

DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 128 – WEDNESDAY 6 AUGUST 2014

TRAINING ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE

MEMBERS PRESENT Denis Burke (Chairman), Craig Lambert, Sue Davy, Donald Higgins and Steven Rose

APOLOGIES: Fay Miller

OFFICERS PRESENT: Steven Kubasiewicz and Julie Bennett (Development Assessment Services)

COUNCIL REPRESENTATIVE: Neroli Dickens (CEO Katherine Town Council)

Meeting opened at 10.30 am and closed at 12.05

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 **INDEPENDENT UNIT IN EXCESS OF 80 SQUARE METRES**
PA2014/0395 **PORTION 2603 (75) HELENA, TOWN OF KATHERINE**
APPLICANT **JASON HILLIER**

Applicant Jason Hillier did not attend the meeting.

RESOLVED
70/14

That, the Development Consent Authority vary the requirements of Clause 7.10.4 (Independent Units) of the NT Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop NT Portion 2603 (55) Helena Rd, Cossack, for the purpose of an independent unit in excess of 80m², subject to the following conditions:

GENERAL CONDITIONS:

1. The works carried out under this permit shall be in accordance with the drawings numbered 2014/0395/1 and 2014/0395/2 endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the development on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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. 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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

REASONS FOR THE RECOMMENDATION:

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 the requirements of Clause 7.10.4 (Independent Units) to allow a floor area of 88m² when the NT Planning Scheme permits up to 80m², is supported. The proposed independent unit is well setback from all boundaries and is unlikely to impact on the amenity of the locality. The development demonstrates its ancillary nature through the proposal to use the same access, power connection, bore water supply and onsite effluent disposal system.
2. Pursuant to section 51(j) of the Planning Act, the consent authority must take into consideration the physical capability of the land to support the proposed development. The land is located outside the 1% AEP defined flood area for the mapped rural areas of Katherine. Reticulated power is available in the locality. It appears that the site is sufficiently large enough to accommodate required infrastructure, and is considered capable of supporting the proposed independent unit.

ACTION: Notice of Consent and Development Permit.

ITEM 2
PA2014/0415
APPLICANT

SUBDIVISION TO CREATE 17 LOTS
LOT 1245 (22) CASUARINA, TOWN OF KATHERINE
MASTERPLAN NT

Mr Paul Bicknell attended on behalf of the applicant.

Mr Bicknell tabled a response from Masterplan in response to the report prepared by Development Assessment Services.

RESOLVED
71/14

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 2796 (22) Casuarina Street, Town of Katherine for the purpose of a subdivision to create 17 lots, subject to the following conditions:

PRECEDENT CONDITONS:

1. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be 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 loss 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. Information regarding erosion and sediment control and ESCP content is

available at www.austieca.com.au and the DLRM website:
<http://lrm.nt.gov.au/soil/management>

GENERAL CONDITIONS:

- 2 The works carried out under this permit shall be in accordance with the drawings numbered 2014/0415/1 endorsed as forming part of this permit.
- 3 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.
- 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 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication services to each lot 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 the Katherine Town Council and Department of Lands, Planning and the Environment to the satisfaction of the consent authority.
- 7 All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
- 8 Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of the Katherine Town Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

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 in order to determine the Corporation's servicing

requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

- 3 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.
- 4 You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities
- 5 All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>.

REASONS FOR THE RECOMMENDATION:

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 subdivision is generally consistent with the requirements of the NT Planning Scheme. The authority noted the comments of Development Assessment Services in response to Clause 11.2.2 (Infrastructure and Community Facilities in Residential Subdivisions) however the authority considers that the advice of the Katherine Town Council that it has programmed works for the construction of a footpath network along Casuarina Street will significantly enhance pedestrian accessibility and integration with community services and facilities.

- 2 Pursuant to section 51(m) of the Planning Act, the consent authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated, the requirements 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.

No objection to the proposed development has been raised by service authorities associated with the provision of reticulated water, power or effluent services. Conditions on the permit require that connections to these services is required subject to the services authorities requirements.

The authority notes the advice that the existing drainage easement that affects lots 1, 2 and 3 has been designed to accommodate the collection and disposal

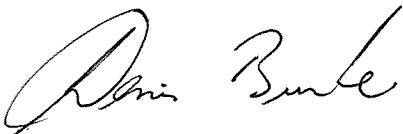
of stormwater from both the subject land and the adjoining development to the east of the subject land and that this easement is to be retained. Conditions on the permit require that the owner of the land must enter in agreements with the relevant authorities, in this case the Katherine Town Council as the responsible authority for stormwater management, to ensure that the easement is adequate for its intended use.

- 3 Pursuant to section 51(p) of the Planning Act, the consent authority must take into consideration the public interest, including (if relevant) how the following matters are provided for in the application:
 - i. community safety through crime prevention principles in design;
 - ii. water safety;
 - iii. access for persons with disabilities

The authority acknowledges the concerns expressed by the applicant that the provision of a laneway between the proposed road and the Stuart Highway has the potential to become a general thoroughfare with resulting anti social behaviour in the laneway, street and adjoining open space. The authority also acknowledges the advice from the Katherine Town Council that it has a program of closing existing laneways as a result of anti social behaviour. Accordingly the Authority does not support the provision of a walkway connecting the development to the Stuart Highway.

ACTION: Notice of Consent and Development Permit.

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



**DENIS BURKE
CHAIRMAN**

7/8/14