



## DEVELOPMENT CONSENT AUTHORITY

### LITCHFIELD DIVISION

### MINUTES

**MEETING No. 179 – FRIDAY 12 SEPTEMBER 2014**

**WHITEWOOD HALL  
325 WHITEWOOD ROAD  
HOWARD SPRINGS**

**MEMBERS PRESENT:** Keith Aitken (Presiding Member), Michael Bowman and Allan McKay

**APOLOGIES:** Denis Burke (Chairman) and Bob Shewring

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Steven Kubasiewicz, Allison Hooper and Sarah Gooding (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Nil

**Meeting opened at 10.00 am and closed at 12 noon**

**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.**

That, pursuant to section 101(3) of the *Planning Act*, in the Chairman's absence the members of the Litchfield Division of the Development Consent Authority elect Keith Aitken to preside at the meeting held on Friday 12 September 2014.

**ITEM 1**                    **24 X 2 BEDROOM AND 4 X 1 BEDROOM MULTIPLE DWELLINGS**  
**PA2014/0547**           **IN 2 X 4 STOREY BUILDINGS INCLUDING GROUND LEVEL CAR PARKING**  
**SECTION 6563 (8) GRICE CRESCENT, HUNDRED OF BAGOT**  
**APPLICANT**           **BENNETT DESIGN PTY LTD**

Mr Lanson Ip (Bennett Design Pty Ltd) & Mr Mirto Albertoni (landowner) attended

**RESOLVED**            That, the Development Consent Authority vary the requirements of clause 6.5.2  
**191/14**                    (Reduction in Parking Requirements), clause 6.5.3 (Parking Layout) and 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 Section 6563 (8) Grice Crescent, Hundred of Bagot for the purpose of 24 x 2  
                                  bedroom and 4 x 1 bedroom multiple dwellings in 2 x 4 storey buildings including  
                                  ground level car parking, subject to the following conditions:

#### **CONDITIONS PRECEDENT**

1. 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. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning and the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the DLRM website: <http://lrm.nt.gov.au/soil/management>
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the 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.

#### **GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance with the drawings numbered 2014/0547/01 through to PA2014/0547/11, endorsed as forming part of this permit.

4. Tandem parking bays are to be allocated to a specific unit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Litchfield Council to the satisfaction of the consent authority.
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) provide footpaths/ cycleways;
  - (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.
10. 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; and
  - (d) drained.Car spaces and driveways must be kept available for these purposes at all times.
11. 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.
12. 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.
13. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
15. Storage for waste disposal bins is to be provided to the requirements of Litchfield Council to the satisfaction of the consent authority.

## NOTES:

1. This permit will expire if one of the following circumstances applies
  - (a) The development is not started within two years of the date of this permit; or
  - (b) The development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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. The NT Environment Protection Agency 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 primary purpose of Zone MR is to provide for a range of housing options to a maximum height of four storeys above ground level. The proposed development will provide 1 and 2 bedroom multiple dwellings in 2 x 4 storey buildings. This is consistent with the intent of the clause.

A reduction to clause 6.5.2 (Reduction in Parking Requirements) of the Northern Territory Planning Scheme is supported as the development provides 4 x 1 bedroom dwellings and it is reasonable to expect that at least two of these would be of single occupation. Provided that potential purchasers are clearly made aware of the car parking allocation on-site and the car parking arrangement is appropriately managed, it is considered unlikely that a single car park allocation to two of the four one-bedroom multiple dwellings provided, will have a negative impact on the site or surrounding area.

A variation to clause 6.5.3 (Parking Layout) of the Northern Territory Planning 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 six (6) tandem parking bays on the "site plan", as they are expected to be 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 34 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.

A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported for the following reasons:

- the irregular north-western boundary along the Grice Street frontage. As the boundary tapers inwards, it is difficult to meet the front setback requirements on-site. Due to the configuration of Section 6563 the development would sit forward of the Zone MD (Multiple Dwelling Residential) allotments to the east, even if the development did comply with all front setback requirements. The development complies with all other setback requirements;
  - the siting of the development at the Grice Crescent / Dili Court intersection. The Zone MD allotment to the north of the site (Section 6490) is located on the corner of Dili Court and Grice Crescent and therefore, it is unlikely that the reduced setback will impact upon the outlook of the future residents of this site. Section 6492 on the other corner site is Zone U (Utility); and
  - The adjoining parcel to the west is set forward of Section 6563 and, for this reason, it is considered unlikely that future residents of this site will be affected by a reduced front setback on Section 6563. Furthermore, the communal open space is sited alongside the shared boundary and the buildings on-site exceed the setback requirements along this boundary.
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 2450m<sup>2</sup> in area, is generally rectangular in shape, with a north-eastern front boundary that tapers in slightly and has two street frontages. The site has been cut, filled and graded as part of the subdivision works and as such is relatively flat. Provided that stormwater and erosion is effectively managed, the site is considered capable of supporting the proposed development.

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

The subject proposal will provide for a variety of housing options in Coolalinga. Provided that the collection and discharge of stormwater is managed to Council's satisfaction, and an appropriate Erosion and

Sediment Control Plan is adhered to throughout the construction phase of the development, the proposal is considered likely to positively contribute to the future residential amenity of the locality.

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

**ITEM 2 WITHDRAWN**

**ITEM 3 SUBDIVISION TO CREATE 2 LOTS**  
**PA2013/0721 SECTION 2335 (120) BEDDINGTON ROAD, HUNDRED OF STRANGWAYS**  
**APPLICANT AAM PTY LTD**

Mr Gregg Hestelow (AAM Pty Ltd), from EcOz :- Ms Narelle Walkon, Mr Ray Hall and Mr David Vanderdenhoek, Mr Bob & Mrs Del Edwards (landowners) attended.

**RESOLVED**  
**192/14**

That, pursuant to section 53(c) of the *Planning Act*, the Development Authority refuse to consent to the application to develop Section 2335 (120) Beddington Road, Hundred of Strangways for the purpose of a subdivision to create two lots for the following reasons detailed below:

**REASONS FOR THE DECISION**

1. Pursuant to section 52(1)(b) of the *Planning Act*, the consent authority must not consent to a proposed development if, in its opinion, the proposed development is contrary to the development provisions.

Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme requires that the minimum lot size for land zoned RL is 2 ha and each lot must contain a minimum 1 ha of accessible unconstrained land. Both lots contain a minimum of 1 ha of unconstrained land, however Lot 2 does not have unconstrained access to this land.

Clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) of the Northern Territory Planning Scheme requires that subdivisions of rural and unzoned land respond to the physical characteristics of the land. The Department of Land Resource Management advise that, while further information provided indicates that there is 1 ha of unconstrained land on each lot, insufficient details have been provided regarding the 'engineered approach' to provide unconstrained access to Lot 2; and part of the proposed new boundary will run through an area that is subject to seasonal waterlogging.

Clause 11.4.2 (Infrastructure in Rural Subdivisions) of the Northern Territory Planning Scheme requires that subdivisions of rural and unzoned land are integrated with infrastructure, community services and facilities. Proposed Lot 2 is accessed via a 10m wide battle axe strip, approximately 294m in length. Power and Water Corporation (PWC) have advised that they do not support the new axe-handled Lot 2, as the voltage drop would exceed the acceptable limit and the establishment of power to Lot 2 would be extremely expensive for the new land owner.

The access to Lot 2 will run through areas that are subject to seasonal waterlogging. The access to Lot 2 will need to be engineered to ensure that access to the lot is unconstrained.

Clause 11.4.3 (Lot Size and Configuration in Subdivision of Rural and Unzoned Land) of the Northern Territory Planning Scheme requires that rural subdivisions

- a) have lots that are of a size and configuration suited for the intended purpose;
- b) have lots that are of a size consistent with the topographical constraints of the land (that may dictate that lots are of an area in excess of the specified minimum); and
- c) do not impose unsustainable demands on groundwater or unreasonably degrade the environment.

Access to Lot 2 is constrained. The proposed boundary line between Lots 1 and 2 runs through seasonally waterlogged soils.

Clause 2.7 (Reference to Policy) of the Northern Territory Planning Scheme states that the interpretation of this Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in those documents appearing in Schedule 2 and ensure that a use or development or proposed use or development is consistent with them.

*The Litchfield Planning Concepts and Land Use Objectives 2002 (LUOs)* are applicable to this application and identify the application site as within 'Locality 13 – Litchfield Central'. The issues of Locality 13 include the identification of wildlife corridors to provide links to the Black Jungle/Fogg Dam locality.

Proposed Lot 2 is located at the headwaters of a drainage system that flows through undeveloped land east from the property boundary into the Black Jungle Conservation Reserve. Furthermore, the site contains highly significant vegetation and the proposed boundary line between Lots 1 and 2 runs through seasonally waterlogged soils.

For the reasons above, the proposed subdivision is not consistent with the intent and objectives of Sections 2.3 (Natural Resource Management) Section 3.6 (Environmental Management) of the LUOs.

Clause 2.8 (Reference to Guidelines) of the Northern Territory Planning Scheme states that applications for a use or development must demonstrate consideration of and the consent authority must have regard to any guidelines applicable to the use or development appearing in Schedule 3 of the Northern Territory Planning Scheme and ensure that a use or development or proposed use or development is consistent with them.

The *NT Land Clearing Guidelines 2010* are relevant to this application and identify the application site as containing a mapped area of Sand-sheet Heath. Sand-sheet Heath is recognised as prime habitat for a suite of listed threatened species under Northern Territory and/or Australian

Government legislation. In addition, the wetland buffer surrounding this patch of Sand-sheet Heath, extends over more than 90% of the proposed area of Lot 2. The Department of Land Resource Management advise that this land is not suitable for subdivision for residential rural living or for more intensive development.

**ACTION:** Notice of Refusal

**ITEM 4**                    **SUBDIVISION TO CREATE 90 LOTS, INCLUDING CLOSURE OF PUBLIC ROADS**  
**PA2014/0007**           **SECTION 1741 AND 1747 (175 & 350) LAWTON ROAD, HUNDRED OF**  
**APPLICANT**           **CAVENAGH**  
**PLANIT CONSULTING PTY LTD**

DAS email correspondence from Bushfires NT and a table for stage 1 submitted by the applicant.

Mr Christopher Cheung (Planit Consulting Pty Ltd), Mr Ernie Chin (landowner) and his son Mr Seth Chin, Mr Simon Byrne (Byrne Engineering), from EcOz Mr Ray Hall and Mr David Vanderdenhoek.

Submitters in attendance: - Mr Gerry Wood MLA, Ms Sarah Hirst and Mr Peter Ebsworth.

**RESOLVED**  
**193/14**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Sections 1741 and 1747 (175 and 350) Lawton Road, Hundred of Cavenagh for the purpose of a subdivision to create up to 62 lots in two stages comprising 38 lots in stage 1 and up to 24 lots in stage 2 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:

- A detailed fire access management plan that demonstrates compliance with the requirements of Bushfires NT and the advice provided in the Land Suitability Assessment regarding the clearing for fire breaks and fencing.
- An assessment of the hydrological impact of fill being placed within the land zoned CN (Conservation) and nominated as being subject to inundation.
- Clarification from Development Assessment Services on how clearances for each stage of the development is to be administered with a view to ensuring each lot will 1ha of unconstrained land at the completion of both stages.

#### **REASONS FOR THE DECISION**

1. The consent authority is concerned about the potential for erosion to occur within those parts of the land that are subject to inundation. The Land Suitability Assessment prepared by EcOz notes that *"it is recommended that firebreaks and fence lines be cleared to the 25m buffer inundation buffer surveyed by EcOz or the CN zone land, which ever is intercepted first. No land clearing should take place within either*



*the 25 meter buffer or the conservation zone as this action will result in significant environmental impact and potential for accelerated erosion within the drainage area.”. The consent authority considers that the information provided in the application with regard to the firebreaks does not adequately address the comments contained in the EcOz report. Further to this it is unclear whether Bushfires NT understand the intent of the Fire Access Management Plan to not extend fire access tracks along all property boundaries.*

2. Stage 2 is subject to engineering works to provide 1ha of unconstrained land with unconstrained access. The plan of division provided by the applicant and considered as a part of this report notes that significant fill may be required to provide 1ha of unconstrained land per lot for stage 2. The filling of land, particularly within areas that are subject to inundation and within CN zoned land has the potential to significantly alter drainage patterns and the movement of water through that part of the land that is subject to inundation. Clause 6.16 (Excavation and Fill) requires that any consent to excavate or fill land should include a hydrological assessment of potential upstream and downstream impacts of the excavation or filling. The consent authority seeks clarification from the applicant as to how this is to be adequately addressed.
3. While it is understood that the proponent proposes to provide unconditional certification that there will be one hectare of unconstrained land (and unconstrained access) for every lot within the subdivision, it is unclear what level of guarantee this provides (in relation to lots within Stage 2), considering that there will be no requirement for sign off by Government at the end of the process.

**ACTION:** Advice to Applicant

**ITEM 5  
PA2014/0552  
APPLICANT**

**SUBDIVISION TO CREATE 59 LOTS IN 4 STAGES  
LOT 3 (LTO69/006) (110) FRED'S PASS ROAD, HUNDRED OF STRANGWAYS  
MASTERPLAN NT**

Ms Linda Henning (Masterplan NT), Mr Tony Whear and Mr Peter Poniris (Tolinchlo Pty Ltd – landowner) attended.

Submitters in attendance: - Mr Jeff Green, Mr Gerry Wood MLA, Mr Kevin & Mrs Elizabeth Maxwell

**RESOLVED  
194/14**

That, the Development Consent Authority vary the requirements of Clause 11.1.2 (Integrated Residential Development) and Clause 11.2.2 (Infrastructure and Community Facilities in Residential Subdivisions) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 3 LTO69/006 (110) Freds Pass Road, Hundred of Strangways for the purpose of a subdivision to create 59 lots in four stages, 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) Provision of a footpath along the Beaumont Road frontage, and along Freds Pass Road to Section 4134 (50) Freds Pass Road, Humpty Doo;
  - b) Fencing plan indicating 'good neighbour' fencing along the southern and eastern boundaries that adjoin Zone RL land;
  - c) Provision of 17m wide road reserves to all internal roads, in accordance with Litchfield Council urban subdivision requirements;
  - d) Provision of public car parking adjacent to the public open space;
  - e) Delineation of building envelopes on lots 1-19 inclusive, in accordance with Table to Clause 11.2.3 of the NT Planning Scheme, orientated towards the front of the lots; and
  - f) Identification of the public open space and drainage corridor as 'lot 59'.
2. 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. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
3. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council stormwater drainage system and the detention basin on Section 368 Hundred of Strangways, shall be submitted to and approved by Litchfield Council and the Department of Lands, Planning and the Environment (Land Administration) 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.
4. Prior to the commencement of works a qualified person, under section 68 of the *Waste Management and Pollution Control Act*, is to provide certification that the site is suitable for its intended uses(s), to the satisfaction of the consent authority on the advice of the NT Environment Protection Authority.

## GENERAL CONDITIONS

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

6. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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
  - d) presence of vermin
12. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
13. Landscaping and development of open space and streets/roads shall be designed and constructed to the requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
14. 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.
15. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
16. 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.

17. Before the issue of titles, the fencing as identified in the Fencing Plan is to be installed.

**NOTES:**

1. This permit will expire if one of the following circumstances applies:
  - a) the development is not started within two years of the date of this permit; or
  - b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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 Northern Territory Environment Protection Authority 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. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
5. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
6. 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.
7. 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
8. All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or [placenames.dpi@nt.gov.au](mailto:placenames.dpi@nt.gov.au). Further information can be found at <http://www.placenames.nt.gov.au>.

9. The developer is encouraged to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.

## 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 generally in accordance with the requirements of the Northern Territory Planning Scheme for integrated residential development and residential subdivision. Amended plans are required to address minor issues of non-compliance and to improve the connectivity and amenity of the subdivision.

2. Pursuant to section 51(e) of the *Planning Act*, the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application

Public submissions raised a number of different concerns, including impact on rural amenity and lifestyle, lack of existing infrastructure and services to support the proposed subdivision, stormwater management, impact on provision of reticulated services, and requested clarification on the intended future development the Multiple Dwelling zoned lot.

Larger single dwelling allotments have been provided adjacent the existing Zone RL lots along the southern boundary, the provision of fencing will create a visual separation and assist in alleviating some noise intrusion between the two land uses, and the provision of landscaping to road frontages is consistent with existing landscaping. It should be noted that local amenity impacts need to be considered on balance with the recognised demand for additional land for housing, including the demand for a range of dwelling types and housing styles.

A condition precedent requiring amended plans and a stormwater management plan addresses some of the submitters' concerns regarding connectivity to the Humpty Doo District Centre and potential stormwater flooding issues.

3. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The subdivision will be fully serviced by reticulated power, water and sewer; however, an interim holding tank is required until a new sewer pump station in the locality is constructed and operational, and an

agreement will need to be entered into with Power and Water Corporation regarding the regular pump out of the holding tank.

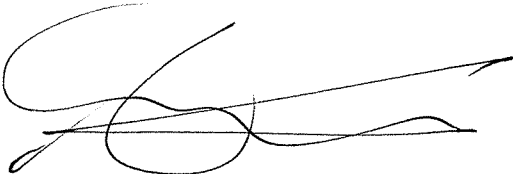
The site has previously been cleared of native vegetation and used as a mango orchard, which has also since been cleared. The NT EPA require confirmation that the land is free from possible contamination and suitable for residential development.

The application identifies two slight depressions in the central southern area of the site. Stormwater backup from outside of the site has in the past caused the site to flood; however, the applicant is of the understanding that Litchfield Council has addressed this issue in recent years. Underground stormwater infrastructure will be provided to the subdivision, with water directed towards the central stormwater detention basin and through to Freds Pass Road; stormwater disposal to Beaumont Road will be restricted to lots 51-57 only, being those lots with frontage to Beaumont Road. The Department of Land Resource Management has noted that the site is unconstrained by drainage.

A Stormwater Management Plan and an Erosion and Sediment Control Plan are required to determine the design details of required infrastructure and to manage erosion and sedimentation across the site during construction.

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

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



**KEITH AITKEN**  
Delegate

22/9/14