DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 185 – FRIDAY 10 APRIL 2014

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

MEMBERS PRESENT: Denis Burke (Chairman), Keith Aitken, Bob Shewring and Michael Bowman

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary) Steven Kubasiewicz, Allison Hooper (session 1), Karen McGuigan (session 2) and Dawn Parkes (session 3) (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.00 am and closed at 2.30 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  
PA2015/0088  
APPLICANT  
INDEPENDENT UNIT WITH FLOOR AREA IN EXCESS OF 80M2  
SECTION 3673 (25) CAVALCADE ROAD, HUNDRED OF STRANGWAYS  
ONE PLANNING CONSULT

Mr Israel Kgosiemang (One Planning Consult) attended.

RESOLVED 66/15

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 Section 3673 (25) Cavalcade Road, Hundred of Strangways for the purpose of an independent unit with floor area in excess of 80m² subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
   a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
   b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
   c) canopy trees (minimum two metres tall when planted) and shrubs (that provides a dense screen within two years) between the dependant unit and the front and north boundary; and
   All species selected must be to the satisfaction of the consent authority.

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 independent unit shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

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

7. All proposed works impacting on Cavalcade Road are to be designed, supervised and certified on completion on by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a “Permit to Work Within a Road Reserve”.

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.

and

The owner shall:
(a) remove disused vehicle and/or pedestrian crossovers; 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.

9. The independent unit is to be suitably screened from the northern 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.

10. Before the use of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

11. The existing shed and carport shown on the site plan is not to be used as a dwelling or for accommodation purposes without the further consent 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) 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. 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.

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 of Clause 7.10.4 (Independent Units) is supported as the installation of a second septic tank and retn drain is a practical and economically viable solution to servicing the proposed development. The development of an independent unit exceeding 80m² is also supported as the proposal makes use of an existing structure which will be well setback from the nearest boundaries. The amenity of the locality will be maintained through the provision of additional landscaping which will assist in screening the independent unit from the adjoining property.

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 with independent wastewater system will not significantly increase density in the area and appropriately serviced. Additional landscaping as required by the condition precedent will ensure that the development is suitably screened from the road and neighbouring properties. The Independent Unit is not expected to detrimentally impact the existing or future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 2 EXCAVATION AND FILL (DAM)
PA2015/0070 LOT 51 (90) DOXAS ROAD, HUNDRED OF STRANGWAYS
APPLICANT ROBERT WOODS

Mr Robert and Mrs Marlene Woods (landowners) attended.

RESOLVED 67/15 That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 51 LTO 83/029 (90) Doxas Road, Hundred of Strangways, for the purpose of excavation and fill (dam), subject to the following conditions:

CONDITIONS PRECEDENT

1. Within 3 months of the date of this permit, a schematic plan demonstrating the onsite collection of stormwater and its discharge into the Litchfield Council 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 points. The plan shall also demonstrate that adjacent land located downstream of the subject site will not be affected by the run-off being concentrated by the development.

2. Prior to the endorsement of plans and within 3 months of the date of this permit, a hydrological assessment by a suitably qualified professional is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management. The assessment is to include an assessment of the design and construction of the dam and evaluation of the size of the dam in relation to the required capacity.

GENERAL CONDITIONS

3. Any works required to be undertaken as a result of Conditions Precedent 1 and 2 are to be completed within 6 months of that plan / assessment being approved by the consent authority.

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

5. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Litchfield Council drains or to any watercourse.

6. Soil erosion control and dust control measures must be employed whenever significant works are undertaken to the satisfaction of the consent authority.

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 Land Resource Management.

2. 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 the Department of Land Resource Management.

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

4. The applicant is advised to engage a suitably qualified engineer to determine the structural integrity of the dam wall.

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 existing dam is consistent with the requirements of Clause 6.16 (Excavation and Fill) of the NT Planning Scheme, and the site is considered suitable for the use. 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.

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 existing dam captures stormwater run-off from the subject site and surrounding properties and has minimised erosion in the locality. It does not impact significantly on the existing water flows in the locality and contributes to the amenity enjoyed by the occupants of the existing dwelling on the site. A basic hydrological assessment and implementation of a stormwater management plan will minimise potential future impact on the amenity of the locality. These are required prior to the endorsement of plans to ensure consistency.

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

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**ITEM 3**

**PA2015/0107**

**CARWASH, SHOWROOM SALES AND SUBDIVISION FOR THE PURPOSE OF A BOUNDARY REALIGNMENT**

**SECTION 3323 (395) STUART HIGHWAY, HUNDRED OF BAGOT**

**APPLICANT**

ELTON CONSULTING

Mr Alex Lawton (Elton Consulting) attended.

Submitter Mr Gerry Wood MLA attended.

**RESOLVED**

**68/15**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 3323 (395) Stuart Highway, Hundred of Bagot, for the purpose of a subdivision and consolidation to create 2 lots (boundary realignment), subject to the following conditions:

1. The works carried out under this permit shall be in accordance with Drawing Number 2015/0107/1, endorsed as forming part of this permit.

2. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

3. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities, water supply, sewerage, drainage and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, and vehicular access 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.

5. 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.

6. All works associated with this permit are to be undertaken in accordance with the Erosion and Sediment Control Plan endorsed under DP13/0217A and any subsequent versions.

7. Titles are not to be issued until all works associated with DP13/0217A and DP15/0135 are completed.

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. 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.

4. 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.

5. 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. Further information can be found at http://www.placenames.nt.gov.au.

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 proposed subdivision is generally compliant with the requirements of the NT Planning Scheme. Although there is not a minimum lot size for land within Zone C (Commercial), the proposed boundary realignment will create 2 lots that are of a scale and character appropriate to the growing needs of Coolalinga, which has been identified in the Darwin Regional Land Use Plan as a rural activity centre.

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

**RESOLVED 69/15**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 3323 (395) Stuart Highway, Hundred of Bagot, for the purpose of a carwash and showroom sales, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. 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. Provision is to be made for all wastewater and stormwater to be treated prior to leaving the site.

2. Prior to the endorsement of plans and prior to the commencement of works, 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. The plans must generally be in accordance with the plans submitted with the application but modified to show a separate loading bay on proposed lot 9 for the car wash development.

3. Prior to the commencement of works, the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of Power and Water Corporation (Water Services) that the existing wastewater treatment plant is of sufficient capacity to cope with the projected increased loading.

4. 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

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

6. 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.

7. 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.

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

9. 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.

10. All stormwater is to be treated prior to leaving the site. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council drains or to any water course.

11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council to the satisfaction of the consent authority.

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 Litchfield Council to the satisfaction of the consent authority.

12. Before the occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
(a) constructed;
(b) properly formed to such levels that they can be used in accordance with the plans;
(c) surfaced with an all-weather-seal coat;
(d) drained;
(e) line marked to indicate each car space and all access lanes; and
(f) clearly marked to show the direction of traffic along access lanes and driveways;
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
13. “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.

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. The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their clients.

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

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

18. All proposed works impacting on the new subdivision road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

19. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.

20. 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.

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

22. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

23. 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.

24. An Occupancy Permit under the Building Act must not be issued until title to the subdivision approved under DP13/0217A and DP15/0135 has been issued.

25. Before the use commences, an access easement must be registered over proposed lot 7 in favour of proposed lot 9, allowing access for vehicles to exit...
to the public road network from lot 9 over lot 7. Evidence of lodgement shall be provided to the satisfaction of the consent authority.

26. The development as shown on the endorsed plans must not be altered without the further consent 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) 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. 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.

4. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
   (a) so as not to create sun or headlight reflection to motorists; and
   (b) be located entirely (including foundations and aerially) within the subject lot.

5. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites in the Northern Territory. 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 proposed development is generally compliant with the requirements of the NT Planning Scheme, including the purpose of Zone C (Commercial) to provide for a range of business and community uses. The proposed development is of a scale and character appropriate to the growing needs of Coolalinga, which has been identified in the Darwin Regional Land Use Plan as a rural activity centre.
An access easement is required across proposed lot 7 in favour of proposed lot 9 to allow vehicles from the carwash to exit to the public road network. Amended plans requiring a separate loading bay for the carwash on proposed lot 9 will ensure that a loading bay is available at all times for the carwash operator and prevent any future discrepancies between the two lots as to access to a loading bay. The provision of a loading bay on proposed lot 9 will not impact on the development’s compliance with car parking under Clause 6.5.1 of the NT Planning Scheme.

2. Pursuant to section 51(m) of the Planning Act, the consent authority must take into consideration 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.

Power and Water Corporation (Water Services) requires further information on the discharge rate of the carwash development to determine whether or not the existing wastewater treatment plant has sufficient capacity. A condition precedent is included on the permit for the development of the carwash and showroom sales, requiring the issue to be resolved prior to the commencement of works.

ACTION: Notice of Consent and Development Permit

ITEM 4 SUBDIVISION AND CONSOLIDATION TO CREATE 4 LOTS
PA2015/0187 SECTIONS 5212, 5213 & 3407 (8) LORIKEET COURT, (46) & (15) MCKINLAY ROAD, HUNDRED OF STRANGWAYS
APPLICANT DEPARTMENT OF LANDS, PLANNING AND THE ENVIRONMENT

Mr Victor Oecker (Land Release Unit and Land Economic Development) attended.

Submitter Mr Gerry Wood MLA attended.

RESOLVED 70/15 That, the Development Consent Authority vary the requirements of Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the NT Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Sections 5212, 5213 & 3407 (8) Lorikeet Court, 46 Mckinlay Road & 15 Mckinlay Road) Hundred of Strangways, for the purpose of a subdivision and consolidation to create 3 lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. 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 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 to Council’s system, and demonstrate that 1ha of land unconstrained by localised stormwater flooding per lot can be achieved.

2. Prior to the commencement of any works, a Land Capability Assessment must be submitted to and approved by the Department of Health demonstrating the capability of the land to support onsite effluent disposal. The assessment is to include accurate mapping of the Q100 and show the precise location of all existing and notional bores and septic in the immediate area. When approved, the LCA will be endorsed and will then form part of the permit. If it is determined that alternate wastewater treatment systems are required, a Caution Notice to this effect will be required to be placed on each affected parcel.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with Drawing Number 2015/0187/1, 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. Before 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/Northern Territory Fire and Rescue Services.

8. Before the issue of titles and pursuant to section 34 of the Land Title Act, on lots identified in the Land Capability Assessment required by Condition Precedent 2, a Caution Notice shall be lodged with the Registrar General on the parent parcels to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to state that “the physical characteristics of the land require that individual aerated wastewater treatment systems must be installed on each lot for the onsite treatment and disposal of wastewater”. Evidence of lodgment on the parent parcels shall be provided to the satisfaction of the consent authority.

9. Soil erosion control and dust control measures must be employed throughout the construction stage of the development 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. 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.

3. 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.

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

5. 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. 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 land is within Zone RL (Rural Living), and lots are proposed to be 2.25ha, 1.93ha and 1.91ha in size respectively. A variation to Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the NT Planning Scheme is supported as the smaller lot size is due to the recent drainage construction works, which will increase the availability of unconstrained land to each of the lots to a minimum of 1ha. The lots are existing and have previously been used for rural living purposes.

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.

   A Land Capability Assessment is required as a condition precedent to determine the capability of the land to accommodate onsite effluent disposal. This includes accurate mapping of the Q100 line as it relates to the proposed disposal area, and identification of existing and notional...
bores and septic systems in the vicinity of the subject land. A stormwater management plan will finalise the design of the constructed stormwater drain, and confirm that each lot can provide 1ha of land unconstrained by localised stormwater flooding.

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

**ITEM 5  CLEARING OF NATIVE VEGETATION**
**PA2015/0086  SECTION 2479 (665) LEONINO ROAD, HUNDRED OF CAVENAGH**
**APPLICANT  MINH DO**

Mr Minh Do and Mr Greg Owens attended.

**RESOLVED  71/15**

That, pursuant to section 53(b) of the Planning Act, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Section 2479 (665) Leonino Road, Hundred of Cavenagh for the purpose of clearing of native vegetation, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority 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 and must be generally in accordance with the plans submitted with the application but modified to show:
   (a) a buffer of 25m of retained native vegetation to side and rear boundaries of the lot (excluding fire breaks), in addition to the 50m wide buffer to the street frontage;
   (b) a buffer of 25m either side of the drainage area in the southern portion of the Lot; and
   (c) a planting schedule within the proposed buffer areas of an appropriate species of native vegetation that will significantly reduce the potential for spray drift.

2. No clearing is to occur (except that necessary to identify potential bore sites) until the developer demonstrates, to the satisfaction of the consent authority, whether there is sufficient water for the intended use. Evidence of sufficient water must be submitted to and approved by the consent authority.

3. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases. Erosion and sediment control information can be located on the Department of Land Resource Management website at [http://frm.nt.gov.au/soil/management](http://frm.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 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.

6. The permit holder must ensure that the clearing operator has a copy of the permit, including the endorsed drawing, at all times during the clearing operation.

7. Before the vegetation removal starts, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the consent authority.

8. 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. The owner shall:
   (a) Re-establish / upgrade the existing access to cater for the proposed work; and
   (b) undertake reinstatement works;
       all to the technical requirements of and at no cost to the Litchfield Council to
       the satisfaction of the consent authority.

9. The landscaping to the buffer areas is to be established and maintained in accordance with the endorsed plan within 12 months of the date of this permit.

10. The land owner shall take all appropriate measures to minimise the potential for spray drift resulting from the horticultural/agricultural production on the subject land.

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. Heavy vehicles are restricted on Leonino Road. The developer should contact Council for further details.

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

4. Inspection fees and other charges will be applied in accordance with Litchfield Council Municipal Plan. Additional information can be found at www.litchfield.nt.gov.au

5. A permit to burn is required from the Regional Fire Control Officer, Department of Land Resource Management, prior to the ignition of any felled
vegetation on the property. Fire prevention measures are to be implemented in accordance with the requirements of the *Bushfires Act*.

6. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.

**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 for clearing of native vegetation to facilitate horticulture is consistent with the intent of Zone R (Rural) and expected land uses within that zone.

   Requiring 25m wide buffers to the side and rear boundaries, in lieu of the 15m requested by the applicant, and 50m to the street frontage would be consistent with the buffers recommended by the *NT Land Clearing Guidelines* for clearing of areas less than 8ha; would allow the retention of approx. 5.5ha of native vegetation and would provide greater protection of the amenity of the area than the buffers originally proposed by the application.

   Department of Land Resource Management have identified a drainage line in the Southern portion of the lot; the Authority considers it necessary to provide 25m wide buffers to this drainage line, in addition to those buffers to the Lot boundary.

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

   Three (3) public submissions made under section 49 of the Act were received in relation to this application. The submissions primarily expressed concern regarding the proposed end use of Section 2479 for commercial mango production.

   The submitters concerns regarding the potential erosion of their existing organic lifestyles and businesses are acknowledged as being valid concerns however the NT Planning Scheme does not currently provide any guidance to the consent authority by way of provisions to manage or regulate the potential conflicts between the different horticultural styles and lifestyle choices that may occur within the wide range of anticipated land uses within Zone R (Rural). The *Litchfield Planning Concepts and Land Use Objectives* do recognise and identify areas within the Litchfield Shire that may have potential for organic horticulture, however acknowledge that release and development of these areas will depend on further investigation of the regulations and guidelines required to effectively control subdivision and development. The areas that have
been identified within the *Litchfield Planning Concepts and Land Use Objectives* as having potential for organic horticulture do not include the subject land or surrounding areas.

Submitters also expressed concern regarding the potential impact upon native wildlife as a result of the proposed clearing.

The imposition of conditions requiring buffers to the side and rear boundaries of the lot, increased from that proposed by the original application, will assist in minimising the potential for impacts upon the amenity of surrounding parcels as a result of chemical drift; a primary concern of two of the submitters as well as maintaining some opportunity for wildlife corridors and refuges.

3. 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 determination of the authority to alter the proposal and require vegetated buffers additional to those requested by the application addresses comments received from the Department of Land Resource Management that identify the presence of a drainage line within the Lot.

Advice received from the Department of Land Resource Management and the Department of Primary Industries and Fisheries questioning the availability of sufficient water to service the proposed end use has been addressed through the imposition of a condition on the permit requiring that the developer prove sufficient water supply prior to commencement of any works.

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

<table>
<thead>
<tr>
<th>ITEM 6</th>
<th>CHANGE OF USE FROM SHOP TO LEISURE AND RECREATION (GYM)</th>
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</thead>
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<tr>
<td>PA2015/0083</td>
<td>TENANCIES 3, 4 &amp; 5</td>
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<td></td>
<td>SECTION 4201 (465) STUART HIGHWAY, HUNDRED OF BAGOT</td>
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<tr>
<td>APPLICANT</td>
<td>TOWN PLANNING ALLIANCE</td>
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</tbody>
</table>

Mr Vu Nguyen (Town Planning Alliance) and Mr Griff Davies (gym operator) attended.

**RESOLVED**

72/15 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 4201 (465) Stuart Highway, Hundred of Bagot for the purpose of a change of use of tenancies 3, 4 and 5 from shop to leisure and recreation (gym), subject to the following conditions:
GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0083/01 to 2015/0083/03 endorsed as forming part of this permit.

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

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

4. 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.

5. All proposed works impacting on the Stuart Highway / Service Road road reserve 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 Department of Transport. Drawings must be submitted to the Senior Director, Road Network Division of the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

6. No vehicles are to be parked, at any time, on the Stuart Highway / Service Road road reserve.

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development and use 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 Department of Infrastructure before commencement of any work within the road reserve.

3. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
   (a) so as not to create sun or headlight reflection to motorists; and
   (b) be located entirely (including foundations and aerially) within the subject lot.
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 variation of the requirements of Clause 6.5.1 (Parking Requirements) is supported as the likely demand for car parking associated with the leisure and recreation facility is dispersed throughout any given 24 hour period and is not expected to significantly add to actual demand upon the car parking spaces provided for the existing commercial complex on the site.

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 development of leisure and recreation (gym) in this location is generally consistent with the style of expected development in the area and would not be expected to adversely affect the amenity of the area.

The operation of a 24 hour business in this location is not likely to adversely impact upon the amenity of the existing commercial precinct or on any nearby residential premises, nor is it likely to restrict the operation of any businesses in the area. Additionally, patronage of the facility outside of normal business hours will provide a level of passive surveillance in the commercial complex, thereby promoting community safety and discouraging antisocial and criminal behaviours.

ACTION: Notice of Consent and Development Permit

ITEM 7  WAREHOUSES WITH ANCILLARY OFFICES IN 2 BUILDINGS
PA2015/0066  SECTION 6757 (3) GROSVENOR COURT, HUNDRED OF BAGOT
APPLICANT  FOSTER BROTHERS ENGINEERING PTY LTD

Mr Jason Foster and Mr Simon Foster (Foster Brothers Engineering Pty Ltd) attended.

RESOLVED 73/15
That, the Development Consent Authority vary the requirements of Clause 6.1 (General Height Control) and Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 6757 (3) Grosvenor Court, Hundred of Bagot for the purpose of warehouses with ancillary offices in two (2) buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. 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

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it.
Reliance on these minutes should be limited to exclude uses of an evidentiary nature.

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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.

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 ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning, and in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. Erosion and sediment control information can also be sourced from the DLRM website at http://lrn.nt.gov.au/soil/management.

3. Prior to the commencement of works, an application for waste water design approval (WWDA) is to be submitted to and approved by the Department of Health, to the satisfaction of the consent authority.

**GENERAL CONDITIONS**

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

5. 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.

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

7. 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.

8. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it.

Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
9. Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from Grosvenor Court.

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

11. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

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

14. 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.

and

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

15. 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.

16. All proposed works impacting on Grosvenor Court or Glendower Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

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

18. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
19. 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.

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

NOTES:

1. This permit will expire if one of the following circumstances applies:
   (a) the development and use 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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

4. The 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.

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 variations of NT Planning Scheme Clauses 6.1 (General Height Control) and 9.1.1 (Industrial Setbacks) are unlikely to impact upon the amenity of the area and the style and scale of the warehouses with ancillary offices is consistent with that expected in the zone as well as existing and anticipated development in the area.

ACTION: Notice of Consent and Development Permit
Mr Christopher Hatcher (United Fuel) attended on behalf of the applicant.

Submitter Mr Gerry Wood MLA attended.

RESOLVED
74/15

That, the Development Consent Authority vary the requirements of Clause 6.7 (Signs) and Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Section 5160 (863) Stuart Highway, Hundred of Bagot for the purpose of a service station and shop / restaurant, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works, an application for waste water design approval (WWDA) is to be submitted to and approved by the Department of Health, to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a Traffic Impact Assessment Report prepared in accordance with the Austroads document ‘Guide to Traffic Management Part 12: Traffic Impacts of Developments’. The report must:
   (a) address the impacts of traffic generated by the development;
   (b) outline changes that will be required to the surrounding road network;
   (c) include a Design Road Safety Audit
   (d) include a turn path assessment for an A-Triple road train along the travel path from the Stuart Highway to the service road exit back onto the Stuart Highway;
   (e) address vehicular, pedestrian, cyclist and public transport issues and opportunities;
   (f) include swept paths for the maximum vehicle size / configuration entering and exiting the site.

   The report is to be to the approval of the Litchfield Council and Department of Transport, to the satisfaction of the consent authority.

3. 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:
   (a) the location and size, of any electrical reticulation infrastructure (substation) required by Power and Water to service the site; and
   (b) the location of the defined land application area required for the on-site wastewater disposal system approved by Department of Health through the WWDA, unencumbered by any other land use, including car parking.
4. 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 in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. Erosion and sediment control information can also be sourced from the DLRM website at http://lrn.nt.gov.au/soil-management.

5. Before the use starts, an environmental management plan for the management and operation of the use must be prepared to the requirements of an independent suitably qualified professional and approved by the consent authority on the advice of NT EPA and Litchfield Council. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan. The environmental management plan must include:

(a) overall environmental objectives for the operation of the use and techniques for their achievement;
(b) procedures to ensure that no significant adverse environmental impacts occur as a result of the use;
(c) proposed monitoring systems;
(d) identification of possible risks of operational failure and response measures to be implemented; and
(e) day to day management requirements for the use.

6. Prior to the commencement of works, the developer must advise the NT EPA of activities to be conducted at this site in the approved format. The required report is to be prepared and implemented on the advice of the NT EPA to the satisfaction of the consent authority, and when endorsed, will form a part of the permit.

GENERAL CONDITIONS

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

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. Prior to the commencement of the use of the service station and shop / restaurant approved by this permit, any upgrades or works identified as being required by the Traffic Impact Assessment Report are to be carried out to the requirements of Litchfield Council and the Department of Transport (as the case may be) at the cost of the developer to the satisfaction of the consent authority.
10. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
   (a) constructed;
   (b) properly formed to such levels that they can be used in accordance with the plans;
   (c) surfaced with an all-weather-seal coat;
   (d) drained;
   (e) line marked to indicate each car space and all access lanes; and
   (f) clearly marked to show the direction of traffic along access lanes and driveways;
   to the satisfaction of the consent authority.
   Car spaces, access lanes and driveways must be kept available for these purposes at all times.

11. 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.

12. “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.

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

14. Before the use or 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.

15. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, electricity facilities, gas and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

16. 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.

   and

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

17. 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. No water is to leave the development site without pre-treatment.
18. All proposed works impacting on Slocombe Road or 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 Litchfield Council and/or Department of Transport. Drawings must be submitted to Council and Department of transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

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

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

21. Adequate facilities for the disposal of other liquid waste, including waste oil, hazardous or toxic waste, will need to be provided on the advice of the Department of Health to the satisfaction of the consent authority.

22. 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.

23. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.

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

25. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
   (a) so as not to create sun or headlight reflection to motorists; and
   (b) be located entirely (including foundations and aerially) within the subject lot.

26. The location and details of the sign(s), including those of the supporting structure, as shown on the endorsed plans, must not be altered without the further consent of the consent authority.

27. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council drains, the Stuart Highway or to any watercourse.
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 or Department of Transport before commencement of any work within
   the road reserve.

3. The restaurant development and use hereby permitted should be designed,
   constructed, registered and operate in accordance with the National
   Construction Code of Australia, the NT Public Health Act and Regulations, the
   NT Food Act and National Food Safety Standards.

4. 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.

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 seeks variation of NT Planning Scheme Clauses 6.7
   (Signs) and 9.1.1 (Industrial Setbacks).

   The variation of the requirements of Clause 6.7 (Signs) is supported as the
   signage proposed by the application is not considered to be excessive or
   out of character for this type of development (service station); the subject
   site is within a Light Industrial zone, with no residential development
   nearby that would be impacted by the illuminated signage, and any
   potential impact on Stuart Highway traffic can be managed through the
   imposition of conditions on the permit.

   The variation of Clause 9.1.1 (Industrial Setbacks) in relation to the
   northern (rear) boundary is supported. The development as proposed
   exceeds minimum requirements on all other boundaries and the site
   configuration proposed by the application provides an optimal layout
   through the location of vehicle crossovers, optimisation of internal traffic
   circulation and maximises sight-lines to both street frontages.

2. Pursuant to section 51(n) 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.

Section 5160 is a generally flat, regular shaped parcel of land with frontage to both the Stuart Highway Service Road and Slocombe Road.

The land appears generally capable of supporting the proposed development subject to the implementation of appropriate effluent disposal measures as well as traffic and stormwater management for both the construction phase and the ongoing operation. Conditions applied to the Development Permit will assist in ensuring these issues are addressed in the detailed design, construction and operation of the development.

3. Pursuant to section 51(m) of the Planning Act, the consent authority must take into consideration 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 applied to the development permit address the provision, and upgrade/alteration where required, of public infrastructure including the electricity and water supply network, the surrounding road network and stormwater drainage.

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

**ITEM 9**  
**PA2015/0127**  
**APPLICANT** INDEPENDENT UNIT WITH FLOOR AREA IN EXCESS OF 80M2  
LOT 48 (160) MACLEOD ROAD, HUNDRED OF BAGOT  
STEPHEN AND SUZANNE ASHFORD

Mr Stephen Ashford attended.

**RESOLVED**  
75/14 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 48 (160) Macleod Road, Hundred of Bagot for the purpose of an independent unit with a floor area in excess of 80m, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with drawing number 2015/0127/01 to 2015/0127/04 inclusive, endorsed as forming part of this permit.

2. The owner of the land must enter into agreements with the Power and Corporation 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.
3. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield, to the satisfaction of the consent authority.

and

The owner shall:
(a) remove disused vehicle and/or pedestrian crossovers;
(b) collect stormwater and discharge it to the drainage network; and
(c) undertake reinstatement works;
all to the technical requirements of and at no cost to Litchfield Council, 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. 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. 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 of Clause 7.10.4 (Independent Units) is supported as the structure is existing and an appropriate effluent disposal system has been designed to service the independent unit.

Setbacks to all boundaries are in excess of the required 10m and the independent unit occupies just 0.6% of the site area which ensures that it remains ancillary to the single dwelling on site.

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

One public submission was received which raised a number of concerns with the proposed effluent disposal system. The submitter’s concerns have been discussed in this report and are considered to have been addressed through the additional information provided in the letter from a licensed plumber, which states that the proposed system will comply with the requirements of Clause 7.10.4 (Independent Units) and the Department of Health Code of Practice for on-site wastewater management.
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 proposed independent unit utilises an existing building and utilities will therefore not significantly increase density in the area, is reasonably screened from the road, and appropriately serviced. The Independent Unit is not expected to detrimentally impact the existing or future amenity of the area.

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

<table>
<thead>
<tr>
<th>ITEM 10</th>
<th>ADDITIONS TO EXISTING PASSENGER TERMINAL (PARK AND RIDE FACILITY)</th>
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<tbody>
<tr>
<td>PA2015/0165</td>
<td>ADJACENT TO SECTION 5829 (15) GIRRAWEEN ROAD, HUNDRED OF BAGOT</td>
</tr>
<tr>
<td>APPLICANT</td>
<td>JKC AUSTRALIA LNG PTY LTD</td>
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</tbody>
</table>

DAS tabled comments from Department of Transport dated 9 April 2015.

Ms Shoanne Labowitch and Mr Raph Woon (JKC Australia) attended.

**RESOLVED** 76/15

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Section 5829 (15) Girraween Rd, Hundred of Bagot, for the purpose of additions to existing Passenger Terminal (Park and Ride Facility), 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 DLRM. 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. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. 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](http://lrm.nt.gov.au/soil/management).

**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 water supply, drainage, sewerage and electricity facilities to
the development 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 stormwater drainage and vehicular access are to be to the technical requirements of the Department of Transport, to the satisfaction of the consent authority.

6. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.

7. Where unfenced, the Stuart Highway and Girraween Road frontages are to be appropriately fenced in accordance with the Department of Transport’s standards and requirements, to the satisfaction to the consent authority.

8. All proposed work (including the provisions, relocation or connection of services) impacting upon the Stuart Highway or Girraween Road road reserve 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 Department of Transport. Drawings must be submitted to the Transport Infrastructure Planning Division for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

9. 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.

10. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the Developer will be obliged to sweep and clean material off the road.

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

12. Upon completion of works within or impacting upon the Stuart Highway or Girraween Road road reserves, the road reserves shall be rehabilitated to the
standards and requirements of the Department of Transport, to the satisfaction of the consent authority.

13. Before the use commences the owner is to provide a copy of the waste removal contract to the Department of Health, to the satisfaction of the consent authority.

NOTES:

1. A “Permit to Work Within a Road Reserve” is required from the Department of Transport before commencement of any work within the road reserve.

2. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
   (a) so as not to create sun or headlight reflection to motorists; and
   (b) be located entirely (including foundations and aerially) within the subject lot.

3. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway or Girraween Road traffic.

4. 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.

5. Before operation of the proposed new facility may commence the developer shall enter into a license agreement with Department of Transport.

6. Department of Health request to be notified upon handover of the facility back to the Department of Transport.

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 proposed development complies with the relevant provisions of the NT Planning Scheme and is generally consistent with the key land use objectives of the Litchfield Planning Concepts and Land Use Objectives (2002).

2. Pursuant to Section 51(e) of the Planning Act, the consent authority must take into consideration any public submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.
One public submission was received which raised concern with the traffic impacts resulting from the proposed development and offered suggestions on how traffic flow could be improved. The submitter’s concerns have been discussed in this report and are considered to have been addressed through the response provided by the applicant, which concludes that the traffic analysis demonstrates a satisfactory level of service for the Girraween Road roundabout and that a dedicated left-turn slip lane from the bus terminal to Girraween Road is not warranted. Furthermore, the applicant has provided amended plans to show the provision of a safe passenger vehicle movement, which allows vehicles to undertake a right turn eastbound via the previous ‘bus only’ exit and ‘no-go areas’ which demonstrate where the retention of existing vegetation will occur.

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 proposed development is not expected to have a significant impact on the exiting amenity of the area and any potential impact is likely to be limited to the times of the day when large numbers of vehicles are entering or exiting the facility, which may cause small delays for other road users. As the proposed development is for a temporary period, the future amenity of the area will be largely unaffected.

ACTION: Notice of Consent and Development Permit

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

DENIS BURKE
Chairman
15/4/15