



DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 114 – WEDNESDAY 6 MARCH 2013

**DLPE CONFERENCE ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE**

MEMBERS PRESENT Peter McQueen (Chairman) via phone, Anne Shepherd, Barry Densley, Steven Rose and Donald Higgins

APOLOGIES: Nil

OFFICERS PRESENT: Julie Bennett (in person) and Steven Kubasiewicz (via phone)
(Development Assessment Services)

COUNCIL REPRESENTATIVE: James Rowe (Manager Economic Development)

Meeting opened at 10.30 am and closed at 10.45 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 **SHED ANCILLARY TO COMMERCIAL BUSINESS**
PA2012/0905 **LOT 48 (23) FIRST STREET, TOWN OF KATHERINE**
APPLICANT **JANE BIDDLECOMBE PTY LTD AND DANIEL SULLIVAN**

DAS tabled additional comments from Katherine Town Council.

The applicant did not attend.

RESOLVED
14/13

That, the Development Consent Authority vary the requirements of 6.5.2 (Parking Layout) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to Lot 48 (23) First Street, Town of Katherine for the purpose of a warehouse to store hazardous agricultural chemicals within a defined flood area (ancillary to existing showroom sales) subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the 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) building cross section plan which shows the natural ground level, defined flood height and shelving.
 - (b) buildings material type and colour consistent with the adjoining building on the site;
 - (c) an on site 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, provision of an in ground irrigation system to all landscaped areas.
 - (d) location of line marking which designates the location of vehicles used for stock delivery in addition to customer vehicle loading;
2. Prior to the commencement of works (including site preparation) a landscaping plan is to be provided for planting within the road reserve to reduce the visual impact of the car park which:
 - (a) includes 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 and provision of an in ground irrigation system to all landscaped areas; and

- (b) is prepared to the requirements of the Katherine Town Council and Power and Water Corporation, to the satisfaction of the consent authority.
3. 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 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

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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 storage of hazardous products must be a minimum of 300mm above the applicable flood level for the property. Note: the applicable flood level for this property is 106.5 m AHD metres AHD.
8. 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.
9. 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.
10. 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; and

(e) line marked to indicate each car space and all access lanes;;
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these
purposes at all times.

11. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
12. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land).
13. 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.
14. 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.
15. 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.
16. 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.
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. The developer is required to contact 'Dial Before You Dig' on 1 100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
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 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. 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

REASONS FOR THE DECISION

1. The proposed development is consistent with the requirements of NT Planning Scheme and the primary purpose of Zone CB (Central Business) which is 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.

A variation to Clause 6.5.2 (Parking Layout) to allow for car parking along the boundary within the 3 metre setback provided that landscaping as a condition is included which ensures that landscaping is provided external to the site along the boundary to achieve the purpose of reducing the visual impact of the parking area.

Clause 6.14 (Land subject to flooding and storm surge) specifies that environmentally hazardous material should not be stored within a defined flood area. In this instance the addition is consistent with the existing use and the permit is conditional on storage on elevated shelving to reduce the risk of exposure of the environment to hazardous material in the event of flood.

2. 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.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2012/0923
APPLICANT

AWNING EXTENSION TO EXISTING LIGHT INDUSTRIAL SHED
LOT 3194 (54) CHARDON STREET, TOWN OF KATHERINE
C.A.T. CONTRACTORS PTY LTD

Mr Clayton Holland (C.A.T Contractors Pty Ltd) attended.

RESOLVED
15/13

That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements) and Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent

to the application to develop Lot 3194 (54) Chardon Street, Town of Katherine for the purpose of an awning addition to an existing light industrial shed subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0923/01 and 2012/0923/02 endorsed as forming part of this permit.
2. 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.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
4. 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.
5. The owner shall collect stormwater and discharge it to the drainage network to the technical requirements of and at no cost to the, Katherine Town Council, to the satisfaction of the consent authority.
4. 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) 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.

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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that

you have attained all necessary approvals before commencing demolition or construction works.

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.
2. Clause 6.5.1 (Parking Requirements) states that a car parking area is to be designed in accordance with clause 6.5.3 (Parking Layout) of the NT Planning Scheme, which specifies that a car park must have a driveway with a minimum width of 6m for two-way traffic flow. A minor variation to endorse a driveway width of 5 metres is supported on the basis that there is low traffic flows, the primary light industrial land use is pre-existing and the awning addition does not materially impact on this provision.
3. Clause 9.1.1 (Industrial Setbacks) is intended to ensure that buildings are sited to provide an adequate level of visual amenity in industrial zones. Given the application is for an addition to the rear of an existing building, designed as an open sided structure and setback approximately 10 metres from adjoining buildings the development is considered to be consistent with the purpose of the clause.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

8/3/13

