

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 164 – WEDNESDAY 17 SEPTEMBER 2014

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

MEMBERS PRESENT: Stephen Ward (Presiding Member), Paul Bunker and Andrew Byrne

APOLOGIES: Denis Burke (Chairman)

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly and Leonie Hill
(Development Assessment Services)

COUNCIL REPRESENTATIVE: Wendy Smith

Meeting opened at 9.45 am and closed at 12.20 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 **CHANGE OF USE FROM AN OFFICE TO A MEDICAL CLINIC (TENANCIES 46 &**
PA2014/0510 **47)**
APPLICANT **LOT 8534 (5) MCCOURT ROAD, TOWN OF PALMERSTON**
MASTERPLAN NT

Ms Linda Henning (Masterplan NT) and Mr Mark Leedham (owner/tenant) attended.

Ms Henning tabled a concept layout of the proposed clinic, photos of an orthodontists including view of the entrance, a clinical room and the reception area.

RESOLVED That, pursuant to section 53(a) of the *Planning Act*, the Development Consent
175/14 Authority consent to the application to develop Lot 8534 (5) McCourt Road, Town of
Palmerston for the purpose of a change of use of tenancy 46 & 47 from an office to a
medical clinic with one consulting room, subject to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2014/0510/01 endorsed as forming part of this permit.
2. Only one medical practitioner is to use the consulting room at any one time.
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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. Notwithstanding the approved plans, all signage is subject to City of Palmerston approval, at no cost to Council.

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 medical clinic will provide further essential services to the area and is in keeping with the uses and zoning of the surrounding area.

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 has an area of 10100m², is irregular in shape and has street frontage to McCourt Road. The site is surrounded by SC (Service Commercial) Zone. The site is currently being developed for showroom sales, offices and warehouses with adequate carparking onsite. The land is therefore considered capable of supporting the development as proposed.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2014/0531

**6 x 3 BEDROOM MULTIPLE DWELLINGS AND 2 x 2 BEDROOM MULTIPLE DWELLINGS IN 4 SINGLE STOREY BUILDINGS
LOT 2409 (79) TAMARIND ROAD, TOWN OF PALMERSTON
KILLARNEY HOMES PTY LTD**

APPLICANT

Mr Damien Moriarty (Killarney Homes Pty Ltd) attended.

RESOLVED
176/14

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 2409 (79) Tamarind Road, Town of Palmerston for the purpose of 6 x 3 bedroom multiple dwellings and 2 x 2 bedroom multiple dwellings in 4 single storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), 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.
2. Prior to the endorsement of plan and prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), is to be prepared by a suitably qualified professional in erosion and sediment control planning and submitted to and approved by the consent authority on the advice of the Department of

Land Resource Management, and an endorsed copy of the plan will form part of this permit.

The plan should detail methods and treatments for minimising erosion and sediment from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. Any development on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
5. 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.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston and/or the Department of Lands, Planning and the Environment as the case may be to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
8. 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.
9. 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.

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 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.
15. 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) 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. 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.
4. Department of Transport requires Bonson Terrace and Tamarind Road to be kept clear of construction vehicles at all times that all materials are to be delivered 'on site' as no on street deliveries, handling or storage including concrete are permitted.

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 option for potential residents of Moulden.

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 has an area of 2410m², is regular in shape and has street frontage to Tamarind Road and Bonson Terrace. The site is surrounded to the north and west by SD (Single Dwelling Residential) Zone while to the east is MR (Medium Density Residential) zoning of the Scheme. The site is undeveloped with little vegetation onsite.

Provided that retaining walls onsite are minor and in accordance with the approval plans, and an ESCP is developed and implemented and stormwater is managed on site without impacting on the surrounding area and disposed of into City of Palmerston's stormwater drainage system, the land is generally considered capable of accommodating the development.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2012/0477
VARIATION – TO VARY CONDITION 4 OF DEVELOPMENT PERMIT DP12/0450 FOR THE PURPOSES OF ALLOWING THE MICROBREWERY TO OPERATE FOR ADDITIONAL 3 YEARS
LOT 2710 (3) MANSFIELD STREET, TOWN OF PALMERSTON
APPLICANT **ONE MILE BREWERY (NT) PTY LTD**

Mr Bardy Bayram and Mr Stewart Brown (One Mile Brewery NT) attended.

RESOLVED
177/14 That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority consents to the application to vary condition 4 of Development Permit DP12/0450 to state:

The use of the site for light industry (micro-brewery) is to cease one (1) year from the date of this permit.

REASON FOR THE DECISION

The additional time will allow the operator of the microbrewery the opportunity to develop their business.

Any further extensions will be considered by the Development Consent Authority on the basis of a business plan and a business relocation plan.

ACTION: Variation to Development Permit

ITEM 4
PA2014/0275
APPLICANT

SUBDIVISION TO CREATE THREE LOTS
LOT 5694 (1) MANNIKAN COURT, TOWN OF PALMERSTON
FABCOT PTY LTD

Mr Graeme Jones, Senior Development Manager, Corporate Property, Woolworths Limited) attended.

RESOLVED
178/14

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 5694 (1) Mannikan Court, Town of Palmerston for the purpose of a subdivision to create 3 lots, 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 be generally in accordance with the plans submitted with the application but modified to show proposed access easement over proposed lot A in favour of proposed lots B & C, consistent with access arrangements approved as part of the development of the site.

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 and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
5. Before the issue of titles, a right of way easement is to be created over proposed Lot A in favour of proposed Lots B and C.
6. 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.
7. Engineering design and specifications for the proposed and affected roads,

traffic signalisation, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors and streetscaping are to be to the technical requirements of City of Palmerston and/or the Department of Transport as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

8. No fence or other obstructing barriers is to be place on the boundary between the newly created lots at any time that would separate the parking.
9. Access to the site shall be provided to the requirements and standards of the City of Palmerston and the Department of Transport 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.

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 proposal is considered consistent with the purpose of zone C (Commercial) of the Northern Territory planning Scheme as each of the newly created lots are of a size that is appropriate for commercial development. Furthermore, the proposal has been assessed and is consistent with the requirements 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.

Provided that the provision of access to each site is in accordance with the requirements and standards of the Department of Transport and the City of Palmerston, it is considered that the proposal subdivision will not negatively impact on the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2014/0276
APPLICANT

SHOPS, RESTAURANT AND A SERVICE STATION
LOT 5694 (1) MANNIKAN COURT, TOWN OF PALMERSTON
FABCOT PTY LTD

Mr Graeme Jones, Senior Development Manager, Corporate Property, Woolworths Limited) attended.

Ms Smith (COP) tabled a copy of an email from Council to DAS in relation to construction traffic.

RESOLVED
179/14

That, the Development Consent Authority reduce the requirement for 284 parking bays for the supermarket only, pursuant to clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to 229 parking bays through the provisions of Clause 6.5.2 (Reduction in Parking Requirements) of the Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 5694 (1) Mannikan Court, Town of Palmerston for the purpose of shops, office, restaurant and a service station, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, a Construction Traffic Management Plan (CTMP) for the construction of the development and all of its components must be submitted to and approved by Department of Transport and City of Palmerston to the satisfaction of the consent authority. When approved, the CTMP will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed CTMP which must include, but not necessarily be limited to, the following:
 - (a) how the development will manage the free flow of traffic (including public transport) during the construction period, including details of haulage routes as required by the Public Transport Division of the Department of Transport;
 - (b) road works required within the surrounding street network to facilitate access to the site for construction vehicles; and
 - (c) identification of possible risks and impacts of works on the surrounding residential areas and response measures to be implemented during the construction and establishment of the use.
2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of Department of Transport and/or City of Palmerston as the case may be, to the satisfaction of the consent authority.
3. Prior to commencement of works (including site preparation), an Erosion and Sediment Control Plan (ESCP), is to be developed and subsequently implemented by suitably qualified and experienced professional in erosion and sediment control planning to the satisfaction of the consent authority on advice from the Department of Land Resource Management to ensure sediment laden run off does not leave the site during the construction phase of the development. The IECA Best Practice Erosion and Sediment Control Booklets 2008 should be referenced as a guide to the type of information, detail and data that should be included in an ESCP and the Plan should detail control

measures for construction phase of the proposed use including proposed measures to be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways; and an endorsed copy of the Plan will form part of this permit and all works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. All works are to be in accordance with the approved Construction Traffic Management Plan to the satisfaction of the consent authority.
6. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
8. Storm water is to be collected and discharged into the drainage network to the technical standards of and at no cost to Department of Transport, and/or City of Palmerston as the case may be, to the satisfaction of the consent authority.
9. Access to the site during construction shall be as agreed with the Department of Transport, and City of Palmerston. Construction and delivery vehicles shall not be permitted to park on the Chung Wah Terrace or the Lambrick Avenue road reserves.
10. 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 and/or Department of Transport as the case may be, to the satisfaction of the consent authority.
11. 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;

12. 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.
13. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
14. Engineering design and specifications for the affected roads, street lighting, stormwater drainage, vehicular access, and streetscaping including kerb crossovers and driveways to the site approved by this permit are to be to the technical requirements of City of Palmerston and/or Department of Transport as the case may be, to the satisfaction of the consent authority and all approved works are to be constructed at the developer's expense.
15. 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.
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. 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.
18. Soil erosion control measures identified in the ESCP must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
19. All air conditioning condensers, external plant and equipment 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.
20. Waste bin storage shall be provided to the requirements of City of Palmerston's to the satisfaction of the consent authority.
21. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Department of Transport's or City of Palmerston's drains or to any watercourse.
22. The loading and unloading of goods from vehicles must only be carried out on the land.
23. No goods are to be stored or left exposed outside the buildings so as to be visible from any public street.
24. Any floodlighting or security lighting provided on site must be designed, baffled and located or shielded in a manner to prevent the lighting causing nuisance to adjoining land to the satisfaction of the consent authority.

25. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - (d) presence of vermin.
26. Deliveries to and from the site (including waste collection), and the loading and unloading of goods, must only take place between 7.00am – 7.00pm Monday to Saturday and 9.00am – 5.00pm on Sunday.

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. The development should be constructed in accordance with the Building Code of Australia and must meet the requirements of the *Public Health Act*, Public Health (Shops, Eating Houses, Boarding Houses, Hostels and Hotels) Regulations, as well as the proposed Public Health Guidelines for Commercial Visitor Accommodation and approval should be obtained from the Department of Health.
4. Notwithstanding the approved plans, all signage is subject to the requirements of clause 6.7 (Signs) of the NT Planning Scheme.
5. All proposed works impacting on the Chung Wah Terrace and Lambrick Avenue 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 the Chief Executive Officer, Department of Transport. Drawings must be submitted to the Senior Director, Road Network Division of the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
6. The owner/developer of the service station must advise the NT Environment Protection Authority of activities to be conducted at this site, in the approved format.

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 to be consistent with the purpose of the zone and in being of appropriate scale and character to service the surrounding area.

2. A reduction in the parking for the supermarket required by clause 6.5.1 (Parking Requirements) of the NT Planning Scheme through provisions of clause 6.5.2 (Reduction in Parking Requirements) from 284 parking bays to 229 parking bays is granted as:
 - The net floor area of the proposed supermarket will include columns, fire protection, and facilities such as staff rooms, toilets, escalators, customer change rooms, and cleaners' stores and these items would normally be excluded from the assessment of net floor area. Some activities conducted at the rear of major stores often include goods storage and sorting, as well as storing and packaging waste. These activities also do not generate demand for parking;
 - The Authority has previously accepted assessment of only 80% of the net floor area of a shop or a supermarket on the understanding that up to 20% of the floor space of major and mini major stores (once fully retrofitted) would be excluded from parking assessment. Based on the provisions of the NT Planning Scheme which require 6 parking bays per every 100m² of a net floor area for a shop, 55 parking bays are equivalent to approximately 916m² or 20% of the proposed supermarket's floor space (4600m²) and the reduction is therefore acceptable in this instance;
 - The proposal also includes 8 motorcycle parking bays, and in the past the consent authority has allowed reductions in car parking based on provision of motorcycle parking at a rate of 1 car parking space per 3 motorcycle spaces
 - the proposal includes a number of different but complementary commercial uses and multi-purpose trips to the site are anticipated; and
 - sufficient number of parking bays will be provided for the proposed service station and the take-away restaurant to ensure that this portion of the approved development continues to comply with the NT Planning Scheme once the subject land parcel is subdivided and each component of the development separately managed.
3. Pursuant to Section 51(a) of the *Planning Act*, the consent authority must take into consideration the merits of the proposed development as demonstrated in the application.


The proposal demonstrates merit in being significantly smaller than the previous proposal approved by DP08/0589, and in providing pedestrian linkages throughout the site and shade structures over the parking area.

4. Pursuant to Section 51(a) 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, if well managed, is likely to positively contribute to the amenity of the locality through the range of commercial facilities proposed, through the design of the development on the site and through its location being within walking distance to residential areas.

ACTION: Notice of Determination

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



STEPHEN WARD
Delegate

23/9/14