



## **DEVELOPMENT CONSENT AUTHORITY**

### **KATHERINE DIVISION**

### **MINUTES**

**MEETING No. 112 – WEDNESDAY 5 DECEMBER 2012**

**OCPE TRAINING ROOM  
1<sup>ST</sup> FLOOR GOVERNMENT CENTRE  
5 FIRST STREET  
KATHERINE**

**MEMBERS PRESENT** Peter McQueen (Chairman), Barry Densley, Anne Shepherd, Steven Rose and Donald Higgins

**APOLOGIES:** Nil

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

**COUNCIL REPRESENTATIVE:** David Laughher (CEO)

**Meeting opened at 10.30 am and closed at 12.00**

**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 3 BEDROOM AND 4 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 X 2**  
**PA2012/0798**            **STOREY BUILDINGS**  
**APPLICANT**            **LOT 3114 (37) O'SHEA TERRACE, TOWN OF KATHERINE**  
**ATHANASIOS ATHANASIOU PTY LTD**

Ms Maria Athanasiou, Mr A Athanasiou and Mr Ranjit Dias attended.

**RESOLVED**            That, pursuant to section 53(a) of the *Planning Act*, the Development Consent  
**72/12**                    Authority consent to the application to develop Lot 3114 (37) O'Shea Terrace, Town  
of Katherine for the purpose of 2 x 3 bedroom multiple dwellings and 4 x 2 bedroom  
multiple dwellings in 2 x 2 storey buildings, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) the treatments to be provided between balconies and to balconies facing habitable rooms that demonstrate privacy will be achieved and the appearance will be aesthetically pleasing.
2. Prior to the commencement of works (including site preparation) a schematic plan is to be provided, demonstrating that all stormwater can be collected on the site and discharged to the requirements of the Katherine Town Council to the satisfaction of the consent authority. This plan is to include details of site levels and stormwater drain connection points within the vicinity of the site.

**GENERAL CONDITIONS**

3. The works carried out under this permit shall be in accordance with drawing numbers 2012/0798/01 through 2012/0798/8 endorsed as forming part of this permit.
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, gas and telecommunication networks to each lot 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 finished floor levels of the dwelling must be minimum of 300mm above the applicable flood level for the property which is 106.8 m AHD metres AHD.  
Note: The applicable flood level for this property is 106.5 metres AHD.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Katherine Town Council, to the satisfaction of the consent authority.
8. 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 Town of Katherine 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; 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.
10. 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.
11. 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.
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. 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.
14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

15. 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.
16. 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.
17. Storage and collection of waste disposal bins is to be provided to the requirements of Katherine Town Council 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 developer is required to contact 'Dial Before You Dig' on 1 100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
3. 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
4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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. The proposed development is consistent with the requirements of NT Planning Scheme and the primary purpose of Zone CB (Central Business) which is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible uses. Building form and design is expected to be sensitive to the needs of pedestrian movement and facility the creation of safe and active street frontages and public places and a vibrant commercial precinct. The provision of private open space which ensures privacy

between adjoining dwellings is yet to be demonstrated and amended plans which show the type of screening to achieve this and also enhance the amenity of the locality is required.

2. Katherine Town Council is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage and as such will have a requirement for details of the collection and discharge of stormwater for this proposal.

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

**ITEM 2**                    **3 X 3 BEDROOM AND 2 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 X 2**  
**PA2012/0797**            **STOREY BUILDINGS**  
**LOT 3115 (39) O'SHEA TERRACE, TOWN OF KATHERINE**  
**APPLICANT**           **ATHANASIOS ATHANASIOU PTY LTD**

Ms Maria Athanasiou, Mr A Athanasiou and Mr Ranjit Dias attended.

**RESOLVED**            That, pursuant to section 53(a) of the *Planning Act*, the Development Consent  
**73/12**                    Authority consent to the application to develop Lot 3115 (39) O'Shea Terrace, Town  
of Katherine for the purpose of 3 x 3 bedroom multiple dwellings and 2 x 2 bedroom  
multiple dwellings in 2 x 2 storey buildings, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) the treatments to be provided between balconies and to balconies facing habitable rooms that demonstrate privacy will be achieved and the appearance will be aesthetically pleasing.
2. Prior to the commencement of works (including site preparation) a schematic plan is to be provided, demonstrating that all stormwater can be collected on the site and discharged to the requirements of the Katherine Town Council to the satisfaction of the consent authority. This plan is to include details of site levels and stormwater drain connection points within the vicinity of the site.

#### **GENERAL CONDITIONS**

3. The works carried out under this permit shall be in accordance with drawing numbers 2012/0798/01 through 2012/0798/8 endorsed as forming part of this permit.
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,

gas and telecommunication networks to each lot 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 finished floor levels of the dwelling must be minimum of 300mm above the applicable flood level for the property which is 106.8 m AHD metres AHD.  
Note: The applicable flood level for this property is 106.5 metres AHD.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Katherine Town Council, to the satisfaction of the consent authority.
8. 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 Town of Katherine 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; 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.
10. 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.
11. 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.
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. 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.

14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
15. 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.
16. 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.
17. Storage and collection of waste disposal bins is to be provided to the requirements of Katherine Town Council 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 developer is required to contact 'Dial Before You Dig' on 1 100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
3. 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
4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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. The proposed development is consistent with the requirements of NT Planning Scheme and the primary purpose of Zone CB (Central Business) which is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible uses. Building form and design is expected to be sensitive to the needs of pedestrian movement and facility the creation of safe and active street frontages and public places and a vibrant commercial precinct. The provision of private open space which ensures privacy between adjoining dwellings is yet to be demonstrated and amended plans which show the type of screening to achieve this and also enhance the amenity of the locality is required.
2. Katherine Town Council is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage and as such will have a requirement for details of the collection and discharge of stormwater for this proposal.

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

**ITEM 3  
PA2012/0643  
APPLICANT**

**CARPORT WITH REDUCED FRONT SETBACK  
LOT 1194 (11) FULLER CRESCENT, TOWN OF KATHERINE  
C.A.T. CONTRACTORS PTY LTD**

Mr Clayton Holland (C.A.T Contracting) and Mr Neil Dowd (owner) attended.

**RESOLVED  
74/12**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme and pursuant to section 53(b) of the *Planning Act*, alter the proposed development and consent to the proposed development as altered to develop Lot 1194 (11) Fuller Crescent, Town of Katherine for the purpose of a carport with reduced front setback, 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 show development changes to increase the setback from the front boundary 2.5 metres and denote the colours and type of materials used in construction.



## 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 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.

## 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.

In accordance with clause 7.3 (Building Setbacks for Residential Buildings) of the NT Planning Scheme, carports are required to be setback 4.5 metres from the primary street frontage. The applicant has demonstrated adequate reasons to consider a front setback reduction based on the design being open sided and having a roofline consistent with the main dwelling it joins. The site constraints to relocating the structure are also recognised being that:

- the existing carport is already in line with the minimum setback applying to a side boundary; and
- the existing carport can not be extended to the rear due to the location of a raised verandah.

Given the general conformity to the front setback standard along Fuller Crescent alteration to the design to increase the setback from 1.5 metres to 3 metres is considered appropriate. The altered setback distance is able to accommodate parking of two vehicles undercover with a total roof length of 11 metres.

2. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact of the on the existing and future amenity of the area in which the land is situated.

The proposal as altered would result in a more compact open sided carport extension which will reduce the building bulk extending to the street boundary and minimise the impact on the character of the street.

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

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



PETER MCQUEEN  
Chairman

11 /12/12

