

DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 145 – WEDNESDAY 6 APRIL 2016

TRAINING ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE

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

APOLOGIES: Craig Lambert

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

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 9.45 am and closed at 10.30 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 **AMBULANCE STATION**
PA2016/0114 **ADMINISTRATIVE LOT 2998 (46) BICENTENNIAL ROAD (PROPOSED LOT 3159),**
TOWN OF KATHERINE
APPLICANT **MKEA ARCHITECTS**

DAS tabled comments received from Power and Water Corporation.

Ms Rebecca Adams and Mr Steven Ehrlich (both MKEA) attended and tabled an amended site plan showing parking within the road reserve.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 9.1.1
23/16 (Industrial Setbacks) of the NT Planning Scheme and pursuant to section 53(b) of the
Planning Act, alter the proposed development and consent to the proposed
development as altered to develop Lot 2998 (proposed Lot 3159) (46) Bicentennial
Road, Town of Katherine for the purpose of an ambulance station 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) an amended site plan showing the parking area at the entrance to the building reconfigured as per drawing numbered MA1443-A100 dated 29/1/16 contained in the application;
 - (b) landscaping plan for the site including plantings between the building, car park and the Chardon Street boundary road reserve; and
 - (c) the location and configuration of emergency egress onto the Stuart Highway to the approval of the Department of Transport to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Katherine Town Council stormwater drainage system shall be submitted to and approved by the Katherine Town Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Katherine Town Council stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Katherine Town Council system.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Katherine Town Council to the satisfaction of the consent authority.
6. 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.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Katherine Town Council (Chardon Street) and Department of Transport (Stuart Highway), to the satisfaction of the consent authority.
8. During construction all traffic is prohibited from accessing the site via Stuart Highway and over Lot 3001 Town of Katherine. No temporary access shall be permitted and no tracked material shall be transported onto the road pavement.
9. 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.
10. 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.
11. 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.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. Storage and collection of waste disposal bins is to be provided to the requirements of the 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 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/ or surrounding infrastructure.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency'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.
4. A "Permit to Work Within a Road Reserve" is required from Katherine Town Council and Department of Transport before commencement of any work within the road reserve.
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.

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.

Due to the nature of the use seventeen car parks are adequate to accommodate the demand from the operations of an ambulance station. However the layout is altered in response to advice from Katherine Town Council and to ensure compliance with Clause 6.5 (Vehicle Parking).

Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme requires a minimum setback to at least one side boundary of 5 metres. As the building encroachment is limited to the roof overhang and the wall is articulated along this boundary the design is generally consistent with the purpose of the clause and a variation is supported.

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 site is relatively flat, well drained and contains native vegetation. The land will be serviced with reticulated power, water and sewerage services as part of the servicing requirements for the subdivision. The Department of Land Resource Management have not raised any concerns in regards to the lands capability of supporting the proposal and as such there does not appear to be any physical constraints that would prohibit the development of the land for the purpose of an ambulance station.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2016/0102
APPLICANT

CLEARING OF NATIVE VEGETATION
NT PORTION 2753 (181) COLLINS ROAD, URALLA
PETER & MARGERY LEONHARDT

DAS tabled comments received from Department of Land Resource Management.

Mr Peter & Mrs Margery Leonhardt attended.

RESOLVED
24/16

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop NT Portion 2753 (181) Collins Road, Uralla for the purpose of clearing of native vegetation, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of clearing, the land owner must seek advice from the Department of Land Resource Management on the eradication of declared Class A and Class B weeds found on the property, to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. A weed management plan must be developed and implemented to the requirements of the Department of Land Resource Management, and to the satisfaction of the consent authority.
3. The clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as "Native Vegetation to be Retained". All remaining native vegetation is to be maintained to the satisfaction of the consent authority.
4. The permit holder must ensure that the clearing operator has a copy of the permit, including the endorsed drawing, at all times during the clearing operation.

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. A "Permit to Work Within a Road Reserve" may be required from Department of Transport before commencement of any work within the Stuart Highway road reserve.
3. A permit to burn is required from the Regional Fire Control Officer, Department of Land Resource Management, prior to the ignition of any felled vegetation on the property. Fire prevention measures are to be implemented in accordance with the requirements of the Bushfires Act.
4. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
6. A groundwater extraction licence is required under the *Water Act* for any bore equipped to supply over 15 litres per second. For advice on water extraction licences please contact the Water Management branch of the Department of Land Resource Management.

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.

In determining the application the Authority considered the primary purpose of the clearing was intended to manage weeds, and based on the advice from the Department of Land Resource Management require weed eradication strategies to be considered prior to clearing and a weed management plan to be developed as a condition of consent.

Other than the north east corner, the imposition of native vegetation buffers was not considered appropriate in this instance given that:

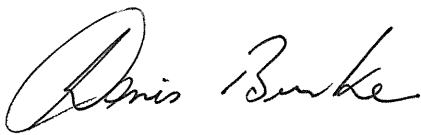
- the Department of Land Resource Management advised that the overall risks to biodiversity are low due to the clearing history and disturbed nature of the vegetation; and
- the presence of vegetation on the property to the east provides a visual screen to the neighbouring dwelling.

2. Pursuant to section 51(j) of the *Planning Act* the consent authority must take into account any potential impact on natural, social, cultural or heritage values.

To minimise the impact on natural values, the application includes a patch of native vegetation in the north eastern corner to be retained which will protect native vegetation surrounding a closed sink hole which has not previously been cleared and is connected to adjoining native vegetation to provide for wildlife movement.

ACTION: Notice of Consent and Development Permit

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



DENIS BURKE
Chairman

13/4/16

