

## **DEVELOPMENT CONSENT AUTHORITY**

### **PALMERSTON DIVISION**

### **MINUTES**

### **MEETING No 175 – WEDNESDAY 15 APRIL 2015**

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

**MEMBERS PRESENT:** Denis Burke (Chairman), Steve Ward, Paul Bunker and Andrew Byrne

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Deborah Curry, Anthony Brennan and Leonie Gleeson (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Wendy Smith

**Meeting opened at 10.00 am and closed at 11.45 am**

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

**ITEM 1**                    **CHANGE OF USE FROM SHOP TO SHOP AND MEDICAL CLINIC**  
**PA2015/0032**            **LOT 5976 (10) TEMPLE TERRACE, TOWN OF PALMERSTON**  
**APPLICANT**            **NORTHERN PLANNING CONSULTANTS**

Mr Brad Cunnington (Northern Planning Consultants) attended.

**RESOLVED**  
**56/15**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 5976 (10) Temple Terrace, Town of Palmerston for the purpose of a change of use from shop to shop and medical clinic (doctor's surgery) with 4 consulting rooms, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0032/01 to 2013/0032/02 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 and approval to carry out works shall be obtained prior to the commencement of construction, to the satisfaction of the consent authority.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity 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 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](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. The Department of Health advises that there are additional requirements for pharmacies and healthcare buildings which are covered by other legislation and

standards and the responsibility to ensure this occurs is with the proponents and private building certifier.

### 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 consistent with the primary purpose of zone CB (Central Business) as the pharmacy and medical clinic uses provide for a diversity of activities and are compatible with the existing diversity of activities in the location.

Furthermore, the proposal is consistent with the relevant provisions of the Northern Territory Planning Scheme.

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.

There is considered to be minimal impact as the tenancy is located wholly within the existing building.

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

ITEM 2  
PA2015/0033

**EXTENSION TO EXISTING CARETAKER'S RESIDENCE WITH A FLOOR AREA IN EXCESS OF 50M<sup>2</sup>**

APPLICANT

**LOT 4155 (50) FLOCKHART DRIVE, TOWN OF PALMERSTON  
HEINER STRUCTURAL ENGINEERING CONSULTANTS PTY LTD**

The applicant sent their apologies.

RESOLVED  
57/15

That, the Development Consent Authority vary the requirements of Clause 7.10.3 (Caretaker's Residence) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 4155 (50) Flockhart Drive, Town of Palmerston for the purpose of an extension to an existing caretaker's residence with a floor area in excess of 50 square metres, subject to the following conditions:

### GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0033/01 to 2015/0033/03 endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, 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.
4. 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.
5. Storage and collection 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 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](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.

The proposed extension to the caretaker's residence is consistent with the purpose of Zone CP (Community Purpose) as it will provide caretaker accommodation which is ancillary to the existing primary and middle school.

2. Pursuant to Section 51(m) of the *Planning Act*, consideration has been given to all comments received from service authorities, with all relevant matters addressed through conditions or notes on the development permit, thereby ensuring that an appropriate level of service is maintained for the site and surrounding locality.
3. A variation to the requirements of clause 7.10.3 (Caretaker's Residence) of the NTPS to allow a caretaker's residence of 174m<sup>2</sup> is granted as the floor area is considered reasonable given the size and use of the site. There is only one caretaker's residence on site and the primary purpose of the land as a primary and middle school remains. The proposal does

not alter any of the existing setbacks and will have little or no impact on the adjacent and nearby land.

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

**ITEM 3**  
**PA2013/0844**  
**APPLICANT**

**VARIATION TO DEVELOPMENT PERMIT DP13/0843A FOR THE PURPOSE OF THE ADDITION OF RETAINING WALL  
LOT 11704 (21) HAWKER STREET, TOWN OF PALMERSTON  
RAW DESIGNS & ONE PLANNING CONSULT**

Mr Israel Kgosiemang (One Planning Consult) and Mr Peter Hourdas (builder) attended.

**RESOLVED**  
**58/15**

That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority consent to the application to vary Condition 2 of Development Permit DP13/0843A for the purpose of the increase in height of the two (2) internal retaining walls extending east-west across the site and realignment of the north eastern driveway in accordance with the drawing numbered 2013/0844/1B and subject to inclusion of the following condition:

- A minimum clearance of 400mm must be maintained between the finished fill level and the top of the block work retaining wall, on the high side of each of the internal retaining wall, to the satisfaction of the consent authority.

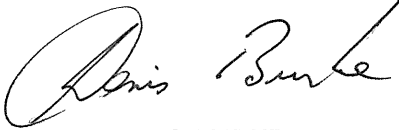
#### **REASONS FOR THE DECISION**

1. A clearance between the fill level and the top of the retaining wall is expected to reduce the overall height required for the internal fences while maintaining privacy for internal and external occupants.
2. The retaining walls are internal to the site and will not result in undue overlooking to adjoining premises.
3. The inclusion of condition number 17 requiring that clearance is maintained between the fill level and the top of the retaining wall, will ensure that it will serve the intended purpose by detaining and directing stormwater to internal infrastructure, minimising the effects of stormwater runoff on adjoining properties.
4. The realignment of the driveway to accommodate the water meters will result in a greater separation between the access and the side boundary, it is considered that this will result in improved amenity for the neighbour at Lot 11703 (27) Hawker Street, Town of Palmerston.

5. This proposed variation does not alter a measurable aspect of the approved development granted by Development Permit DP13/0843A by more than 5%.

**ACTION:** Variation to Development Permit

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



**DENIS BURKE**  
Chairman

17/4/15