

DEVELOPMENT CONSENT AUTHORITY

BATCHELOR DIVISION

MINUTES

MEETING No 27 – MONDAY 25 JULY 2011

**CONFERENCE ROOM
BATCHELOR RESORT
37-49 RUM JUNGLE ROAD
BATCHELOR**

MEMBERS PRESENT: Peter McQueen (Chairman), Richard Luxton, Bruce Jones and Andrew Turner

APOLOGIES: Nil

OFFICERS PRESENT: Steven Kubasiewicz and Maree Domelow (Development Assessment Services)

COUNCIL REPRESENTATIVE: John Hughes (Coomalie Council)

Meeting opened at 10.15 am and closed at 10.50 am

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 **CARAVAN PARK AND RESTAURANT**
PA2010/0555 **LOT 337 (31) RUM JUNGLE ROAD, TOWN OF BATCHELOR**
APPLICANT **RIARNA MACCARTHY**

Mr Allan Birch (landowner) attended.

RESOLVED
15/11

That, the Development Consent Authority vary Clause 7.10.3 (Caretakers Residence) of the NT Planning Scheme and increase the floor area of the caretaker's residence to 51.84m², and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 337 (31) Rum Jungle Road, Town of Batchelor for the purpose of a Caravan park including 29 cabins, a restaurant, office and caretaker's residence, subject to the following the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment The Arts and Sport (Natural Resources Management Division), and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
2. 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) Land scaping to the Rum Jungle Road shall be incorporated into stage one of the development.
 - (b) Details on fencing to the perimeter of the site
 - (c) Screening landscaping to be provided to the northern and western boundaries.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.

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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Any upgrading of water, sewerage or electrical services to the development shall be provided to the satisfaction of Power and Water, in accordance with the requirements of the Connection's Code, at no cost to Power and Water.
7. Engineering design and specifications for the proposed and affected roads, stormwater drainage, street lighting and vehicular access are to be to the technical requirements of the Department of Lands and Planning (Road Network Division) or Coomalie Government Community Council as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
8. Any proposed work impacting on the Rum Jungle Road reserve shall 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 Chief Executive Officer, Department of Lands and Planning. Drawings must be submitted to the Road Network, Department of Lands and Planning for approval, and no works are to commence prior to approval and receipt of a "Permit to Work within a Road Reserve".
9. Where unfenced, the Rum Jungle Road frontage is to be appropriately fenced in accordance with the Department of Lands and Planning's standards and requirements to deter unauthorised vehicular and/or pedestrian movement to the satisfaction of the consent authority.
10. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Rum Jungle Road traffic.
11. The car parking areas are to be screened from the road and adjoining properties at the completion of construction to the satisfaction of the consent authority.
12. Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of 6m inside the property to allow vehicles to stand clear of Rum Jungle Road pavement and footpath.
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 any driveway and the public street.

14. 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.
15. Before the use/occupation of the development starts the landscaping works shown on endorsed plans must be carried out and completed to the satisfaction of the consent authority.
16. The landscaping shown on endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
17. The loading and unloading of goods from vehicles must only be carried out on the land, including buses and other passenger vehicles (within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land).

NOTES:

1. The development and use hereby permitted must be designed, constructed, registered and operate in accordance with the *Building Code of Australia* and the *NT Public Health Act and Regulations*.
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 to determine the Corporation's servicing requirements, and the need for upgrading of 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 amended application demonstrates compliance with Clauses 6.5.1 (Vehicle Parking) 6.5.3 (Parking Layout) Clause 6.6 (Loading Bays) and Clause 7.3 (Building Setbacks of Residential Building and Pergolas, Carports and the like). It also generally complies with clause 8.2 (Commercial and other Development in Zones ...TC...). A variation to clause 7.10.3 (Caretakers Residence) can be supported as the floor area of the caretaker's residence (at 51.84m²) is only marginally larger than provided for in this clause (50m²).

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.

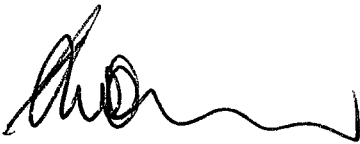
The land is flat and cleared with sporadic regrowth. The site is moderately well drained and serviced with reticulated power, water and sewerage. It is capable of supporting the development of a caravan park.

3. 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 development proposes a 4m landscaped buffer to the front boundary and fence-climbing plant species along the southern boundary. The landscaping combined with the amended design that represents a development of a much lesser density is not expected to impact on amenity.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

25/7/11

