DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 197 – FRIDAY 15 APRIL 2016

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

MEMBERS PRESENT: Denis Burke (Chairman), Keith Aitken, Bob Shewring, Wendy Smith and Christine Osborn

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Steven Kubasiewicz, Dawn Parkes, Sonia Barnes and Anthony Brennan (Development Assessment Services)

COUNCIL REPRESENTATIVE: Edward Li (Engineer)

Meeting opened at 10.00 am and closed at 4.00 pm
ITEM 1  CLEARING OF NATIVE VEGETATION
PA2015/0858 LOT 14 (65) PERENTIE ROAD, HUNDRED OF CAVENAGH
APPLICANT  CRAIG SHEATHER

Mr Craig Sheather and Ms Thanh Thai (landowner) attended.

RESOLVED 44/16

That, the Development Consent Authority, pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 14 (65) Perentie Road, Hundred of Cavenagh for the purpose of clearing native vegetation subject to the following conditions:

CONDITIONS PRECEDENT

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 site plan at a legible scale to include:
   i. Dimensions of all areas to be cleared including distance to boundaries;
   ii. Clearly marked 20m wide buffers to all boundaries;
   iii. The total cleared area in hectares; and
   iv. The areas to be cleared identified as “permitted clearing”

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 clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as “Permitted Clearing”. All remaining native vegetation is to be maintained to the satisfaction of the consent authority.

4. The permit holder must ensure that the clearing operator has a copy of the permit, including the endorsed drawing, at all times during the clearing operation.

5. Before the vegetation removal starts, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the consent authority.

6. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council. The owner shall collect stormwater and discharge it to the drainage network and undertake
reinstatement works, all to the technical requirements of and at no cost to Litchfield Council, to the satisfaction of the consent authority.

7. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

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. 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.

3. A permit to burn is required from the Regional Fire Control Officer, Department of Land Resource Management, prior to the ignition of any felled vegetation on the property. Fire prevention measures are to be implemented in accordance with the requirements of the Bushfires Act.

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. 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.

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 use of land for either horticulture or agriculture is a permitted use in Zone R (Rural) and the application complies with the requirements of Clause 10.3 (Clearing of Native Vegetation).

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 Department of Land Resource Management has confirmed that the soils and slope of the land have been assessed as being capable of supporting the land use for agriculture.
Additionally, water requirements are confirmed to be within the sustainable yield of the water resource in this location.

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. Native vegetation buffers have been retained to all boundaries of the site to maintain amenity to adjoining properties and limit the potential impact of the clearing.

**ACTION:** Notice of Consent and Development Permit

**ITEM 2**
**PA2016/0085**
**APPLICANT**

SUBDIVISION TO CREATE 2 LOTS
LOT 14 (250) VIRGINIA ROAD, HUNDRED OF STRANGWAYS
LAND SURVEYS NO PROBLEMS JUST SOLUTIONS

Mr Brendan Knox (Land Surveys No Problems Just Solutions) and Ms Janie Andrews (landowner) attended.

Submitters Mr Mark Crozier attended.

**RESOLVED 45/16**

That, pursuant to section 53(c) of the Planning Act, the Development Consent Authority refuse to consent to the application to develop Lot 14 (250) Virginia Road, Hundred of Strangways for the purpose of a subdivision to create 2 lots for the following reasons:

**REASONS FOR THE DECISION**

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land to which the application relates. The proposal does not comply with Clause 11.4.2 (Subdivision of Rural and Unzoned Land) sub-clause 2(d) which requires that “…where no reticulated water is available, demonstrate that an adequate supply of groundwater is available for domestic purposes”, and Clause 11.4.3 sub-clause 1(c) which requires that “…do not impose unsustainable demands on groundwater or unreasonably degrade the environment”. The proposed development overlies the Koolpinyah formation which is typically a low yielding aquifer, with a sustainable yield of 500ML/y. With an estimated 200 current users of this system at 3.5ML/y per block, the total usage of 700ML/y already exceeds the sustainable yield. This application to subdivide will result in the addition of another block representing an additional usage of 3.5ML/y to the system. This is not supported by the Authority as it represents unsustainable demands on groundwater.

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 Department of Land Resource Management advised that there is an issue of resource sustainability in this aquifer system (Koolpinyah formation) and that current usage already exceeds the sustainable yield of the resource. The applicant has not satisfactorily demonstrated that a suitable and sustainable groundwater source is available, and that the proposed subdivision would not impact on the availability and sustainability of the existing water source to current landowners and land users in the locality. The Authority therefore considers that the land is not capable of supporting the proposed development.

**ACTION:** Notice of Refusal

**ITEM 3**
**PA2016/0076**

**48 X 2 BEDROOM MULTIPLE DWELLINGS IN A 4 STOREY BUILDING AND BASEMENT PARKING**

**SECTION 6514 & 6515 (35 & 31) FAIRWEATHER CRESCENT, HUNDRED OF BAGOT**

**APPLICANT**
GEORGE SAVVAS

DAS tabled a submission from Gerry Wood MLA.

Mr George Savvas, Mr Michael and Mr George Vazanellis (Landowners) attended.

Submitter Mr Gerry Wood MLA attended.

**RESOLVED**

46/16

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Sections 6514 (35) & 6515 (31) Fairweather Crescent, Hundred of Bagot for the purpose of 48 x 2 bedroom multiple dwellings in a 4 storey building and basement car parking, 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:

1. Support from the Power and Water Corporation (water services) in regards to the capacity of the onsite wastewater treatment plant.
2. Amended plans to show:
   a) Greater compliance with the requirements of the NT Planning Scheme, in particular with Clause 7.1.1 (Residential Density Limitations) and Clause 7.6 (Communal Open Space); and
   b) Design changes to achieve greater compliance with Clause 7.8 (Building Design for Multiple Dwellings...) that incorporate:
      i. Changes to the eastern façade to break up the expanse of blank wall; and
      ii. The addition of a screen to the roof slab of the undercroft car parking area along Fairweather Crescent (to screen the slab and exposed services from the street frontage).
REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land to which the application relates. The proposed development is consistent with the primary purpose of Zone MR (Medium Density Residential) which is to provide for a range of housing options to a maximum height of 4 storeys above ground level. Development within Zone MR needs to consider the availability or future availability of services to support multiple dwelling residential developments. The water services division of the Power and Water Corporation (PWC) has raised concern regarding the current capacity of the onsite wastewater treatment plant and its capacity to cope with the increased load as a result of the increased density being proposed. The Authority determined that support from PWC is necessary before the proposal can be considered.

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 Power and Water Corporation (PWC) is unable to support the proposed development as it exceeds the Equivalent Persons (EP) allocation given to this site. PWC explain that the subdivision in which the subject land is located has been planned and (water supply and sewerage) serviced for a total of 70 EP for lots 6514 and 6515. This allocation is used to appropriately size water supply and sewerage services including wastewater treatment and effluent disposal. The current application at 96 EP exceeds this allocation. At this stage the treatment solution is still on trial and PWC are not supportive of increasing above the agreed loads as the existing system is not yet operating at full capacity to be able to determine how well the system is performing. PWC would require a number of years of full capacity operation, in various weather conditions to be able to see that the risks associated with additional load are indeed mitigated.

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 application is consistent with the primary purpose of Zone MR (Medium Density Residential) which is to provide for a range of housing options to a maximum height of four storeys. Amendments to the proposal, in particular to the density proposed, are necessary to ensure that the onsite wastewater treatment plant, that services all of the residences in the Coolalinga subdivision, is capable of supporting the proposed development without adversely impacting on the amenity of the area. In addition, the Authority determined that amendments to the design were necessary to ensure that the proposal includes a suitable area of communal open space that considers the overall dwelling density proposed for the site; the need to clearly distinguish communal open space from private and public open space.
and the need to maintain the reasonable privacy of nearby dwellings; the type of activities provided for; the projected needs of children for outdoor play; and the provision of landscaping and shade.

Submission of a Traffic Impact Report is necessary to satisfy Councils concerns regarding the placement of the driveway crossover along Grice Crescent and the impact of any additional density proposed beyond what is expected under the traditional density approved at the time of subdivision. In particular, the impact of the Grice Crescent access on queuing for the intersection of Grice Crescent and Fairweather Crescent.

**ACTION:** Advice to Applicant

<table>
<thead>
<tr>
<th>ITEM 4</th>
<th>SUBDIVISION TO CREATE 3 LOTS</th>
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<tbody>
<tr>
<td>PA2015/0864</td>
<td>SECTION 5346 (839) PIONEER DRIVE, HUNDRED OF STRANGWAYS</td>
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<tr>
<td>APPLICANT</td>
<td>EARL JAMES AND ASSOCIATES</td>
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</tbody>
</table>

DAS tabled further information from the applicant.

Mr Kevin Dodd (Earl James and Associates) and Mr Jeff Hunnam (landowner) attended.

Mr Dodd tabled previous approvals of similar subdivision designs to the one being proposed.

Submitter Mr Gerry Wood MLA attended.

Mr Peter Vasel, Director Pollution Control NTEPA attended.

**RESOLVED**

That, the Development Consent Authority vary the requirements of Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the NT Planning Scheme, and pursuant to section 53(b) of the Planning Act, alter the proposed development and consent to the proposed development as altered to develop Section 5346 (839) Pioneer Drive, Hundred of Strangways for the purpose of subdivision to create 3 lots, subject to the following conditions:

**CONDITIONS PRECEDENT**

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 must be generally in accordance with the plans submitted with the application but modified to show:
   a) The extension of the cul-de-sac to the divergence of the battleaxe handles, to the requirements of Litchfield Council, to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its...
discharge into the Litchfield Council stormwater drainage system shall be submitted to and approved by Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

3. Prior to the endorsement of plans and prior to commencement of works (including site preparation) a qualified person, experienced in the investigation and assessment of contaminated land, must undertake a preliminary site investigation and provide clearance that the grounds of the site are free of soil contaminants historically used in horticulture and suitable for their intended use. This clearance will form part of this permit and must be provided to the Northern Territory Environment Protection Authority, to the satisfaction of the consent authority.

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. 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.

6. 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.

7. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

8. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, electricity facilities and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

9. 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.

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 issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT (Department of Land Resource Management).

12. Before the use commences the owner must, in accordance with Part 6 of the Planning Act, pay a monetary contribution to the Litchfield Council for the
upgrade of local infrastructure, in accordance with its Development Contribution Plan.

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. The Power and Water Corporation advise that the internal electrical installation to proposed lots B and C to ensure that the voltage drop would not exceed the acceptable limit is expensive (ten thousands of dollars more compared to standard lot) to prospective land owner.

3. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites in the Northern Territory. 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. 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.

5. 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.

6. The applicant is advised to engage a building certifier, within the meaning of the Building Act, as to whether the existing buildings comply with the Building Act and associated Regulations.

7. All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or place.names@nt.gov.au Further information can be found at www.placenames.nt.gov.au.

8. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011) For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land to which the application relates. The proposed subdivision largely complies with the relevant provisions of the NT Planning Scheme and is consistent with the intent of the Litchfield Planning Concepts and Land Use Objectives (LUO) 2002. The Darwin Regional Land Use Plan indicates the subject site for Rural Lifestyle purposes which is consistent with the proposal. A variation to Clause 11.1.1 (Minimum Lot Sizes and Requirements) is supported as the Authority determined that proposed Lot A is still of a suitable size capable of accommodating potential future uses, as per the purpose of the clause. Clause 11.4.2 (Lot Size and Configuration in Subdivision of Rural and Unzoned Land) sub-clause 3(f) states that “roads in rural subdivision should provide direct access to lots and avoid battleaxe strips, however, where justified, battleaxe strips should be (i) not less than 10m wide; and (ii) less than 250m in length.” Litchfield Council does not support more than one adjacent battleaxe lot in any one subdivision and stated that approval for the proposal would be subject to the cul-de-sac extending to the divergence of the battleaxe handles (which would create a longer cul-de-sac and no battleaxes). The Authority determined to support Council’s position and to require the applicant to amend the proposal.

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 Authority acknowledge the comments from the Department of Land Resource Management (DLRM) which state that the proposed subdivision will preclude the potential future development of two rural residential allotments relying on this aquifer for household and garden water supply, but note that DLRM estimate that there is 900ML/year currently available for allocation to additional consumptive uses in the Central Zone. The Authority therefore considers that the additional 2 lots created through this subdivision would leave 893ML/year available for further allocation and will not impose unsustainable demands on groundwater. A number of standard conditions relating to the servicing of the subject land have been applied to the development permit and will help ensure that the land is capable of supporting its intended use(s).

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. There is no reason to suggest that the proposed subdivision will impact on the existing or future amenity of the area, particularly given that access arrangements have been amended to ensure safety along Pioneer Drive.
4. A condition requiring the applicant to provide clearance that the grounds of the site are free of soil contaminants historically used in horticulture and suitable for their intended use has been including on the advice of the Northern Territory Environment Protection Authority (NTEPA). The NTEPA advised that the current and historical land use of the site has been identified as horticulture and due to the potential risks to human health the NTEPA recommends, and the Authority concurs, that the proponent demonstrate that the site is suitable for its proposed use, prior to works being undertaken on site.

**ACTION:** Notice of Consent and Development Permit

<table>
<thead>
<tr>
<th>ITEM 5</th>
<th>INDEPENDENT UNIT WITH AN INDEPENDENT EFFLUENT DISPOSAL SYSTEM</th>
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<tbody>
<tr>
<td>PA2016/0135</td>
<td>LOT 21 (75) JERVOIS ROAD, HUNDRED OF STRANGWAYS</td>
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<tr>
<td>APPLICANT</td>
<td>ONE PLANNING CONSULT</td>
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</tbody>
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Mr Israel Kgosiemang (One Planning Consult) attended.

**RESOLVED**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the proposed development to develop Lot 21 (75) Jervois Road, Hundred of Strangways, for the purpose of an independent unit with an independent effluent disposal system, subject to the following circumstances.

**CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation) a suitably qualified environmental practitioner, experienced in the investigation and assessment of contaminated land, must provide clearance that the grounds of the site are free of contaminants. This clearance will form part of this permit and must be provided to the Northern Territory Environment Protection Authority, to the satisfaction of the consent authority.

**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. 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.

4. 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.

5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Litchfield Council to the satisfaction of the consent authority.

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These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

8. Soil erosion and dust control measures must be employed throughout the construction stage of the development 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/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 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

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 application is consistent with the primary purpose of the Zone RL (Rural Living) of the NT Planning Scheme as it is considered to be in accordance with the nature and scale of development reasonably anticipated on a Rural Living zoned lot in Virginia.

2. A variation to the requirements of Clause 7.10.4 (Independent Units) sub-clause 2(d) of the NT Planning Scheme to allow for the installation of an additional effluent disposal system is granted as:
   - A licensed certifying plumber has provided documentary evidence that the existing effluent disposal system is incapable of accepting the increased load; and
   - The development is considered appropriate to the site and unlikely to unduly impact on the amenity of neighbouring properties.

3. Pursuant to Section 51(n) of the Planning Act, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.
   The development will not increase density in the area beyond that expected in Zone RL (Rural Living); is appropriately set back from all lot boundaries; and will be appropriately serviced. As such, it is anticipated that the independent unit will have no impact on the existing and future amenity of the area.
4. A condition requiring the applicant to provide clearance that the grounds of the site are free of contaminants has been included on the advice of the Northern Territory Environment Protection Authority (NTEPA). The NTEPA advised that the current and historical land use of the site has been identified as horticulture and due to the potential risks to human health the NTEPA recommends, and the Authority concurs, that the proponent demonstrate that the grounds of the site are free of contaminants, prior to works being undertaken on site.

**ACTION:** Notice of Consent and Development Permit

**ITEM 6**
**PA2015/0296**
**APPLICANT** WELLARD RURAL EXPORTS PTY LTD

Mr Simon Lott and Mr Richard Pillow (both EnviroAg), Mr Bernie Brosnan (Wellard Rural Exports) and Mr Brad Cunnington (Northern Planning Consultants) attended.

Mr Pillow tabled a request to amend recommended condition 9.

**RESOLVED**
**49/16**

That, the Development Consent Authority vary the requirements of Clause 6.1 (General Height Control) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 5544 (2658) Stuart Hwy, Hundred of Strangways for the purpose of intensive animal husbandry, subject to the following conditions:

**CONDITIONS PRECEDENT**

**Stage 1**

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 elevations inclusive of details on the height, colours and finishes of all the buildings and structures proposed.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a traffic impact assessment report prepared in accordance with the Austroads document ‘Guide to Traffic Management Part 12: Traffic Impacts of Developments’. The report 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 intersections where traffic generated by the development increases the existing traffic, existing proportion of heavy vehicle traffic or equivalent standard axels (ESAs) by 5% or more must be assessed. The report is to be to the approval of the Department of Transport, to the satisfaction of the consent authority.
3. 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 DLRM. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, on the advice of DLRM. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning, and in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. Information regarding ESCP content is available at www.austieca.com.au.

4. Prior to commencement of construction of water holding infrastructure, a Water Monitoring Plan, incorporating the monitoring of surface water quality and groundwater quality and quantity, must be submitted to and approved by the consent authority in consultation with and to the satisfaction of the Northern Territory Environment Protection Authority. The plan should allow for the collection of adequate water quality and quantity data. When approved, the plan will be endorsed and will then form part of the permit. The plan is to monitor the quality and quantity of:
   a) Shallow transient groundwater associated with stormwater and wastewater infiltration; and
   b) The aquifer from which the water supply will be extracted.

5. Prior to the commencement of works (including site preparation), a Construction Environmental Management Plan (CEMP) for the construction stage of the development and all of its components must be submitted to and approved by the consent authority upon the advice of the Department of Health (Medical Entomology) and the Northern Territory Environment Protection Authority. When approved, the CEMP will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan which must include:
   a) overall environmental objectives for the establishment of the use and techniques for their achievement during the construction period;
   b) detailed plans of all effluent dams on site demonstrating that the proposed treated effluent storage dams and associated infrastructure are designed to prevent mosquito breeding and have sufficient capacity to contain all potentially contaminated runoff and waste water in a 1 in 20 year ARI event and demonstrating procedures to ensure that no significant adverse environmental impacts occur as a result of the use including contingency measures in the event of imminent discharge or leakage of waste water or effluent;
   c) detailed plans of all stormwater dams on site designed to prevent mosquito breeding;
   d) proposed monitoring and reporting systems to be employed during the construction and establishment of the use; and
   e) identification of possible risks of operational failure and response measures to be implemented during the construction and establishment of the use.
Stage 2

6. Prior to the commencement of Stage 2 works the developer is to conduct a ‘Level 3’ odour impact assessment (odour modelling). The odour modelling shall be informed by the necessary operational and meteorological data collected at the site during Stage 1, and shall consider cumulative odour impacts. No Stage 2 works or use will be permitted until such time as the developer can demonstrate satisfactory management of odour during Stage 1 of the project and an acceptable assessment of the odour impacts for Stage 2 of the project.

Additionally, no Stage 2 works or use will be permitted until such time as the developer can demonstrate satisfactory management of all key environmental risks and impacts identified in the Northern Territory Environment Protection Authority Environmental Assessment Report No. 78 to the requirements of the Northern Territory Environment Protection Authority to the satisfaction of the consent authority.

GENERAL CONDITIONS

7. Before the use starts, an Operational Environmental Management Plan (OEMP) for the management of all facets of the Integrated Live Export Facility operation must be submitted to and approved by the consent authority on the advice of the Department of Health (Medical Entomology and Environmental Health Divisions) and Northern Territory Environment Protection Authority. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan.

The OEMP must be consistent with all other relevant Plans and must include:

a) overall environmental objectives for the operation of the use and techniques for their achievement and performance indicators as a basis for measuring achievement of environmental objectives;

b) day to day management requirements for the use incorporating noise, odour and dust control principles and mechanisms as identified in the Wellard Environmental Impact Statement and the associated Northern Territory Environment Protection Authority Environmental Assessment Report No. 78 and its recommendations;

c) a stormwater management plan (a copy to be provided to Litchfield Council for their records);

d) a detailed Irrigation Management Plan (IMP) including but not limited to the following:
   i. the fodder crop species to be used,
   ii. the type of irrigator and the actual size, orientation and layout of the irrigation zones, including scaled plans; and
   iii. the potential for redundancy in irrigation zones where the indicated crop performance levels are not being achieved with respect to nutrient uptake and soil integrity;

e) a weed management plan;

f) delineation of proposed grazing areas;

g) an Integrated Pest and Disease Management Program;

h) Proposed storage and treatment of compost generated as part of the operation;

i) Proposed monitoring and reporting systems including identification of possible risks of operational failure and response measures to be implemented to ensure that no significant adverse environmental impacts occur as a result of the use or in the event of imminent discharge or leakage of waste water or effluent;
j) a communication and consultation strategy; and
k) any other plan that may be required as a result of condition 9.

8. The design of the waste water treatment system must not result in any impact on the amenity of the locality through the generation of odours or impact on the natural values of the locality through contamination or failure events.

9. The owner shall:
   a) remove all dead livestock carcasses from the Integrated Live Export Facility site for appropriate treatment and/or disposal in an approved waste disposal facility; OR, and subject to written confirmation from the Northern Territory Environment Protection Authority that it is an acceptable substitution for condition 9 (a);
   b) prepare a livestock mortality management plan to be included as part of the OEMP for the on-site management and composting of occasional mortalities/euthanized animals and specific strategies involving federal authorities for more significant events.

10. Under the provisions of clause 14A of the Administrative Procedures of the Environmental Assessment Act, the proponent is obliged to advise the Northern Territory Environment Protection Authority of any changes to the proposal for determination of whether or not further assessment is required.

11. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

12. The development must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed in writing by the consent authority.

13. The developer must obtain legal access from the Stuart Highway to/from the site of the proposed development.

14. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply (for domestic and emergency purposes only), electricity facilities and telecommunication networks to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

15. 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.

16. Any intersection and/or road upgrade works identified in the Traffic Impact Report and/or required to accommodate the proposed development shall be carried out by the Developer, at the developer’s cost, to the standards and requirements of the Department of Transport, to the satisfaction of the consent authority.

17. Before the use starts an Operational Traffic Management Plan (detailing access routes, vehicle types and other relevant matters, including risk assessment) shall be submitted to the Department of Transport.
18. Where unfenced, the Stuart Highway Road frontage is to be appropriately fenced in accordance with the Department of Transport’s standards and requirements to deter unauthorised vehicle movement, to the satisfaction to the consent authority.

19. 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) line-marked to indicate each car space and all access lanes; and
   e) 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.

20. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided to the requirements and satisfaction of the consent authority.

21. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.

22. 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.

23. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or to any watercourse.

24. The permit holder is to ensure water supply infrastructure and appropriate facilities established on the site are adequate for fire fighting purposes on the advice of the Power and Water Corporation and the Northern Territory Fire and Rescue Service to the satisfaction of the consent authority. Built water tanks nominated for fire management are to be adequately filled at all times.

25. Appropriate measures must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways to the satisfaction of the consent authority.

26. A landscaping plan shall be prepared and submitted for approval by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:
   a) the areas nominated for landscaping;
   b) a list of plant species;
   c) the number of plants to be used per species and total number; and
d) identify areas where existing vegetation buffers are to be retained and distinguish these from areas to be landscaped.

27. Before the use or 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.

28. 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.

29. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.

30. Upon completion of any works within the Stuart Highway road reserve the road reserve shall be rehabilitated to the standards and requirements of the Department of Transport.

31. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

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 to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. NT EPA advises that an Environment Protection Approval to construct and an Environment Protection Licence to operate will be required under the Waste Management and Pollution Control Act.

3. It is an offence to interfere with or cause damage to sacred sites identified in accordance with the Northern Territory Aboriginal Sacred Sites Act and as such the developer should obtain an 'Authority Certificate' from the Aboriginal Areas Protection Authority prior to the commencement of any works.

4. All proposed works (including the provision or connection of services) within, or impacting on the Stuart Highway road reserve shall be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Department of Transport. Drawings must be submitted to the Transport Infrastructure Planning Division for approval and no works within, or impacting upon NT Government road reserves are to commence prior to gaining road agency approval.
5. A “Permit to Work Within a Road Reserve” may be required from the Department of Infrastructure before commencement of any work within the Stuart Highway road reserve.

6. The finish of any Prime Identification sign, if erected, must be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign must be positioned:
(a) so as not to create sun or headlight reflection to motorists; and
(b) be located entirely (including foundations and aerially) within the subject lot.
Advertising signage, either permanent or temporary ie: ‘A frame, vehicle or trailer mounted etc must not be erected or located within the road reserve.

7. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

REASONS FOR THE DECISION

1. Pursuant to Section 51(a) of the Planning Act, the consent authority must take into account any planning scheme that applies to the land to which the proposed development relates.

The primary purpose of Zone R (Rural) is to provide for a range of activities including residential, agricultural and other rural activities. The proposal for an Integrated Livestock Export Facility is consistent with the definition of intensive animal husbandry which is a discretionary land use in Zone R (Rural) subject to compliance with the relevant clauses of the NTPS.

Supporting documents prepared by the applicant are indicative that the proposal has given appropriate consideration with regards to planning and management of the establishment of the Integrated Livestock Export Facility. Provided the proposal is established and operated in accordance with the conditions of the permit (which include the incorporation of the Northern Territory Environmental Protection Agency recommendations) there should be an adequate separation between the use and surrounding Zone R (Rural) land in accordance with the purpose of the zone.

The application does not include elevation drawings however the statement of effect identifies that the proposed height of the sheds and feedmill infrastructure may exceed 8.5m as required by Clause 6.1 (General Height Control). Subject to additional plans being provided to show elevations inclusive of details on the height, colours and finishes of all the buildings and structures proposed it is considered that locating a limited number of structures exceeding 8.5m in height in this location will not cause any significant visual impacts when viewed from the Stuart Highway or adjoining land.

Having regard to the proposed design, operational odour management measures, separation distances and the NT EPA Environmental Assessment Report No. 78 it is considered that
Stage 1 of the proposal could be managed and operated to comply with the requirements of Clause 10.1 (Animal Related Development) of the NT Planning Scheme in ensuring that its activities do not detract from the amenity of the surrounding area. Expansion of the facility as proposed for Stage 2 could potentially increase the potential for impacts on the amenity of the locality which necessitates the requirement for Condition Precedent No. 6 requiring the applicant to demonstrate satisfactory odour management during Stage 1 and an acceptable assessment of odour impacts for Stage 2 before any Stage 2 works commence. Additionally, no Stage 2 works or use will be permitted until such time as the developer can demonstrate satisfactory management of all key environmental risks and impacts identified in the Northern Territory Environmental Protection Agency Environmental Assessment Report No.78. Should the requirements of the Northern Territory Environmental Protection Agency be unable to be satisfied, Stage 2 will be unable to commence.

The Darwin Regional Land Use Plan is a policy document within the Northern Territory Planning Scheme (Clause 2.7) which informs interpretation of the Scheme and determinations of the consent authority. Notwithstanding the potential for conflict between the proposed Integrated Livestock Export Facility and the range of uses that might anticipated in the adjacent Urban/Peri Urban or Rural Lifestyle area, neither the Darwin Regional Land Use Plan or the Northern Territory Planning Scheme identify an exclusion or any additional requirements for an intensive animal husbandry use. It is therefore considered that the proposal can only reasonably be assessed against the current adjoining land uses being Zone R (Rural) and given its compliance with the relevant clauses of the Scheme it is considered to comply when assessed as a whole.

2. The Northern Territory Environmental Protection Agency advises that environmental impacts of Stage 1 of the Project can be managed through development of specific management plans in accordance with recommendations detailed in the Wellard Public Environmental Impact Statement and the associated Northern Territory Environmental Protection Agency Environmental Assessment Report No.78 which will be subject to regular monitoring and review.

3. Pursuant to section 51(j) of the Planning Act, the consent authority must take into account 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. In addition, pursuant to section 51(m) of the Planning Act, the consent authority must take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer. The land is considered capable of supporting the proposal with respect to stormwater management, waste disposal and erosion and sediment control provided the development is established and operated in accordance with the conditions of the permit.
With regards to groundwater supply, and notwithstanding the limited understanding of the connectivity between aquifers in the area or what the potential effects of extraction on other users of the aquifer might be, the Department of Land resource Management have not advised of any issues which might limit the capability of the land to support the proposed development or existing development on other land. As such the land is considered capable of supporting the proposal within the context of Section 51(j) of the Planning Act.

4. Pursuant to section 51(n) of the Planning Act, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. Amenity impacts such as odour, dust and noise account for the majority of concerns a development such as this might create. These have all been assessed by the Northern Territory Environmental Protection Agency as manageable through the specific requirements of Clause 10.1 (Animal Related Development) of the NT Planning Scheme.

**ACTION:** Notice of Consent and Development Permit

**ITEM 7**
**PA2015/0749**
**APPLICANT**
EARL JAMES AND ASSOCIATES

Mr Kevin Dodd (Earl James & Associates), Mr Ron & Mrs Jenny Day (landowners) and Mr Ian Lancaster (KSI Land and Water Planning), attended.

Submitters:- Ms Heidi Jennings and Ms Pauline Cass attended.

Maria and Louise representing Parks and Wildlife attended.

**RESOLVED**
**50/16**

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Section 1809 (115) Oxford Road, Hundred of Ayers 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:

1. The outcome of discussions and/or agreements with the Department of Land Resource Management regarding (a) securing adequate water supply for the development for domestic purposes; and (b) the provision of new septic systems on blocks within 500m of any springs within the Berry Springs system.

**REASONS FOR THE DECISION**

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

The Authority determined that they are unable to make a decision on the proposal without knowing what the outcome of further discussions and/or agreements with the Department of Land Resource Management...
will entail. Clause 4.1 (Administration of the NT Planning Scheme) states that the administration of the NT Planning Scheme is to (b) "...contribute to the sustainable use and development of land and water resources so that the use and development of land is consistent with the principles of sustainable development and avoids pollution and minimises degradation of the environment or over commitment of water resources." The Authority require the requested information to ensure that adequate groundwater can be secured and that appropriate effluent disposal systems are installed to prevent pollution of ground or surface waters, particularly given the sensitive location of the site adjacent to Berry Springs Nature Park and the Territory Wildlife Park.

ACTION: Advice to Applicant

ITEM 8  
SUBDIVISION TO CREATE 2 LOTS (BOUNDARY REALIGNMENT)
PA2015/0924
LOTS 49 & 57 (35 & 31) MCAULAY ROAD, HUNDRED OF STRANGWAYS
APPLICANT  
LITCHFIELD COUNCIL

Pursuant to section 97 of the Planning Act, Mrs Christine Osborn, a member of the Litchfield Division of the Development Consent Authority declared a conflict of and was not present during and did not take part in any deliberation or decision of the Division in relation to Item 8.

Pursuant to section 97 of the Planning Act, Ms Wendy Smith member of the Litchfield Division of the Development Consent Authority declared a conflict of interest and was not present during and did not take part in any deliberation or decision of the Division in relation to Item 8.

Ms Wendy Smith (Planning Manager Litchfield Council) attended for this item.

RESOLVED  
51/16

That, the Development Consent Authority vary the requirements of Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 57 (31) and Lot 49 (35) McAulay Road, Hundred of Strangways for the purpose of a subdivision to create 2 lots (boundary realignment), subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0924/01- 2015/0924/02 endorsed as forming part of this permit.

2. 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.

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.
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.

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. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011) For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into Account any planning scheme that applies to the land to which the application relates.
   With the exception of Clause 11.1.1 (Minimum Lot Sizes and Requirements) the subdivision complies with the relevant provisions of the NT Planning Scheme. A variation to Clause 11.1.1 is supported as the lot size is considered appropriate for the existing use.

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 boundary realignment is not expected to impact on the amenity of the area as the existing uses of the land (rural living and a drainage easement) remain the same.

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 to support the proposed development and the effect of the development on the land and on other land, the physical characteristics to which may be affected by the development.
   The land is capable of supporting the existing land uses and the proposed boundary realignment is not anticipated to impact on land capability.

ACTION: Notice of Consent and Development Permit
UNIT TITLE SCHEMES SUBDIVISION TO CREATE 53 LOTS AND COMMON PROPERTY  
SECTION 1603 (185) CYRUS ROAD & SECTION 1607 BERRY SPRINGS, HUNDRED OF AYERS  
APPLICANT MASTERPLAN NT

DAS tabled comments from NTEPA.

Mr Jack Priestly and Ms Keri-Anne Tatchell (both from Masterplan), Mr Brad Fullwood (Landonwer), Mr Ian Lancaster (KSI Land and Water Planning), Mr Chris Brady (EcOz Consulting) and Mr Tim Jacobs (JKW Law) attended.

Mr Priestly tabled comments from DLRM dated 14 April 2016.

Submitters in attendance:- Mr Adam Body, Mr Gerry Wood MLA, Ms Heidi Jennings, Mr Nicholas McGrath, Mr Geoffrey Graveson, Ms Grace Graveson, Planning Action Network represented by Ms Margaret Clinch, Parks and Wildlife represented by Maria and Louise.

RESOLVED  
That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Sections 1603 and 1607 (185) Cyrus Road, Hundred of Ayers for the purpose of a subdivision to create 53 lots and common property lots, to allow consideration of late comments from the Department of Land Resource Management and outstanding comments from the Northern Territory Environment Protection Authority.

REASONS FOR THE DECISION

1. Clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) subclause 5 requires that “The consent authority must not consent to a subdivision unless the relevant government agencies, local government and service authorities provide formal comment to the consent authority in relation to the land suitability assessment and stormwater management plan and the possibility of storm tide flooding, riverine flooding and localised stormwater flooding of the identified 1ha of land.”

Amendments to the application were submitted to Development Assessment Services (DAS) on 7 March 2016 and recirculated to all public submitters and service authorities on 10 March 2016. The amended application was later re-advertised and placed on public exhibition between 18 March and 01 April 2016. Revised comments from the Department of Land Resource Management were received on the morning of the Development Consent Authority meeting and therefore the Authority had insufficient time to consider these comments. Deferral of the application is necessary to allow DAS to consider the revised comments before making a recommendation to the Authority.

2. Original comments received from the Northern Territory Environment Protection Authority (NTEPA) advised that they were considering the application as a notice in accordance with clause 6(1) of the Environmental Assessment Administrative Procedures (EAAP) due to the identification of risks to threatened species and regional water resources.
The NTEPA requested additional information from the applicant to help decide whether or not an environmental impact statement is required.

Further correspondence was received from the NTEPA on 14 March 2016 advising that as the NTEPA require the other service authority comments to make a recommendation to the NTEPA, the outcome will be outside the date for submissions of the 25 March however they will endeavour to complete the assessment as soon as practicable. The Department of Land Resource Management only provided their revised comments on the morning of the Development Consent Authority meeting and therefore the NTEPA have not been able to complete their assessment. The NTEPA states that the comments from DLRM are critical to their assessment. Deferral of the application is necessary to allow time for the NTEPA to complete their assessment and for DAS to then review the revised comments before making any recommendation to the Authority.

ACTION: Advice to Applicant

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

DENIS BURKE
Chairman
21/4/16