DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 160 – WEDNESDAY 6 SEPTEMBER 2017

BLUE ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE

MEMBERS PRESENT: Suzanne Phillip (Chair), Alan Sprigg, Allan Domaschenz, Steven Rose and Peter Gazey

APOLOGIES: Nil

OFFICERS PRESENT: Dawn Parkes and Ann-Marie Dooley (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.55 am and closed at 11.10 am
ITEM 1
PA2017/0325
APPLICANT

SERVICE STATION, ASSOCIATED RESTAURANT AND EXCAVATION AND FILL ON LAND WITHIN A DEFINED FLOOD AREA
LOT 3018 (85) BICENTENNIAL ROAD, TOWN OF KATHERINE
PUMA ENERGY (AUSTRALIA) ASSETS HOLDINGS PTY LTD

Deborah Burrows and Steve Barker (Puma Energy)

RESOLVED
55/17

That, the Development Consent Authority vary the requirements of Clause 9.1.1 (Industrial setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 3018 (85) Bicentennial Road, Town of Katherine for the purpose of a service station, associated restaurant and excavation and fill on land within a defined flood area, 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 and must be generally in accordance with the plans submitted with the application but modified to show:

   (a) a reduction in the height of the pylon sign to be a maximum height of 8.5m.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Hydrological Assessment of potential upstream and downstream impacts of the fill is to be prepared by a suitably qualified person to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Traffic Impact Report is to be prepared by a suitably qualified traffic engineer in accordance with the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development. The Report must detail the development’s traffic generation, trip distribution, traffic operation impact, the nature and timing of impacts, and recommended measures required to accommodate and/or mitigate the traffic impacts of the development, including construction traffic to the surrounding street network to the requirements of the Transport and Civil Services Division, Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), swept path diagrams for the design vehicle / maximum sized vehicle intended to access the lot shall be provided with the detail design drawings submitted for Road Agency Approval to demonstrate the suitability of the access design geometry to the requirements of the Transport and Civil Services Division, Department of
Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

5. 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 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 and should ensure it reflects the approved development site layout. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

6. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted and approved by the Consent Authority on the advice of the Department of Environment and Natural Resources (DENR). The ESCP must be developed by a suitably qualified and experienced professional in erosion and sediment control planning, and in accordance with the Key Principals of erosion and sediment control as specified in the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The ESCP should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase and that all disturbed soil surfaces must be satisfactorily stabilised against erosion at the completion of works. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the NTG website: https://nt.gov.au/environment/soil-land-vegetation. The ESCP should be emailed for assessment to: DevelopmentAssessment.DENR@nt.gov.au.

GENERAL CONDITIONS

7. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

8. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan (ESCP) to the requirements of the Department of Environment and Natural Resources to the satisfaction of the consent authority.

9. All works recommended by the Traffic Impact report are to be completed to the requirements of the Transport and Civil Services Division, Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

10. The applicant is to provide written advice from a suitably experienced and qualified person that the drainage solutions and filling works set out in the Hydrological Assessment have been completed in full.

11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity facilities and telecommunications to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
12. 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.

13. 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.

14. All proposed works impacting on the Stuart Highway 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 Department of Department of Infrastructure Planning and Logistics. Drawings must be submitted to the Transport and Civil Services Division, Department of Infrastructure Planning and Logistics, for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

15. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Katherine Town and/or the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

and

The owner shall:

(a) remove disused vehicle and/ or pedestrian crossovers; and

(b) undertake reinstatement works;

all to the technical requirements of and at no cost to the Katherine Town the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

16. Where unfenced, the Stuart Highway Road frontage is to be appropriately fenced in accordance with the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics’ standards and requirements to the satisfaction of the consent authority.

17. 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/or the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority.

18. 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 and/or the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

19. 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.
20. Before the use or occupation of the development starts, the area(s) 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;
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.

21. 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.

22. 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.

23. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

24. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

25. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

26. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.

27. "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.

28. No goods are to be stored or left exposed outside the building(s) so as to be visible from any public street.

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

30. The owner of the land must ensure that only clean fill (virgin excavated natural material) or inert fill is accepted and that the inert fill has been adequately assessed as being suitable for its intended use. All fill material
used must be accompanied by details of its origin, volume, and transportation. All records must be retained and made available to appropriate officers, upon request, to confirm compliance with requirements.

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 development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the *NT Public Health Act and Regulations*, the *NT Food Act* and National Food Safety Standards.

3. Access to the site from / to the Stuart Highway is subject to Road Safety Audits in accordance with the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics’ Policy “Road Safety Audits”.

4. Access to the site from, and all works within or impacting upon Bicentennial Road shall be to the standards and requirements of the Katherine Town Council.

5. No temporary access for construction purposes shall be permitted from the Stuart Highway road reserve. Construction and delivery vehicles shall not be parked on the Stuart Highway road reserve.

6. Upon completion of any works within or impacting upon the Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics.

7. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.

8. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:

   (a) so as not to create sun or headlight reflection to motorists; and

   (b) be located entirely (including foundations and aerially) within the subject lot.

   Advertising signage, either permanent or temporary, e.g. ‘A’ frame, vehicle or trailer mounted shall not be erected or located within the Stuart Highway road reserve.

9. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of
materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the Developer will be obliged to sweep and clean material off the road.

10. The proposed excavation and fill shall not be detrimental to the drainage, flood immunity or safety of the Stuart Highway road reserve through the blocking of off-let drains, natural drainage paths or overland flow. Alternative proposals to cater for the above may be considered by the Transport and Civil Services Division, Department of Infrastructure Planning and Logistics.

11. Appropriate protection shall be provided to contain potential spills of waste and prevent contaminants from entering adjacent properties, roadways, and the stormwater drainage system. The fuel delivery area shall be designed and constructed such that spillage and run-off containing waste is free from cross-contamination and isolated from the stormwater drainage system.

12. The permit holder is advised that the proposal may have assessment implications under the Waste Management and Pollution Control Act. More information can be found on the Northern Territory Environment Protection Authority website at: https://ntepa.nt.gov.au/waste-pollution. The applicant is encouraged to contact the NT EPA on (08) 8924 4218 or ntepaa@nt.gov.au.

13. 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 89364070 to determine if the proposed works are subject to the Act.

14. 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 via 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.

15. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Environment and Natural Resources.

16. Notwithstanding the approved plans, all signage is subject to Katherine Town Council 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 account any planning scheme that applies to the land to which the application relates.

The proposal is considered consistent with the purpose of Zone GI (General Industry) to provide for general industry.

A variation to the requirements of Clause 9.1.1 (Industrial Setbacks) to allow a portion of the Stuart Highway street frontage to be landscaped to a minimum depth of 2m is considered acceptable as:

➤ the non-compliance is limited to 8.5% (approx. 20m) of the overall Stuart Highway street frontage (235m);
➤ the reduced depth in landscaping is a result of the location of the light vehicle entry and exit points which provide appropriate access and egress to the site and enable fluent movement ensuring traffic hazards are avoided on both access roads; and
➤ the remainder of the site complies with the landscaping provisions of sub-clause (3) including the entire Bicentennial Road street frontage and an adequate level of visual amenity is maintained.

A Hydrological Assessment of potential upstream and downstream impacts of the proposed fill is required to demonstrate that it will have minimal effect on flood storage capacity and the water surface levels of the surrounding area in accordance with the requirements of Clause 6.16 (Excavation and Fill).

A Stormwater Management Plan is required to demonstrate how the service station will be designed to withstand a 1% AEP flood event without risk of pollution in accordance with subclause (d) of Clause 8.1.4 (Service Stations).

A variation to Clause 6.1 (General Height Control) to allow the pylon sign to be a height of 10m was not supported and amended plans are required to show the pylon sign with a maximum height of 8.5m. The Authority considered that there was no adequate justification to support a variation to the requirements of Clause 6.1 and that a maximum height of 8.5m would be more consistent with the purpose of the clause, which is to ensure that the height of buildings in a zone is consistent with development provided for in that zone.

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 land is relatively flat but located within a defined flood area. The application proposes to fill the site to achieve a finished floor level (FFL) of 105.3m, 50mm above the 2% AEP flood level (Q50 flood event); which equates to 1m to 1.9m of fill.

The requirements for the development and the implementation of an erosion and sediment control plan and a stormwater management plan are considered to be consistent with the development permission.
plan will ensure that there will be no adverse effects on adjoining or nearby land as a result of this development.

A Hydrological Assessment of potential upstream and downstream impacts of the proposed fill is required to demonstrate that it will have minimal effect on flood storage capacity and the water surface levels of the surrounding area in accordance with the requirements of Clause 6.16 (Excavation and Fill).

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.

The proposal is likely to add character to the location, and complement and enhance the usability and amenity of Katherine. The proposal is located on appropriately zoned land and is consistent with the intent for that locality. A number of conditions have been applied to the development permit to ensure that the amenity of the area is not adversely impacted during construction; as a result of servicing requirements; or as a result of increased traffic. It is not anticipated that the proposed development would result in significant impact on the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2017/0323
APPLICANT
SUBDIVISION TO CREATE THREE LOTS
NT PORTION 5802 (70) MCADAM ROAD, EMUNGALAN
SHARYN INNES

Sharyn Innes attended. Landowners Luke and Sally Burden also attended.

RESOLVED
56/17

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop NT Portion 5802 (70) McAdam Road for the purpose of a subdivision to create three lots, 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:

1. Further details on the proposed water source at proposed Lot 3; how the source will be capable of supporting domestic and horticultural use; and written advice from the Department of Environment and Natural Resources that water trading is a feasible option.
2. Further details on the proposed access from a public road to proposed Lots 2 and 3, including written advice from Katherine Town Council on the proposed formalisation of McAdam Road.

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.

Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme requires that the minimum lot size in Zone H (Horticulture) is 25ha all unconstrained land.
Lot 1 is 22.49ha and Lot 2 is 21.76ha and thus do not comply with the minimum lot size requirements. Furthermore, each proposed lot contains areas of constrained land.

The primary purpose of Zone H is to provide suitable land for horticulture and states that the minimum lot size is intended to maintain parcels that are commercially viable for horticulture.

A key agriculture/horticulture objective of the Katherine Land Use Plan is to protect land with high capability for agriculture and horticulture included within Zone A (Agriculture) or Zone H (Horticulture) by limiting further subdivision unless detailed and site specific land capability assessment establishes the economic viability of proposed development on smaller lots.

It is noted that the applicant has sought advice from EE Muirs, Agronomists, Matt Dennis who provided examples of horticultural activities in the Katherine area which are supplying horticulture products which utilise much less than the 25ha and are viable.

It is also noted that the Department of Primary Industry and Resources (DPIR) advised that there are similar horticultural blocks in the area that are producing and performance suggests that the smaller blocks need to be more intense to be economically viable (e.g. greenhouse or shade house production is required).

The Authority are not yet satisfied that the economic viability of proposed development on smaller lots has been established, particularly with respect to proposed Lot 3 which is unable to source groundwater, and determined that further information and evidence should be supplied before any variation to the minimum lot size is considered.

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 Department of Environment and Natural Resources (DENR) identified potential topographical constraints such as imperfect soils, sinkholes, sandstone and limestone outcrops which have the potential to influence the subdivision layout and it is noted that the boundary between proposed lot 1 and 2 will need realigning or removing to avoid a significant sandstone outcrop. The applicant identified that this can be accommodated.

DENR advised that some soils on site have a high capability for horticulture whereas others have a low capability. The Land Suitability Assessment produced by EcOz identified that the proposed lots have between 8ha – 16ha of suitable area for horticulture. Although some information has been provided in support of existing horticulture uses taking place on smaller lots in the local area, the economic viability of the proposed lots to support horticulture remains unknown and the applicant suggested that it is the purchaser of the land who determines viability and this will be based on a range of complex variables.
DPIR advised that there are similar horticultural blocks in the area that are producing and performance suggests that the smaller blocks need to be more intense to be economically viable (e.g. greenhouse or shade house production is required).

The land is within Zone 1 of the Tindal Limestone Aquifer, Katherine Water Allocation Plan Area, and DENR advised that the unlicensed portion of the consumptive pool for this resource is considered to be fully allocated. Proposed Lots 1 and 2 have existing bores but proposed Lot 3 will need to demonstrate an alternative water supply that is feasible for domestic and horticulture use.

The proposal does not clearly demonstrate access from a public road to proposed Lots 2 and 3. The applicant has stated that it expects Council to develop this infrastructure in the near future. The Authority determined that more information should be supplied to support this claim and to ensure that all proposed lots will have access to and from a public road.

**ACTION:** Letter of deferral

**ITEM 3**
**PA2017/0317**
**TEMPORARY WORKERS ACCOMMODATION ON LAND WITHIN A DEFINED FLOOD AREA**
**LOT 135 (10) FOURTH STREET, TOWN OF KATHERINE**
**APPLICANT**
**MOONBEAM DESIGN**

Landowner Nick Genders attended.

**RESOLVED**
**57/17**

That, pursuant to section 53(c) of the Planning Act, the Development Consent Authority refuse to consent to the application to develop Lot 135 (10) Fourth Street, Town of Katherine for the purpose of temporary workers accommodation on land within a defined flood area for the following reasons:

**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 use of ‘Temporary Workers Accommodation’ is not adequately defined within the Northern Territory Planning Scheme (NTPS) and therefore is automatically considered an unspecified discretionary use and requires consent.

The land is within Zone CB (Central Business) of the NTPS. The primary purpose of Zone CB 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 activities.

The Authority considered that the proposal for temporary workers accommodation was inconsistent with the purpose of the zone, particularly given the land’s proximity to SD (Single Dwelling) and MD (Multiple Dwelling) zoned land on the opposite side of Fourth Street.
While it was noted that the proposal was temporary in nature for a period of five years, the Authority determined that the use of the land for temporary workers accommodation for any period of time was an inappropriate use of the land.

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.

The Authority considered that the proposal was incompatible with the surrounding land uses and that the development of temporary workers accommodation would negatively impact on the existing and future amenity of the area. The Authority noted that the purpose of Zone CB includes a commitment to the separation of incompatible activities and therefore could not support the proposal.

**ACTION:** Notice of Refusal

**ITEM 4**
**PA2017/0339**

HOSTEL FOR SEASONAL WORKERS ACCOMMODATION, ANCILLARY TO THE PRIMARY USE OF THE LAND (FRUIT PACKING FACILITY), ON LAND WITHIN A DEFINED FLOOD AREA

NT PORTION 2508 (33) GILLARD CRESCENT, COSSACK

**APPLICANT**

JASON HILLIER

**RESOLVED**

58/17

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop NT Portion 2508 (33) Gillard Crescent, Cossack for the purpose of a hostel for seasonal workers accommodation, ancillary to the primary use of the land (Fruit Packing Facility), on land within a defined flood area, 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 revised site plan illustrating suitable communal open space area/s including landscaped areas to comply with the provisions of Clause 7.6 (Communal Open Space);
   - a revised site plan illustrating suitable landscaping that encompasses the proposed use and development to comply with the purpose of Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation);
   - the finished floor levels of the hostel;
   - the existing electricity easement located within NT Portion 2508;
   - the existing on-site wastewater treatment plant and any associated disposal area located within NT Portion 2508; and
   - the extent of the development area subject to this approval.
2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and must show:
   a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
   b) provision of an in ground irrigation system to all landscaped areas. All species selected must be to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Katherine Town Council stormwater drainage system shall be submitted to and approved by the Katherine Town Council, to the satisfaction of the consent authority.

GENERAL CONDITIONS

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

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

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. 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.

8. The finished floor levels of the structure must be minimum of 300mm above the applicable flood level for the property which is between the 106.55 m and 106.80 m AHD.

   Note: The applicable flood level for this property is between the 106.25m to 106.50m AHD.

9. The accommodation is only to be occupied by workers engaged to work on NT Portion 2508.

10. The accommodation is only to be occupied from October to April each year.

11. 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.
12. Before the use or occupation of the development starts, the area(s) 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;
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.

13. 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.

14. 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.

15. 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 Development Services 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. Any upgrades to the existing on-site wastewater system must be carried out by a qualified licensed Self-Certifying Plumber and must comply with the NT Code of Practice for Small On-site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent (The Code).

Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Environment and Natural Resources.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land to which the application relates.
The primary use of the subject land is for rural industry (a fruit packing facility). The hostel is intended to provide on-site accommodation for seasonal farm workers who work on the subject land. In addition, the hostel will only be used between the months of October and April which corresponds to the seasonal operation of the packing shed therefore demonstrating the ancillary nature of the proposal.

A revised site plan is required to ensure suitable communal open space is provided in accordance with Clause 7.6 (Communal Open Space) and to ensure landscaping is provided to embellish and enhance the development in accordance with Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation).

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.

NT Portion 2508 is affected by riverine flooding from the Katherine River of 1% Annual Exceedance Probability. Approximate riverine flood levels vary between 106.25m and 106.50m Australian Height Datum (AHD). To address this, the application proposes to locate the hostel in the north eastern portion of the site to minimize its exposure to possible flooding and elevate the building to provide a minimum finished floor level of 300mm above flood event height, in accordance with the requirements of the Building Code of Australia.

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.

The retention of existing native vegetation and additional plantings will reduce the bulk of the building. The use of the building is limited to six months of the year and its use would reduce the impacts associated with the development. Adjoining properties are also used for general industry purposes, and it is unlikely that the proposed development will impact on the amenity of the area.

ACTION: Notice of Consent and Development Permit

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

Suzanne Phillip
Chair

11/09/17

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.