



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 152 – FRIDAY 15 JUNE 2012

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

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

APOLOGIES: Nil

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

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 am and closed at 1.30 pm

ITEM 1 **SUBDIVISION TO CREATE 4 LOTS**
PA2012/0258 **LOT 19 (295) PIONEER DRIVE, HUNDRED OF STRANGWAYS**
APPLICANT **EARL JAMES AND ASSOCIATES**

Applicant Mr Keith Schulz (Earl James and associates) attended.

RESOLVED That, pursuant to Section 53(a) of the Planning Act the Authority consent to the
137/12 application to subdivide Lot 19 (295) Pioneer Drive, Girraween, Hundred of
Strangways to create 4 lots subject to the following conditions.

GENERAL CONDITIONS

1. Works are to be carried out in accordance with plan numbered 2012/0258/01 endorsed as part of this permit.
2. Before the issue of titles, fire access trails are to be installed on the advice of the Bushfires Council of the NT, to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation.
5. Engineering design, calculations and specifications for the proposed and affected roads, stormwater drainage, street lighting and vehicular accesses are to be submitted for technical approval to Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
6. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent Authority.
7. This development is subject to the Litchfield Shire Council Developer Contribution Plan.
8. The developer is to ensure all development work is undertaken in a manner that prevents the creation of a public health nuisance from dust or other particulate matter.
9. The existing structure and waste water treatment system, as indicated on the endorsed plans, is to be removed to the satisfaction of the consent authority prior to the issue of titles.

NOTES

1. 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.
2. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property.
3. It is an offence to interfere with or cause damage to sacred sites identified in accordance with the Aboriginal Sacred Sites (NT) Act and as such the developer should obtain an 'Authority Certificate' from the Aboriginal Areas Protection Authority prior to the commencement of any works.
4. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

1. The consent Authority must, pursuant to section 51(j) of the Planning Act, 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.

No land capability issues have been identified that demonstrate that the land is not capable of supporting the proposed rural living development. The removal of the existing waste water treatment system allows for the required separation distances between bores and septs to be achieved.

2. The consent Authority must, pursuant to section 51(m) of the Planning Act, take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

Conditions have been placed on the permit requiring that suitable land be made available for road widening and for the provision of easements in accordance with the requirements of the relevant service authorities.

ACTION: Notice of Consent and Development Permit.

ITEM 2
PA2012/0273
APPLICANT

**TRANSPORT TERMINAL ANCILLARY TO NURSERY & CARETAKERS RESIDENCE
SECTION 4975 (100) THORAK ROAD, HUNDRED OF BAGOT
ROBERT HELBERG**

Applicant Mr Robert Helberg attended.

**RESOLVED
138/12**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings), Clause 7.10.3 (Caretaker's Residence) and Clause 10.5 (Transport Terminal in Zones R) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 4975 (100) Thorak Road, Hundred of Bagot for the purpose of a transport terminal and a caretaker's residence ancillary to an existing nursery, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans, additional 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 submitted are to show:
 - (a) the floor plan of the caretaker's residence; and
 - (b) the elevation plan of the caretaker's residence.

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 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, dust, waste water, waste products, grit or oil.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. 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.

NOTE

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.

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), Clause 7.10.3 (Caretakers Accommodation) and Clause 10.5 (Transport Terminals in Zones R) is supported as the proposal will not have a negative effect on the amenity of the area.

The caretaker's residence is screened from the road and from the nursery operation by existing vegetation. Although the property is Zone R, due to the commercial nature of the land use the presence of a caretaker's residence is supported.

A variation to the setback requirements for a transport terminal is supported as the nature of the use is ancillary to the principle use of the land. There is no processing of materials on site and the repairs to vehicles are only minor in nature in the form of general maintenance. and will not significantly detract from the amenity of the locality.

The locality is characterised by land uses of a commercial nature and McMillans Road and the proposed development is consistent with the existing character.

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 site is relatively flat and unconstrained and is considered capable of accommodating the transport terminal and caretaker's residence.

ACTION: Notice of Consent and Development Permit.

ITEM 3 **ADDITIONS TO AN EXISTING ANIMAL BOARDING FACILITY AND CARETAKER'S**
PA2011/0204 **RESIDENCE**
APPLICANT **LOT 48 (25) FRANCESCA CRESCENT, HUNDRED OF STRANGWAYS**
 N.G. LAHRING & W.C. LAHRING

Applicant Mr Wilf Lahring attended.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.10.3
139/12 (Caretakers Residence) of the NT Planning Scheme, and pursuant to section 53(a) of
 the Planning Act, consent to 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, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), and prior to the endorsement of plans, details of a site specific designed effluent disposal system that can cater for the future maximum capacity of the site, are to be provided to the requirements of the Department of Health, to the satisfaction of the consent authority.
2. Prior to the commencement works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment and The Arts (Natural Resources Management Division), and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time, as determined necessary by the Power and Water Corporation.
6. The proprietors must have in place at all times and adhere to a noise management policy, to the satisfaction of the consent authority.
7. All kennels are to be appropriately insulated as per the acoustic report prepared by BGMA Pty Ltd, dated 21 May 2012.
8. The developer shall ensure that the floor of the kennels is graded to a discharge point in such a manner so as to facilitate efficient cleaning and removal of waste to an approved septic system, to the requirements of the Department of Health, to the satisfaction of the consent authority.
9. Any effluent treatment and disposal system placed on the site shall be in accordance with the standards and requirements of the Department of Health, to the satisfaction of the consent authority, and shall be effective prior to commencement of the use.
10. The facility shall be managed and maintained at all times in accordance with the requirements of the Department of Health.
11. The use and development must be managed so that 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; and
- (d) Presence of vermin.

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. Soil disturbance should be minimised. It is recommended that construction take place during the dry season to ensure that erosion prevention measures are in place prior to the wet season. Adequate soil should be left along trench alignments to ensure that depressions do not develop after settling, to the requirements of the Department of Natural Resources, Environment, the Arts and Sport (NRETAS), to the satisfaction of the consent authority.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates.

The application is consistent with the relevant objectives of the Litchfield Planning Concepts and Land Use Objectives 2002 that seek to maintain and enhance the amenity for residents and minimise the impact of development on the environment.

The development is consistent with the requirements of Clause 10.1 (Animal Related Use and Development) of the NT Planning Scheme, and the site is considered suitable for the proposed use.

A variation to Clause 7.10.3 (Caretakers Residence) of the NT Planning Scheme for a floor area of 96m² where 50m² is permitted by the Scheme, is supported as the building is setback sufficiently from adjoining boundaries, will be screened by existing vegetation, and will not detract from the amenity of the locality. Additionally, the provision of a caretaker's residence to accommodate staff reinforces the 24 hour nature of the use and responsible management of the facility whilst the proprietors are on leave.

2. Pursuant to 51(j) of the Planning Act, the Development Consent Authority must take into account the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The inclusion of a Condition Precedent requiring a site specific effluent disposal system will ensure that a system appropriate to the site and the intended use is installed on the site. The new kennels and play areas are focused away from Wells Creek and are beyond the land identified as subject to seasonal waterlogging. The plans indicate that the development will not encroach significantly on the existing vegetation associated with this waterway on the subject land.

The inclusion of a Condition Precedent requiring an Erosion and Sediment Control Plan be submitted will ensure that the natural values of Wells Creek are protected during the construction stage of the development.

3. Pursuant to 51(n) of the Planning Act, the Development 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 applicant has demonstrated that appropriately designed and acoustically treated structures can be used to manage the potential impact on adjoining land owners as a result of noise. A noise management policy proposed by the applicant will assist in the management of potential noise complaints.

ACTION: Notice of Consent and Development Permit.

**ITEM 4
PA2012/0259**

**ADDITION OF AMENITY BUILDINGS, CABINS AND CAMPING SITES TO
CARAVAN PARK
LOT AH (15) DRAPER ROAD & LOT AN (170) WHITEWOOD ROAD, HUNDRED
OF BAGOT**

APPLICANT

VIVIENNE LAVENDER

Applicant Ms Vivienne Lavender attended.

**RESOLVED
140/12**

That, pursuant to section 53(a) of the Planning Act; the Development Consent Authority consent to the application to develop Lots AH and AN (15 and 170) Draper Road and Whitewood Road, Hundred of Bagot for the purpose of the addition of amenities, cabins and camping sites to a caravan park, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority upon the advice of the Department of Health. 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) locations of all bores located on Section 3456, Lots AN, AJ and AH and adjacent lots;

- (b) their current status; and
- (c) their locations relative to effluent disposal areas

GENERAL CONDITIONS

- 2. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0259/1 to 2012/0259/16 inclusive, 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 sewerage facilities, electricity and telecommunication services to the development shown on the endorsed plan, in accordance with the authorities' requirements and relevant legislation at the time.
- 4. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Litchfield Council, to the satisfaction of the consent authority.
- 5. 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. Any recycled water system is to be approved by the Department of Health prior to construction.

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 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.

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 proposal is compliant with the relevant provisions of the NT Planning Scheme. The proposed development will not exceed a plot ratio of 1 at the site and the required number of car parks are provided.

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 site is relatively flat and unconstrained. The development of additional amenities, cabins and caravan sites to an existing caravan park will not affect development on adjoining land.

It is not anticipated that the proposal will significantly impact on the volume of traffic on Whitewood Road. The only intensification of the use of the land will result from the additional 14 cabins and it is not expected that the users of these cabins will tow caravans. Access to the caravan park from Whitewood Road is via a dedicated turn in and there is sufficient space within the visitor's and reception area to accommodate a number of vehicles and caravans.

ACTION: Notice of Consent and Development Permit.

**ITEM 5
PA2011/0841
APPLICANT**

**SUBDIVISION TO CREATE 21 LOTS
SECTION 3475 (500) TOWNEND ROAD, HUNDRED OF STRANGWAYS
MASTERPLAN NT**

Applicant Brad Cunningham (Masterplan) attended.
Mr Laurence Ahtoy attended.
Mr Davie Hutchison attended.
Mr Peter Harrison (Above Capricorn) attended.

Mr Jason Hill (NRETAS) Attended.

**RESOLVED
141/12**

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to subdivide Section 3475 (500) Townend Road, Hundred of Strangway, for the purpose of a subdivision to create 21 lots and require the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. That further advice/clarification be sought from the Department of Natural Resources, the Arts and Sports by Development Assessment Services regarding the capability of the land to accommodate the proposed subdivision.

REASONS FOR THE DECISION

1. The consent Authority must, pursuant to section 51(j) of the Planning Act, 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.

The development contains areas of land constrained by seepage lines, poorly drained soils, and drainage protection areas. The Department of Natural Resources, Environment, the Arts and Sports (NRETAS) have expressed concerns regarding the development and its impact on Priority Environment Management (PEM) Areas. The Authority seeks clarification on the impact of these constraints on the development.

ACTION: Advice to Applicant / Defer.

ITEM 6
PA2012/0210
APPLICANT

**DEMOUNTABLE STRUCTURE WITH REDUCED SIDE SETBACK AND A
DEPENDANT UNIT IN EXCESS OF 50 SQUARE METRES
LOT 10 (415) VIRGINIA ROAD, HUNDRED OF STRANGWAYS
JB INDUSTRIES (NT) PTY LTD**

Applicant Mr Rodney Jessup did not attend.

RESOLVED
142/12

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 10 (415) Virginia Road Hundred of Strangways for the purpose of a demountable structure with reduced side boundary setback and a dependant unit in excess of 50m², so that the applicant can provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. A scaled site plan detailing the location of all existing and proposed structures and the location of both existing and proposed effluent disposal systems, bores and driveways servicing both the existing and proposed dwelling and dependant unit.

REASONS FOR THE DECISION

The consent Authority must, pursuant to section 51(n) of the Planning Act, take into account the potential impact on the existing and future amenity of the area in which the land is situated.

An accurate site plan will provide the consent authority with the information required for it to make a decision.

ACTION: Advice to applicant /Defer

RESOLVED
145/12

That pursuant to section 86 of the *Planning Act*, the Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Litchfield Division the power under section 53 of the Act to determine the application to develop Lot 10 (415) Virginia Road, Hundred of Strangways for the purpose of a demountable structure with reduced side boundary setback and a dependant unit in excess of 50m², including with respect to granting any variations to the relevant requirements of the NT planning scheme subject to:

- No public submissions being made under section 49 of the *Planning Act*;
- All matters raised by the reasons for deferral have been addressed.

ACTION: If delegation exercised Notice of Consent and Development Permit

ITEM 7
PA2011/0381
APPLICANT

SUBDIVISION TO CREATE 2 LOTS
SECTION 2197 (260) POWER ROAD, HUNDRED OF STRANGWAYS
VEKTA PTY LTD

Applicant Mr Greg Hestelow attended.
 Mr Peter Harrison (Above Capricorn) attended.

Mr Jason Hill (NRETAS) attended.

RESOLVED
146/12

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to subdivide Section 2197 (260) Power Road, Girraween, Hundred of Strangways to create two lots, subject to the following conditions:

GENERAL CONDITIONS

1. Works are to be carried out in accordance with plan numbered 2011/0381/1 endorsed as part of this permit.
2. Before the issue of titles, fire access trails are to be installed on the advice of the Bushfires Council of the NT, to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation.
5. Engineering design, calculations and specifications for the proposed and affected roads, stormwater drainage, street lighting and vehicular accesses are to be submitted for technical approval to Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
6. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent Authority.

7. This development is subject to the Litchfield Shire Council Developer Contribution Plan.

NOTES

1. 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.
2. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property.
3. It is an offence to interfere with or cause damage to sacred sites identified in accordance with the Aboriginal Sacred Sites (NT) Act and as such the developer should obtain an 'Authority Certificate' from the Aboriginal Areas Protection Authority prior to the commencement of any works.
4. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

1. The consent Authority must, pursuant to section 51(j) of the Planning Act, 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.

No land capability issues have been identified that demonstrate that the land is not capable of supporting the proposed rural living development.

2. The consent Authority must, pursuant to section 51(m) of the Planning Act, take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

Conditions have been placed on the permit requiring that access to Power Road be in accordance with the Litchfield Councils requirements and that power be provided to the subject land.

ACTION: Notice of Consent and Development Permit.

**ITEM 8
PA2012/0225
APPLICANT**

**REPLACE CARAVAN SITES WITH 446 CABINS IN EXISTING CARAVAN PARK
SECTION 4330 (907) STUART HIGHWAY, HUNDRED OF BAGOT
FREE SPIRIT RESORTS PTY LTD**

Applicant Mr Paul James (Free Spirit Resorts Pty Ltd) attended.

**RESOLVED
147/12**

That, the Development Consent Authority vary the requirements of Clause 6.5.1 (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 4330 (907) Stuart Highway, Hundred of Bagot for the purpose of replacing caravan sites with 446 cabins in an existing caravan park, subject to the following conditions:

CONDITION PRECEDENT

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

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with drawings numbered 2012/0225/1 through 2012/0225/10 inclusive 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 electricity, sewerage and water supply to the land shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
4. The proposed cabins are to be connected to the reticulated electricity, sewerage and water supply.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. All proposed works impacting on the Stuart Highway 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 the Chief Executive, Department of Lands and Planning. Drawings must be submitted to the Senior Director, Road Network Division of the Department of Lands and Planning for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
7. Before the use of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan 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 clients.
- 9. "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.
- 10. Access to and egress from the site for all vehicles is to be via existing access points only.
- 11. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Department of Lands and Planning drains or to any watercourse.

NOTES

- 1. The Power and Water Corporation advises that the Water and Sewer Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
- 2. Construction works should be conducted in accordance with the Department of Natural Resources, Environment, The Arts and Sport's 'Noise Guidelines for Development Sites.

REASONS FOR THE DECISION

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

The application is consistent with the relevant objectives of the Litchfield Planning Concepts and Land Use Objectives 2002 that seek to maintain and enhance the amenity for residents and minimise the impact of development on the environment. The proposal is also generally consistent with the relevant provision of Part 4 (General Performance Criteria) of the NT Planning Scheme.

A reduction of parking bays required by Clause 6.5.1 (Parking Requirements) in accordance with the provisions of Clause 6.5.2 (Reduction in Parking Requirements) from 597 car parks to 590 is supported as:

- A large proportion of the resort's guests will arrive on organised tours in large vehicles as opposed to private car;
 - The site is fully developed and further car parking would be at the expense of recreation space and landscaping, which provides a visual and acoustic barrier to the Stuart Highway and surrounding land uses; and
 - The subject site is in close proximity to the public bus network, which has services to the three interchanges at Darwin, Casuarina and Palmerston;
2. Pursuant to section 51(e) of the Planning Act, the Development Consent Authority must take into account any submissions made under section 49 in relation to the development application

The proposed redevelopment is consistent with the purpose of Zone TC (Tourist Commercial) and the definition of a 'caravan park' to provide tourist accommodation.

3. Pursuant to section 51(n) of the Planning Act, the Development 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 proposed development is within a well established caravan park, which is accessed via a controlled intersection from the Stuart Highway. Existing landscaping provides a visual and acoustic barrier to the Stuart Highway and surrounding land uses, and is not expected to impact on the amenity of the locality.

ACTION: Notice of consent and Development Permit.

ITEM 9
PA2011/0233

SUBDIVISION TO CREATE 93 LOTS
SECTION 6012 (269) HICKS ROAD, SECTIONS 3926, 5020, 5021, 5022 & 5040
(365, 435, 303A, 303B & 307B) GIRRAWEE ROAD & LOTS 18, 19, 20, 21 &
22, HUNDRED OF BAGOT
APPLICANT EARL JAMES AND ASSOCIATES

Applicant Mr Kevin Dodd (Earl James and Associates) attended.

Submitter Mr Gerry Wood attended.

Submitters Mr Patrick Gray & Ms Alicia Buckle (Girraween Landcare Group) attended.

Mr Jason Hill (NRETAS) attended.

Patrick Gray tabled a report on behalf of the Girraween Landcare Group.

**RESOLVED
148/12**

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Sections 6012, 3926, 5020-5022, 5040 and Lots 18-22 (LTO 77010), Hicks & Girraween Roads, Hundred of Bagot, for the purpose of a subdivision to create 85 lots so that the consent Authority can be provided with advice on the capability of the land to accommodate the development should the development be staged and granted a conditional permit.

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 authority has requested clarification on how the staging of the application will allow for the subdivision to be developed in a manner consistent with the capability of the land.

ACTION: Advice to Applicant / Defer.

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



PETER MCQUEEN
Chairman

21/6/12

