



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 151 – FRIDAY 11 MAY 2012

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

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

APOLOGIES: Nil

OFFICERS PRESENT: Danna Scoot (A/Secretary), Steven Kubasiewicz, Allison Hooper, Sally Hetzel and Lauren Firby (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.45 am and closed at 10.30 am

MINUTES RECORD THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIME DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 ADDITIONS TO AN EXISTING ANIMAL BOARDING FACILITY AND CARETAKER'S RESIDENCE
PA2011/0204 LOT 48 (25) FRANCESCA CRESCENT, HUNDRED OF STRANGWAYS
APPLICANT N.G. LAHRING & W.C. LAHRING

Applicant Mr Wilf Lahring attended.

DAS tabled Stage 1 & 2 map.

RESOLVED That, pursuant to 46(4)(b) of the *Planning Act*, the Development Consent Authority
114/12 defer consideration of the application to develop Lot 48 (25) Francesca Circuit, Hundred of Strangways for the purpose of additions to an existing animal boarding facility and ancillary caretaker's residence, 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:

- Clarification on the existing and proposed number of dogs.
- The number of cats and associated facilities
- Elevation of the existing residence
- Clarification on the caretaker's residence and its need in relation to the use.
- A statement that addresses the previous approved uses on the land, the current status of those uses and the relationship to the current proposal.

REASONS FOR THE DECISION

1. Pursuant to section 46 (4) (b) of the *Planning Act*, the consent authority may require the applicant to provide it with additional information that it considers necessary in order to enable the proper consideration of the application.

The consent authority requests clarification on the nature of the development being proposed and the nature of any existing development so that it may determine the potential impact of the use on the amenity of the locality.

ACTION: Advice to Applicant.

ITEM 2 EXCAVATION AND FILL
PA2012/0151 SECTION 4306 (45) FICUS COURT, HUNDRED OF STRANGWAYS
APPLICANT STEPHEN & JULIE-ANN HEYWORTH

Applicant Mr Stephen Heyworth attended.

RESOLVED That, pursuant to section 53(a) of the *Planning Act*, the Development Consent

Authority consent to the application to develop Section 4306 (45) Ficus Court, Hundred of Strangways, for the purpose of excavation and fill, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2012/0151/01 and 2012/0151/02 endorsed as forming part of this permit.
2. 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.
3. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Litchfield Council drainage easements or to any watercourse.
4. Should soil erosion occur as a result of overflows from the pond, preventative measures must be undertaken to remediate any degradation of the affected land.

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. For advice on the prevention of mosquito breeding sites please refer to the Department of Health's Guidelines for Preventing Mosquito Breeding Sites Associated with Aquaculture Developments in the Northern Territory.

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 development is consistent with the requirements of Clause 6.16 (Excavation and Fill) of the NT Planning Scheme as the excavation and fill works do not adversely affect the natural stormwater flows on the site and in the locality on adjacent drainage easements, which lead into Burdens Creek.

The development is congruent with the policy intent of the Litchfield LUO's Objective 2.3 which is aimed at minimising detrimental impacts of development on the environment, through development that considers cumulative impacts external to the site, both upstream and downstream.

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 excavation and fill works have positively contributed to the overall development of the site for rural residential purposes. The pond acts as a natural feature that improves the 'rural living' character and amenity of the site.

ACTION: Notice of Consent and Development Permit.

ITEM 3 DEMOUNTABLE STRUCTURE WITH REDUCED SIDE SETBACK AND A
DEPENDANT UNIT IN EXCESS OF 50 SQUARE METERS
PA2012/0210 LOT 10 (415) VIRGINIA ROAD, HUNDRED OF STRANGWAYS
APPLICANT JB INDUSTRIES (NT) PTY LTD

Applicant Mr Rodney Jessup did not attend.

RESOLVED That, pursuant to Section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 10 LTO 81011 (415) Virginia Road, Hundred of Strangways for the purpose of a demountable structure with reduced side setback and a dependent unit in excess of 50m², 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:

- Scaled site plan
- Justification for the reduced set back of the demountable from the side boundary.

REASON 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 applicant is seeking to vary the set back requirements for the demountable structure from the side boundary. The authority requests an amended site plan and justification for the reduced setback. It is unclear from the site plan provided to determine the location of the development being proposed for the site.

ACTION: Advice to Applicant.

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



PETER MCQUEEN
Chairman

16 /5/12