



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 129 – FRIDAY 29 OCTOBER 2010

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman), Richard Luxton, Michael Bowman and Plaxy Purich

APOLOGIES: Mary Walshe and Keith Aitken

OFFICERS PRESENT: Margaret Macintyre (Secretary) and Steven Kubasiewicz (Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 9.30 am and closed at 10.15 am

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

ITEM 1 TELECOMMUNICATIONS FACILITY INCLUDING 50M LATTICE TOWER,
PA2010/0983 ANTENNAS AND EQUIPMENT SHED
APPLICANT LOT 18 (110) TRIPPE ROAD, HUNDRED OF STRANGWAYS
TELSTRA CORPORATION PTY LTD

Mr Mark Baade (SK Planning) attended on behalf of the applicant.

RESOLVED
253/10

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 18 (110) Trippe Road, Hundred of Strangways for the purpose of a telecommunications facility including a 50m lattice tower, antennae and associated equipment, subject to the following conditions:

1. Works carried out under this permit shall be in accordance with drawings numbered 2010/00982/1, 2010/0983/2, 2010/0983-3 endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land show on the endorsed plan in accordance the authorities' requirements and legislation at the time.
3. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council, to the satisfaction of the consent authority.
4. Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the requirements of Litchfield 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 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. Firebreaks along boundaries or at appropriate locations on the subject site should be provided to the requirements of the NT Fire and Rescue Services.
3. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

4. The consent authority supports the co-location of telecommunications infrastructure in order to reduce the number of telecommunication towers.

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 amendment to the location of the telecommunications tower is consistent with the purpose of Clauses 13.5 (Mobile Telephone Communications Towers Etc) of the NT Planning Scheme which requires that the provision of mobile telecommunications towers and infrastructure does not unreasonably detract from the amenity of the locality.

Furthermore, the application is consistent with the objectives of the Litchfield Planning Concepts and Land Use Objectives 2002, specifically the Key Land Use Objective for Infrastructure at Section 2.5 by improving the coverage of the Telstra network in the area.

2. Pursuant to section 51 (h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of improved telecommunication services.

ACTION: Notice of Consent and Development Permit

ITEM 2 WITHDRAWN

ITEM 3 CARETAKER'S RESIDENCE
PA2010/1146 PORTION 1409 (465) HOWARD SPRINGS ROAD, HUNDRED OF BAGOT
APPLICANT RIK JONES

Mr Lyle Hebb (Program Manager DCI) attended on behalf of applicant.

RESOLVED That, the Development Consent Authority, vary Clause 7.10.3 (Caretaker's Residence) and, pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 1409 (465) Howard Springs Road, Hundred of Bagot, for the purpose of a Caretaker's Residence, subject to the following conditions:
254/10

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2010-1146-01, 2010-1146-02, 2010-1146-03 and 2010-1146-04, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for provision of water, sewerage and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

3. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development and use 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 permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Conservation Act. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Conservation Services of the Department of Natural Resources, Environment, The Arts and Sport.
3. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

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 variation to Clause 7.10.3 (Caretaker's Residence) to a second caretaker's residence to be constructed with a floor area of 77.5m² is supported as the residence will replace an existing dilapidated structure and has been positioned to minimise any impact on amenity of the surrounding nature reserve.

The proposed development will not be visible from the main road or the access roads and is suitably setback from all boundaries.

2. Pursuant to section 51 (h) of the *Planning Act*, the consent authority must take into consideration the merits of the proposal.

The proposed development will provide accommodation for the rangers responsible for the management of the reserve which is considered to be in the interest of the public.

ACTION: Notice of Consent and Development Permit

ITEM 4
PA2010/1029
APPLICANT

SINGLE DWELLING AND SHED WITH REDUCED FRONT AND SIDE SETBACKS
LOT 176 (30) AUSTIN STREET, TOWN SITE OF SOUTHPORT
PETER McNAMARA

Mrs Vicki McNamara attended on behalf of her husband who sent his apologies.

RESOLVED
255/10

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 176 (30) Austin Street, Town of Southport for the purpose of a single dwelling and shed with reduced front and side setbacks to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Information from the applicant advising of the date when all structures on the site were erected; and
- Details on any building permits that have been issued in relation to all existing structures on the site.

REASON FOR THE DECISION

Consideration of the application is deferred by the authority so that additional information can be provided by the applicant to enable the proper consideration of the application by the authority.

ACTION: Advice to Applicant

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



PETER MCQUEEN
Chairman

29/10/10

