



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 192 – FRIDAY 11 DECEMBER 2015

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Denis Burke (Chairman), Bob Shewring, Steve Ward and Michael Bowman

APOLOGIES: Keith Aitken

OFFICERS PRESENT: Margaret Macintyre (Secretary), Steven Kubasiewicz, Allison Hooper and Sonia Barnes (Development Assessment Services)

COUNCIL REPRESENTATIVE: Graeme Francis (General Manager Infrastructure and Planning) and Edward Li (engineer)

Meeting opened at 10.00 am and closed at 1.00 pm

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 CLEARING OF NATIVE VEGETATION
PA2015/0726 SECTION 5501 (990) GOODE ROAD, HUNDRED OF STRANGWAYS
APPLICANT MICHELLE ANGEL

Ms Michelle Angel attended with Mr Shane Head.

Ms Angel tabled a photo showing the long grass on the adjoining lot.

Submitters Mr Brian and Mrs Rita Ardley attended and tabled:-

1. a subdivision plan of Section 5501 with a red line showing a 50 metre buffer;
2. a plan showing the contour lines and the proposed clearing on the lot with a 50 metre buffer zone; and
3. a site plan showing areas to be cleared and a 50 metre buffer zone adjacent to the cleared area.

RESOLVED
215/15

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 5501 (990) Goode Road, Hundred of Strangways, for the purpose of clearing of native vegetation, 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 should include, but not necessarily be limited to, the following:
 - Timing of vegetation knock down and subsequent development activities;
 - On-contour earthworks (ie. across slope);
 - Installation and/or repair of rollover diversion banks on access tracks, in accordance with the Department's Technical Note No. 8: Diversion Banks (<http://www.lrm.nt.gov.au/soil/management/technotes>).
 - The establishment and maintenance of long-term groundcovers, including species, densities and timing.
 - Management (removal) of soil windrows or similar surface modifications that could alter and concentrate natural surface flow patterns.
 - Use of appropriate soil conservation measures and strategies especially for areas with $\geq 2\%$ slope.
2. 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 demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawing numbered 2015/0726/01 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. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Land Resource Management'.
6. The 25m native vegetation buffer to the Litchfield Priority Environmental Management (PEM) area is to be revegetated to the requirements of the Department of Land Resource Management, to the satisfaction of the consent authority, in order to re-establish native vegetation in the buffer zone.
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. The clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as "Permitted Clearing". All remaining native vegetation is to be maintained to the satisfaction of the consent authority.
9. 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.
10. The number of domestic livestock kept on the land shall not exceed 1 animal per hectare.

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. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
3. A permit to burn is require 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.

4. 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.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development area available from 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 account any planning scheme that applies to the land to which the application relates.

The application for clearing of native vegetation to facilitate improved pasture for horses is consistent with the intent of Zone R (Rural) and expected land uses within that zone.

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 and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The applicant has amended the proposed clearing plan to provide for appropriate vegetation buffers to the identified drainage easement and Litchfield Priority Management Areas (PEM). The land is to be selectively cleared to plan improved pasture for the keeping of domestic livestock which assist in the management of weeds.

3. 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 retention of a 20m wide vegetated buffer and additional planting of native species to the eastern boundary of the property will minimise the visual impact to the adjoining property.

ACTION: Notice of Consent and Development Permit

**ITEM 2
PA2015/0743
APPLICANT**

**INDEPENDENT UNIT IN EXCESS OF 80M2
LOT 88 (90) TOBIN ROAD, HUNDRED OF BAGOT
PETER BAMFORD**

DAS tabled comments from Litchfield Council dated 4 December 2105.

Mr Peter Bamford attended.

Submitter Mr Gerry Wood MLA attended.

**RESOLVED
216/15**

That, the Development Consent Authority vary the requirements of Clause 7.10.4 (Independent Units) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 88 (90) Tobin Road, Hundred of Bagot for the purpose of an independent unit with a floor area in excess of 80m² and independent effluent disposal system, 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 must be generally in accordance with the plan submitted with the application but modified to show the exact size of the independent unit:

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. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. An approved effluent disposal system must be installed concurrently with the erection of the independent unit and all waste must be disposed of within the curtilage of the property and be certified by a registered Plumber/Drainer to the satisfaction of the consent authority.
6. 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.
7. The kerb crossings 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.

The owner shall:

- (a) remove disused vehicle and/ or pedestrian crossings; and
 - (b) undertake reinstatement works;
all to the technical requirements of and at no cost to Litchfield Council, to the satisfaction of the consent authority.
8. The independent unit is to be suitably screened from the eastern boundary to minimise any impact on the amenity. A landscaping buffer must be provided

and maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

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) 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 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).
4. This Development Permit does not grant planning approval for any use other than that of an independent unit. 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 7.10.4 (Independent Units) of the Scheme to allow an independent unit with a floor area of 118m² where 80m² is required by the Scheme is granted as:

- The 38m² variation sought is considered reasonable in this instance as there is existing landscaping east of the independent unit which is expected to minimise the visual impacts for the neighbours and adjoining properties;
- Land adjacent to the rear boundary is zoned CN (Conservation) of the Scheme and therefore the proposed independent unit will not impact any existing or future dwellings;
- The independent unit has adequate separation between the property boundaries (approximately 36m); and
- The independent unit is ancillary to the single dwelling and is the only independent unit permitted on the lot as per Clause 7.1 (Residential Density) of the Scheme.

A variation to Clause 7.10.4 (Independent Units) of the Scheme to allow second wastewater treatment system on the site where one is required is granted as:

- The application includes documentation from a licensed certified plumber that the holding capacity of the existing system is not capable of accepting the increased load, and is too far from the location of the proposed independent unit.
 - As per documentary evidence, a second septic system is required as a common septic would not work hydraulically; and
 - The existing and proposed septic systems are approximately 108 metres apart.
2. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposed independent unit is not expected to impact upon the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2015/0367

CONCURRENT APPLICATION - REZONE PART SECTION 3323, HUNDRED OF BAGOT FROM ZONE RL (RURAL LIVING) TO ZONES SD (SINGLE DWELLING), MD (MULTIPLE DWELLING), MR (MEDIUM DENSITY), PS (PUBLIC OPEN SPACE) AND U (UTILITIES) AND SUBDIVISION TO CREATE 23 LOTS SECTIONS 3323 & 3324 (395 & 391) STUART HIGHWAY, HUNDRED OF BAGOT ELTON CONSULTING

APPLICANT

Elton Consulting sent their apologies.

Mr Brad Cunnington (Northern Planning Consultants) attended on behalf of the applicant with Mr Simon Byrne (Byrne Design (Engineers)), Mr Matt Mckiennairey (Green Waste Water Group) and Ms Jenny Truemer (landowner).

Submitter in attendance Mr Gerry Wood MLA who tabled a photo showing the impact Olive Hymenachne (*Hymenachne amplexicaulis*) can have on water bodies.

RESOLVED
217/15

Pursuant to section 30P(1)(b) of the *Planning Act*, the Development Consent Authority determine that, if the Minister were to approve the amendment proposed by the concurrent application, the Development Consent Authority would be likely to refuse to consent to the application to develop Sections 3323 and 3324 (395 & 391) Stuart Highway, Hundred of Bagot for the purpose of a subdivision to create 24 lots, under section 30W(1)(c) of the Act, for the following reasons:

1. Pursuant to section 30P(2)(a) of the *Planning Act*, the consent authority must take into account the Planning Scheme that applies to the land to which the application relates.

The application does not demonstrate adequate provision of suitable recreation space as required by Clause 11.2.2(f) (Infrastructure and Community Facilities in Residential Subdivisions) of the Northern Territory Planning Scheme. The public open space proposed in the application is comprised of a seasonal marsh/swamp and does not provide for the anticipated intensity of the proposed subdivision. The provision of useable public open space in the Coolalinga area is an outstanding and emerging issue and one that must be addressed.

2. Pursuant to section 30P (2) (k) of the *Planning Act*, the consent authority must take into account the capability of the land to support the development proposal and the effect of the proposal on the land, and on any other land, the physical characteristics of which may be affected by the proposal.

The application has not adequately demonstrated that the works associated with the proposed subdivision will not have any adverse upstream and/or downstream impacts in relation to the displacement of stormwater.

**RESOLVED
218/15**

That, under section 30Q of the *Planning Act*, the Development Consent Authority report to the Minister for Lands and Planning on the preliminary decision, the issues raised in the submissions, the issues raised at the hearing, and on any other matters it considers the Minister should take into account when considering the proposal.

ACTION: Report to Minister

**RESOLVED
219/15**

That, pursuant to section 86(1) of the *Planning Act*, the Development Consent Authority delegates its powers to the Chairman, or in the absence of the Chairman, any member of the Litchfield Division of the Authority, to:

1. Determine, pursuant to section 30W(1)(c), of the *Planning Act*, to refuse to consent to the development proposal contained in the concurrent application and refuse the concurrent application after receipt of a notice under section 30U(9)(1); and
2. Issue the relevant notices under section 30Z.

ACTION: Advice to Applicant

ITEM 4
PA2015/0749
APPLICANT

**SUBDIVISION TO CREATE 19 LOTS
SECTION 1809 (115) OXFORD ROAD, HUNDRED OF AYERS
EARL JAMES AND ASSOCIATES**

Mr Kevin Dodd (Earl James & Associates), Mr Ron and Mrs Jennie Day (owners), Mr Ian Lancaster (KSI Land and Water Planning) attended.

Mr Dodd tabled a response to issues raised in submissions and three photographs showing:- the carpark, toilet block and caretakers house at Berry Spring

Ms Wendy Connor and Mr Toby Connor - interested parties in support of the application attended.

**RESOLVED
220/15**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Section 1809 (115) Oxford Road, Hundred of Ayers for the purpose a subdivision to create 19 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:

- (a) A Land Suitability Assessment to the requirements of the Department of Land Resource Management;
- (b) A Land Capability Assessment to the requirements of the Department of Health; and
- (c) A revised nominal bore and septic plan that meets the requirements of the NT Planning Scheme, the Department of Land Resource Management and the Department of Health in regards to separation distances.

Additionally, the Development Consent Authority is not satisfied that enough information has been provided in the application to demonstrate that the proposed subdivision will not have a detrimental impact on Berry Spring, the Berry Springs Nature Park and the Territory Wildlife Park, specifically in regards to water quality. The applicant must liaise with the Department of Land Resource Management to determine the sustainability of the Berry Springs Aquifer.

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 applicant has not suitably addressed the requirements of the NT Planning Scheme in relation to demonstrating that the land is capable of supporting the proposed subdivision through the provision of a minimum of 1ha of unconstrained land per lot, use of groundwater and onsite effluent disposal. The Department of Land Resource Management requests a Land Suitability Assessment in accordance with the NT Land Suitability Guidelines, and the Department of Health requests a Land Capability Assessment.

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

There is a conflict in the data used by the applicant and the Department of Land Resource Management in regards to groundwater; how this data is interpreted can have a significant impact on the sustainability of the aquifer, the capability of the land to support the proposed subdivision, and the environmental values of the locality.

ACTION: Advice to Applicant

**ITEM 5
PA2015/0693
APPLICANT**

**SUBDIVISION TO CREATE 4 LOTS
SECTION 4552 (5) WHITTAKER ROAD, HUNDRED OF STRANGWAYS
TERRITORY DEVELOPMENT SERVICES**

Mr Alan Sprigg (Territory Development Services) and Mr Des Groves (owner) attended.

Mr Sprigg tabled a plan showing the location of septics, bores and nominal bores on the proposed lots.

**RESOLVED
221/15**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 4552 (50) Whittaker Road, Hundred of Strangways for the purpose of a subdivision to create 4 lots 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) scaled site plan showing the location of unconstrained land in accordance with the land suitability report prepared by VPS Land Assessment and Planning, the location of exiting bores and waste water treatment systems and nominated locations of bores and septics for the proposed lots within that portion of the land identified as unconstrained in a manner consistent with the requirements of Clause 11.4.3 of the NT Planning Scheme.

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. 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 facilities, and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. 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 the Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
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. Before the issue of titles, firebreaks along boundaries shall be slashed to the satisfaction of the consent authority on the advice of Bushfires NT.
8. This development is subject to the Litchfield Council Developer Contribution plan. The developer shall pay a development levy as per the plan.

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. A "Permit to Work Within a Road Reserve" may be required from the Litchfield Council before commencement of any work within the road reserve.
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. 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.
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. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354.

The numbers shown on the plans are indicative only and are not for addressing purposes.

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 generally consistent with the requirements of the Northern Territory Planning Scheme. Amended plans are required to confirm that adequate separation distances can be achieved between bores/septics/seepage lines on those areas of land identified as being unconstrained.

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 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 Department of Land Resource Management and the Council have not raised any issue with the capability of the land to accommodate the subdivision in relation to storm tide/riverine or localised stormwater flooding. The authority notes the comments of the department with regard to the potential that the likely use of water from the aquifer is likely to exceed its recharge capability. In consideration of this the authority notes that the impact on the aquifer can be reduced through the use of rainwater tanks to accommodate future development.

ACTION: Notice of Consent and Development Permit

ITEM 6
PA2015/0750
APPLICANT

SUBDIVISION TO CREATE 3 LOTS
SECTION 4540 (405) ELIZABETH VALLEY ROAD, HUNDRED OF STRANGWAYS
TERRITORY DEVELOPMENT SERVICES

Mr Alan Sprigg (Territory Development Services) attended.

Mr Sprigg tabled:-

- a plan showing the location of septic, and bores on the proposed lots; and
- a plan showing the contour lines of the lot.

RESOLVED
222/15

That, the Development Consent Authority vary the requirements of Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 4540 (405) Elizabeth Valley Road, Hundred of Strangways for the purpose of a subdivision to create 3 lots, 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) scaled site plan showing the location of unconstrained land in accordance with the land suitability report prepared by VPS Land Assessment and Planning, the location of exiting bores and waste water treatment systems and nominated locations of bores and septic tanks for the proposed lots within that portion of the land identified as unconstrained in a manner consistent with the requirements of Clause 11.4.3 of the NT Planning Scheme;
 - (b) plans and details of the engineering solution proposed to provide unconstrained access to the unconstrained portion of Lot C, certified by an appropriately qualified professional; and
 - (c) a hydrological assessment from a suitably qualified and experienced professional that the engineering solution proposed to provide unconstrained access to Lot C will not impact on the unconstrained land identified for lots A, B and C.
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 the Litchfield Council stormwater drainage system shall be submitted to and approved by the Litchfield Council to the satisfaction of the consent authority. The plan shall address the requirements of the Litchfield Council in correspondence dated 30 October 2015.

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. 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
5. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities, and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. 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 the Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

7. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
8. Before the issue of titles, firebreaks along boundaries shall be slashed to the satisfaction of the consent authority on the advice of Bushfires NT.
9. This development is subject to the Litchfield Council Developer Contribution plan. The developer shall pay a development levy as per the plan.

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. A "Permit to Work Within a Road Reserve" may be required from the Litchfield Council before commencement of any work within the road reserve.
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. 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.
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. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans are indicative only and are not for addressing purposes.
7. It is recommended that appropriate mitigation measures are developed and implemented to ensure that the risk to the population of *Cycad armstrongii* remain low. Individual *Cycad armstrongii* can either be conserved within the development, or salvaged as per the Management Program for Cycads in the Northern Territory of Australia 2009-2014 (Liddle, 2009). This may require a permit if salvage for commercial purposes is proposed.

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 generally consistent with the requirements of the Northern Territory Planning Scheme. Amended plans are required to confirm that adequate separation distances can be achieved between bores/septics/seepage lines on those areas of land identified as being unconstrained.

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 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 Department of Land Resource Management and the Council have not raised any issue with the capability of the land to accommodate the subdivision in relation to storm tide/riverine or localised stormwater flooding. The authority notes the comments of the department with regard to the potential that the likely use of water from the aquifer is likely to exceed its recharge capability. In consideration of this the authority notes that the impact on the aquifer can be reduced through the use of rainwater tanks to accommodate future development.

Access to Lot C can only be achieved over land that is described as being poorly drained. To ensure that Lot C has unconstrained access a condition has been placed on the permit requiring that the driveway be engineered to ensure that as a result of the works there is no impact on the adjoining land.

ACTION: Notice of Consent and Development Permit

ITEM 7
PA2015/0334
APPLICANT

SUBDIVISION TO CREATE 4 LOTS
LOT 10 (200) TRIPPE ROAD NORTH, HUNDRED OF STRANGWAYS
IRWIN CONSULT

Mr Owen Tyson (Irwin Consult) and Mr Danny Skewes (owner) and Mr Ken Skewes attended.

RESOLVED
223/15

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10 (200) Trippe Road North, Hundred of Strangways for the purpose of a subdivision to create 4 lots, 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 location of existing bores and waste water treatment systems and nominated locations of bores and waste water treatment systems for the proposed lots in a manner consistent with the requirements of Clause 11.4.3 of the NT Planning Scheme.
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 the Litchfield Council 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.
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 DLRM. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. 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 and the DLRM website: <http://lrm.nt.gov.au/soil/management>.

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 and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. 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.

and

The owner shall:

- (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;
- all to the technical requirements of and at no cost to the Litchfield Council to the satisfaction of the consent authority.
7. All proposed works impacting on Trippe Road North 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 the Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

8. 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.
9. 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.
10. 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.
11. The developer must implement necessary measures to ensure mosquito breeding does not occur during the construction phase of the development, to the requirements of the Department of Health, to the satisfaction of the consent authority.
12. This development is subject to the Litchfield Council Developer Contribution Plan. The developer shall pay a development levy as per the plan.

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. 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.
3. A groundwater extraction licence is required under the *Water Act* for any bore equipped to supply over 15 litres per second. For advice on water extraction licences please contact the Water Management branch of the Department of Land Resource Management.
4. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Act*. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Branch of the Department of Lands, Planning and the Environment.
5. All new roads, including alterations and extensions to existing 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 place.names@nt.gov.au. Further information can be found at www.placenames.nt.gov.au.

6. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

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 generally consistent with the requirements of the Northern Territory Planning Scheme. Any impact on the identified environmental values identified are minimised by the use of the existing access track to provide for the proposed road.
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 and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development. Each lot has a demonstrated 1ha of unconstrained land and through the construction of the road unconstrained access to each lot. The Department of Land Resource Management have requested an erosion and sediment control plan to manage the impacts of the construction of the road. No issues of capability have been raised by the service authorities.

ACTION: Advice to Applicant

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



ROBERT SHEWRING
Delegate

16/12/15