



DEVELOPMENT CONSENT AUTHORITY

KATHERINE DIVISION

MINUTES

MEETING No. 119 – WEDNESDAY 4 SEPTEMBER 2013

**MAIN TRAINING ROOM
1ST FLOOR GOVERNMENT CENTRE
5 FIRST STREET
KATHERINE**

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

APOLOGIES: Nil

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

COUNCIL REPRESENTATIVE: James Rowe (Manager Economic Development)

Meeting opened at 10.30 am and closed at 12 noon

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 **HOSTEL IN A SINGLE STOREY BUILDING**
PA2013/0468 **NT PORTION 3165 (100) LANSDOWNE ROAD, LANSDOWNE**
APPLICANT **JASON HILLIER**

Mr Jason Hillier attended.

Submitters in attendance: - Mr Michael & Mrs Kathryn Whitehouse, Mr Doug and Mrs Yvonne Glasson, Mr Jim Doig and Ms Kerry Hewitt and Ms Sharee McKnoulty.

RESOLVED
61/13

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop NT Portion 3165 (100) Lansdowne Road, Lansdowne for the purpose of a hostel in a single storey building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the occupation of the development, 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 minimum of seven on site car parking in accordance with Clause 6.5.3 (Parking Layout) of the NT Planning Scheme.
 - b) landscaping plan including:
 - i. a survey of existing vegetation to be retained and/or removed;
 - ii. details of surface finishes of pathways and driveways;
 - iii. a planting schedule of proposed trees, shrubs and ground covers, and canopy trees, including names, pot sizes, sizes at maturity, and quantities of each plant;
 - iv. landscaping and planting within open areas of the site;
All species selected must be to the satisfaction of the consent authority.
 - c) Fencing of the development and of the pool including:
 - i. detail of materials and colour schemes;
 - ii. demonstration that fencing is animal-proof; and
 - iii. demonstration how local privacy and amenity will be protected.
 - d) identification of a waste storage area

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The development approved by this permit shall not be occupied until such time as a certificate of occupancy has been granted by an appropriately qualified person.
4. Prior to occupation of the development, an approved effluent disposal system to the requirements of the Department of Health and to the satisfaction of the consent authority must be installed and all waste must be disposed of within the curtilage of the property.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, electricity facilities and telecommunication networks to the development 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. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access and streetscaping are to be to the technical requirements of Katherine Town Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
8. 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 cracker dust or similar dust suppressant;
 - d) drained;
 - e) marked to indicate each space and access ways; and
 - f) 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.
9. 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.
10. 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.

11. Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to stand clear of Lansdowne Road.
12. "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.
13. Access to and egress from the site for all vehicles (including waste collection and construction vehicles) must only be from Lansdowne Road.
14. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
15. Provision must be made on the land for the storage and collection of garbage and other solid waste to the requirements of the Department of Health. This area must be graded and drained and screened from public view on the advice of the Department of Health to the satisfaction of the consent authority.
16. All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.
17. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - d) presence of vermin
18. Before the 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.
19. 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.
20. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
21. Facilities and infrastructure for fighting fire on the site are to be established to the requirements of Bushfires NT to the satisfaction of the consent authority.
22. Before the occupation of the development, maintenance firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of

the consent authority on advice from Bushfires NT, Department of Land Resource Management/Northern Territory Fire and Rescue Services.

23. Supplementing water tanks with groundwater extracted on site is not permitted.

NOTES:

1. 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.
2. A "Permit to Work Within a Road Reserve" may be required from Katherine Town Council before commencement of any work within the road reserve.
3. 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.
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. The applicant is advised to engage a building certifier, within the meaning of the *Building Act*, as to whether the building/s comply with the *Building Act*.
6. In accordance with Clause 7.2 (Second Dwellings in Zone H and A) of the NT Planning Scheme, the development of any dwellings additional to those included in plans endorsed as forming a part of this permit, is not permitted.
7. 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.
8. The operator is responsible for the treatment of their own water supplies. If community bore water is transported to on site tanks the operator must take responsibility for chlorinating their water and maintaining their tanks.

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 proposal generally complies with the relevant requirements of the NT Planning Scheme. Although the site is large enough to cater for associated car parking, a condition precedent has been included

requiring the applicant to submit amended plans demonstrating the location of seven car parks and their compliance with Clause 6.5.3 (Parking Layout) of the Scheme.

Clause 2.5 (Exercise of Discretion by the Consent Authority) allows for the authority to impose a condition requiring a higher standard of development than is prescribed by the Scheme. The requirement to provide seven car parks will ensure that occupants of the seven rooms have their own individual car parking spaces in a location where options for other forms of transport are limited.

2. Pursuant to section 51(e) of the *Planning Act*, the consent authority must take into consideration any submissions made under section 49 in relation to the development application.

It is not anticipated that the establishment of a hostel on the subject site will significantly increase local traffic and impact on road safety. Various standard and specific conditions have been recommended and are intended to address the concerns raised by submitters. These include the requirements for landscaping, prohibition of using on-site groundwater for supplementing rainwater tanks, onsite effluent disposal to the satisfaction of the Department of Health, and appropriate water supply. The inclusion of standard conditions relating to the establishment of car parking, road access, and rubbish collection are anticipated to address concerns relating to the appearance and operation of the development.

3. 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.

The subject site is generally capable of supporting the proposed development. Water Resources Branch, Department of Land Resource Management, has confirmed that the use of groundwater to supply the proposed hostel is suitable, as the water demand is unlikely to exceed the minimum level whereby a water extraction licence would be required in accordance with the local water allocation plan. Water Resources Branch does not consider that the proposed use will impact on the declared beneficial uses in the area over and beyond any that are associated with the current development on the subject land. A general condition preventing the supplement of the existing water tanks from groundwater has also been included, with a note directing the applicant to contact the Water Resources Branch of the Department of Land Resource Management regarding water extraction licences.

4. 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 establishment of a hostel of this scale in this location is not anticipated to significantly impact on local amenity. The building is approximately 100metres from the adjoining residence and landscaping

and fencing is required by the permit to be established to screen the hostel from the adjoining residence. The inclusion of conditions relating to the maintenance of landscaping, appropriate rubbish collection and removal, and general management of the site are expected to protect local privacy and amenity.

5. Pursuant to section 51 (n) of the *Planning Act* the consent authority must take into consideration the public interest.

It is in the public interest to ensure that any structure being used for accommodation purposes is fit for its use. The inclusion of a condition that the hostel not be occupied until such time as a certificate of occupancy has been issued will ensure that the public will be occupying a building that is fit for its intended use.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

13 /9/13

