

DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 177 – FRIDAY 18 JULY 2014

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman), Keith Aitken, Bob Shewring, Victor Statham and Allan McKay

APOLOGIES: Michael Bowman

OFFICERS PRESENT: Nicole Negrete (A/Secretary), Steven Kubasiewicz, Allison Hooper, Sarah Gooding and Sharon Reid (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 10.00 am and closed at 11.00 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 **SUBDIVISION TO CREATE 3 ALLOTMENTS**
PA2014/0386 **SECTION 1905 (1000) CHANNEL ISLAND ROAD, HUNDRED OF AYERS**
APPLICANT **LAND DEVELOPMENT CORPORATION**

Mr Paul James (Land Development Corporation) Attended

Mr George Kakakios sent his apologies

RESOLVED
151/14

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 1905 (1000) Channel Island Road, Hundred of Ayers for the purpose of a subdivision to create 3 lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning and the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP.
2. Prior to the commencement of works a Traffic Impact Assessment (TIA) must be submitted to and approved by the consent authority. The TIA must detail the development's traffic generation, trip distribution, traffic operation Impact, the nature and timing of impacts, and recommended measures required to accommodate and/or mitigate the traffic impacts of the development, including construction traffic. All road sections and/or intersection where traffic generated by the development increases the existing traffic or existing portion of heavy vehicle traffic or equivalent standard axles must be assessed. When approved, the plan will be endorsed and will form part of the permit. Two copies of the plan must be submitted. The plan must be developed in consultation the Department of Transport.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with drawing number 2014/0386/1 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, drainage, and electricity facilities to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
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. All proposed works within, or impacting upon, Channel Island Road are to be designed, supervised and certified on completion by a practising and registered Civil Engineer in accordance with the standards and specifications of the Department of Transport, to the satisfaction of the consent authority.
8. Access to the site shall not be permitted from Channel Island Road. Access, both for construction purposes and permanently, shall be via the internal local road network, to the requirements of Litchfield Council or the Department of Transport, as the case may be, to the satisfaction of the consent authority.
9. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, signage and streetscaping are to be to the technical requirements of the Department of Transport to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
10. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping and tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network, to the satisfaction of the consent authority.
11. This permit does not include the excavation or filling of any land associated with lots A and B as shown on the plan of division.

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. 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.
3. A "Permit to Work within a Road Reserve" may be required from the Department of Infrastructure before commencement of any work within the road reserve.

4. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the DLRM website: <http://lrm.nt.gov.au/soil/management>

REASONS FOR THE RECOMMENDATION

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 area for subdivision is located within Zone U (Utility) of the Northern Territory Planning Scheme. The purpose of this clause is to ensure the use or development of land in Zone U does not prejudice the future development of the utility. The proposed subdivision will facilitate a proposed power utility service and future strategic industrial uses. The intent of the subdivision is to accommodate a range of activities over time. The lots are of a sufficient size to accommodate industrial use. Any future developments on the site will require the lodgement of a new planning application for assessment however the intentions for the new lots, as mentioned within the application, appear to be compatible with the existing and future uses within the area. Section 1905 is located within Locality 21 (Middle Arm Peninsula) of the Litchfield Planning Concepts and Land Use Objectives. The intent of this locality is for the development of future major industries, particularly those that require separation from other uses north of Channel Island Road and general industries and aquaculture south of the road. The purpose of the proposed subdivision is to facilitate future industrial uses on the land. Therefore, it is considered that the subdivision is consistent with the intent of the Middle Arm area.

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 application details nominate that Lot A is to be affected by bulk earth works without nominating what these earth works are. Accordingly the permit excludes and excavation or filling of Lot A. No works are proposed to Lot B. Lots A and B are not likely to be impacted by storm surge events as these lots are outside of any primary and secondary storm surge area. Provided that an appropriate ESCP is implemented on-site, it is considered that the land is capable of supporting the new lots.
3. 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. Provided that road designs are informed by an Traffic Impact Assessment that considers the future uses of the area; that an appropriate ESCP is implemented on-site; and given the nature of the surrounding area and its intended use for future utilities and strategic and gas related industries, it is considered unlikely that the subdivision will have any negative impact on the surrounding area.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2014/0354

ADDITIONS TO AN EXISTING SHOOTING COMPLEX
SECTION 4447 (240) BRANDT ROAD, HUNDRED OF BAGOT

APPLICANT **NT FIELD AND GAME ASSOCIATION INC**

Mr George Hennessy, Mr Bart Irwin, Mr Bradly Hallam (NT Field and Game Association INC) Attended

Peter Bedggood and Ms Patricia Gary sent their apologies.

RESOLVED
152/14

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 4447 (240) Brandt Road Hundred of Bagot, for the purpose of additions to an existing shooting complex, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings numbered 2014/0354/01 and 2014/0354/02 inclusive endorsed as forming part of this permit.
3. The proprietors must have in place at all times and adhere to the Environmental Stewardship Plan, to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time, as determined necessary by the Power and Water Corporation.

NOTES:

1. 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.

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 generally complies with the provisions of the NT Planning Scheme as they relate to 'leisure and recreation'. The development includes an informal car parking area that is capable of accommodating 36 vehicles. Based on the justifications provided by the

applicant and the location and nature of the development, the carparking area is considered sufficient in this instance.

The subject site is situated within Locality 1 (Ironstone and Knuckey Lagoons) of the Litchfield Planning Concepts and Land Use Objectives 2002, the intent of which is the continued development for rural living and community uses with extension to Crocodylus Park and enhanced protection of the catchment of Holmes Jungle and Ironstone and Knuckey Lagoons. The intent of Locality 1 specifically refers to the importance of the recognition of the Micket Creek Shooting Complex as a regional recreation facility. The proposed additions to the Micket Creek Shooting Complex are consistent with the intent for this area.

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 application proposes to clear 4.7ha of native vegetation for access and maintenance purposes and to accommodate a Junior Coaching and Fixed Shooting Complex. Otherwise the site will remain largely undisturbed. The development does not include the clearing of any rainforest vegetation, although, due to the extent of the clearing proposed, the Department of Land Resource Management (DLRM) recommends that an ESCP is developed and approved, prior to the commencement of works, in order to minimise degradation of the site.

The application includes an Environmental Stewardship Plan which details strategies to identify and manage areas of potential environmental concern. DLRM advised that the proposed development poses a low risk to biodiversity values in the area and that any residual risk is adequately mitigated by measures outlined in the Environmental Stewardship Plan.

Reticulated power and water services are available in the area. Reticulated sewerage is unavailable and portable toilets will be located on the site and will be serviced at regular intervals.

Provided that an ESCP is developed and implemented on site and the Environmental Stewardship Plan is adhered to at all times, the land is considered capable of supporting the proposed development

3. 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 development has the potential to impact on the amenity of adjoining land owners/occupiers resulting from shooting. A Noise Survey conducted to ascertain impacts of the development on surrounding residents in the area concluded that the proposed clay target shooting range does not pose an auditory concern for noise sensitive residences to the south of the Complex. No significant impact on amenity resulting from this development is anticipated.

ACTION:

Notice of Consent and Development Permit

ITEM 3
PA2014/0164

SUBDIVISION TO CREATE 8 LOTS
SECTION 764 (670) LETCHFORD ROAD, HUNDRED OF CAVENAGH

APPLICANT **BTO PTY LTD**

DAS tabled additional information and revised plans.

Mr Ken Gardner (Applicant) Mr Peter Chapman (engineer)
Doug Sallis (owner) attended

Mr Gerry Wood, Mr Greg Chapman and Diana Rickard sent their apologies

RESOLVED
153/14

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Section 670 (764) Letchford Road, Hundred Of Cavanagh for the purpose of a subdivision to create eight lots to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- Additional information in relation to this subdivision was received by Development Assessment Services a day before the meeting and tabled at the meeting. The proposed changes include a reduction in the number of lots and additional information in relation to the capability of the land. The application is deferred to allow for consultation with the Litchfield Council and the Department of Land Resource Management on the proposed changes and whether each lot is will result in a minimum of 1ha of land unconstrained by storm tide flooding, riverine flooding or localised stormwater flooding.

REASONS FOR THE RECOMMENDATION

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 application details have been amended including a reduction in the number of lots and changes to the property boundaries. Advice on the proposed changes is required from service authorities to determine if the subdivision is consistent with the requirements of the NT Planning Scheme.

**RESOLVED
154/14**

That pursuant to Section 86 of the Planning Act the Development Consent Authority delegates to the chairman, or in the chairman's absence any one of the other members of the Litchfield division the power under Section 53 of the Act to determine the application to develop Section 670 (764) Letchford Road, Hundred Of Cavanagh for the purpose of a subdivision to create eight lots subject to ;

- The amended details be circulated to the relevant service authorities and it can be demonstrated that each lot has a minimum of 1ha of land unconstrained by storm tide flooding, riverine flooding or localised stormwater flooding.

ACTION: Deferral and Delegate

**ITEM 4
PA2014/0243
APPLICANT**

**SUBDIVISION TO CREATE 2 LOTS
SECTION 2523 (150) DARWIN RIVER ROAD, HUNDRED OF CAVENAGH
DAVID ANTHONY BRADSHAW**

Mr David Bradshaw sent his apologies

**RESOLVED
155/14**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 2523 (150) Darwin River Road, Hundred of Cavanagh for the purpose of a subdivision to create two lots, subject to the following conditions:

1. The works carried out under this permit are to be in accordance with the drawing numbered 2014/0243/01, endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the satisfaction of the relevant service authority to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity supply and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council and the Department of Transport, to the satisfaction of the consent authority.
And The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) collect stormwater and discharge it to the drainage network; and
 - (c) undertake reinstatement works;
all to the technical requirements of and at no cost to the Litchfield Council and the Department of Transport, to the satisfaction of the consent authority.

6. All proposed work affecting the Mira Road road reserve is to be designed, supervised and certified on completion by a practicing and registered Civil Engineer in accordance with the standards and specifications of the Litchfield Council to the satisfaction of the consent authority. Drawings must be submitted to the Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve" from Council.
7. All proposed work affecting the Darwin River Road road reserve is to be designed, supervised and certified on completion by a practicing and registered Civil Engineer in accordance with the standards and specifications of the Department of Transport to the satisfaction of the consent authority. Drawings must be submitted to the Transport Infrastructure Planning Division of the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work within a Road Reserve" from the Department of Infrastructure.
8. Where unfenced, the Darwin River Road frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction of the consent authority.
9. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from Bushfires NT.
10. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
11. Before the issue of titles and pursuant to section 34 of the Land Title Act, a Caution Notice shall be lodged with the Registrar-General on proposed Lot A of endorsed drawing number 2014/0243/01 a statement to the effect that: "Unconstrained access to the parcel may not be obtained from Mira Road at certain times of the year". Evidence of lodgement on the parcel shall be provided to the satisfaction of the consent authority.
12. This development is subject to the Litchfield Council Developer Contribution Plan. The developer shall pay a development levy as per the plan.

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. 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.

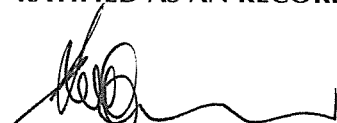
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
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.
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 at <http://lrm.nt.gov.au/soil/management/factsheets>.

REASONS FOR THE RECOMMENDATION

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 applicant has provided a preliminary Land Suitability Assessment in accordance with Clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) of the NT Planning Scheme. The assessment demonstrates, and the Department of Land Resource Management has confirmed, that 1ha of unconstrained land is available to each proposed lot. Proposed Lot A is to gain access from Mira Road, a gazetted public road that is not constructed or maintained by Litchfield Council. There is some concern that this road may not be accessible year round, and so a Caution Notice is required for the new title of that lot to inform future owners of this constraint.
2. Pursuant to section 51(j) of the Planning Act, the consent authority must take into account the capability of the land to support the proposed development. The capability of the land to support the proposed subdivision has been demonstrated through the preliminary land suitability assessment. A condition is included that requires the developer to employ erosion and sediment control measures throughout the construction stage of the subdivision.

ACTION: Notice of Consent and Development Permit

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


PETER MCQUEEN
Chairman

25/7/14