DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 158 – FRIDAY 7 DECEMBER 2012

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

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

APOLOGIES: Richard Luxton

OFFICERS PRESENT: Margaret Macintyre (Secretary), Steven Kubasiewicz and for part of the meeting Maree Domelow, Sarah Gooding, Allison Hooper, Lauren Firby and Sally Cunningham (Development Assessment Services)

COUNCIL REPRESENTATIVE: John Delaney (Director of Planning & Works) and Mike Alarcon

Meeting opened at 9.30 am and closed at 3.00 pm
ITEM 1  CLEARING OF NATIVE VEGETATION
PA2012/0710  SECTION 2474 (665) HOPEWELL ROAD, HUNDRED OF CAVENAGH
APPLICANT  JOCELYN NATHANAEL-WALTERS

DAS tabled two aerial photos of the site and surrounding area.

Mr Dylan Walters attended on behalf of the applicant.

RESOLVED 343/12 That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 2474 (665) Hopewell Road, Hundred of Cavenagh for the purpose of clearing of 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 and on the advice of the Environmental Protection Agency 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 plan submitted with the application but modified to show:
   (a) relocation of the northern boundary to the uncleared areas to lie perpendicular to Section 2399 rather than east-west as proposed, such that it avoids drainage areas.

2. The applicant is required to provide evidence that there are adequate supplies of ground water available to support the proposed orchards. The results of test drills and the proposed sustainable use of the Berry Springs aquifer is to be documented and submitted to the satisfaction of the consent authority on the advice of the Water Resources Branch of the Environmental Protection Agency.

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 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

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

8. Before the use commences firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT.

9. No additional clearing is to occur on this property except for the purpose of fire break maintenance.

10. No vehicles or heavy machinery are to traverse the Power and Water Corporation infrastructure within Section 2399.

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development is not substantially commenced 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 an application is made in writing before the permit expires.

2. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

3. 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.

4. 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.

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. 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 inclusion of a precedent condition that requires evidence that adequate and sustainable water supplies are available to support the orchards can ensure that the proposal complies with 10.3.2(g) Clearing of Native Vegetation – Performance Criteria. The inclusion of 50m native vegetation boundary buffers and avoidance of poorly drained soils further demonstrates compliance with the NT Planning Scheme. In accordance with 10.3.2(l) and (m), it is anticipated that retention of native vegetation buffers will also protect local amenity and provide adequate wildlife corridors between stands of local remnant vegetation.

2. 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.

The avoidance of the poorly drained region in the north-east will restrict clearing to those land areas most physically capable of supporting clearing. The requirement of a condition on the permit for a realignment of the firebreak and clearing boundary can ensure this. In addition, the requirement for an erosion and sediment control plan can further ensure that clearing is undertaken in accordance with the physical capabilities of the land.

A precedent condition that requires the applicant to undertake adequate test drills and sustainability modelling in consultation with the Water Resources Branch to demonstrate that sufficient ground water is available to support the proposed crops can also ensure the intended use of the land can be supported and that the land is developed in accordance with its physical capabilities.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2012/0772
HEAVY VEHICLE MOTOR BODY WORKS AND REPAIR STATION WITH ANCILLARY OFFICE AND SHOWROOM SALES
SECTION 6189 (9) MATHEW HOPKINS ROAD, HUNDRED OF BAGOT
APPLICANT LAND DEVELOPMENT CORPORATION
Mr Greg Neate (Land Development Corporation) attended.

RESOLVED 344/12

That, the Development Consent Authority vary the requirements of 6.5.1 (Parking Requirements) and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 6189 (9) Mathew Hopkins Road, Hundred of Bagot for the purpose of heavy vehicle motor body works and motor repair station with ancillary office and showroom sales, 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) the exact location of the onsite wastewater treatment system and disposal area/s.
   (b) internal and external turning circles for large vehicles that demonstrate manoeuvrability within the site and adequate access and egress to and from the site.

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 Litchfield Council’s 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. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved 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 landscaping plan must be generally in accordance with the landscape concept plan dated September 2012 prepared by Bennett Design, except that the plan must show:
   (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
   (b) canopy trees (minimum two metres tall when planted) and their location; and
   (c) provision of an in ground irrigation system to landscaped areas.
   All species to be selected in consultation with Litchfield Council and must be 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. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities, water supply, stormwater drainage, street lighting and telecommunication networks to the development in accordance with the authorities' requirements and relevant legislation at the time.

6. An approved effluent disposal system to the requirements of the Department of Health and to the satisfaction of the consent authority must be installed concurrently with the erection of the development and all waste must be disposed of within the curtilage of the property.

7. 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.

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.

9. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council or the Department of Lands, Planning and the Environment drains or to any watercourse.

11. A wash-down area is to be constructed on site that contains and directs water through a system that is considered appropriate to the consent authority on the advice of the Environmental Protection Agency. Appropriate protection shall be provided to ensure to contain potential spills of wastes and contaminants from entering adjacent properties and roadways and stormwater drainage system to the satisfaction of the consent authority. Discharge of untreated waters into the stormwater drainage system is not permitted.

12. 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.

13. 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.

14. 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.

15. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors/clients.

16. Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from Mathew Hopkins Road only.

17. Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to stand clear of Mathew Hopkins pavement and footpath.

18. 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.

19. “No entry/no exit” signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.

20. Protective kerbs must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

21. 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.

22. The owner shall:
(a) remove disused vehicle and/ or pedestrian crossovers;
(b) collect stormwater and discharge it to the drainage network; and
(c) undertake reinstatement works;
all to the technical requirements of and at no cost to Litchfield Council or the Department of Lands, Planning and the Environment, to the satisfaction of the consent authority.

23. All proposed works impacting on Mathew Hopkins Road are to 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 Litchfield Council. Drawings must be submitted to Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

24. Engineering design and specifications for the affected roads, street lighting, stormwater drainage, vehicular access, including intersection upgrades as required and street scaping are to be to the technical requirements Litchfield
Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

25. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land.

26. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.

27. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

28. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
   (a) transport of materials, goods or commodities to or from the land
   (b) appearance of any building, works or materials
   (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
   (d) the presence of vermin

29. 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.

30. 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.

31. The establishment and ongoing operation of this development must adequately and appropriately manage and treat industrial fluids and trade waste such as not to cause a contravention of the Waste Management and Pollution Control Act.

32. Appropriate protection shall be provided to contain potential spills of waste and contaminants from entering adjacent properties and roadways, and the stormwater drainage system to the satisfaction of the consent authority. Discharge of untreated waters into the stormwater drainage system is not permitted.

33. Oils, fuels, battery acids, fluids and any other potentially hazardous chemicals, pollutants or contaminants are to be stored and contained within appropriately bunded areas in accordance with Australian Standards AS1940-2004; Sections 2.2.5 and 4.4.3. With respect to the location for storage of these pollutants, this is to take into account potential inundation of the site.

34. The deposit, storage and distribution of fuel on the site should be conducted in accordance with Australian Standard AS1940:2004 The Storage and Handling of Flammable and Combustible Liquids.
35. The Department of Defence is to advise the Environmental Protection Agency of activities to be conducted at this site in approved format.

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development is not substantially commenced 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 an application 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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.

4. The connection of trade waste to an effluent disposal treatment system is not permitted.

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.

6. 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.

7. A discharge licence may be required.

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.

   In accordance with Clause 6.5.2 (Reduction in Parking Requirements), a variation to Clause 6.5.1 (Parking Requirements) can be supported based on the intended use of the development for large “heavy” vehicles, which negates the standard requirements for parking of smaller vehicles in standard-sized car parking bays. Furthermore, the application has provided 11 oversized bays external to the shed, and 7 oversized bays
within the workshop, to accommodate the heavy vehicles. In all other respects the development complies with the NT Planning Scheme.

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

**ITEM 3**
**ADDITION OF AN ANCILLARY OFFICE TO CONSTRUCTION WORKERS CAMP**
**SECTION 1864 (1235) CHANNEL ISLAND ROAD, HUNDRED OF AYERS**

**APPLICANT**
NEVILLE JONES SERVICES

Mr Neville Jones (Neville Jones Services) attended.

**RESOLVED**
345/12

That, the Development Consent Authority vary the requirements of clause 6.5.1 (Parking Requirements), as permitted through clause 6.5.2 (Reduction in Parking Requirements) of the Northern Territory Planning Scheme and, pursuant to section 53(a) of the **Planning Act**, consent to the application to develop Section 1864, (1235) Channel Island Road, Hundred of Ayers for the purpose of changes to the development approved by DP12/0462 for the addition of an office.

**CONDITIONS PRECEDENT**

1. Prior to the commencement of construction (including site preparation), an Environmental Management Plan (EMP) for the construction and operation of the use to the satisfaction of the consent authority must be submitted to and approved by the consent authority upon the advice of Department of Lands, Planning and the Environment (Environmental Protection Agency). 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 environmental management plan must include:
   a) procedures to ensure that no significant adverse environmental impacts occur as a result of the use;
   b) proposed monitoring systems;
   c) identification of possible risks of operational failure and response measures to be implemented; and
   d) day to day management requirements for the use.

2. Prior to the commencement of works (including a site preparation) an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management and the Department of Health (Medical Entomology Unit), and an endorsed copy of the Plan will form part of this permit. The ESCP must include:
   a) details of protection measures along boundaries;
   b) anticipated period of construction;
   c) stormwater management and discharge on and off site;
   d) mitigation measures for dust generation; and
   e) measures to be implemented for the prevention of biting insects breeding sites.
   All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

3. Prior to the commencement of works the applicant must demonstrate that the existing waste disposal arrangement on-site is of sufficient capability to accommodate additional loading and that the land is capable of supporting
alternative methods of waste disposal if required, to the satisfaction of the consent authority on the advice of the Department of Health (Environmental Health) and the Department of Lands, Planning and the Environment (Environmental Protection Agency).

4. Prior to the commencement of works a Traffic Management Plan (TMP) for the construction phase of the development (including the transport and delivery of the Modular Transportable Accommodation units) to the satisfaction of the consent authority must be submitted to and approved by the consent authority upon the advice of Department of Transport (Road Network Division.) When approved, the plan will be endorsed and will then form part of the permit.

5. Prior to the commencement of works a Biting Insect Management Plan (BIMP) for the operational phase of the development, to the satisfaction of the consent authority must be submitted to and approved by the consent authority upon the advice of Department of Health (Medical Entomology Branch). When approved, the plan will be endorsed and will then form part of the permit.

6. Prior to the commencement of works a landscaping plan must be submitted to and approved 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 plans must be generally in accordance with the plans submitted with the application but modified to show:
   a) details with regards to plant species, quantities, pot sizes and size at maturity;
   b) provision of a landscaped buffer that softens the visual impact of the built form and car park areas when viewed from Channel Island Road;
   c) existing vegetation to be retained and removed;
   d) details of vegetation of pathways, open areas and driveways; and
   e) details of irrigation measures.

GENERAL CONDITIONS

7. Works carried out under this permit shall be in accordance with the drawings numbered 2012/0858/1 through to 2012/0858/13.

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

9. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority.

10. 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 to the satisfaction of the consent authority.

11. All waste material must be regularly removed to an approved facility. 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.
12. All areas set aside for landscaping on the endorsed plan shall be planted and continuously maintained to the satisfaction of the consent authority.

13. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
   (a) constructed;
   (b) properly formed to such levels that they can be used in accordance with the plans;
   (c) surfaced with an all-weather-seal coat;
   (d) drained;
   (f) line marked to indicate each car space and all access lanes; and 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.

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

15. Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the requirements of Department of Lands, Planning and the Environment to the satisfaction of the consent authority.

16. Engineering design and specifications for the proposed and affected roads, street lighting, fencing and vehicular access, are to be to the technical requirements of the Department of Lands, Planning and the Environment, to the satisfaction of the consent authority and all approved works constructed at the owner’s expense.

17. All proposed works within, or impacting upon, Channel Island Road are to be designed, supervised and certified on completion by a practising and registered Civil Engineer in accordance with the standards and specifications of the Department of Transport, to the satisfaction of the consent authority.

18. An approved effluent disposal system to the requirements of the Department of Health and the Department of Lands, Planning and the Environment (Environmental Protection Agency) to the satisfaction of the consent authority must be installed and all waste must be disposed of within the curtilage of the property.

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

20. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.
21. Before the use commences firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services.

22. Prior to the commencement of use an updated Waste Water Treatment Plan is to be submitted to and approved by Department of Lands, Planning and the Environment (Environmental Protection Agency), to the satisfaction of the consent authority.

23. The existing aquaculture operation shall be appropriately managed and all disused ponds on the site shall be remediated to minimise the creation of biting insects breeding sources/areas.


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. There are statutory obligations under the Weeds Management Act 2001 to take all practical measures to manage weeds on the property. For advice on weed management please phone (08) 8999 4567.

3. The permit holder is advised to prepare a Conservation Management Plan in consultation with the Heritage Conservation Services of the Department of Lands, Planning and the Environment (Environmental Protection Agency), to ensure that due caution is taken to protect the values of the subject and adjoining sites.

4. A Land Capability Assessment (LCA) will be required to be submitted and approved by the Department of Health for any proposals to utilise treated wastewater for irrigation purposes.

5. Any upgrades to the existing wastewater treatment plant with a harbour discharge will require a waste water discharge license, issued from the Department of Lands, Planning and the Environment (Environmental Protection Agency).

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.
A reduction in the parking requirements under clause 6.5.2 (Reduction in Parking Requirements) of the NT Planning Scheme is supported for the following reasons:

- The majority of workers utilising the accommodation facility are to be transported to and from the site by a bus. A shuttle bus station is located within the Immigration Facility car parking area, which was deemed appropriate for use by the Workers Accommodation Village development upon its consideration and subsequent approval;
- The office staff will be comprised of workers that currently reside on the site as part of their contract work with the port related industries in the area. Therefore no further load should be imposed on the site and there is considered to be no practical justification to require further carparking on the site for the office element of the development; and
- A carparking area providing 20 spaces is provided adjacent to the location of the office, which should service the requirement of the office.

2. Pursuant to Section 51 (h) of the Planning Act the consent authority must consider the merits of the proposed development as demonstrated in the application.

The application contends that the land use and development proposal is intended to provide a dedicated office facility to a contractor which is constructing a major item of marine infrastructure for the Inpex Ichthys project at Blaydin Point. This contractor will be a major tenant of the Workers Accommodation Village.

3. Pursuant to section 51(n) of the Planning Act, the consent authority must take into account the potential impact upon the existing and future amenity of the area in which the land is situated.

The potential impacts on the existing and future amenity of the area were assessed when the Workers Accommodation Village was being considered. The addition of an office to the site is unlikely to further adversely impact upon the amenity of the locality.

ACTION: Notice of Consent and Development Permit

ITEM 4 EXCAVATION AND FILL
PA2012/0764 SECTION 6006 (26) GROSVENOR COURT, HUNDRED OF BAGOT
APPLICANT EARL JAMES AND ASSOCIATES

Mr Keith Schulz (Earl James & Associates) attended.

RESOLVED 346/12 That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the proposal to develop Section 6006 (26) Grosvenor Court, Hundred of Bagot for the purpose of excavation and fill, subject to the following conditions:
CONDITIONS PRECEDENT

1. Prior to the commencement of works, an erosion and sediment control plan that addresses stormwater management and drainage, dust suppression and proposed revegetation and/or grassing (including species types) is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, the Environmental Protection Agency and the Litchfield Council, to the satisfaction of the consent authority, and an endorsed copy of the Plan will form part of this permit.

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 owner of the land must enter into agreements with the relevant authorities for the provision of stormwater drainage services to the land in accordance with the authorities' requirements and relevant legislation at the time.

4. No sediment laden run-off is to be discharged directly or indirectly into any watercourse or neighbouring property.

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

6. The proponent must ensure that only clean (virgin excavated natural material) or inert fill is utilised and that inert fill has been adequately assessed as being suitable for its intended use, on the advice of the Environmental Protection Agency to the satisfaction of the consent authority.

7. Works are not to commence prior to August 2013.

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development is not substantially commenced within two years of the date of this permit; or
   (b) the development is not completed within five years of the date of this permit.
   The consent authority may extend the periods referred to if an application 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.

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 indicates that the proposed development can comply with the requirements of the NT Planning Scheme, in particular Clause 6.16 (Excavation and Fill). The draft erosion and sediment control plan, combined with the requirement to finalise this plan on the advice of the Department of Land Resource Management, can ensure the development achieves compliance with the NT Planning Scheme.

2. Pursuant to section 51(j) of the Planning Act, the consent authority must also 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.

Conditions on the recommended permit that require schematic stormwater management and an erosion and sediment control plan can ensure the land is developed in accordance with physical capabilities. These measures are anticipated to also reduce the potential for localised sedimentation and/or detriment to the health of the drainage floor and associated riparian habitats. Ultimately, the proposed development is expected to enhance the capability of the site and render the land more capable for supporting Zone LI (Light Industry) use and development in future.

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2012/0493
APPLICANT EARL JAMES AND ASSOCIATES

SECTION 1560 (785) ANZAC PARADE, HUNDRED OF GUY

Mr Keith Schulz (Earl James & Associates), Mr Ian & Mrs Ronan (owners) attended.

RESOLVED 347/12

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 1560 (785) Anzac Parade, Hundred of Guy for the purpose of a subdivision to create 2 lots, subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawing number 2012/0493/01 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. 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.
4. This development is subject to the Litchfield Council Developer Contribution Plan.

5. 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.

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

7. All proposed works impacting on Anzac Parade are to 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 Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a “Permit to Work Within a Road Reserve.”

NOTES:

1. 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’.

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.

3. 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.

4. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.

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 and is consistent with the relevant provisions of the NT Planning Scheme. The proposed lots comply with the minimum lot size requirements and each lot has unconstrained access to a public road.

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. An established, suitable water supply is available to each lot. The proposed new boundary avoids an identified seepage line. The land is considered capable of supporting the proposed subdivision.

3. Pursuant to section 51(m) 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 proposed subdivision is consistent with the purpose and minimum lot size requirements for Zone H, is generally consistent with the principles of the Litchfield Planning Concepts and Land Use Objectives 2002, and has an established, suitable water supply. There are no other land constraint concerns other than what has been identified, and the land is considered capable of supporting the proposed subdivision.

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

**ITEM 6**

**PA2012/0863**

**PASSENGER TERMINAL (PARK AND RIDE FACILITY)**

SECTIONS 4768, 5124 (883, 881) STUART HIGHWAY, SECTIONS 5125, 5126, 5127, 5131, 5132 (2, 4, 6, 14, 16) MANDER ROAD, HUNDRED OF BAGOT

**APPLICANT**

MASTERPLAN NT PTY LTD

DAS tabled an addendum.

Mr Simon Tonkin and Ms Adelle Godfrey (Masterplan NT) and Justin Coleman (Coleman’s Group) attended.

Masterplan tabled advice from PWC.

**RESOLVED 348/12**

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Sections 4768, 5124 (883, 881) Stuart Highway, Sections 5125, 5126, 5127, 5131, 5132 (2, 4, 6, 14, 16) Mander Road, Hundred of Bagot for the purpose of a Passenger Terminal (Park and Ride Facility) to require the applicant to provide the following additional information.
that the authority considers necessary to enable proper consideration of the application:

1. The plans must be drawn to scale and be generally in accordance with the plans submitted with the application but modified to show:

(a) Bicycle parking/storage;
(b) Toilet facilities;
(c) Private vehicle drop off;
(d) Disabled car parks as per Australian Standards;
(e) Safe pedestrian pathways within the car park;
(f) Stormwater drainage plans/cross sections demonstrating levels of fill proposed and the existing contours on the land; and
(g) Access/egress arrangements to the satisfaction of the Department of Transport and Litchfield Council.

2. A “Transport Management Plan” that adheres to the requirements of the “Ichthys Onshore LNG Facilities Road Transport Management Plan” and demonstrates that that the proposed development will not have an adverse impact on local traffic flows.

REASONS FOR THE DECISION

1. Section 51 (m) the authority is required to consider 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 for that purpose.

The authority acknowledges the receipt of the traffic impact assessment. In consideration of this and the changes to the access and egress arrangements the authority seeks the advice of the Department of Transport and Litchfield Council prior to a determination of the application.

The authority seeks clarification on the fill proposed to the land and the impact that the sealed area will have on the stormwater drainage system in the locality.

ACTION: Advice to Applicant

ITEM 7 RESTAURANT WITH DRIVE-THROUGH FACILITY
PA2012/0744 SECTION 6493 (425) STUART HIGHWAY, HUNDRED OF BAGOT
PLANNER LAUREN FIRBY
APPLICANT MASTERPLAN NT

Mr Simon Tonkin and Ms Adelle Godfrey (Masterplan NT) and Mr Simon Air (McDonalds) attended.
That, the Development Consent Authority vary the requirements of Clause 6.7 (Signs) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 6493 (425) Stuart Highway, Hundred of Bagot, for the purpose of changes to DP09/1035 for the purpose of a Restaurant with Drive-Through Facility, 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) Amended plans identifying the changes to the existing permits on the land and include:
       o Pedestrian linkages;
       o Internal roads and proposed connections to wider road network;
   (b) An amended ‘localised’ site plan for the proposed restaurant, which clearly identifies the number of car parks for the restaurant; and
   (c) A landscaping plan with a planting schedule for the proposed restaurant area.
   (d) Identifies the works that are to be established prior to the restaurant being occupied. This should include details on access, car parking and landscaping.

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. 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.

5. “No entry/no exit” signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.

6. Before the occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
   (a) constructed;
   (b) properly formed to such levels that they can be used in accordance with the plans;
   (c) surfaced with an all-weather-seal coat;
   (d) drained;
   (e) line marked to indicate each car space and all access lanes; and
(f) clearly marked to show the direction of traffic along access lanes and driveways;

(g) to the satisfaction of the consent authority.

(h) Car spaces, access lanes and driveways must be kept available for these purposes at all times.

7. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading area and must not disrupt the circulation and parking of vehicles on the land.

8. Before the use 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.

9. 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.

10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, 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.

11. 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.

12. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Litchfield Council and/or The Department of Transport- Road Network Division to the satisfaction of the consent authority.

13. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council to the satisfaction of the consent authority.

14. No goods are to be stored or left exposed outside the building(s) so as to be visible from any public street.

15. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.

16. The location and details of the signs, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the further consent of the consent authority.

17. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
18. External lights including those associated with illuminated signage must be designed, baffled and located to the satisfaction of the consent authority to prevent any adverse effect on adjoining land and roads.

NOTES:

1. A "Permit to Work Within a Road Reserve" may be required from (The Department of Transport- Road Network Division and/ or Litchfield Council before commencement of any work within the road reserve.

2. 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.

3. Notwithstanding the approved plans, all signage is subject to Litchfield Council approval, at no cost to Council.

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. The finish of any Prime Identification sign, if erected, shall 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 shall 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.

6. 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.

7. 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.
The nature of the development being proposed is consisted with the primary purpose of the zone requirements. The request for addition plans demonstrating how the development integrates with other approved developments on the land will ensure that the development of this land occurs in an orderly, coordinated manner.

A variation to Clauses 6.7 is supported as the height and size of the pylon sign is unlikely to obstruct sightlines and is of a standard design to developments of a similar nature.

2. Pursuant to section 51(j) of the capability of the Planning Act, the consent authority must take into account 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.

No land capability concerns were identified during the assessment of this proposal. The proposal is consistent with the C (Commercial) zoning of the property. The development of a restaurant at the site will not affect development on adjoining land.

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

**ITEM 8**
**PA2012/0733**
**CARPORT AND DWELLING EXTENSION TO AN EXISTING SINGLE DWELLING WITH A REDUCED SIDE SETBACK**
**LOT 88 (90) TOBIN ROAD, HUNDRED OF BAGOT**
**APPLICANT**
**PETER BAMFORD**

Mr Peter Bamford attended.

**RESOLVED**
**350/12**
That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 88 LTO 67001 (90) Tobin Road, Hundred of Bagot for the purpose a carport and dwelling extension to existing single dwelling with reduced side setback, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0733/01 to 2012/0733/03 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 electricity and telecommunication services to the development 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. Before the use commences the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of the Department of Health that the existing effluent disposal system is of sufficient capacity to cope with the projected increased loading.

5. If the existing effluent disposal system referred to in Condition 4 is found unsuitable it is to be decommissioned and a new effluent disposal system installed, all to the requirements of the Department of Health and 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. 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).

3. 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.

4. This Development Permit does not grant planning approval for any use other than that of a single dwelling. Additional uses, such as bed and breakfast accommodation, require further planning approval.

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 (Building Setbacks of Residential Buildings) is supported as it is considered in this case that a single dwelling and carport with a reduced side setback will not adversely affect the amenity of the surrounding area. The proposed extension will be screened by existing vegetation along the front and western side boundaries.
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.

Aerial mapping of the site indicates that the rear part of the property may be affected by seasonal inundation. The structure to be converted into the carport and dwelling extension is located towards the front of the property. The land is considered capable of accommodating the proposed carport and dwelling extension.

The development of a carport and dwelling extension to existing single dwelling with reduced side setback at the site will not affect development on adjoining land.

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

**ITEM 9** WITHDRAWN

**ITEM 10**
**PA2012/0827**
**SHOPS, SHOWROOM SALES AND MOTOR REPAIR STATION IN A SINGLE STOREY BUILDING**
**SECTION 6570 (43) FAIRWEATHER CRESCENT, HUNDRED OF BAGOT**
**APPLICANT**
Gwelo Investments Pty Ltd

Mr Even Lynne & Mr Bernie O'Connell (Gwelo Investments Pty Ltd), Ms Tammy Neumann and Mr Adam Walker (DKJ Projects Architecture) attended.

**RESOLVED** 351/12

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) and Clause 6.7 (Signs) of the NT Planning Scheme and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 6570 (43) Fairweather Crescent, Hundred of Bagot for the purpose of showroom sales 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 amended plans submitted on 23 November 2012 but modified to show:
   (a) Deletion of bays 4, 5, 12, 13, 22, 23 and 32 that are located adjacent to loading bays;
   (b) Redesign or relocation of the sliding gate shown between bays 1 and 42 at the northern end of the parking area so that the gate does not impact on vehicle manoeuvrability;
   (c) Shows the location of the Power and Water Corporation electricity easement;
   (d) Details of the fencing treatment the northern end of the parcel shown on the plans as ‘1.8m high screening’; and
(e) Areas of landscaping at the front of the building fronting the service road over areas marked on the plans as ‘paving’.

2. Prior to commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged to the requirements of Litchfield Council and to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

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. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved 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 landscaping plan must be generally in accordance with the plans submitted on 23 November 2012 prepared by GWSEO, except that the plan must show:
   a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant provided on the site and in the road reserve;
   b) details of surface finishes of pathways and driveways; and
   c) provision of an in ground irrigation system to all landscaped areas. All species selected must be to the satisfaction of the consent authority.

5. 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.

6. 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.

7. Notwithstanding the approved plans, proposed landscaping, footpaths and other works within the road reserve are subject to Council's approval and shall meet all Council's requirements to the satisfaction of Litchfield Council and at no cost to Council.
8. 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.

9. The owner shall:
   (a) remove disused vehicle and/or pedestrian crossovers;
   (b) collect stormwater and discharge it to the drainage network; and all to the technical requirements of and at no cost to Litchfield Council to the satisfaction of the consent authority.

9. 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.

10. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.

11. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.

12. 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.

13. 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.

14. Soil erosion 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. The finish of any Prime Identification sign, if erected, shall 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 shall 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.

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. The proposed development is generally consistent with the purpose of Zone C (Commercial) which is to provide for a range of business and community uses. The zone applies to shopping areas ranging from neighbourhood convenience shopping to regional centres and requires that development be of a scale and character appropriate for the service function, respect the amenity of adjacent and nearby uses, and promote community safety through building design.

The proposed multi-tenancy development provides floor areas of sufficient size to accommodate a range of commercial uses to service the needs of the neighbourhood and wider rural community. The building includes a stepped frontage which demonstrates consideration for the existing streetscape and future development anticipated. The adjacent use consists of shops, offices and a service station which is comparable with the use proposed on the subject site. Windows are provided to all frontages which promotes community safety and provides opportunities for casual surveillance.

2. A variation to Clause 6.5.3 (Parking Layout) is considered appropriate in this instance as:
   - the landscaping provided within the road reserve is expected to provide sufficient separation to aid in lessening any visual impact caused by vehicle parking located on the development site, as required by the clause.
   - the other minor variations to parking bay dimensions

3. A variation to Clause 6.7 (Signs) is supported as the sign is consistent with the style and size of signs expected of this type of multi-tenancy development. The sign will not impact on sight lines and its illumination is not expected to negatively impact on the amenity of the area or nearby residential zones.

ACTION: Notice of Consent and Development Permit
ITEM 11  
PA2012/0868  
APPLICANT  
GWEO DEVELOPMENTS PTY LTD & DKJ PROJECTS ARCHITECTURE  

Mr Even Lynne & Mr Bernie O’Connell (Gwelo Investments Pty Ltd), Ms Tammy Neumann and Mr Adam Walker (DKJ Projects Architecture) attended.

RESOLVED  
352/12  

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) 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 Sections 6518 and 6519 (15 and 19) Fairweather Crescent, Hundred of Bagot for the purpose of 66 x 2 and 18 x 1 bedroom multiple dwellings in 3 x 4 storey building including undercroft car parking, 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 show:
   a) Identification of the parking bays designated for ‘trailer and boat parking’;
   b) Two shade structures within the communal open space areas; and
   c) Compliant front building setback distances for the carport on Section 6518.

2. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved 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 landscaping plan must be generally in accordance with the landscape details submitted with the application but must show:
   a) details of surface finishes of pathways and driveways;
   b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
   c) landscaping and planting within all open areas of the site;
   d) Eight canopy trees (minimum two metres tall when planted) along the rear boundary of the site; and
   provision of an in ground irrigation system to all landscaped areas.
   All species selected must be to the satisfaction of the consent authority.

3. Prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of Litchfield Council and 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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

6. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
   (a) constructed;
   (b) properly formed to such levels that they can be used in accordance with the plans;
   (c) surfaced with an all-weather-seal coat;
   (d) drained;
   (e) line marked to indicate each car space and all access lanes; and
   (f) clearly marked to show the direction of traffic along access lanes and driveways;
   to the satisfaction of the consent authority.
   Car spaces, access lanes and driveways must be kept available for these purposes at all times.

7. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development.

8. 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.

9. 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.

10. 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.

11. An Occupancy Permit under the Building Act must not be issued until Lots 6518 and 6519, Hundred of Bagot, have been consolidated and a new title issued for the consolidated lot.

12. 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.

13. The owner shall:
   a) remove disused vehicle and/ or pedestrian crossovers;
b) collect stormwater and discharge it to the drainage network; and
c) undertake reinstatement works;
all to the technical requirements of and at no cost to the Litchfield Council, to
the satisfaction of the consent authority.

14. External lighting must be designed, baffled and located so as to prevent any
adverse effect on adjoining land to the satisfaction of the consent authority.

15. 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.

16. All balconies are to be internally drained and discharge is to be disposed of at
ground level and in a manner consistent with stormwater disposal arrangements
for the site 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.

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. You are advised to contact the relevant service provider prior to construction
works commencing in order to determine the relevant telecommunication
network servicing requirements for the development, including the potential
requirement to provide fibre ready telecommunication facilities.
REASONS FOR THE DECISION

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

The proposal to develop the lot for the purpose of 66 x 2 and 18 x 1 bedroom multiple dwellings in 3 x 4 storey buildings including ground level car parking 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. The development is considered to be of a scale, character and architectural style of development already approved in the area and of development reasonably anticipated once the remainder of the subdivision is developed.

A variation to Clause 6.5.3 (Parking Layout) of the Scheme is supported as the minor nature of the non-compliance is considered to demonstrate special circumstances to justify the giving of consent. The variation is supported to allow 20 tandem parking bays (to be designated as ‘trailer/boat park spaces’ on the “car parking plan”) are expected to the used with and unit titled with the adjacent parking bay to ensure on-going access to each bay. A further non-compliance that relates to the width of bay 168 is supported as the manoeuvring room provided is expected to provide sufficient room for reversing vehicles without unreasonable disruption to the flow of on-site traffic. The level of compliance achieved and exceeded elsewhere as part of the design, is representation that the land is capable of supporting the proposed development notwithstanding the identified non-compliant parking layout.

2. Pursuant to section 51(e) of the Planning Act, in considering a development application the consent authority is required to take into account any submissions made under section 49. One public submission was received in relation to the application commenting generally on the suitability of on-site and off-site open space and facilities for residents. In consideration of these issues, the addition of shaded recreation areas within the proposed on-site communal open space is required to aid in ensuring there are sufficient facilities for outdoor living and the needs of children. The provision of such facilities ensures compliance with the objectives of the NT Planning Scheme.

5. 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 MR (Medium Density Residential) of the Scheme. The level of compliance achieved with the Scheme is a representation that the proposal is appropriate for the site and locality, and is not considered to result in any negative impact on the surrounding area.

ACTION: Notice of Determination
Ms Annette Joseland (Heiner Structural Engineering Consultants) attended.

RESOLVED
353/12
That, the Development Consent Authority vary the requirements of Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 4659 (8) Butler Place, Hundred of Bagot for the purpose additions to warehouse and office with reduced side and rear setbacks, 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 show:
   (a) driveway access to a minimum width of 6 m; and
   (b) details of on-site landscaping generally consistent with the requirements of Clause 9.1.1 (Industrial Setbacks) and with the site plan endorsed as part of DP99/0635.

2. 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 the Litchfield Council, to the satisfaction of the consent authority.

GENERAL CONDITIONS

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

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

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. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Litchfield Council to the satisfaction of the consent authority.
7. Before the occupation of the development starts, the area(s) set-aside for the
parking of vehicles and access lanes as shown on the endorsed plans must be:
(a) constructed;
(b) properly formed to such levels that they can be used in accordance with the
plans;
(c) surfaced with an all-weather-seal coat;
(d) drained;
(e) line marked to indicate each car space and all access lanes; and
(f) clearly marked to show the direction of traffic along access lanes and
driveways;
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these
purposes at all times.

8. The car parking shown on the endorsed plans must be available at all times for
the exclusive use of the occupants of the development and their staff/clients.

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. A “Permit to Work Within a Road Reserve” may be required from Litchfield
Council before commencement of any work within the road reserve.

3. 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.

4. 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.
The development is consistent with the primary purpose of Zone LI (Light Industry) with the design and scale of development consistent with existing surrounding development. The additions to the warehouse and office and construction of a new carport are unlikely to have any adverse impact on the amenity of the surrounding area.

A variation to the requirements of Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme is supported as:
- The carport is located at the rear of the site and will not impact on sight lines for vehicles accessing the site;
- Access to the rear of the site can still be achieved;
- The height of the proposed carport is significantly less than the existing warehouse (5.6m high) and is of a scale and design expected on industrial zoned land; and
- The carport will not be visible from the Butler Place road reserve as it will be located behind the existing warehouse.

The required amended plans will further ensure compliance with objectives of the NT Planning Scheme.

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.

The land is relatively flat, has previously been cleared and developed, and is considered capable of supporting the proposed additions.

ACTION: Notice of Consent and Development Permit

<table>
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<tr>
<th>ITEM 13</th>
<th>SUBDIVISION TO CREATE 11 LOTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PA2012/0718</td>
<td>SECTION 3323 (395) STUART HIGHWAY, HUNDRED OF BAGOT</td>
</tr>
<tr>
<td>APPLICANT</td>
<td>ELTON CONSULTING PTY LTD</td>
</tr>
</tbody>
</table>

Mr Luke Jackson and Mr Martin Klopper (Elton Consulting Pty Ltd) and Mr Mark Bowler (developer) attended and tabled a map showing the 2010 record wet level.

RESOLVED 354/12

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 3323 (395) Stuart Highway, Hundred of Bagot to create 11 lots to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- Advice from the Department of Health that it supports the use of on site waste water treatment systems to service the commercially zoned parcels of land.
- Additional information in relation to the type and impacts of the fill placed on the land and on the environmental values of the land.
- An assessment of the impact of the fill on stormwater disposal.
- A hydrological assessment on the impacts of the fill on the subject land and adjoining land demonstrating that there are no down stream impacts as a result of the proposed development.

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• Evidence of an agreement with Road Network Division on the implementation of its access arrangements.
• Clarification on how and when the east/west collector road shown as “future road” required by the Road Network Division will be constructed.
• Plans detailing the seepage lines and the 1% AEP level on the land.

REASONS FOR THE DECISION

1. The Department of Health has indicated that it does not support the use of individual on site waste water treatment on an interim basis. The application states that no waste water treatment system is to be provided as a part of this application. The intent is that once the lots are created any development on each lot will be required to provide its own system.

2. The Department of Land Resource Management requested additional information to enable it to assess the impact of the development on the environmental values of the locality. In particular this is required for the area at the rear of the land that has been filled and is in close proximity to the wetland.

3. Road Network Division has indicated that it supports the access proposed from the land to the service road adjacent to the Stuart Highway until access to the service road from the Stuart Highway is to be relocated. The agreement will then only allow a left turn in from the service road. This agreement is subject to the east/west collector road being constructed.

4. Clause 6.16 (Excavation and Fill) of the NT Planning Scheme requires that an application to excavate or fill land should include a hydrological assessment of potential upstream and downstream impacts of the excavation and fill.

ACTION: Advice to Applicant

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

PETER MCQUEEN
Chairman

14/12/12