DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 148 – WEDNESDAY 6 JULY 2016

TRAINING ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE

MEMBERS PRESENT
Denis Burke (Chairman), Allan Domaschenz, Alan Sprigg, Donald Higgins and Peter Gazey

APOLOGIES:
Nil

OFFICERS PRESENT:
Deborah Curry and Joseph Sheridan (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 am and closed at 10.30 am
Mr Ian Symes and Mr Stephen Hair attended.

RESOLVED

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop NT Portion 3980 (80) Emungalan Road, Emungalan for the purpose of clearing of native vegetation 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:

- in consultation with the Department of Land Resource Management written confirmation that the following outstanding issues as they relate to the Land Clearing Guidelines have been resolved:
  
a) the clearing of land with excessive slope (greater than 2%);
  
b) the clearing of land within 100 metres from all open sinkholes, land within 50 m from all closed sinkholes and land where there is severe limestone outcrop;
  
c) the clearing of the drainage easement;
  
d) the inclusion of a native vegetation buffer to the southern boundary and the part of the eastern boundary adjoining NT Portion 2308;
  
e) the inclusion of a native vegetation buffer to the eastern boundary of minimum width of 25 m; and
  
f) a revegetation plan which includes a planting schedule of suitable native vegetation species to be planted within any areas that have been cleared and fall within the excluded area as defined above.

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 Clause 10.2 (Clearing of Native Vegetation in Zones H, A, RR, RL, R, CP, CN, RD and WM and on Unzoned Land) and Clause 10.3 (Clearing of Native Vegetation – Performance Criteria) is to ensure that the clearing of native vegetation does not unreasonably contribute to environmental degradation of the locality and to specify the matters to be taken into account in assessing an application for the clearing of native vegetation.
The Authority requests that the applicant in consultation with the Department of Land Resource Management resolve the following outstanding matters as they relate to the Land Clearing Guide Lines:

a) the clearing of land with excessive slope (greater than 2%);
b) the clearing of land within 100 metres from all open sinkholes, land within 50 m from all closed sinkholes and land where there is severe limestone outcrop;
c) the clearing of the drainage easement;
d) the inclusion of a native vegetation buffer to the southern boundary and the part of the eastern boundary adjoining NT Portion 2308;
e) the inclusion of a native vegetation buffer to the eastern boundary of minimum width of 25 m; and
f) a revegetation plan which includes a planting schedule of suitable native vegetation species to be planted within any areas that have been cleared and fall within the excluded area as defined above.

The Authority requires the applicant to provide the above information in order to enable the proper consideration of the application.

**ACTION:** Advice to applicant

**ITEM 2**

PA2016/0345

**APPLICANT**

PBC ALICE SPRINGS

4 X 2 BEDROOM MULTIPLE DWELLINGS IN 2 SINGLE STOREY BUILDINGS

LOT 3445 (9) PATERSON COURT, TOWN OF KATHERINE

Mr Karl Smith (PBC Alice Springs) attended via phone.

**RESOLVED**

49/16

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 3447 (17) Paterson Court, Town of Katherine for the purpose of 4 x 2 bedroom multiple dwellings in two single storey buildings for the following reasons:

**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 Katherine Town Council's underground stormwater drainage system shall be submitted to and approved by the Katherine Town Council, 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 plans and prior to the commencement of works (including site preparation), the applicant is to provide written confirmation from the Katherine Town Council advising that council approve the works to reduce the size of the existing 6m stormwater easement located at the rear of the lot to 3m. Where it is not approved, the applicant will be required to
submit amended plans that show no encroachment over the existing 6m stormwater easement to the requirements of Katherine Town Council to the satisfaction of the consent authority.

3. On the advice of Katherine Town Council written confirmation is required stating that the fencing located on the easement will not impede the flow of drainage.

GENERAL CONDITIONS

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

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

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. 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 to the satisfaction of the consent authority.

9. 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 the Katherine Town Council, to the satisfaction of the consent authority.

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 is to 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.

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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.
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 Katherine Town Council to the satisfaction of the consent authority.

16. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. An Occupancy Permit will not be able to be granted until such time as addressing is obtained.

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.

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 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. 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 08 936 4070 to determine if the proposed works are subject to the Act.

4. Addressing should comply with the Australian Standard (AS/NZS 4819:2011). You should immediately make application to Survey and Land Records for the assignment of address numbers surveylandrecords@nt.gov.au 08 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

5. A “Permit to Work Within a Road Reserve” may be required from Katherine Town Council before commencement of any work within the road reserve.
6. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 8995 5362 (surveylandrecords@nt.gov.au).

7. 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.

If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html. Once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence.

All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

**REASON 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 site is within a low to medium residential suburb made up of both single dwellings and multiple dwellings in the immediate vicinity. As the development will provide housing choice by offering a variety of housing types to the future residents of Katherine it is considered that the proposal is consistent with the purpose of Zone MD (Multiple Dwelling) of the Northern Territory Planning Scheme.

2. A variation to the requirements of Clause 6.5.3 (Parking Layout) sub-clause 3(g) this is granted as it is considered that the mixture of low lying shrubs and trees provided for in the landscaping plan and a 1.8m high slatted fence will minimise the visual impact of the car park and control the movements in and out of the property. Furthermore, the proposal complies all other sub-clauses of Clause 6.5.3.

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.

Service authority comments have advised that no adverse impact on the existing and future amenity of the area is expected. Therefore, provided that the collection and discharge of stormwater is managed to Council’s satisfaction, and ESCP measures are implemented no adverse impact on the existing and future amenity of the area is expected.

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

Page 6 of 10

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.
Mr Karl Smith (PBC Alice Springs) attended via phone.

RESOLVED
50/16

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 3447 (17) Paterson Court, Town of Katherine for the purpose of 4 x 2 bedroom multiple dwellings in two single storey buildings for the following reasons:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with the drawings 2016/0346/01 through to 2016/0346/07 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. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement of site is to be created.

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 development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. 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 to the satisfaction of the consent authority.

6. 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 the Katherine Town Council, to the satisfaction of the consent authority.

7. 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.

8. The landscaping is to be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
9. 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.

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

11. 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.

12. Storage for waste disposal bins is to be provided to the requirements of Katherine Town Council to the satisfaction of the consent authority.

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2. A variation to the requirements of Clause 6.5.3 (Parking Layout) sub-clause 3(g) this is granted as it is considered that the mixture of low lying shrubs and trees provided for in the landscaping plan and a slatted 1.8m high fence will minimise the visual impact of the car park and control the movements in and out of the property. Furthermore, the proposal complies all other sub-clauses of Clause 6.5.3.

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.
Service authority comments have advised that no adverse impact on the existing and future amenity of the area is expected. Therefore provided that the collection and discharge of stormwater is managed to Council's satisfaction, and ESCP measures are implemented no adverse impact on the existing and future amenity of the area is expected.

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

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

DENIS BURKE
Chairman

7/7/16