DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 260 – FRIDAY 21 AUGUST 2015

BILLABONG ROOM
NOVOTEL DARWIN ATRIUM
100 THE ESPLANADE
DARWIN

MEMBERS PRESENT: Stephen Ward (Deputy Chairman), Grant Tambling, Ross Baynes, Bob Elix and Garry Lambert

APOLOGIES: Denis Burke (Chairman)

OFFICERS PRESENT: Margaret Macintyre (Secretary), Sally Graetz, Ann-Marie Dooley and Adelle Godfrey (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 am and closed at 11.00 am
ITEM 1
PA2015/0493
APPLICANT MARK SPAGLIER

DEMOUNTABLE SHED ADDITION TO AN EXISTING SINGLE DWELLING
LOT 870 (7) SNADDEN STREET, TOWN OF SANDERSON

Mr Mark Spangler attended and tabled a landscaping plan and a photo showing landscaping currently on the side boundary.

RESOLVED
219/15
That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application for a shed addition (demountable structure) to an existing single dwelling at Lot 870 (7) Snadden Street, Town of Sanderson, subject to the following conditions:

CONDITIONS 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 Darwin stormwater drainage system shall be submitted to and approved by the City of Darwin 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 drawings 2015/0493/01 to 2015/0493/04 (inclusive) 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 and electricity 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 Darwin to the satisfaction of the consent authority.

6. Before the use starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
7. Landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

NOTES:

1. 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.

2. The Northern Territory Environment Protection Agency 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 SD (Single Dwelling) which is to “provide for single dwellings on individual lots”.

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. The proposal locates the shed (demountable structures) to the rear of the property, adheres to setback requirements, employs architectural embellishments pursuant to clause 6.8 (Demountable Structures) and was assessed to be fully compliant. The consent authority considered that the detail contained within the amended plans tabled at the 21 August 2015 hearing further satisfied the requirements of clause 6.8(4) in demonstrating that there would be sufficient landscaping provided around the structure to aid in enhancing its appearance and screening the structure from adjoining land.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2015/0481
APPLICANT NORTHERN PLANNING CONSULTANTS

ALTERATIONS AND ADDITIONS TO EXISTING SERVICE STATION, INCLUDING THE CONVERSION OF STORAGE INTO SHOP
LOT 1851 (37) PROGRESS DRIVE, TOWN OF NIGHTCLIFF

Mr Brad Cunnington (Northern Planning Consultants) attended.

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These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
RESOLVED 220/15

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application for alterations and additions to an existing service station including the conversion of storage into a shop on Lot 1851 (37) Progress Drive, Town of Nightcliff, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental and Construction Management Plan (ECMP) to the requirements of the City of Darwin. The ECMP is to address how construction will be managed on the site, and is to include details of waste management, traffic control and haulage routes, stormwater drainage and the use of City of Darwin land during construction.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0481/01 through 2015/0481/07 endorsed as forming part of this permit.

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

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

5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

6. 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.

7. Any new air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of at ground level in a controlled manner to the satisfaction of the consent authority.

8. Any new pipes, fixtures, fittings and vents servicing the building must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction.

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works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. The Northern Territory Environment Protection Agency advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

3. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the *NT Public Health Act 2004* and Regulations, the *NT Food Act* and National Food Safety Standards.

4. A permit to work within a road reserve may be required from the City of Darwin and/or the Department of Transport for any work within the road reserve.

5. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.

6. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

**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 C (Commercial) which is to “provide for a range of business and community uses”. The identified non-compliances relate to the existing development and the proposed new works increase the overall development’s compliance with the performance criteria in Part 4 of the NT 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. The development comprises alterations and additions to an existing service station and no land capability concerns have been identified by service authorities. There are no known significant natural or cultural features within the subject site and the land is not affected by either Primary or Secondary storm surge areas.

3. Pursuant to Section 51(m) of the *Planning Act*, the consent authority must take into account public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities,
infrastructure or land to be provided by the developer for that purpose. The application has been circulated to the relevant authorities and no major issues have been identified and all matters have been addressed via the inclusion of conditions on the Development Permit.

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

**ITEM 3**

**PA2015/0497**

INDEPENDENT UNIT EXCEEDING 50M² PLUS A SINGLE DWELLING IN A 2 STOREY BUILDING

LOT 2751 (14) URQUHART STREET, TOWN OF DARWIN

**APPLICANT** GOLDBOX

Ms Maria Pajarillo (Golbbox) attended.

**RESOLVED 221/15**

That, the Development Consent Authority vary the requirements of Clause 7.10.4 (Independent Units) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 2751 (14) Urquhart Street, Town of Darwin for the purpose of an independent unit exceeding 50m² plus a single dwelling in a 2 storey building, subject to the following conditions:

**CONDITIONS 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 Darwin stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority.

**GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0497/01 through to 2015/0497/09 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 to the satisfaction of the consent authority.

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

5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, to the satisfaction of the consent authority.

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

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
7. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

NOTES:

1. 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.

2. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites in the Northern Territory. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

3. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.

REASONS FOR THE DECISION

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

The proposal has been assessed against the relevant clauses of the Northern Territory Planning Scheme and is consistent with the type of development reasonably anticipated on a SD (Single Dwelling Residential) zoned lot.

A variation to Clause 7.10.4 (Independent Unit) to accommodate an increased floor area of 89m² is supported as the design of the proposed independent unit and its integration with the single dwelling is unlikely to detrimentally impact on the amenity of adjoining and nearby property. By locating the single dwelling at the first level above the independent unit, the structure very much appears as one dwelling and does not dominate the site. Furthermore it is demonstrated that the independent unit remains ancillary to the single dwelling as:

- the proposed independent unit occupies approximately 10% of the site area;
- the single dwelling has a floor area of 187m² - double that of the proposed independent unit; and
- the proposal includes the provision of a shared laundry at ground level, further ensuring that the independent unit remains ancillary to the single dwelling.
The increased size of the independent unit in no way compromises the development of the site or in achieving the purpose of Zone SD (Single Dwelling Residential).

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 proposal is for the redevelopment of an existing single dwelling allotment with a single dwelling and independent unit. The proposed development is not considered to result in any land capability issues subject to compliance with service authority requirements, which are addressed through the inclusion of appropriate conditions on the development permit.

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 proposed development is consistent with the provisions of Zone SD (Single Dwelling Residential) other than for the independent unit, which whilst oversize has been assessed as being appropriate to the site, and therefore the proposal has little potential to impact on the existing or future amenity of the area.

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

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*ITEM 4*  
PA2015/0488  
APPLICANT  
RI CON CONTRACTORS

Mr Michael Broeren (M Design) and Mr Jaco Botha (Ri-Con Contractors) attended.

**RESOLVED**  
222/15

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 11777 (31) Bridge Street, Town of Nightcliff for the purpose 2 x 3 bedroom multiple dwellings in a 2 storey building, subject to the following conditions:
CONDITIONS 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 must be generally in accordance with the plans submitted with the application but modified to show:
   (a) Provision of a divider to separate the car parking spaces in front of the garages. If a solid divider is proposed the divider must be no more than 3m in length to avoid impacting on sight lines and the dividing line should be continued to the lot boundary by means of a painted line on the ground or other form of delineation.

2. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.

3. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental and Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address waste management, traffic control, haulage routes, stormwater drainage, use of City of Darwin land and how this land will be managed during the construction phase.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

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

6. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.

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

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

9. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin to the satisfaction of the consent authority.
10. 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.

11. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

12. 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.

13. The private open space areas of each dwelling shall be screened on each boundary by:
   a) the erection of a solid wall or screen fence not less than 1.8 metres high: or
   b) fenced to a height not less than 1.8 metres high and planted with dense vegetation.

14. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

15. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

NOTES:

1. 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.

2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency’s Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

3. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
REASONS FOR THE DECISION

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

The proposal has been assessed against the relevant clauses of the NT Planning Scheme and is consistent with the type of development reasonably anticipated on a MD (Multiple Dwelling Residential) zoned lot within the Breezes Muirhead Estate.

It is considered that the proposed parking layout meets the purpose of Clause 6.5.1 (Parking Requirements) and is consistent with surrounding development and streetscapes. The consent authority considered that the design of onsite car parking showed merit in this instance given the benefits that the design will have on the streetscape and overall appearance of the development as viewed from the street and surrounding properties.

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 proposal is consistent with zoning and density requirements and therefore is not expected to have any effect on land capability, subject to compliance with service authority requirement, which are addressed through the inclusion of appropriate conditions on the development permit.

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 proposed development is consistent with the Breezes Muirhead masterplan and is of a size and design similar to other built development in the area. There is no reason to suggest that the proposal should have any detrimental impact on the existing or future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 5 PA2015/0499
APPLICANT ASHFORD GROUP PTY LTD

2 X 4 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING LOT 11013 (24) BARRATT STREET, TOWN OF NIGHTCLIFF

Mr Randal Ashford (Ashford Group Pty Ltd) and Mr Tim Phang (owner) attended.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.5
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 show additional site landscaping along the front boundary (Barratt Street) to minimise the impact of the car parking space forward of the building line to Unit 2.

2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of site levels and Council’s stormwater drain connection point/s or alternate approved connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council’s system or an alternate approved connection.

3. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin.

4. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental and Construction Management Plan (ECMP) to the requirements of the City of Darwin. The ECMP is to address how construction will be managed on the site, and is to include details of waste management, traffic control and haulage routes, stormwater drainage and the use of City of Darwin land during construction. The ECMP should include details of the location of the crane and any holding areas.

5. Prior to the commencement of works (including site preparation), a waste management plan addressing the City of Darwin’s Waste Management Policy 054 must be prepared, to the requirements of the City of Darwin, to the satisfaction of the consent authority.

GENERAL CONDITIONS

6. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

7. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

9. 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.

10. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.

11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority; and

   a) remove disused vehicle and/or pedestrian crossovers;
   b) provide footpaths/cycleways;
   c) collect stormwater and discharge it to the drainage network; and
   d) undertake reinstatement works;

   all to the technical requirements of and at no cost to the City of Darwin, to the satisfaction of the consent authority.

12. No fence, hedge, tree or other obstruction exceeding a height of 0.6 metres is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

13. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin to the satisfaction of the consent authority.

14. The private open space areas of each dwelling shall be screened on each boundary by:

   a) the erection of a solid wall or screen fence not less than 1.8 metres high; or
   b) fenced to a height not less than 1.8 metres high and planted with dense vegetation.

15. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

16. 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.

17. Storage for waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.
18. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

19. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant building approval. You are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing construction works.

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. A permit to work within a road reserve may be required from the City of Darwin before commencement of any work within the road reserve.

4. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites in the Northern Territory. 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.

5. The City of Darwin advises that all street trees shall be protected at all times during construction. Any tree on a footpath, which is damaged or removed during construction shall be replaced, to the satisfaction of the General Manager Infrastructure, City of Darwin. A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development, in accordance with Australian Standards – AS 4970-2009 Protection of Trees on Development Sites. Copies of AS 4970-2009 Protection of Trees on Development Sites can be obtained from the Australian Standards website.

4. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from Department of Land Resource Management.
REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The purpose of Zone SD23 is to ‘facilitate the subdivision, use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types’. Land may be developed for multiple dwellings with consent, where identified on the land use drawing endorsed under the zone. The land is identified for multiple dwellings on the land use drawing endorsed through the Muirhead subdivision and the proposal is consistent with that land use drawing.

A variation to Clause 7.5 is supported as the private open space to unit 2 exceeds the minimum area requirement measuring 78.6m² including an area of 13.9m x 4.6m, and is expected to provide for both the recreational and functional needs for future occupants, providing for adequate levels of residential amenity. In addition, the majority of the private open space is directly accessible and provides an extension of the indoor living areas.

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.

The level of compliance achieved with the minimum standards of the NT Planning Scheme is considered to suggest that no adverse amenity impacts will occur as a result of the approved development. The development includes appropriate onsite car parking, adheres to minimum building setback requirements and appropriate private open space and landscaping is provided to ensure the needs of future residents are adequately catered for.

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

**ITEM 6**

**PA2015/0218**

**APPLICANT**

DEMOUNTABLE SHED ADDITION TO AN EXISTING SINGLE DWELLING

LOT 1159 (32) TROWER ROAD, TOWN OF NIGHTCLIFF

TILAK RAJ

Pursuant to section 97 of the Planning Act, Mr Garry Lambert a member of the Darwin Division of the Development Consent Authority declared a conflict of interest and was not present during and did not take part in any deliberation or decision of the Division in relation to this item.

DAS tabled further information from the applicant - a landscaping plan.

Mr Tilak Raj attended.

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Submitter Mr Mark Heaney sent his apologies.

RESOLVED 224/15

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 1159 (32) Trower Road, Town of Nightcliff for the purpose of a demountable shed addition to an existing single dwelling to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

• Further information to demonstrate compliance with the requirements of Clause 6.8 (Demountable Structures) of the Northern Territory Planning Scheme including subclauses 4(a) and 4(b).

REASONS FOR THE DECISION

1. Pursuant to section 46(4)(b) the consent authority may require submission of further information if it considers it necessary to do so. Submission of the requested further information is considered necessary to enable proper consideration of the level of compliance achieved with the requirements of Clause 6.8 (Demountable Structures).

ACTION: Advice to applicant

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

STEPHEN WARD
Deputy Chairman
28/8/15

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