DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 141 – WEDNESDAY 4 NOVEMBER 2015

TRAINING ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE

MEMBERS PRESENT
Denis Burke (Chairman) (via video link), Allan Domaschenz, Steven Rose and Fay Miller

APOLOGIES:
Craig Lambert

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

COUNCIL REPRESENTATIVE: Robert Jennings (CEO – Katherine Council)

Meeting opened at 10.30 am and closed at 10.50am
ITEM 1
ALTERATIONS TO EXISTING SERVICE STATION WITHIN A DEFINED FLOOD AREA
NT PORTION 2512 (7) GILLARD CRESCENT, COSSACK
APPLICANT
SPHERE PLANNING PTY LTD

Mr Lukjanov attended the meeting via phone link.

RESOLVED
58/15

That, the Development Consent Authority vary Clause 8.1.4 (Service Stations) of the Northern Territory Planning Scheme and pursuant to section 53(a) of the Planning Act, consent to the application to develop NT Portion 2512 (7) Gillard Crescent, Cossack for the purpose of alterations to an existing service station within a defined flood area subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0645/01 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 water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to the development shown 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. Prior to the commencement of works, the proponent must advise the Northern Territory Environment Protection Authority (NTEPA), in the approved format, of activities to be conducted at the site shown on the endorsed drawings.

5. Prior to the commencement of works, detailed turning lane plans are to be submitted to and endorsed by the Katherine Town Council, to the satisfaction of the consent authority.

6. 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.

7. 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.
8. All proposed works impacting on Zimin Drive and Gillard Crescent 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 Katherine Town Council. Drawings must be submitted to the Council for
approval and no works are to commence prior to approval and receipt of a
"Permit to Work Within a Road Reserve".

9. 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.

10. “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.

11. The loading and unloading of goods/fuel from vehicles must only be carried out
on the land and must not disrupt the circulation and parking of vehicles on the
land.

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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development and use 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. A Permit to Work Within a Road Reserve may be required from the Katherine
   Town Council before commencement of any works or construction access
   within the road reserve.

3. This development permit does not grant building approval for the proposed
   building works and use. You are advised to contact a registered private Building
   Certifier to ensure that you have attained all necessary approvals before
   commencing demolition or construction works.

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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.
4. 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.

5. 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.

REASON FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates.

In determining the application the Authority noted that the proposal was generally in accordance with Clause 8.1.4 (Service Stations) of the Northern Territory Planning Scheme and that the site is currently an established fuel depot and service station. The width of the vehicle crossover currently exceeds the maximum width of 9 metre, however the consent authority took into account the advice from the Katherine Town Council tabled at the meeting which confirmed the crossovers comply with their technical requirements.

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 other land, the physical characteristics of which may be affected by the development.

The natural ground level varies between 104 m to 105 m AHD and there is a defined flood level of approximately 106.25 m AHD. The consent authority considered advice provided by the Department of Land Resource Management which did not identify any issues of concern with the proposal.

ACTION: Notice of Consent and Development Permit
Mr Kevin Dodd attended the meeting via video link.

RESOLVED

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 1894 (2) Crawford Street, Town of Katherine, for the purpose of a subdivision to create three lots, subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0250/01 endorsed as forming part of this permit.

2. 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.

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

4. 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 Katherine Town Council to the satisfaction of the consent authority and all approved works constructed at the owner’s expense.

5. Any work (including the provision or connection of services) within, or impacting upon the Stuart Highway road reserve or Lot 3001, Town of Katherine, shall be in accordance with the standards and specifications of the Department of Transport, to the satisfaction of the consent authority.

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. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

4. A “Permit to Work Within a Road Reserve” may be required from Katherine Town Council and Department of Transport before commencement of any work within the road reserve.

**REASONS FOR THE DECISION**

1. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The subdivision complies with the requirements of Part 5 of the NT Planning Scheme and is consistent with the Katherine Land Use Plan 2014.

   The lot size and configuration provides a layout with a range of lot sizes (2350 m² to 6180 m²) that exceed the minimum lot size for the zone, include a depth to width ratio similar to other lots in this area and include an adequate area surrounding existing buildings to allow for future use.

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 capable of supporting development of three lots which is reflected in the presence existing development including landscaping, parking areas and industrial buildings.

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

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

[Signature]

DENIS BURKE
Chairman

10/11/15