



DEVELOPMENT CONSENT AUTHORITY

TENNANT CREEK DIVISION

MINUTES

MEETING No. 53 – 27 MARCH 2019

OUT OF SESSION

MEMBERS PRESENT: Suzanne Philip (Chair), Steven Edgington,
Kris Civitarese, Hal Ruger

APOLOGIES: Nil

ITEM 1 **ALTERATIONS AND ADDITIONS TO LIGHT INDUSTRY DEVELOPMENT
(INCLUDING NEW STORAGE SHED)**
PA2019/0036 **LOT 1022, 12 BROWN STREET, TOWN OF TENNANT CREEK**
APPLICANT **ENSTONE PTY LTD (BARKLY PLUMBING SERVICES – MR JOHN
HENDERSON)**

RESOLVED That the Development Consent Authority vary the requirements of Clause 6.5.3
0001/19 (Parking Layout), Clause 7.10.3 (Caretaker's Residence) and Clause 9.1.1 (Industrial
Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a)
of the *Planning Act 1999*, consent to the application to develop Lot 1022 (12) Brown
Street, Town of Tennant Creek for the purpose of alterations and additions to Light
Industry development (including new storage shed and caretaker's residence),
subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. 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 or dust suppressed (unsealed areas shown on the drawings);
 - (d) drained;
 - (e) line marked or otherwise suitably delineated to indicate each car space; 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.
3. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land).
4. 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.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Barkly Regional Council, to the satisfaction of the consent authority.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Barkly Regional Council to the satisfaction of the consent authority.
7. 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. This condition is to the satisfaction of the consent authority on advice from the Barkly Regional Council.

8. Storage for waste disposal bins is to be provided to the requirements of the Barkly Regional Council, to the satisfaction of the consent authority.
9. 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.
10. 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.
11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, storm water drainage, sewerage, electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.

NOTES:

1. This development permit does not grant building approval. You are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing construction works or the use.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@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.
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. 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.
5. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* 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.
6. A permit to work within a road reserve may be required from the Barkly Regional Council before commencement of any works within the road reserves.

7. Prior to applying for building approval and works commencing, it is recommended that the land owner / developer considers engaging the services of a Licensed Surveyor to carry out a boundary identification survey to identify where the true boundaries of the site are in relation to existing and proposed fences and buildings on the land. This information could then be used for the purposes of section 6 of the Building Regulations.
8. This permit will expire if one of the following circumstances applies:
 - (a) the development *and use is/are* 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.

REASONS

1. Pursuant to section 51(a) of the *Planning Act 1999*, in considering a development application the Development Consent Authority must take into account the planning scheme that applies to the land to which the application relates. The proposal is consistent with the primary purpose of Zone GI (General Industry) of the NT Planning Scheme, which is, "to provide for...general industry". The application is for alterations and additions to an existing light industry development / use, the land uses are listed as "permitted" within Zone GI. The development is consistent with the form of development expected within Zone GI and the design incorporates landscaping, building materials and colours that will enhance the visual appearance of the development.
2. A variation to sub-clause 3(b) of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme to allow part of a car parking area to be unsealed (as shown on the drawings) is considered to be satisfactory in this instance as the gravel surface will assist with storm water infiltration, conditions of approval will ensure the surface is maintained and the affected (unsealed) area will not be in constant use by vehicles (used for staff and longer term parking). All other driveway and parking areas on the site will be sealed.
3. Having regard to sub-clause 3 of Clause 2.5 (Exercise of Discretion by the Consent Authority) and sub-clause 3 of Clause 7.10.3 (Caretaker's Residence) of the NT Planning Scheme, variations to sub-clause 2 of Clause 7.10.3 are granted to allow a second caretaker's residence on the site with a floor area greater than 50m² as the second caretaker's residence:
 - a) is intended for use by employees of the plumbing contracting business;
 - b) is expected to assist in enhancing the level of security of the site and adjoining properties through improved active and passive surveillance opportunities; and
 - c) is considered appropriate to the site which is in excess of 3 times the minimum lot size that applies to Zone GI (General Industry);
 - d) will continue to provide improved flexibility for maintaining security of valuable equipment, machinery and vehicles by being available for use when the residents of the primary caretaker's residence are on leave or out of town; and
 - e) is not expected to detract from the amenity of any other property or be contrary to the purpose of Zone GI (General Industry) which is to provide for general industry.
4. A variations to Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme is granted to allow the reduced building setbacks shown on the endorsed drawings as:

- When the existing buildings were constructed on the site, their building setback distances were deemed to have complied with the relevant planning controls in force at that time;
 - the shape and dimensions of the allotment, proposed car parking layout and footprints of existing buildings on the land constrain the ability for compliant building setback distances to be achieved for the new building;
 - the positioning of the new building on the subject site will maximise the areas available for car parking to other tenancies; and
 - the proposed building setback distances are consistent with other developments in the Brown Street locality.
5. Pursuant to section 51(j) of the *Planning Act 1999*, in considering a development application the Development Consent Authority must take into account 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. Subject to storm water drainage arrangements to the site being addressed, the physical characteristics of the land are considered suitable for the development. The vehicle access arrangements, site and floor layouts and other aspects of the design fulfil the intent of the objectives of the NT Planning Scheme relevant to the proposed land uses.
6. Pursuant to section 51(m) of the *Planning Act 1999*, in considering a development application the Development Consent Authority must take into account the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities or infrastructure to be provided by the developer for that purpose. The Power and Water Corporation has advised that areas of the site need to be set aside for connections to and infrastructure for power, water and sewer services and works are not to encroach into easements. The conditions of approval are intended to ensure service authority interests are duly recognised.
7. Pursuant to section 51(n) of the *Planning Act 1999*, in considering a development application the Development Consent Authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The proposed development is appropriate for the zoning, site and locality and subject to the compliance with conditions of approval, is expected to fulfil the objectives of the scheme relevant to Zone GI.

ACTION: DAS TO PREPARE NOTICE OF CONSENT AND DEVELOPMENT PERMIT

RATIFIED AS A RECORD OF DETERMINATIONS MADE AT THE MEETING

SUZANNE PHILIP

Chair

02 April 2019