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.

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.
4. 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.

#### 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 proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Marita Street.

Furthermore, the proposed development generally complies with the relevant provisions of the Northern Territory Planning Scheme.

2. Pursuant to section 51(j) 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.

The subject proposal will provide low density residential dwellings in an area that provides for a mix of housing options. Provided that landscaping effectively screens the development from the street and the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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.

Further detail on retaining walls, fencing and landscaping is required to ensure that the development will not impact on the visual amenity of the area.

The provision of permeable paving products within the parking area will reduce the expanse of paved areas along the site's frontage.

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

**ITEM 5  
PA2012/0746  
APPLICANT**

**2 X 2 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING  
LOT 10828 (10) CORRY STREET, TOWN OF PALMERSTON  
DEPARTMENT OF INFRASTRUCTURE**

Mr Colin Fripp and Mr Jeff Ockleshaw (Department of Infrastructure), Mr Wayne Wright and Ms Ally Connochie (Department of Housing).

Mr Klopper (City of Palmerston) tabled a turning circle shown on the site plan of the one of the latest's plans.

**RESOLVED  
131/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10828 (10) Corry Street, Town of Palmerston for the purpose of 2 x 2 bedroom multiple dwellings in a single storey building, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified show:
  - a) Confirmation that the landscaping at the front of the property will screen the proposed development when viewed from the street;
  - b) Method of fencing to the side and rear boundaries; and
  - c) The treatment of the foundation of the uncovered car parking spaces with cellular paving grids rather than concrete.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
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 the City of Palmerston to the satisfaction of the consent authority.
6. 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.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
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8. Before the use or 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;Car spaces and driveways must be kept available for these purposes at all times.
9. 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.
10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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](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.
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.
4. 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.

## 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 proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the Northern Territory Planning Scheme as it provides for a variety of housing options for potential residents of Corry Street.

Furthermore, the proposed development generally complies with the relevant provisions of the Northern Territory Planning Scheme.

2. Pursuant to section 51(j) 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.

The subject proposal will provide low density residential dwellings in an area that provides for a mix of housing options. Provided that

landscaping effectively screens the development from the street and the collection and discharge of stormwater is managed to Council's satisfaction, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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.

Further detail on retaining walls, fencing and landscaping is required to ensure that the development will not impact on the visual amenity of the area.

The provision of permeable paving products within the parking area will reduce the expanse of paved areas along the site's frontage.

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

**ITEM 6**  
**PA2012/0666**  
**APPLICANT**

**1 X 2 & 1 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 2 STOREY BUILDINGS**  
**LOT 10663 (50) CLARKE STREET, TOWN OF PALMERSTON**  
**DPL DEVELOPMENTS PTY LTD**

The applicant sent his apologies.

**RESOLVED**  
**132/12**

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 10663 (50) Clarke Street, Town of Palmerston for the purpose of 1 x 2 bedroom and 1 x 3 bedroom multiple dwellings in 2 x 2 storey buildings, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include detailed (dimensioned and annotated) site, internal layout and elevations plans that show:
  - A separate vehicle access to each parking bay; and
  - The use of cellular paving grids rather than concrete as the treatment of the foundation of parking area manoeuvring space.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings 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. 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.
6. 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. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (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 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.
9. 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.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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. 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.
3. 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.
4. 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.

## REASONS FOR THE DECISION

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

A variation to Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme for the use of tandem car parking (end to end) is not supported as the parking arrangement is anticipated to negatively impact on the current and future residential amenity of the subject site and surrounding land. The Authority considers that the submission of amended plans is necessary to approve the application.

The proposed development is otherwise consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options, and is consistent with all other relevant provisions of the NT Planning Scheme.

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in allowing for the dwellings to be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. 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.

The site has an area of approximately 800m<sup>2</sup>, is generally rectangular in shape, and has a street frontage to Clarke Street. The subject land has recently been graded and as such is relatively flat, currently undeveloped, and as such is considered to be capable of accommodating separate vehicle access to each car parking space.

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.

Through the provision of landscaping in front of the car parking areas, around the property boundaries, and in between the dwellings, and with the proposed architectural design including varying street frontage setbacks and the inclusion of blueboard cladding, it is anticipated that impacts upon the amenity of the area would be minimal.

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

**ITEM 7**                      **2 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 2 STOREY BUILDINGS**  
**PA2012/0668**            **LOT 10032 (PROPOSED LOT 10703) (395) CHUNG WAH TERRACE,**  
                                 **TOWN OF PALMERSTON**  
**APPLICANT**            **DPL DEVELOPMENTS PTY LTD**

The applicant sent his apologies.

**RESOLVED**            That, pursuant to section 53(b) of the *Planning Act*, the Development Consent  
**133/12**                   Authority alter the proposed development and consent to the proposed development  
                                 as altered to develop Lot 10703 (74) Flynn Circuit, Town of Palmerston for the  
                                 purpose of 2 x 3 bedroom multiple dwellings in 2 x 2 storey buildings, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include detailed (dimensioned and annotated) site, internal layout and elevations plans that show:
  - A separate vehicle access to each parking bay; and
  - The use of cellular paving grids rather than concrete as the treatment of the foundation of parking area manoeuvring space.

## GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings 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. 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.
6. 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. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (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 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.

9. 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.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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. 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.
3. 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.
4. 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.

## REASONS FOR THE DECISION

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

A variation to Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme for the use of tandem car parking (end to end) is not supported as the parking arrangement is anticipated to negatively impact on the current and future residential amenity of the subject site and surrounding land. The Authority considers that the submission of amended plans is necessary to approve the application.

The proposed development is otherwise consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options, and is consistent with all other relevant provisions of the NT Planning Scheme.

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in allowing for the dwellings to be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. 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.

The site has an area of approximately 874m<sup>2</sup>, is generally uniform rectangular in shape, and has a street frontage to Flynn Circuit. The subject land has recently been graded and as such is relatively flat, currently undeveloped, and as such should be capable of accommodating separate vehicle access to each car parking space.

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.

Through the provision of landscaping in front of the car parking areas, around the property boundaries, and in between the dwellings, and with the proposed architectural design including varying street frontage



setbacks and the inclusion of blueboard cladding, it is anticipated that impacts upon the amenity of the area would be minimal.

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

**ITEM 8**                      **2 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 2 STOREY BUILDINGS**  
**PA2012/0669**            **LOT 10032 (PROPOSED LOT 10576) (395) CHUNG WAH TERRACE,**  
**APPLICANT**            **TOWN OF PALMERSTON**  
                                 **DPL DEVELOPMENTS PTY LTD**

The applicant sent his apologies.

**RESOLVED**  
**134/12**

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 proposed Lot 10032 (Proposed Lot 10576) (395) Chung Wah Terrace, Town of Palmerston for the purpose of 1 x 2 bedroom and 1 x 3 bedroom multiple dwellings in a 2 x 2 storey buildings, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include detailed (dimensioned and annotated) site, internal layout and elevations plans that show:
  - (a) A separate vehicle access to each parking bay; and
  - (b) The use of cellular paving grids rather than concrete as the treatment of the foundation of parking area manoeuvring space.

#### **GENERAL CONDITIONS**

2. Works carried out under this permit shall be in accordance with the drawings 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. 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.
6. 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. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) 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 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.
9. 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.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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. 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.

3. 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.
4. 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.

#### REASONS FOR THE DECISION

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

A variation to Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme for the use of tandem car parking (end to end) is not supported as the parking arrangement is anticipated to negatively impact on the current and future residential amenity of the subject site and surrounding land. The Authority considers that the submission of amended plans is necessary to approve the application.

The proposed development is otherwise consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options, and is consistent with all other relevant provisions of the NT Planning Scheme.

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in allowing for the dwellings to be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. 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.

The site has a proposed area of approximately 809m<sup>2</sup>, is generally rectangular in shape, and has a street frontage with the name yet to be determined. The subject land has recently been graded and as such is relatively flat, currently undeveloped, and as such should be capable of accommodating separate vehicle access to each car parking space.

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.

Through the provision of landscaping in front of the car parking areas, around the property boundaries, and in between the dwellings, and with the proposed architectural design including varying street frontage setbacks and the inclusion of blueboard cladding, it is anticipated that impacts upon the amenity of the area would be minimal.

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

**ITEM 9**  
**PA2012/0670**

**1 X 2 AND 1 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 2 STOREY BUILDINGS**

**LOT 10032 (PROPOSED LOT 10558) (395) CHUNG WAH TERRACE, TOWN OF PALMERSTON**

**APPLICANT**

**DPL DEVELOPMENTS PTY LTD**

The applicant sent his apologies.

**RESOLVED**  
**135/12**

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 10032 (proposed Lot 10558),(395) Chung Wah Terrace, Town of Palmerston for the purpose of 1 x 2 bedroom and 1 x 3 bedroom multiple dwellings in a 2 x 2 storey buildings, 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 two copies must be

provided. The plans must be generally in accordance with the plans submitted with the application but modified to include detailed (dimensioned and annotated) site, internal layout and elevations plans that show:

- separate sealed vehicle access to each parking bay.

#### GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings 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. 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.
6. 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. The Developer shall be responsible for the relocation of the kerb crossovers, driveways or any other relevant infrastructure deemed necessary by the City of Palmerston.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (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 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.
9. 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.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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. 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.
3. 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.
4. 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.

#### REASONS FOR THE DECISION

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

Clause 2.5 (Exercise of Discretion by the Consent Authority) allows the Authority to consent to the development that does not meet the standard

set out by the Planning Scheme or impose a condition requiring a higher standard of development than is set out in a provision of Parts 4 and 5 if it considers it necessary to do so. The use of tandem car parking (end to end) is not supported as the parking arrangement is anticipated to negatively impact on the current and future residential amenity of the subject site and surrounding land. The Authority considers that the submission of amended plans is necessary to approve the application.

The proposed development is otherwise consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) which is to provide for a range of housing options, and is consistent with all other relevant provisions of the NT Planning Scheme.

2. Pursuant to section 51(h) of the Act, the Authority must take into account the merits of the proposed development as demonstrated in the application.

The dwellings will provide first homebuyers with greater opportunities for home ownership and entry into the property market. The design also demonstrates merit in allowing for the dwellings to be adapted and extended as the occupants/owners needs change.

The development also offers additional modern housing for the area and will add further variety to the housing choice available for persons looking to move to Bellamack.

3. 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.

The site has a proposed area of approximately 838m<sup>2</sup>, and is irregular in shape. The site has two street frontages with the names as well as the identification of primary and secondary frontages yet to be determined. The subject land has recently been graded and as such is relatively flat, currently undeveloped, and as such should be capable of accommodating separate vehicle access to each car parking space.

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.

Through the provision of landscaping in front of the car parking areas, around the property boundaries, and in between the dwellings, and with the proposed architectural design including varying street frontage setbacks and the inclusion of blueboard cladding, it is anticipated that impacts upon the amenity of the area would be minimal.

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

**ITEM 10**                    **3 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X SINGLE STOREY BUILDINGS**  
**PA2012/0734**           **LOT 10032 (PROPOSED LOT 10726) (395) CHUNG WAH TERRACE,**  
                                 **TOWN OF PALMERSTON**  
**APPLICANT**           **DPL DEVELOPMENTS PTY LTD**

The applicant sent his apologies.

Mr Israel Kgosiemang (One Planning Consult) attended on behalf of the applicant and Mr Arnold Nutt (developer) attended

**RESOLVED**  
**136/12**

That, pursuant to section 53(c) of the *Planning Act*, the Development Consent Authority refuse consent to the application develop Part Lot 10032 (proposed Lot 10726) Chung Wah Terrace, Town of Palmerston, for the purpose of 3 x 3 bedroom multiple dwellings in 2 x single storey buildings, subject to the following reasons:

### **REASONS FOR THE DECISION**

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority is required to consider the proposal's compliance with the Planning Scheme, as it applies to the land.  
In consideration of the proposal's compliance with the NT Planning Scheme, the Authority took into account the provisions Clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, which requires it to consider the proposed use or development in its entirety and consent to the development of land that does not meet the standard set out in Parts 4 or 5 only if it is satisfied that special circumstances justify the giving of consent.

The Authority resolved not to grant a variation to the provisions of Clause 6.5.3 (Parking Area Layout) of the NT Planning Scheme for the proposed setback of a parking area adjoining the Arnold and Donald units of 1 metre instead of 3 metres normally required as the proposed parking does not include an adequately wide landscaped strip between the front boundary and the parking area which would minimise the visual impact of the car parking area on the street.

The recommendation by Development Assessment Services for screen fencing was not accepted by the Authority as an appropriate solution as the layout proposed is not considered to be functional or designed for convenient parking. Neither the application nor the assessment report from Development Assessment Services specified sufficient merit or special circumstances to justify the variation proposed.

2. Contrary to the recommendations provided by Development Assessment Services the Development Consent Authority is also of the opinion that the proposal does not comply with purpose of Clause 7.8 (Building Design for Multiple Dwellings, Hostels and Supporting Accommodation) of the Scheme which states that proposals should "promote site-



responsive designs for hostels, multiple dwellings and supporting accommodation that are pleasant for the occupants”.

The design presented does not allow bedroom 2 of each unit adequate access to natural light, does not protect bedrooms from noise sources and does not enable breezes to circulate through the site, as required by subclauses (a), (f) and (j) of Clause 7.8 of the Planning Scheme. There appears to be limited space for air-conditioning condensers leading to concerns that heat loading of bedrooms 2 and 3 from the proximity to the car parking area/s may necessitate the provision of air-conditioning units within the proposed parking bays and the impact that such air-conditioners would have on the manoeuvrability of vehicles within the parking area or on access to clothes drying facilities.

3. Pursuant to Section 51(j) of the *Planning Act*, the consent authority is required to consider “*the capability of the land to support the proposed development*”.

The size and shape of the allotment present particular constraints, which have not been resolved through the design presented to the consent authority, and as such it has not been demonstrated that the site can support the proposed development without a significant impost on the comfort and convenience of the future occupants of the site.

4. Pursuant to Section 51(n) of the *Planning Act*, the consent authority is required to consider “*the potential impact on the existing and future amenity of the area in which the land is situated*”.

The design gives a poor amenity outcome for future occupants of each unit and for internal spaces adjoining each unit. The poor amenity outcomes for future residents and the lack of sufficient space for parking, clothes drying and internal spaces also confirm that the proposal lacks sufficient merit.

No special circumstances have been demonstrated in the application to justify the variations sought or to the development in its entirety and as such the application is refused.

**ACTION:** Notice of Refusal

**ITEM 11**                      **3 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X SINGLE STOREY BUILDINGS**  
**PA2012/0546**            **LOT 10032 (PROPOSED LOT 10718) (395) CHUNG WAH TERRACE,**  
**APPLICANT**            **TOWN OF PALMERSTON**  
**DPL DEVELOPMENTS**

The applicant sent his apologies.

**RESOLVED**            That pursuant to section 46(a)(b) of the *Planning Act*, the Development Consent  
**137/12**                   Authority defer consideration of the application to develop Lot 10032 (395) Chung  
Wah Terrace, Town of Palmerston for the purpose of 3 x 3 bedroom multiple

dwellings in 2 x single storey buildings to require the application to provide the following information that the Authority considers necessary in order to enable the proper consideration of the application:

- Amended design of on-site parking demonstrating separate access to each car parking space, safe and convenient ingress, egress and vehicle manoeuvring on the site.

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

1. Amended vehicle parking and access arrangement will address concerns over the safety of vehicles exiting the site in reverse gear and through providing a separate access to each parking space increase the functionality and convenience for future occupants of the site.

**ACTION:** Advice to Applicant

**ITEM 12**                      **SHED ADDITION TO AN EXISTING SINGLE DWELLING WITH REDUCED SIDE**  
**PA2012/0729**                **AND REAR SETBACK**  
                                 **LOT 8586 (3) BUCKINGHAM STREET, TOWN OF PALMERSTON**  
**APPLICANT**                **NAC PTY LTD**

Mr Michael Kuhn (NAC Pty Ltd) and Mr Adam Haigh (owner) attended.

**RESOLVED**  
**138/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 8586 (3) Buckingham Street, Town of Palmerston for the purpose of a shed addition with reduced side and rear setbacks, subject to the following conditions:

1. Works carried out under this permit shall be in accordance with drawings numbered 2012/0729/1 through to 2012/0729/3 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. 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.

#### **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.
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.

### 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 6.11 (Garages and Sheds) of the NT Planning Scheme for a reduced side and rear setback of 1.0m where 1.5m are required by the Scheme, is granted as:

- The shed will be located at the rear of the site behind the existing dwelling, and as such will not have any impact on the streetscape;
- The shed will provide privacy to the owners of Lot 9145 (21) Wilton Crescent, Town of Palmerston as it will provide screening to their bathroom and a bedroom which are located adjacent to the shed;
- No objections were received from the owners of Lots 9145 (21) Wilton Crescent, Town of Palmerston and 8587 (5) Buckingham Street, Town of Palmerston; and
- Landscaping is proposed at the rear of the shed to screen the proposed shed from view of the neighbouring properties and to minimise the effects of building massing.

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.

The shed's proposed location adjacent to the rear and eastern side boundaries represents the only feasible option taking into account the applicant's need to provide a secure play area for children.

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.

The applicant has demonstrated that the proposed structure will not impact on the amenity of the locality.

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

**ITEM 13**                      **18 X 2 BEDROOM MULTIPLE DWELLINGS IN A FOUR STOREY BUILDING**  
**PA2012/0715**            **LOT 3229 (34) LORNA LIM TERRACE, TOWN OF PALMERSTON**  
**APPLICANT**            **GEORGE SAVVAS**

Mr George Savvas and Mr George Vazanellis (developer) attended the meeting.

**RESOLVED**  
**139/12**

That, the Development Consent Authority vary the requirements of Clauses 7.1.1 (Residential Density Limitations) and 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 3229 (34) Lorna Lim Terrace, Town of Palmerston for the purpose of 18 x 2 bedroom multiple dwellings in a four storey building subject to the following conditions:

**CONDITION PRECEDENT**

1. 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**

2. The works carried out under this permit shall be in accordance with the drawings 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, drainage, 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. Storm water 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.

6. 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.
7. 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 City of Palmerston to the satisfaction of the consent authority.
8. Before the use or 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; and
  - (e) line marked to indicate each car space and all access lanes;to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
9. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
10. 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.
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. 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.
13. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. 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.
15. 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.

16. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston 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. 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.
3. 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.
4. 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.

## 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 proposed development is considered consistent with the purpose of Zone MR (Medium Density Residential) as the development will provide for a range of housing options for potential residents of Farrar to a maximum height of 4 storeys.

A variation to the requirements of Clause 7.1.1 (Residential Density Limitations) of the NT Planning Scheme for a density of 83.88m<sup>2</sup> per dwelling where 85m<sup>2</sup> is required is supported as:

- the majority of the balconies are in excess of the minimum requirements of 12m<sup>2</sup> as required by Clause 7.5 (Private Open Space) of the Scheme;
- the building comprises of 2 buildings with a minimum of 6m separation joined by a common foyer;
- the site is in close proximity to major shopping centres, bus stops and the Palmerston CBD;
- a reduction to the dwelling density is minor 1.1m<sup>2</sup> per dwelling or 1.4%; and
- no objections were received from the City of Palmerston in regards to Council's infrastructure and the Power and Water Corporation in regards to reticulated water and sewerage services and power services.

A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for setbacks of 3.0m (front the west side boundary) and 3.1m (from the east side boundary) where side setbacks of 4.5m are required by Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer than 18m and for Residential Buildings over 4 Storeys in Height) of the Scheme is supported as:

- no windows of habitable rooms or balconies will be facing the side boundaries; and
  - the building footprint will be staggered so that the middle of the building (the foyer area) is setback 5m from the west side boundary and 5.1m from the east side boundary to address the effects of building massing on the adjoining properties on the east and west side boundaries and to allow for breeze penetration.
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.

The site is 1510m<sup>2</sup> in area, is regular in shape and has street frontage to Lorna Lim Terrace. The site has been cleared and is undeveloped. The

site has a significant slope which falls to the rear and the building design has taken the slope into consideration.

The City of Palmerston has requested a conceptual stormwater drainage plan and provided that stormwater is adequately addressed the land is considered capable of supporting the proposed development.

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.

Windows of bedrooms facing into the foyer area have been raised to below ceiling level to address potential impact on the privacy of future occupants of each dwelling and to minimize noise transmission from the foyer into the bedrooms facing lift wells. The showers have been relocated closer to the pool area to ensure a more convenient access to these facilities.

Provided the proposed amendments are suitably implemented the proposal will not impact on the amenity of future residents of the site.

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

**ITEM 14**                    **50M HIGH TELECOMMUNICATIONS FACILITY WITH ASSOCIATED ANTENNAS**  
**PA2011/0402**           **AND EQUIPMENT SHELTER**  
                             **LOT 4243 (340) KIRKLAND ROAD, TOWN OF PALMERSTON**  
**APPLICANT**           **TELSTRA CORPORATION LIMITED**

Mr Mark Baade attended on behalf Telstra Corporation Limited.

Submitter Ms Heather Ryan sent her apologies.

**RESOLVED**  
**140/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 4243 (340) Kirkland Road, Town of Palmerston for the purpose of a telecommunications facility consisting of a 50m tall lattice tower, antennas and equipment shelter, subject to the following conditions:

**GENERAL CONDITIONS**

1. Works carried out under this permit shall be in accordance with the drawings 2011/0402/1 through to 2011/0402/3 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.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan



in accordance with the authorities' requirements and relevant legislation at the time.

4. 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.
5. 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.
6. The development site is to be appropriately fenced and any gates provided are not to encroach onto Lot 8580 (30) Elrundie Avenue, Town of Palmerston when opened.
7. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
8. All proposed works impacting on Elrundie Avenue or its adjoining lot 8580 are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Road Network Division, Department of Transport and Land Administration, Department of Lands, Planning and the Environment. Drawings must be submitted to the Road Network Division and Land Administration for approval and no works are to commence prior to approval.

#### 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](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.

#### 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.

Zone FD (Future Development) of the Scheme is an interim zone identifying an area that is intended for future rezoning and development in accordance with an Area Plan (where applicable and its purpose is to:

- (a) limit uses and development within the zone to a level that will not prejudice the future development; and
- (b) provide for development in accordance with the Area Plan (where applicable) once services are (or can be) made available to the land.

The proposed development is considered consistent with the purpose of Zone FD (Future Development) of the Scheme as the site is vacant with no current area plan in place and the facilitate has been located so as not to preclude future subdivision or development of the land.

- 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.

Due to its height and design, the proposed tower will have an impact upon the amenity of the locality irrespective of its location on Lot 4243. Whilst landscaping will address the visual impact of the structure at ground level, this impact can be considered to be balanced by the proposal's merit.

Matters raised in public submissions are considered as having been adequately addressed with no further significant issues raised.

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

**ITEM 15**                      **4 X 2 AND 2 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE**  
**PA2012/0623**                **STOREY BUILDINGS**  
**APPLICANT**                **LOT 8310 (1) KIRKIMBIE COURT, TOWN OF PALMERSTON**  
                                      **KILLARNEY HOMES PTY LTD**

Ms Andrea Gardiner (Killarney Homes) attended.

Submitters in attendance:- Mr Paul Miranda, Mt matt and Ms Beth Stripling, Mr Stephen and Ms Elisabeth Stripling.

**RESOLVED**  
**141/12**

That, pursuant to section 53(c) of the *Planning Act*, the Development Consent Authority refuse to consent to the application to develop Lot 8310 (1) Kirkimbie Court, Town of Palmerton for the purpose of 4 x 2 bedroom and 2 x 3 bedroom multiple dwellings in 3 x single storey buildings, for the following reasons:

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

- 1. Pursuant to section 51(a) of the *Planning Act*, the consent authority is required to consider the proposal's compliance with the Planning Scheme, as it applies to the land.

In consideration of the proposal's compliance with the NT Planning Scheme, the Authority took into account the provisions Clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, which requires it to consider the proposed use or development in its entirety and consent to the development of land that does not meet the standard set out in Parts 4 or 5 only if it is satisfied that special circumstances justify the giving of consent.

A variation to Clause 7.1.1 (Residential Density Limitations) of the Northern Territory Planning Scheme to allow a density of 291.6m<sup>2</sup> per dwelling where 300m<sup>2</sup> is required is not granted as neither the applicant, in all their submissions, or the assessment report from Development Assessment Services identified circumstances the Authority could consider special to justify the variation sought, particularly in relation to concerns raised in submissions received.

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.

The size and shape of the allotment and its location at the entrance to a small cul-de-sac present particular constraints which have not been resolved through the design presented to the consent authority, and as such it has not been demonstrated that the site can support the development at the density level proposed without impacting on the surrounding land.

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.

The site has been vacant whilst the majority of the surrounding Farrar area has been developed for residential purposes for some time. A particular level of residential amenity had been established as evidenced from submissions by local residents. Whilst some impact on the amenity of the locality would be anticipated when the site is developed, no special circumstances or merit had been demonstrated to the Authority to justify the impact resulting from an additional dwelling on the site on the existing and future amenity of the area.

As no special circumstances have been demonstrated in the application to justify the provision of an additional dwelling on the site, the Authority, taking into account concerns of local residents, resolved to refuse the development at the density level proposed.

**ACTION:** Notice of Refusal

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



**PETER MCQUEEN**  
Chairman

**28/11/12**