



**DEVELOPMENT CONSENT AUTHORITY**

**KATHERINE DIVISION**

**MINUTES**

**MEETING No. 121 – MONDAY 18 NOVEMBER 2013**

**OUT OF SESSION**

**MEMBERS**

Peter McQueen (Chairman), Barry Densley, Anne Shepherd, Steven Rose  
and Donald Higgins

ITEM 1  
PA2013/0507  
APPLICANT

CHANGES TO DP12/0107 TO CHANGE 2 MULTIPLE DWELLINGS TO 2 OFFICES  
LOT 36 (34) FIRST STREET, TOWN OF KATHERINE  
ELTON CONSULTING

RESOLVED  
80/13

That, the Development Consent Authority vary the requirements of Clause 6.6 (Loading Bays) and Clause 8.2 (Commercial and Other Development in HR, CV, CB, C, SC, TC, OR, CP, FD and T) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 36 (34) First Street, Town of Katherine for the purpose of amending DP12/0107 to change two multiple dwellings to two offices, 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) design details of awnings and screens to the balconies; and
  - (b) waste bin storage facilities and collection arrangements to the requirements of the Katherine Town Council.
2. Prior to the commencement of works (including site preparation) a schematic plan is to be provided, demonstrating that all stormwater can be collected on the site and discharged to the requirements of the Katherine Town Council and to the satisfaction of the consent authority. This plan is to include details of site levels and stormwater drain connection points within the vicinity of the site.

#### GENERAL CONDITIONS

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 networks to the development in accordance with the authorities' requirements and relevant legislation at the time.
4. 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.
5. The finished floor levels of the dwellings must be minimum of 300mm above the applicable flood level for the property which is 106.8 m AHD metres AHD. Note: The applicable flood level for this property is 106.5 metres AHD.
6. Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to state that: "*This allotment is subject to inundation in a 1% AEP flood event*". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

7. 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.
8. 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 Town of Katherine to the satisfaction of the consent authority.
9. 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;
  - (d) drained;
  - (e) line marked to indicate each car space and all access lanes; and
  - (f) numbered car spaces to facilitate allocation of parking spaces.to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
10. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
11. 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.
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.
13. 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.
14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
15. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.

16. 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.
17. Storage and collection of waste disposal bins is to be provided to the requirements of Katherine Town 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 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
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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. A "Permit to Work Within a Road Reserve" may be required from Katherine Town Council before commencement of any work within the road reserve.
4. 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
5. The Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. 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.
6. The waste storage facility should include a smooth, impervious, non-slip floor, a minimum of 75mm thick and evenly graded to the sewerage or applicable drainage system, and be provided with a tap connected to an adequate water supply.

## REASONS FOR THE DECISION

1. Katherine Town Council is the sole authority responsible under the *Local Government Act* and associated by-laws for stormwater drainage and as

such will have a requirement for details of the collection and discharge of stormwater for this proposal.

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

The proposed development is consistent with the primary purpose of Zone CB (Central Business) 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 uses. Building form and design is expected to be sensitive to the needs of pedestrian movement and facilitate the creation of safe and active street frontages and public places and a vibrant commercial precinct.

However a variation to Clause 6.6 (Loading Bay) and Clause 8.2 (Commercial and Other Development in HR, CV, CB, C, SC, TC, OR, CP, FD and T) of the NT Planning Scheme is required due to the development not incorporating a loading bay or providing for loading and unloading of delivery vehicles and for refuse collection, which is a standard applicable to office developments. In granting a variation the Authority may take into account the fact that the development only includes two office tenancies, provision of four car parks in the complex for the offices and the close proximity of on-street car parks that are currently underutilised on First Street.

As the Katherine Town Council has raised concern about the waste storage and disposal, inclusion of a condition precedent is to ensure the arrangements are acceptable by the local authority. Further, a condition of consent is included to ensure that the storage and collection of waste disposal bins will be to the requirements of Katherine Town Council to the satisfaction of the consent authority, on an ongoing basis.

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

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



**PETER MCQUEEN**  
Chairman

19/11/13

