



DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 110 – WEDNESDAY 3 OCTOBER 2012

MEMBERS PRESENT

Peter McQueen (Chairman), Barry Densley, Anne Shepherd, Fay Miller and Steven Rose

APOLOGIES:

Henry Higgins

OFFICERS PRESENT:

Steven Kubasiewicz, Julie Bennett and Allison Hooper (Development Assessment Services)

COUNCIL REPRESENTATIVE: NIL

Meeting opened at 10.45 am and closed at 12.40 pm

THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 **ANCILLARY SUPPORTING ACCOMMODATION COMPRISING 12 UNITS IN**
PA2012/0635 **2 SINGLE STOREY BUILDINGS AND AN ADMINISTRATION BUILDING AND A**
 CLINICAL TRAINING AND CONFERENCE CENTRE
 LOT 1939 (185) GILES STREET, TOWN OF KATHERINE
APPLICANT **JASON HILLIER**

Mr Jason Hillier and Mr Michael Crothers (Flinders University) attended the meeting.

RESOLVED That the Development Consent Authority vary the requirements of Clause 6.5.1
48/12 (Parking Requirements) and Clause 7.5 (Private Open Space) of the Northern
Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent
to the application to develop Lot 1939 (185) Giles Street, Town of Katherine, for the
purpose of Ancillary supporting accommodation comprising 12 units in 2 single storey
buildings and an administration building, and a clinical training and conference
centre, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works of the supporting accommodation complex, 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 two copies must be provided. The plan must show:
 - a) all existing and proposed car parks on the site;
 - b) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - c) details of surface finishes of pathways and driveways;
 - d) 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;
 - e) landscaping and planting within all open areas of the site; and
 - f) provision of an in-ground irrigation system to all landscaped areas.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
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. 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.
5. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical stands of the Katherine Town Council to the satisfaction of the consent authority and the owner shall:
 - a) collect stormwater and discharge it to the drainage network; and
 - b) undertake all 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. Before the use or occupation of the development starts, the area set aside for the parking of vehicles, and for the purposes of loading bays, 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.
9. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
10. Before the use 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.
11. 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.
12. The permit holder shall ensure that the design of the development (including filling and raised building pad) is certified by a qualified engineer to ensure that stormwater flows are contained on site and do not impact on adjacent land including the street water table.

NOTES:

1. Professional advice regarding the implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from the Department of Land Resource Management.
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 on-site and/or surrounding infrastructure.

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 development is consistent with the primary purpose of Zone CP (Community Purposes) of the Northern Territory Planning Scheme, which is to "provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration".

A reduction of parking bays required by Clause 6.5.1 (Parking Requirements) in accordance with the provisions of Clause 6.5.2 (Reduction in Parking Requirements) from 3 car parks to none for the clinical training and conference centre is supported as:

- The land is being developed in accordance with Zone CP (Community Purpose) and with the existing Katherine Hospital;
- The majority of people using the clinical training and conference centre will already be onsite either engaged or employed by the Katherine Hospital;
- There is an existing large car park adjacent to the proposed location that will be able to cater for any additional parking requirements.

A variation to Clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme is supported as:

- The indicative site area of the supporting accommodation complex provides for a large area of communal open space which exceeds the requirements of Clause 7.6 (Communal Open Space) of the Scheme;
- The proposal is for a supporting accommodation use and not a standard multiple dwelling development, and accordingly the requirements listed under Clause 7.5 are not considered as applicable to such a use whereby the occupants are expected to reside for no more than 12 weeks and there is an emphasis on care in a semi-communal setting; and

- The recommendation for a landscaping plan to be provided prior to the commencement of works will ensure that the development provides an aesthetically pleasing environment.
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 generally flat, has previously been cleared, and is for the most part developed with existing buildings that form the Katherine Hospital. All buildings will either have a raised floor level, or be constructed of materials that will reduce damage to the building in the case of flood inundation. The land is considered capable of supporting the proposed development.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2012/0451
APPLICANT

OFFICES, MEETING ROOMS AND SHOP IN A TWO STOREY BUILDING
LOT 1938 (14) CHARDON STREET, TOWN OF KATHERINE
MASTERPLAN NT

DAS tabled an addendum which included a response to submission from the applicant.

Mr Brad Cunnington (Masterplan NT) and representatives from the shire councils including Mr Greg Arnott (Victoria Daly Shire), Ms Sharon Hillen (Roper Gulf Shire) and Ms Stephanie Chan (Roper Gulf Shire) attended.

Mr Cunnington tabled a plan of Katherine showing the location of industrial and commercial zones and a letter from the former Minister for Lands and Planning to Victoria Daly Shire.

RESOLVED
49/12

That, pursuant to section 53(c) of the *Planning Act*, the Development Consent Authority refuse to consent to the application to develop Lot 1938 (14) Chardon Street, Town of Katherine for the purpose of offices, meeting rooms and shop in a two storey building.

REASONS FOR THE DECISION

1. The proposal does not achieve the purpose of Clause 5.12 (Zone GI – General Industry) of the NT Planning Scheme which specifies that in this zone “offices are expected to be limited to those that either service the general industry in the zone or would be inappropriate in a commercial zone”. The proposed Council offices are inconsistent with the purpose of the zone, being to “provide for general industry” and are not considered to service the general industry in the zone and are therefore considered by the DCA to be prohibited on the land in its current form. The development of non-industrial uses in an industrial zone, which could

otherwise be located in a commercial area, has an impact on the availability of industrial land to support the future growth of the Town of Katherine.

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 traffic generated by the use would be a substantial increase to the area and include additional truck movements. The potential impact on the amenity has not been adequately addressed in the application to assess the likely affect on traffic flows both at the intersection of Stuart Highway and Crawford Street and the intersection of Crawford Street and Chardon Street.

The impact on the development as a result of expansion of general industry surrounding the site, could have a detrimental impact on the enjoyment of the use of the land as an office. Given that the site is within Zone G1 there is a potential for development which is potentially going to adversely affect the amenity of the surrounding land through the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

ACTION: Notice of Refusal

**ITEM 3
PA2012/0603
APPLICANT**

**ADDITION TO EXISTING EDUCATIONAL ESTABLISHMENT
LOT 1142 (11) KINTORE STREET, TOWN OF KATHERINE
HEINER STRUCTURAL ENGINEERING CONSULTANTS PTY LTD**

Ms Annette Joseland (Heiner Structural Engineering Consultants Pty Ltd) attended and tabled a draft site plan.

Submitter:- Mr Jason Hillier attended.

**RESOLVED
50/12**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 1142, (11) Kintore Street, Town of Katherine to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- (a) site plan that provides a drop off lane and nine car parks that complies with the dimensions specified in Clause 6.5.3 (Parking Layout);
- (b) building design which incorporates louvered window systems and awnings to shade windows;
- (c) access to the building to persons with disabilities (including children) showing details of the ramp and footpaths connecting buildings; and
- (d) landscaping (existing and proposed) to provide shade to the building.

and

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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.

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- (d) landscaping (existing and proposed) to provide shade to the building.

and

advice from the Department of Education which endorses the amended development.

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 parking layout that complies with the dimensions of clause 6.5.3 (Parking Layout) of the NT Planning Scheme is required.

Clause 8.2 (Commercial and other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T) applies to the development and provides for the development of buildings which are designed to maximise energy efficiency through passive climate control measures. The opportunity to amend the design to improve the performance of the building is provided to the applicant.

2. Pursuant to Section 51(p) of the *Planning Act*, the consent authority must take into consideration the public interest, including access for persons with disabilities.

Access to persons with disabilities (including children) has not been clearly demonstrated as being considered in the design of the development. The opportunity is provided to the applicant to address the convenient access, including adequate path and ramp design.

ACTION: Advice to Applicant

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



PETER MCQUEEN
Chairman

5/10/12