DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 129 – FRIDAY 29 OCTOBER 2010

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

MEMBERS PRESENT: Peter McQueen (Chairman), Richard Luxton, Michael Bowman and Plaxy Purich

APOLOGIES: Mary Walshe and Keith Aitken

OFFICERS PRESENT: Margaret Macintyre (Secretary) and Steven Kubasiewicz (Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 9.30 am and closed at 10.15 am
ITEM 1
PA2010/0983
TELECOMMUNICATIONS FACILITY INCLUDING 50M LATTICE TOWER,
ANTENNAS AND EQUIPMENT SHED
LOT 18 (110) TRIPPE ROAD, HUNDRED OF STRANGWAYS
APPLICANT
TELSRA CORPORATION PTY LTD

Mr Mark Baade (SK Planning) attended on behalf of the applicant.

RESOLVED
253/10
That, pursuant to section 53(a) of the Planning Act, the Development Consent
Authority consent to the application to develop Lot 18 (110) Trippe Road, Hundred
of Strangways for the purpose of a telecommunications facility including a 50m lattice
tower, antennae and associated equipment, subject to the following conditions:

1. Works carried out under this permit shall be in accordance with drawings
   numbered 2010/00982/1, 2010/0983/2, 2010/0983-3 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 electricity services to the land show on the endorsed plan
   in accordance the authorities' requirements and legislation at the time.

3. The kerb crossovers and driveways to the site approved by this permit are to
   meet the technical standards of Litchfield Council, to the satisfaction of the
   consent authority.

4. Access to the site shall only be at the nominated crossing shown on the
   endorsed plan. The crossing and road pavement works are to be constructed to
   the requirements of Litchfield Council to the satisfaction of the consent
   authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:

   (a) the development and use 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.

2. Firebreaks along boundaries or at appropriate locations on the subject site
   should be provided to the requirements of the NT Fire and Rescue Services.

3. A "Permit to Work Within a Road Reserve" may be required from Litchfield
   Council before commencement of any work within the road reserve.
4. The consent authority supports the co-location of telecommunications infrastructure in order to reduce the number of telecommunication towers.

**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 amendment to the location of the telecommunications tower is consistent with the purpose of Clauses 13.5 (Mobile Telephone Communications Towers Etc) of the NT Planning Scheme which requires that the provision of mobile telecommunications towers and infrastructure does not unreasonably detract from the amenity of the locality.

Furthermore, the application is consistent with the objectives of the Litchfield Planning Concepts and Land Use Objectives 2002, specifically the Key Land Use Objective for Infrastructure at Section 2.5 by improving the coverage of the Telstra network in the area.

2. Pursuant to section 51 (h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of improved telecommunication services.

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

**ITEM 2** WITHDRAWN

**ITEM 3** **CARETAKER'S RESIDENCE**  
**PA2010/1146** **PORTION 1409 (465) HOWARD SPRINGS ROAD, HUNDRED OF BAGOT**  
**APPLICANT** **RIK JONES**

Mr Lyle Hebb (Program Manager DCL) attended on behalf of applicant.

**RESOLVED**  
**254/10** That, the Development Consent Authority, vary Clause 7.10.3 (Caretaker's Residence) and, pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 1409 (465) Howard Springs Road, Hundred of Bagot, for the purpose of a 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 numbered 2010-1146-01, 2010-1146-02, 2010-1146-03 and 2010-1146-04, endorsed as forming part of this permit.

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

*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.*
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:

   (a) the development and use 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.

2. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Conservation Act. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Conservation Services of the Department of Natural Resources, Environment, The Arts and Sport.

3. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

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.

   A variation to Clause 7.10.3 (Caretaker's Residence) to a second caretaker's residence to be constructed with a floor area of 77.5m² is supported as the residence will replace an existing dilapidated structure and has been positioned to minimise any impact on amenity of the surrounding nature reserve.

   The proposed development will not be visible from the main road or the access roads and is suitably setback from all boundaries.

2. Pursuant to section 51 (h) of the Planning Act, the consent authority must take into consideration the merits of the proposal.

   The proposed development will provide accommodation for the rangers responsible for the management of the reserve which is considered to be in the interest of the public.

ACTION: Notice of Consent and Development Permit
ITEM 4
PA2010/1029
APPLICANT
SINGLE DWELLING AND SHED WITH REDUCED FRONT AND SIDE SETBACKS
LOT 176 (30) AUSTIN STREET, TOWN SITE OF SOUTHPORT
PETER McNAMARA

Mrs Vicki McNamara attended on behalf of her husband who sent his apologies.

RESOLVED
255/10
That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent
Authority defer consideration of the application to develop Lot 176 (30) Austin
Street, Town of Southport for the purpose of a single dwelling and shed with reduced
front and side setbacks to require the applicant to provide the following additional
information that the Authority considers necessary in order to enable proper
consideration of the application:

- Information from the applicant advising of the date when all structures on the
  site were erected; and

- Details on any building permits that have been issued in relation to all existing
  structures on the site.

REASON FOR THE DECISION

Consideration of the application is deferred by the authority so that
additional information can be provided by the applicant to enable the
proper consideration of the application by the authority.

ACTION: Advice to Applicant

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

PETER MCQUEEN
Chairman

29/10/10