



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 157 – FRIDAY 16 NOVEMBER 2012

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman), Keith Aitken, Richard Luxton, Michael Bowman and Allan McKay

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Steven Kubasiewicz, Allison Hooper, Lauren Firby and for part of the meeting Sharon Reid (Development Assessment Services)

COUNCIL REPRESENTATIVE: Ms Jan Salmon (Council Planner)

Meeting opened at 10.15 am and closed at 1.00 pm

CONDITION PRECEDENT

1. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater infrastructure, stormwater drains and drainage easements, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management (Natural Resources Management Division), 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.
2. 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 on the advice of the Litchfield Council. 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) provision for a corner cut off to be provided to the intersection of Freds Pass Road and Redcliff Road

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
4. Before the issue of titles, fire access trails along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from Bushfires NT.
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. 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.
8. Engineering design, calculations and specifications for the proposed and affected roads, stormwater drainage, street lighting and vehicular accesses are to be submitted for technical approval to Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

9. The developer is to ensure all development work is undertaken in a manner that prevents the creation of a public health nuisance from dust or other particulate matter.
10. Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar General on the parent parcel to include the following advice on proposed lot F as indicated on the endorsed drawings. The Caution Notice is to state that "*An Alternative Wastewater Treatment System may be required as adequate separation distances for traditional septic systems may not be achievable on all sites.*" Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.
11. All 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.
12. This development is subject to the Litchfield Council Developer Contribution Plan.

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 Natural Resources, Environment, The Arts and Sport.
2. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
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 onsite and/or surrounding infrastructure.
4. Advice regarding the potential impact of biting insects and appropriate measures to minimise the potential for creating mosquito breeding sites can be obtained from the Senior Medical Entomologist, Department of Health. The developer should consider the document '*Guidelines for Preventing Biting Insect Problems for New Rural Residential Development or Subdivision in the Top End of the Northern Territory*'.
5. The installation of any new waste water treatment and disposal systems must comply with the NT Code of Practice for Small On-site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent (*The Code*).

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 application is generally consistent with the objectives of the *Litchfield Planning Concepts and Land Use Objectives 2002*.

The applicant has demonstrated that the proposal can comply with the relevant provisions of the NT Planning Scheme, including the requirement to provide a minimum of 1ha of unconstrained land, and for adequate separation distances between bores and onsite waste water treatment systems. The corner cut off has been requested by Litchfield Council to achieve a suitable curve to this intersection.

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 applicant has undertaken ground truthing and demonstrated that all proposed lots can provided a minimum of 1ha of unconstrained, accessible land capable of supporting uses and structures associated with rural living. Due to the configuration of proposed lot F in relation to the unconstrained land, a Caution Notice is to be placed on the title of proposed lot F advising that an alternative waste water treatment system may be required as separation distances for traditional disposal systems may not be achievable.

ACTION: Notice of Consent and Development Permit

ITEM 3 **CHANGES TO THE CORRECTIONAL FACILITY APPROVED BY DP11/0764 &**
PA2012/0696 **DP11/0764A**
SECTION 6222 (325) WILLARD ROAD, HUNDRED OF BAGOT
APPLICANT **MASTERPLAN NT**

Mr Brad Cunnington (Masterplan NT) attended.

RESOLVED That, pursuant to section 53(a) of the *Planning Act*, the Development Consent
307/12 Authority consent to the application to develop Section 6222 (325) Willard Road, Hundred of Bagot for the purpose of Changes to the Correctional Facility approved by DP11/0764 and DP11/0764A, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works outside the 'Stage 1 Vegetation Clearing Area' as shown on the Vegetation Clearance Plan endorsed as part of DP11/0764A (drawing number 2011/0633-5A) an appropriately amended

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. Works are to be carried out under this permit shall be in accordance with the drawing numbers 2012/0696/01 to 2012/0696/06 endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, telecommunication networks and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. 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) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
5. The 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.
6. 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.
7. 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.

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 onsite and/or surrounding infrastructure.

2. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
3. 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.
4. 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*.
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 permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Conservation Act*. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Conservation Services of the Department of Lands, Planning and the Environment.
7. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the Building Code of Australia, the NT Public Health Act and Regulations, the NT Food Act and National Food Safety Standards.
8. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. 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.

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 proposed development is consistent with the purpose of Zone CP (Community Purpose) which is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for the civic and government administration.

2. Pursuant to Section 51(j) which refers to land capability, the inclusion of a condition precedent relating to an amended erosion and sediment control plan will mitigate against any adverse impacts associated with erosion and sedimentation and ensure that the development is capable of continuing without causing unreasonable environmental degradation of the locality.
3. Pursuant to section 51(n) of the *Planning Act*, the Development Consent Authority must take into consideration the potential impact on the existing and future amenity of the area. The overall development is consistent with the type and scale of the development expected in Zone CP (Community Purpose). The amendments do not significantly alter the design originally approved and are therefore not expected to negatively impact the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 4 **EXCAVATION AND FILL**
PA2012/0671 **LOT H (13) RADFORD ROAD, HUNDRED OF BAGOT**
APPLICANT **BRYAN ARGENT**

Mr Bryan Argent attended.

RESOLVED That, pursuant to section 53(a) of the *Planning Act*, the Development Consent
308/12 Authority consent to the application to develop Lot H (13) Radford Road, Hundred of Bagot, for the purpose of excavation and fill, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the 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) the design of the excavation and fill works and any retaining walls, prepared and certified by a suitably qualified engineer.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation works), written confirmation must be received from the City of Palmerston confirming that no adverse downstream hydrological impacts will result from the proposed works.
3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains and flows, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management (Natural Resources Management Division), 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

4. All works undertaken in relation to Condition 1 are to be certified by a suitably qualified engineer.
5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
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. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council and/or City of Palmerston drains or to any watercourse.

NOTE:

1. Professional advice regarding implementation of soil erosion and dust control measures to be employed throughout the construction phase of the development are available from Natural Resources Management Division, Department of Land Resources Management

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act* the Development 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 relevant objectives of the *Litchfield Planning Concepts and Land Use Objectives 2002* that seek to maintain and enhance the amenity for residents and minimise the impact of development on the environment. The development is consistent with the requirements of Clause 6.16 (Excavation and Fill) of the NT Planning Scheme, and the site is considered suitable for the proposed use.

The inclusion of the Condition Precedent requiring amended plans prepared and certified by a suitably qualified engineer will ensure the structural integrity of the excavation and fill works. The preparation and implementation of an erosion and sediment control plan will ensure that stormwater flows across the site are appropriately managed and do not detrimentally affect the subject land or adjoining land. The inclusion of City of Palmerston in any stormwater and/or hydrological design process is considered necessary to ensure that any adverse downstream hydrological impacts are addressed.

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 excavation and fill will contribute to the amenity enjoyed by the occupants of the existing dwelling on the site.

ACTION: Notice of Consent and Development Permit

**ITEM 5
PA2012/0649
APPLICANT**

**SUBDIVISION TO CREATE 3 LOTS
LOT 6 (55) KINNERLEY ROAD, HUNDRED OF STRANGWAYS
EARL JAMES AND ASSOCIATES**

DAS tabled an addendum.

Mr Kevin Dodd (Earl James and Associates) and Mr Bill Duminski (owner) attended.

**RESOLVED
309/12**

That, pursuant to section 53 (a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 6 LTO68/002 (55) Kinnerley Road, Hundred of Strangways for the purpose of a subdivision to create 3 lots subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2012/0649/01 endorsed as forming part of this permit.
2. 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.
3. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage and vehicular access are to be to the technical requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. This development is subject to the Litchfield Shire Council Developer Contribution Plan. The developer shall pay a development levy as per Locality 3C of this plan for the additional lots created, to the Litchfield Council.
6. Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General, on the parent parcel to include the following advice on Lots A and B as indicated on the endorsed drawings. The Caution Notice it to state that: "*There may be limited options for*

the placement of infrastructure. A non-standard septic system may be required on this allotment". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.'

7. 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.
8. 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. A "Permit to Work Within a Road Reserve" may be required from the Litchfield Council before commencement of any work within the road reserve.
2. The installation of septic systems is to be in accordance with the requirements of the *Building Act* and 'NT Code of Practice for Small On-Site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent'.
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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
4. This development must conform to the criteria outlined in "*Guidelines for Preventing Biting Insect Problems for New Rural Residential Developments or Subdivision in the Top End of the Northern Territory*". The permit holder is to liaise with the Senior Medical Entomologist, Department of Health and Community Services regarding advice on potential impact of biting insects to the development and appropriate measures to minimise the potential for creating mosquito breeding sites.

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.

This proposal complies with the relevant provisions of the NT Planning Scheme. The proposed lots comply with the minimum lot size requirements and each lot contains a minimum of 1ha unconstrained land and unconstrained access to that land.

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 site is relatively flat and unconstrained. There is minimal risk of erosion occurring as a result of the subdivision. The land is considered capable of supporting the proposed subdivision.

The requirement for a Caution Notice to be placed on proposed Lots A and B addresses the concerns raised by the Development Assessment Services and the Department of Health in regards to the required separation distances for between on-site waste water treatment systems to infrastructure and seepage lines on/affecting those lots.

ACTION: Notice of Consent and Development Permit

**ITEM 6
PA2012/0685
APPLICANT**

**3 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
SECTION 6554 (42) GRICE CRESCENT, HUNDRED OF BAGOT
RAW DESIGNS**

The applicant did not attend.

**RESOLVED
310/12**

That, the Development Consent Authority vary the requirements of Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 6554 (42) Grice Crescent, Hundred of Bagot for the purpose of 3x3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0685/1 to 2012/0685/4 inclusive, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and 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.
3. 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.
4. 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.
5. 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.

6. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.
7. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseases or damaged plants are to be replaced.
9. 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.
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. No fence, tree, hedge or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council 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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. 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.

REASONS FOR THE DECISION

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

A variation to Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme is supported as the reduced front and rear setback will not adversely affect the amenity of the surrounding area.

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 and the effect of the development on adjoining land. No land capability concerns were identified during the assessment of this proposal. The proposal is consistent with the MD (multiple dwelling residential) zoning of the property. The development of multiple dwellings at the site will not affect development on adjoining land.

ACTION: Notice of Consent and Development Permit

**ITEM 7
PA2012/0686
APPLICANT**

**4 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
SECTION 6533 (1) HAVELOCK STREET, HUNDRED OF BAGOT
RAW DESIGNS**

The applicant did not attend.

**RESOLVED
311/12**

That, the Development Consent Authority vary the requirements of Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 6533 (1) Havelock Street, Hundred of Bagot for the purpose of 4x3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0686/1 to 2012/0686/4 inclusive, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and 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.
3. 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.

4. 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.
5. 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.
6. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.
7. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
8. 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.
9. 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.
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. No fence, tree, hedge or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council 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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. 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.

REASONS FOR THE DECISION

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

A variation to Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 m and for Residential Buildings Over 4 Storeys in Height) of the NT Planning Scheme is supported as the reduced front and rear setback will not adversely affect the amenity of the surrounding area.

3. 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 and the effect of the development on adjoining land.

No land capability concerns were identified during the assessment of this proposal. The proposal is consistent with the MD (multiple dwelling residential) zoning of the property. The development of multiple dwellings at the site will not affect development on adjoining land.

ACTION: Notice of Consent and Development Permit

ITEM 8 **2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**
PA2012/0678 **SECTION 6545 (14) CONSTANT STREET, HUNDRED OF BAGOT**
APPLICANT **RAW DESIGNS**

The applicant did not attend.

RESOLVED
312/12

That, the Development Consent Authority vary the requirements of Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 storeys in height) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 6545 (14) Constant Street, Hundred of Bagot, for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

CONDITION 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:

- (a) correctly show the location of the property in relation to Grice Crescent and Constant Street on the site plan (i.e. delete the reference to Havelock Crescent); and
- (b) show the location of the Power and Water Corporation easement in the north-west corner of the allotment.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, telecommunication networks and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. 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.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Litchfield Council, to the satisfaction of the consent authority.
6. 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.
7. Before the use/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.
8. 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.
9. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner, to the satisfaction of the consent authority.
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. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
12. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council to the satisfaction of the consent authority.
13. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.

NOTES:

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meet minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. 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. The developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group 1800 810 443.
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.

REASONS FOR THE DECISION

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

The proposal to develop the lot with 2 x 3 bedroom multiple dwellings is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme which is for the purpose of providing a range of housing options to a maximum of two storeys. The development is considered to be of a scale, character and architectural style reasonably anticipated in the area once the remainder of the subdivision is developed.

A variation to Clause 7.3.1 of the Scheme to allow the dwellings to be located 0.5m closer to the front boundary than permitted is supported as:

- the non-compliance is considered minor in nature in terms of the overall level of compliance achieved in other aspects of the design;
- the building frontage has a varied facade which will minimise the visual bulk of the building on the streetscape; and
- the proposed setback is expected to be consistent with future development on the street as it does not encroach into the minimum 6.0m setback ordinarily required by the Scheme. It is unlikely that the reduced setback would visually impact on the streetscape as dwellings on this site and adjacent sites could locate an open structure within 4.5m of the front boundary.

ACTION: Notice of Consent and Development Permit

ITEM 9 **2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING**
PA2012/0677 **SECTION 6544 (12) CONSTANT STREET, HUNDRED OF BAGOT**
APPLICANT **RAW DESIGNS**

The applicant did not attend.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.3.1
313/12 (Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 storeys in height) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 6544 (12) Constant Street, Hundred of Bagot, for the purpose of 2 x 3 bedroom multiple dwellings in a single storey building, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with drawing numbers 2012/0677/1 to 2012/0677/4 inclusive, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, telecommunication networks and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

3. Any developments on or adjacent to any easements on site shall be carried out to the requirements 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 the 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.
6. Before the use/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.
7. 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.
8. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner, to the satisfaction of the consent authority.
9. 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.
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. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.
12. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meet minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

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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.

REASONS FOR THE DECISION

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

The proposal to develop the lot with 2 x 3 bedroom multiple dwellings is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme which is for the purpose of providing a range of housing options to a maximum of two storeys. The development is considered to be of a scale, character and architectural style reasonably anticipated in the area once the remainder of the subdivision is developed.

A variation to Clause 7.3.1 of the Scheme to allow the dwellings to be located 0.5m closer to the front boundary than permitted is supported as:

- the non-compliance is considered minor in nature in terms of the overall level of compliance achieved in other aspects of the design;
- the building frontage has a varied facade which will minimise the visual bulk of the building on the streetscape; and
- the proposed setback is expected to be consistent with future development on the street as it does not encroach into the minimum 6.0m setback ordinarily required by the Scheme. It is unlikely that the reduced setback would visually impact on the streetscape as dwellings on this site and adjacent sites could locate an open structure within 4.5m of the front boundary.

2. 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 application is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential), will aid in providing a mix of housing options in the Litchfield area and is likely to positively contribute to the future residential amenity of the locality.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

21/11/12