



DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 109 – WEDNESDAY 1 AUGUST 2012

MEMBERS PRESENT Peter McQueen (Chairman by Phone), Barry Densley, Anne Shepherd, Henry Higgins and Steven Rose

APOLOGIES: Nil

OFFICERS PRESENT: Steven Kubasiewicz, Julie Bennett and Michael O'Neill (Development Assessment Services)

COUNCIL REPRESENTATIVE: NIL

Meeting opened at 10.30 am and closed at 11.00 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 **SUBDIVISION TO CREATE 17 LOTS**
PA2012/0409 **NT PORTION 5692 (1661) STUART HIGHWAY, LANSDOWNE**
APPLICANT **PLANIT CONSULTING PTY LTD**

DAS tabled comments from Department of Natural Resources, Environment, The Arts and Sport dated 24 July 2012 and 16 March 2011, and comments from Department of Lands and Planning dated July 2012.

Mr Paddy Fordham (owner) attended.

RESOLVED
38/12

That, pursuant to section 46(4)(c) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop NT Portion 5692 (1661) Stuart Highway, Lansdowne for the purpose of subdivision pending the determination of a Planning Scheme amendment to rezone part NT Portion 5692 from Zone A (Agriculture) to Zone RL (Rural Living).

REASONS FOR THE DECISION

1. Pursuant to section 51(b) of the *Planning Act*, the consent authority must take into consideration any proposed amendments to such a planning scheme that applies to the land to which the application relates.

The application to rezone part NT Portion 5692 from Zone A (Agriculture) to Zone RL (Rural Living) has been on exhibition but is yet to be determined. Should the land be rezoned there is the potential to integrate the subdivision of the land in a manner that maximises development potential in consideration of the constraints/opportunities that the land presents.

ACTION: Advice to Applicant

ITEM 2 **CHANGE OF USE OF UNIT FROM DWELLING TO OFFICE AND TEMPORARY**
PA2012/0301 **STAFF ACCOMMODATION**
APPLICANT **LOT 446 (9) MANNION STREET, TOWN OF KATHERINE**
TERRITORY DEVELOPMENT CONSULTANTS

Ms Nanette Helder (Territory Development Consultants) attended.

RESOLVED
39/12

That pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 446 (9) Mannion Street, Town of Katherine for the purpose of a change in use from multiple dwelling to office and temporary staff accommodation, subject to the following conditions:

1. Works carried out under this permit shall be in accordance with drawings numbered 2012/0301/1 and 2012/0301/2 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 water supply, drainage, sewerage facilities, electricity services and telecommunication services to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time
3. Only two car parking spaces on the property to be available at all times for the exclusive use of the occupants of the development and their clients.
4. No vehicle parking on Mannion Street road reserve is permitted for the occupants of the development and their clients (on street parking available on First Street).
5. The use may operate only between the hours of 7:00 am to 5:00 pm Monday to Friday.
6. The office use approved by this permit is for the purpose of surveying and development consultancy services only and limited to two permanent and two casual staff.
7. Signage shall be erected to the road frontage relating to the parking of vehicles 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 land owner should ensure that the proposed development has the required building permit for the change in use.

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 proposed development was found to be compliance with the relevant provisions.

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 proposed use is within an existing multiple dwelling complex of three townhouse dwellings provided with a total of six car parks. The nature of the use is unlikely to have a significant detrimental affect on the amenity of the area given the small scale nature of the use and the type of activities undertaken. Whilst parking for one staff member and client vehicles may not be available on site, there is adequate on street parking available within 100 metres on First Street.

ACTION: Notice of Consent and Development Permit

ITEM 3 **ADDITION TO EXISTING EDUCATIONAL ESTABLISHMENT WITHIN A DEFINED**
PA2012/0440 **FLOOD AREA**
APPLICANT **LOT 1142 (11) KINTORE STREET, TOWN OF KATHERINE**
 DEPARTMENT OF CONSTRUCTION AND INFRASTRUCTURE

Mr Gordon Atkinson (Department of Construction and Infrastructure) attended.

RESOLVED
40/12

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 1142, (11) Kintore Street, Town of Katherine to develop additions to an existing educational establishment, subject to the following conditions:

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) a parking layout accommodating nine car parks that complies with the dimensions specified in Clause 6.5.3 (Parking Layout);
 - (b) convenient and equitable access to the building from the street to persons with disabilities;
 - (c) extension of the new footpath to join the footpath along Kintore Street;
 - (d) landscaping between the front boundary and the car park (to be specified); and
 - (e) removal of reference to 'proposed new classroom not part of this contract.
2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity services and telecommunication services to the land shown on the endorsed

plans in accordance with the authorities' requirements and relevant legislation at the time

4. Before the use or occupation of the development starts, the area(s) 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.

5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Katherine Town Council, to the satisfaction of the consent authority.

6. 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 the Katherine 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. 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. 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 as approved will comply with the requirements of the NT Planning Scheme and significantly improve on the existing parking and vehicular servicing arrangements.

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.

Conditions have been attached to the permit requiring that plans be provided that demonstrate convenient and equitable access for persons with disabilities is provided to the development.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

10/08/12