DEVELOPMENT CONSENT AUTHORITY
LITCHFIELD DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: 1 **MEETING DATE:** 19/08/2026 **FILE:** PA2026/0198

APPLICATION PURPOSE:	Subdivision and Consolidation to create two lots
SUBJECT SITE:	Section 5006 (850) and Section 5183 (855) Arnhem Hwy, Humpty Doo, Hundred of Strangways
ZONE:	RL (Rural Living)
SITE AREA:	1.36 hectares (850), 6.78 hectares (855)
APPLICANT	Mr. Brad Cunnington, Cunnington Rosse Town Planning and Consulting
PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE	Landowner
LANDOWNER	Jodi Nicole Abela, John Alan Abela, Ann Maree McKinstray, Duncan Muir McKinstray (Section 05006) and Andris Valdis Bergs, Mara Ina Bergs (Section 05183)
ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND	None

1. PROPOSAL

The proposal is to subdivide Section 5183 Hundred of Strangways into two lots and then consolidate the smaller of the two lots with Section 5006, Hundred of Strangways. Each section is owned by different parties so the proposed subdivision and consolidation will need to occur in two stages so that the smaller one of the newly created lots can be formally created and sold to the owners of the lot with which it is to be consolidated.

Section 5006 is located at 850 Arnhem Highway, Humpty Doo, adjacent the south-eastern side of the intersection between Arnhem Highway and Trippe Road, with a driveway access to Trippe Road and an area under title of 1.36 hectares. Section 5006 with an area of 1.36 hectares is largely cleared of vegetation with a number of structures, including landscape material bays, three large sheds and a number of smaller structures which appear to be used for civil or landscaping works. The existing buildings are surrounded by open areas used for vehicle manoeuvring. The majority of existing vegetation in the eastern part of the site remains, with residential accommodation within the vegetated area.

Section 5183 Hundred of Strangways is bisected by the Arnhem Highway corridor with much of the land being located north of the road and a small portion which is to be sold and added

to Section 5006 being located below the road corridor. Section 5183 is undeveloped with most of the land adjoining Arnhem Highway being constrained. Only the northern portion of this Section has unconstrained land, but this part of the land cannot be readily accessed from any formal roads. Section 5183 has an area of 6.78ha under title. The two lots and the proposed subdivision boundaries are shown at Figure 1, and the consolidation is at Figure 2.

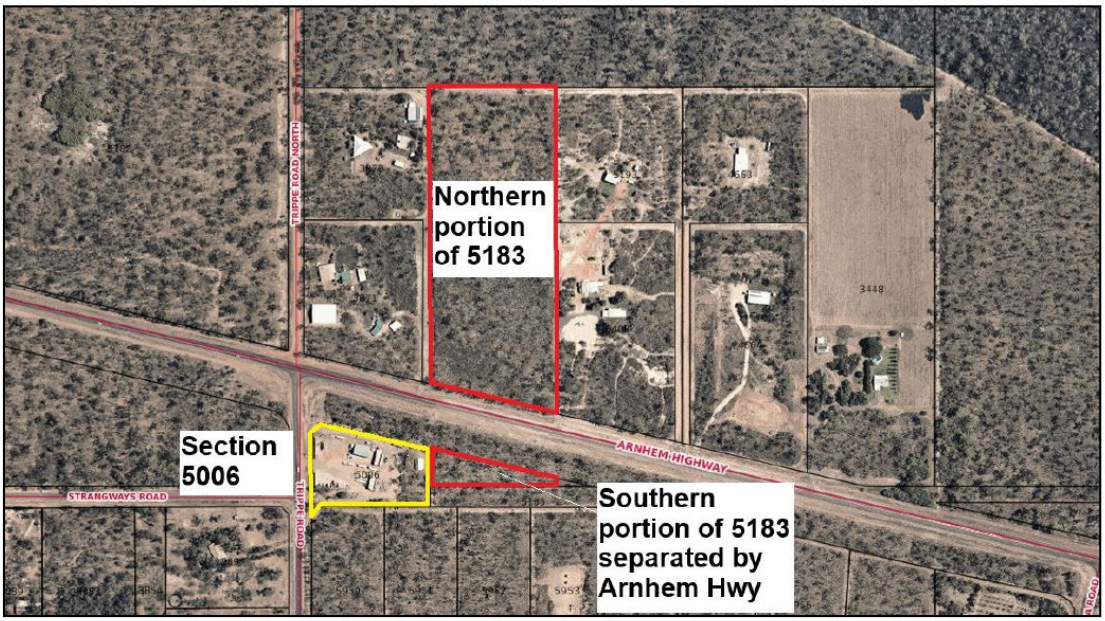


Figure 1: *shows Section 5183 (red border) with the northern and southern parts separated by the Arnhem Highway, together with Section 5006 (yellow border)*

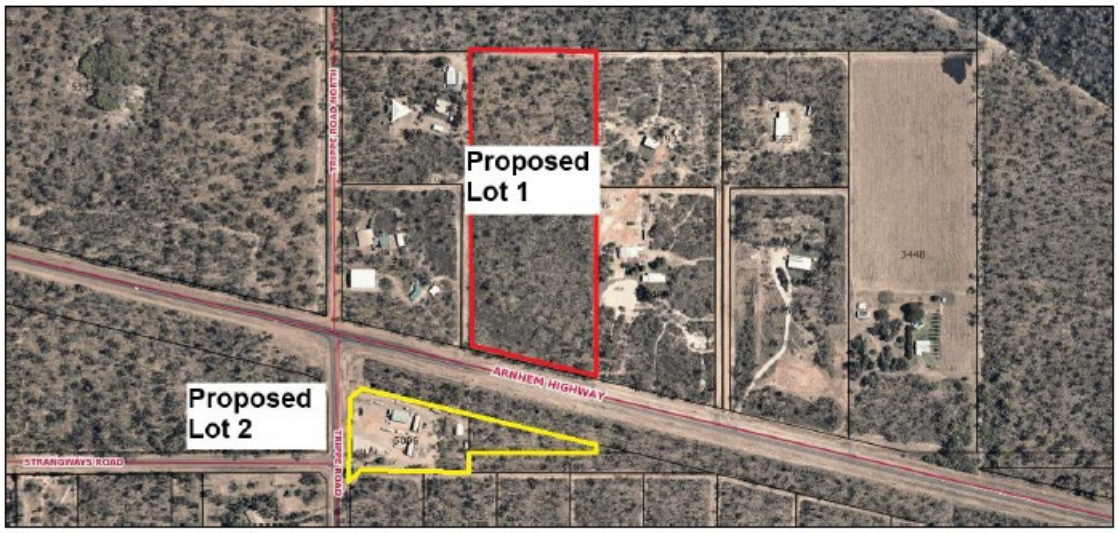


Figure 2: Proposed subdivision layout resulting in a single consolidated lot south of the Arnhem Highway, and a single lot to the north

Figure 2 shows that once subdivided / consolidated, the resultant Lot 1 will comprise 6.3ha and Lot 2 will comprise 1.84ha. Both Lots 1 and 2 are within a 'Restricted Water Extraction Area'. However, each lot will be serviced by a bore for potable water supply and will accommodate on-site wastewater treatment and disposal systems. Proposed Lot 2 will have an area of 1.84 hectares and will utilise an existing bore (RN35980) currently servicing Section 5006. It is also worth noting that Section 5006 is below minimum lot size of 2 ha required in zone RL and, even when consolidated, resultant lot will be 8% below the minimum lot size. This non-compliance is discussed further under section 6(a) of this report.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

The application is *Impact Assessable* under Clause 1.8(1)(c)(ii) of the Northern Territory Planning Scheme 2020 (NTPS 2020) as the proposal for the subdivision and consolidation of land.

The table below lists all applicable NTPS 2020 clauses for assessment of the subject development application:

4.7 Zone RL (Rural Living)			
Use	**Assessment Category**	**Overlays**	**Subdivision Requirements (Part 6)**
Subdivision and Consolidation	*Impact Assessable*	3.2 CNV - Clearing of Native Vegetation 3.8 LADR- Land Adjacent to a Designated Road	6.3.2 Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land 6.3.3 Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land 6.3.4 Infrastructure for Subdivision in Zones RL, R and Unzoned Land 6.3.5 Mineral Resources and Subdivision in Zone RL 6.6.2 Consolidation

The exercise of discretion by the consent authority that applies is clause 1.10(4)(a).

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should consent to the application, subject to standard and precedent conditions on the development permit as detailed in section 7 and 8 of this report.

4. BACKGROUND

Development Permit DP12/0575 was issued on 19 October 2012 for a 'plant nursery' on Section 5006 Hundred of Strangways however the permit has now expired, and site appears to be used for civil or transport purposes rather than nursery. There is no development history for Section 5183 Hundred of Strangways.

5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks from 19/06/2026 to 03/07/2026. One public submission was received under section 49(1) of the *Planning Act 1999*.

6. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE *PLANNING ACT 1999)*

Pursuant to Section 51(1) of the *Planning Act 1999*, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

(a) any planning scheme that applies to the land to which the application relates

The proposal has been assessed against the Northern Territory Planning Scheme 2020 (NTPS 2020) at **Bookmark C** and complies with all applicable clauses, except for Clause 6.3.2 (Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land); Clause 6.3.3 (Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land); and Clause 6.6.2 (Consolidation).

6.3.2 Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land

The proposal seeks consent for a subdivision and consolidation to create 2 lots. Proposed Lot 1 will have an area of 6.78 hectares and complies with the minimum lot size requirement of 2 hectares within the RL zone. Proposed Lot 2 will have an area of 1.84 hectares and therefore does not comply with the minimum lot size requirement.

The purpose of this clause is to:
Ensure subdivisions of rural and unzoned land:
(a) have lots that are of a size and configuration suited for the intended purpose;
(b) have lots that are of a size consistent with the topographical constraints of the land (that may dictate that lots are of an area in excess of the specified minimum); and
(c) do not impose unsustainable demands on groundwater or unreasonably degrade the environment."

The applicant has identified that 1ha of unconstrained land will be available on each proposed lot, and a Land Suitability Assessment (LSA) indicates the unconstrained land within Lot 1 comprises a moderately deep, moderately well drained on slope ≤1%. Within Lot 2, the soil comprises shallow, moderately well drained.

Administration subclause 1 of this clause allows the consent authority to consent to a subdivision that is not in accordance with subclauses 5-10 if it is satisfied that:
(a) the subdivision does not result in an increased lot yield; and
(b) the lot size and/or configuration achieves at least one of the following:
i. an existing boundary encroachment by a building is remedied;
ii. the lots created are more regular in shape;
iii. access is provided to a lot that previously had no access or an unsuitable access;
iv. the subdivision will better meet the overall outcomes for the zone and the relevant
v. components of the strategic framework applicable to the locality;
vi. the arrangement of lots results in a significant protection of areas of environmental value; or
vii. provides opportunity for a future local road network; and
(c) the consent authority is satisfied that the lots created will be consistent with the purpose of this requirement and the zone purpose and outcomes.

The proposal is not considered to achieve 1(b)(i), and 1(b)(iii) through to 1(b)(vi). The matter listed under administration subclause 1(b)(ii) is that *the lots created are more regular in shape*. There are no definitions of 'regular shape' in the *Planning Act 1999* or the Northern Territory Planning Scheme 2020. A regular shape may refer to a shape that has equal sides/angles. Subclause 6 requires a lot ratio not to exceed a depth to width ratio of 4:1 which the applicant demonstrates compliance with. The consent authority may be satisfied that the subdivision will create a larger more compliant and more regular shape for proposed lot 2.

Furthermore, Administration subclause 4 of this clause outlines that '*The unconstrained nature of the land is to be demonstrated by a land suitability assessment (LSA) addressing the NT Land Suitability Guidelines, in accordance with clause 6.3.3.*'

A LSA addressing the 'seven important land suitability categories' outlined in the NT Land Suitability Guidelines has been included with the application. The LSA indicates there is at least 1ha of unconstrained land on each proposed lot however it does not provide the total amount of unconstrained land on each lot. The land suitability assessment includes a 'subdivision plan' (image below).

Figure 3 – Extract from Land Suitability Assessment

The proposal is generally consistent with the purpose of the clause, the zone purpose and outcomes in that:

- PowerWater (water services) advised that no reticulated water and sewer services are available in the area, however Water Resource Management (DPLE) advise that land is located within a Restricted Water Extraction Area.
- The applicant has advised that despite being located in a water extraction restriction zone and not being developed, Lot 1 currently has and retains a right to a bore and a notional bore location for the proposed lot 1 is shown in Figure 3. Lot 2 (Bore No: RN035980) will retain existing commercial water licences; and
- the proposed lot boundary is at a right angle to Section 5006. The existing boundary between Section 5006 and the southern portion of 5183 will be removed.

In summary, a variation to the proposed lot size is supported as the proposal broadly meets the provisions of the Clause, the zone purpose and outcomes.

<u>Clause 6.3.3 (Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land)</u>

Advice from the Department of Lands, Planning and Environment (Land Resource Division; LRD), indicates that the proposed lot 1 contains a minimum of 1ha of land unconstrained by drainage in its northern portion. However, there is no unconstrained access from the Arnhem Highway to this area as access to Arnhem Highway is impeded by a wetland. Only Lot 2 has unconstrained access to a public road, via Trippe Road connecting to Arnhem Highway. Further advice from the Department of Lands, Planning and Environment (Land Resource Division) indicates that, due to the administrative nature of the proposal and the generally low surface gradients, it had no fundamental concerns with the subdivision. However, it recommended an Erosion and Sediment Control Plan be prepared and implemented prior to the commencement of subdivision works. DLI also advised that the southern portion of Section

5183 is effectively incapable of supporting independent access. For this reason, the proposal does not comply with this Clause.

Administration subclause 3 of this clause outlines that the consent authority may consent to an application that is not in accordance with sub-clauses 4-7 if the application includes preliminary land assessment and stormwater management plans prepared by the applicant and approved by the relevant government agency and or service authority, demonstrating that 1ha of land per lot and all internal roads are unconstrained by localised stormwater flooding and by those issues addressed in the NT Land Suitability Guidelines.

The DLI advice identifies matters requiring further consideration by the applicant, particularly in relation to stormwater management, access arrangements, potential impacts on the unmapped wetland, and the demonstration of safe and unconstrained access to unconstrained land. As such, the application does not currently contain sufficient information to fully support a variation under Administration Subclause 3, and further information would ordinarily be required to address these matters.

Notwithstanding the above, the proposal generally demonstrates that the land is capable of accommodating the proposed lots and that the intent of the unconstrained land requirements can be achieved. The outstanding issues relate principally to the detailed design of stormwater management and access arrangements, which can be addressed through permit conditions requiring the submission and approval of further technical information by the applicant, to the satisfaction of the relevant authorities, prior to the commencement of development. Accordingly, the variation is considered acceptable in this instance.

6.6.2 Consolidation

The proposal effectively comprises a subdivision and consolidation as the Subdivision (Stage 1) will separate the northern and southern portions of Section 5183 and Consolidation (Stage 2) will combine Section 5006 with the southern portion of Section 5183 into proposed Lot 2. Proposed Lot 2 will have an area of 1.84 hectares where 2 hectares would normally be required, and therefore the proposal does not comply with the minimum lot size for Zone RL.

Administration subclause 3 of this clause outlines that the consent authority may consent to a consolidation that is not in accordance with sub-clause 3 only if the relevant requirement allows.

While the proposed consolidation does not comply with the minimum 2-hectare lot size requirement for Zone RL, the variation is considered acceptable in this instance. The proposal is administrative in nature, does not create any additional lots or increase development potential or residential density on the land and results in a more logical and functional land tenure arrangement. Section 5006 is already below minimum lot size prescribed by the Scheme and the consolidation will increase its size from 1.36 hectares to 1.84 hectares which improves the existing non-compliance, maintains appropriate servicing arrangements, and facilitates lawful and practical access to land that would otherwise be constrained by its configuration.

The Land Suitability Assessment submitted with the application demonstrates that both proposed lots contain in excess of one hectare of unconstrained land capable of accommodating future development and wastewater disposal requirements. The assessment also indicates that both lots are generally well drained and suitable for their intended use. The proposed consolidation lot will continue to be serviced by existing infrastructure, including electricity and an existing on-site wastewater treatment system, with no modifications to servicing arrangements required.

Accordingly, despite the variation to the minimum lot size requirement, the proposal is considered adequate in achieving the intent of the clause and the outcomes sought for Zone RL. A variation to this clause is therefore supported.

(b) any proposed amendments to such a planning scheme:

(i) that have been or are on exhibition under Part 2, Division 3;
(ii) in respect of which a decision has not been made under Part 2, Division 5; and
(iii) that are relevant to the development proposed in the development application

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect this proposal.

(c) an interim development control order, if any, in respect of the land to which the application relates

There are no interim development control orders relevant to the site.

(d) an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates

There are no environmental protection objectives relevant to the land.

(e) any 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 during the exhibition period under Section 49(3) of the *Planning Act 1999* with respect to the proposal.

- Litchfield Council does not support the application (Bookmark D1) and has raised concerns regarding proposed Lot 1. While areas of unconstrained land have been identified within the lot, Council considers that practical access from the public road network to this unconstrained land has not been adequately demonstrated.
- Council also notes that the application references Development Permit DP12/0575, issued on 19 October 2012 for the purpose of a plant nursery on Section 5006. The current site layout generally accords with the endorsed plans approved under DP12/0575. However, Council understands that the permit has not received Part V clearance and, as such, the current use may not be lawfully established in accordance with the approval.
- Council further considers that the identified access constraints limit the suitability and development potential of proposed Lot 1. In addition, Council notes that 850 Arnhem Highway (Section 5006) currently contains two driveway accesses from Trippe Road. Any existing or proposed access arrangements that do not comply with the standard requirements for a rural residential driveway crossover will be required to be removed or otherwise authorised through the appropriate development approval process.

(f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally

The Minister has made no direction in relation to the application.

(h) the merits of the proposed development as demonstrated in the application

The Statement of Effect provides the following merits:

The proposed subdivision will resolve an existing anomaly without altering the development outcomes of either lot without further approval (noting the extent of land cleared within 5006, any further clearing of the southern portion of 5183 following consolidation will require a further development permit). The proposed subdivision will:

- Not result in a net increase in the number of lots or potential density;
- Not alter the existing need for access from the Arnhem Hwy;
- Not reduce or otherwise affect the availability of unconstrained land on the individual parcels; and
- Increase compliance with the Planning Scheme by increasing the size of 5006 nearer the 2-hectare minimum lot size.

(j) 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 submitted a Land Suitability Assessment which classifies proposed Lot 1 as S3 (Marginally Suitable) due to the lack of unconstrained access to a public road, while proposed Lot 2 is classified as S1 (Highly Suitable). The assessment identifies the unconstrained land within Lot 1 as comprising moderately deep, moderately well-drained soils on slopes of less than 1%, whereas Lot 2 contains shallow, moderately well-drained soils.

While the physical characteristics of the land are suitable for development, only Lot 2 has unconstrained access to a public road via Trippe Road and Arnhem Highway. The unconstrained land within Lot 1 is located in the northern portion of the site, but access to Arnhem Highway is impeded by a previously unmapped wetland.

Power and Water Corporation has advised that reticulated water and sewer services are unavailable in the area. however, the proposed subdivision does not adversely affect the ability of either proposed lot to accommodate on-site wastewater treatment and disposal. A Site and Soil Evaluation confirms that both lots are capable of supporting approved wastewater treatment systems in accordance with the Northern Territory Code of Practice for Wastewater Management (2020).

Water Resources Division has further advised that Section 5183 and Section 5006 are located within a Restricted Water Extraction Area. The applicant proposes to utilise an existing bore for water supply. Lot 2 will retain the use of existing bore on Section 5006 (RN35980) and nominal bore for Lot 1 will meet both. Accordingly, a condition requiring the registration of a Restriction Notice on the parent parcel is not needed. An advisory note regarding groundwater extraction may also be included on any permit issued.

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer

It is not a requirement that this development provides additional facilities or open space for public use.

(m) 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

The proposal was circulated to the following authorities for comment:

Local Authority:

Lichfield Council – **Bookmark D1**
Council requested standard conditions and notes as well as the following precedent conditions:

- The crossover and driveway shall be designed in accordance with the NT Subdivision and Development Guidelines and meet Litchfield Council's requirements.
- Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwaters, and its discharge into Litchfield Council's stormwater drainage system, shall be submitted to and approved by Litchfield Council.

These would be addressed as precedent conditions on a permit. Additional standard conditions and advice notes would respond to Litchfield Councils requirements.

Service Authority:

Power and Water Corporation (PWC)- Power – **Bookmark D2**
PWC provided a standard response requiring standard conditions and notes for a current lot 5006 from substation 10465 shall remain unchanged for new Lot 2 and negotiated connection to Lot 1. Can be addressed through standard conditions and advice notes.

Power and Water Corporation (PWC)- Water – **Bookmark D3**
PWC provided a standard response indicating that reticulated water and sewer services were not available.

Department of Lands, Planning and Environment (DLPE) – **Bookmark D4**

- The Land Assessment Branch assessed the proposed lot contains at least 1 hectare of land unconstrained by drainage (wetland) in its northern portion; however, there is no unconstrained access from Arnhem Highway to this area. An Erosion and Sediment Control Plan is not required for the subdivision, although appropriate erosion and sediment control measures are recommended during any development works. The Land Assessment Branch is unable to advise on any engineering solutions that may be needed to provide unconstrained access to the site.
- Standard heritage advice and recommended actions for the proponent in accordance with the *Heritage Act 2011*.
- Standard weed management advice and recommended actions for the proponent in accordance with the *Weeds Management Act 2001*.
- The Flora and Fauna Division considers that the site is predominantly cleared. The proposal is unlikely to impact on important habitat for threatened species or critical habitat for biodiversity.
- The Water Resources Division has advised that the site is located within the Howard South Groundwater System and wholly contained within the Howard South Restricted Water Extraction Area. As the proponent has demonstrated that water supply sources for each of the proposed lots comply with the requirements of the Howard South Restricted Water Extraction Area, there are no issues of concern requiring comment within the responsibilities of the Water Resources Division.

Requirements listed have been addressed through recommendations for conditions of approval and advice notes.

(n) the potential impact on the existing and future amenity of the area in which the land is situated

The subdivision creates the potential for each of the lots to be developed in a manner consistent with land uses expected in the Rural Living zone. It is not considered that the subdivision has the potential to significantly impact on the existing or future amenity of Humpty Doo.

(p) the public interest, including (if relevant) how the following matters are provided for in the application:

(i) community safety through crime prevention principles in design;
(ii) water safety;
(iii) access for persons with disabilities

The proposed development will not impact on the public interest. The application is minor in scale and for subdivision rather than structural development, there are no pools proposed.

(pa) for a proposed subdivision or consolidation of land in a Restricted Water Extraction Area – whether the subdivision or consolidation complies with the restrictions of sections 14A and 14B of the Water Act 1992 and the requirements of section 14C(1) of that Act;

The subject site is in a Restricted Water Extraction Area. The property falls within the recently declared Howard South Restricted Water Extraction Area. Accordingly, the proposal recognises that no additional bores will be permitted. Lot 2 will retain the use of existing bore on s5006 (RN35980). The nominal bore for Lot 1 will meet both. A condition of approval requiring the registration of a Restriction Notice on the parent parcel will not be required as no new allotment with a statutory right for a bore is being created.

(q) for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)

Provided with the application was a report from a building certifier confirming that the proposed lot boundary will not result in the existing buildings ceasing to comply with building setback requirements.

(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992

The following declared beneficial uses apply to the subject land for Darwin Harbour:

- Aquaculture, environment, cultural, rural stock and domestic [*as per NR Maps]*.

It is the responsibility of the developer and landowner to ensure that land use does not result in a contravention of the *Water Act 1992*.

(t) other matters it thinks fit

No other matters are raised for consideration by the consent authority.

Section 51(2) of the *Planning Act 1999*

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:

a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or

b) if the NT EPA has determined that an environmental impact assessment is required – an environmental approval has been granted under that Act for the proposal, and the decision is consistent with that approval; or

c) the Environment Protection Act 2019 otherwise permits the making of the decision.

The proposed subdivision does not require the preparation of any environmental reports or impact statements under the *Environmental Protection Act 2019*.

7. RECOMMENDATION

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Section 5006 (850) and Section 5183 (855) Arnhem Hwy, Humpty Doo, Hundred of Strangways for the purpose of a subdivision and consolidation to create two lots in two stages, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, approval is required for the provision access to each lot and for any works within or impacting upon the (Arnhem Highway or Trippe Road) Road reserve from the Transport and Civil Service Division of the Department of Logistics and Infrastructure (DLI) and Litchfield Council, as the case may be, to the satisfaction of the consent authority. Design documents must be prepared to the standards and specifications of DLI and submitted to the Director Corridor Management, Transport and Civil Service Division for Road Agency Approval and for a Permit to Work Within a Road Reserve.

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's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings 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. All new easements, and amendments to existing easements, to be vested in the relevant authority for which the easement is to be created must be shown on the survey plan, to the satisfaction of the consent authority 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 to the development/each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. The kerb crossovers and driveways to the site are to meet the technical standards of the of Litchfield Council, to the satisfaction of the consent authority.

6. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense. Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

7. Prior to the issue of Part 5 clearance, the owner must, in accordance with Part 6 of the Planning Act 1999, make any contribution required in accordance with the Litchfield Council Development Contribution Plan, to the satisfaction of the consent authority.

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 Works Permit is required from the Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's Road network. Fees may apply.

3. Water Resources Division of the Department of Lands, Planning and Environment can be contacted on 8999 4455 for assistance with the Restriction Notice.

4. Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 33.

5. The Power and Water Corporation (PWC) advises:
   a. Power service to Section 5006 from substation 10465 will remain unchanged for proposed Lot 2.
   b. The Proponent shall need to apply for a Negotiated Connection application under Australian Energy Regulator (AER) compliance and be responsible for associated costs to design and installation of a basic supply of 25kVA, 3-plase power service to the newly created Lot 1 (6.3ha) under Rural Living (RL) zone in accordance with PWC's NP020 – Guidelines for Developers of Subdivisions and Electricity Infrastructure.

c. As all the applicable upgrade works will be designed and carried out on the existing overhead power line on Arnhem Highway, PWC shall provide a quote for payment by the Proponent.

6. The Bushfires Northern Territory Division of the Northern Territory Fire and Emergency Services advises that firebreaks along boundaries or at appropriate locations shall be provided on each created lot of this subdivision.

7. A groundwater extraction licence may be required under the Water Act 1992 for any bore used for purposes other than rural stock and domestic water supply. For advice on water extraction licences please contact the Water Licensing and Regulation Branch of the Department of Lands, Planning and Environment.

8. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Act 2011. Should any heritage or archaeological material be discovered during over the course of work, cease operation and please phone Heritage Branch of the Department of Lands, Planning and Environment.

9. For the purposes of best practice land management and environmental protection it is recommended that a Type 1 Erosion and Sediment Control Plan (ESCP) be developed in accordance with the Department of Lands, Planning and Environment ESCP Standard Requirements 2019 available at https://nt.gov.au/environment/soil-land-vegetation. The ESCP should be prepared prior to commencement of works and implemented during the construction phase (including clearing and early works); and all disturbed soil surfaces should be satisfactorily stabilised against erosion at completion of works. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.

10. There are statutory obligations under the Waste Management and Pollution Control Act 1998 (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at https://ntepa.nt.gov.au/publications-and-advice/environmental-management. The Act, administered by the Northern Territory Environment Protection Authority, is separate to and not reduced or affected in any way by other legislation administered by other Departments or Authorities. The Environment Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be non-compliance with the Act.

11. All land in the Northern Territory is subject to the Weeds Management Act 2001 (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Section 9 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection. Should you require further weed management advice contact the weed management branch by phone on (08) 8999 4567 or by email to weedinfo@nt.gov.au.

8. REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

   The Northern Territory Planning Scheme 2020 applies to the land and a subdivision and consolidation, to create two (2) lots, requires consent under Clause 1.8 (When development consent is required). It is identified as Impact Assessable under Clause 1.8(1)(c)(ii); therefore: the Strategic Framework (Part 2 of the Scheme, including the Darwin Regional Land Use Plan and the Litchfield Sub-Regional Land Use Plan), zone purpose and outcomes of Clause 4.7 (Zone RL (Rural Living)), and Clauses: 3.2 (Overlay CNV- Clearing of Native Vegetation); Clauses: 3.8 (Overlay LADR- Land Adjacent to a designated Road); Clauses: 6.3.2 (Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land); Clauses: 6.3.3 (Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land); Clauses: 6.3.4 (Infrastructure for Subdivision in Zones RL, R and Unzoned Land); Clauses: 6.3.5 (Mineral Resources and Subdivision in Zone RL) and Clauses: 6.6.2 (Consolidation), need to be considered.

   These clauses have been considered, and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clause(s) 6.3.2 (Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land; Clauses: 6.3.3 (Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land); and Clause 6.6.2 (Consolidation).

   <u>6.3.2 Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land</u>

   Whilst the proposed Lot 1 will have an area of 6.78 hectares and complies with the minimum lot size requirement of 2 hectares within the RL zone, the proposed Lot 2 will have an area of 1.84 hectares and therefore does not comply with the minimum lot size requirement. However, the applicant has identified that 1ha of unconstrained land will be available on each proposed lot and the lots created are considered to be more regular in shape.

   PowerWater (water services) have advised that no reticulated water and sewer services are available in the area and Water Resource Management (DPLE) have advised that land is located within a Restricted Water Extraction Area. It is noted that despite being located in a water extraction restriction zone and not being developed, Proposed Lot 1 retains a right to a bore whilst proposed Lot 2 (Bore No: RN035980) will retain existing commercial water licence.

   In summary, a variation to the proposed lot size is supported as the proposal broadly meets the provisions of the Clause, the zone purpose and outcomes.

   <u>Clause 6.3.3 (Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land)</u>

   Advice from the Department of Lands, Planning and Environment (Land Resource Division; LRD), indicates that the proposed lot 1 contains a minimum of 1ha of land unconstrained by drainage in its northern portion. However, there is no unconstrained access from the Arnhem Highway to this area as access to Arnhem Highway is impeded by a wetland. Only Lot 2 has unconstrained access to a public road, via Trippe Road connecting to Arnhem Highway. For this reason, the proposal does not comply with this clause.

A variation to this clause for a lack of unconstrained access from a public road to the unconstrained portion of the land can be supported as this non-compliance already exists due to the land being already physically divided by the Arnhem Highway Road corridor and in consequence this constraint already exists whether the subdivision proceeds or not. Further advice from the Department of Lands, Planning and Environment (Land Resource Division) also indicates that, due to the administrative nature of the proposal and the generally low surface gradients, it had no fundamental concerns with the subdivision.

The proposal generally demonstrates that the land is capable of accommodating the proposed lots and that the intent of the unconstrained land requirements can be achieved where it is feasible to do so. The outstanding issues relate principally to the detailed design of stormwater management and access arrangements, which can be addressed through permit conditions requiring the submission and approval of further technical information by the applicant, to the satisfaction of the relevant authorities, prior to the commencement of development. Accordingly, the variation is considered acceptable in this instance.

6.6.2 Consolidation

Proposed Lot 2 will have an area of 1.84 hectares where 2 hectares would normally be required, and therefore the proposal does not comply with the minimum lot size for Zone RL. The variation is considered acceptable in this instance as the proposal is administrative in nature, does not create any additional lots or increase development potential or residential density on the land and results in a more logical and functional land tenure arrangement with the consolidation allowing for Lot 2 to increase from 1.36 hectares to 1.84 hectares thus reducing the effective non-compliance.

Accordingly, despite the variation to the minimum lot size requirement, the proposal is considered adequate in achieving the intent of the clause and the outcomes sought for Zone RL.

2. Pursuant to section 51(1)(e) of the Planning Act 1999, the consent authority, must take into consideration any submission made under Section 4, and any evidence or information received under Section 50, in relation to the development application.

   Litchfield Council has raised concerns regarding the location of the unconstrained land within Lot 1 and note that the identified access constraints may limit the future development potential of Proposed Lot 1. These concerns are acknowledged. Advice received from DLI indicates that the southern portion of Section 5183 is effectively landlocked and incapable of supporting independent access. That said, it is recognised that the proposed consolidation with Section 5006 provides a practical and lawful access arrangement via the existing Trippe Road driveway and results in a more logical land tenure outcome. Importantly, the proposal does not create additional lots, increase development potential, or intensify land use beyond that currently anticipated under the Planning Scheme. Notwithstanding Council's concerns, the proposal is considered to achieve a more practical and functional land configuration and could, therefore be supported.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, 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 Suitability Assessment and Site and Soil Evaluation Report have been submitted as part of the application. These documents and the Land Resources Division of the

Department of Lands, Planning and Environment response to the application confirm that each new lot is capable of supporting the subject subdivision for rural lifestyle purposes.

4. Pursuant to section 51(1)(m) of the Planning Act 1999, 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.

   The two lots to be created as part of the subject subdivision can be provided with a grid electricity supply. Unconstrained driveway/crossover access to Arnhem Highway to engineered access for Lot 1 can be achieved, noting Lot 2 already has access to Trippe Road. To ensure these subdivision and consolidation works are completed accordingly, conditions of approval for the benefit of the relevant service authority providers for this infrastructure have been imposed on the development permit.

   This subdivision approval has also been conditioned to comply with the requirements of the Howard South Restricted Water Extraction Area as stipulated under Section 14 of the *Water Act 1992* as recommended by the Water Resources Division of the Department of Lands, Planning and Environment. This will ensure only one of the two created lots retains unlicenced groundwater access for domestic and stock purposes in this overallocated groundwater area.

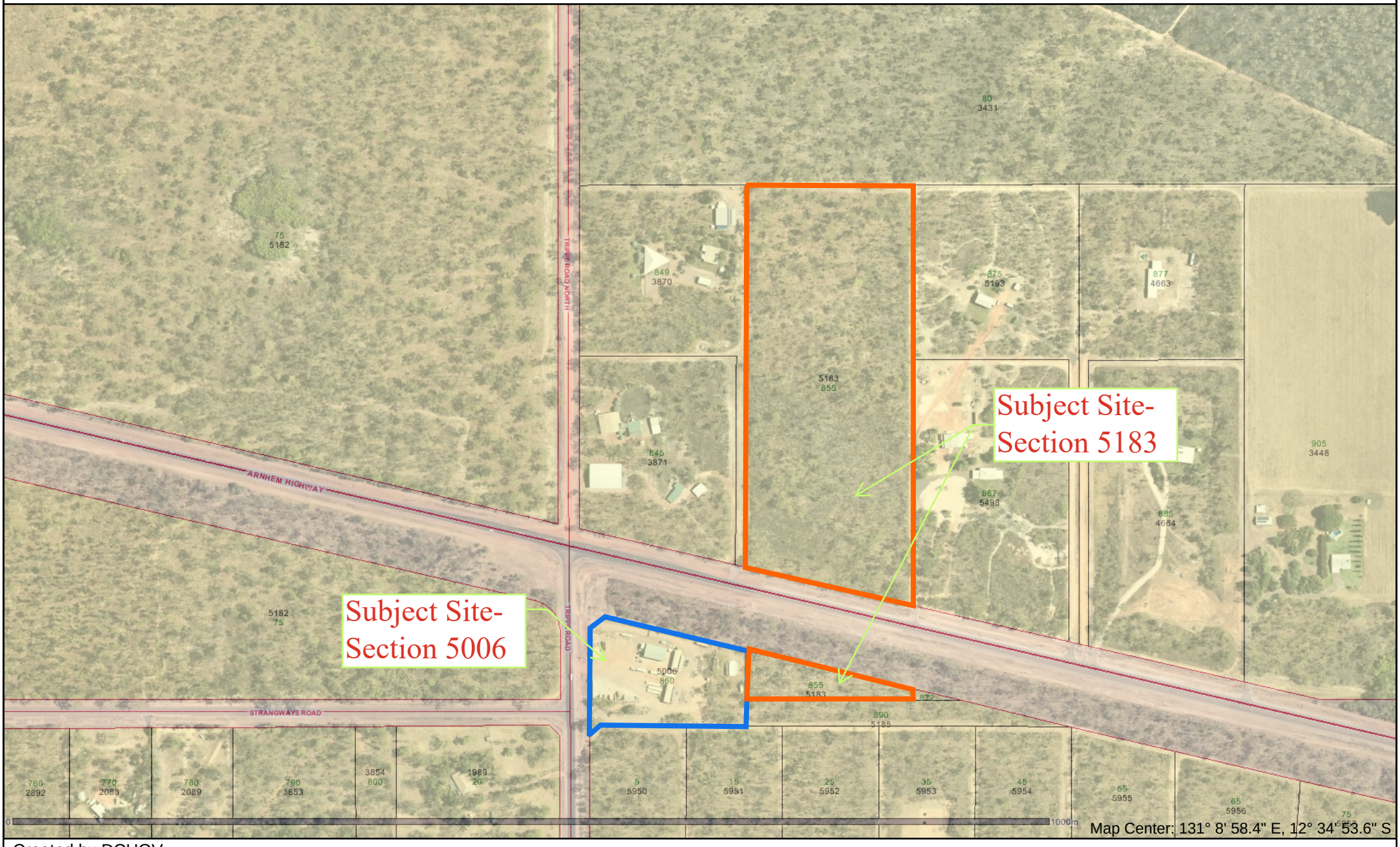
5. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

   The subdivision creates two additional Rural Living zoned lots of a size suitable to retain the existing horticulture and intended rural lifestyle use of the subject property, and that are consistent with the rural living character and historical land use development of the rural locality of Humpty Doo. On this basis, it is concluded that the subdivision is unlikely to adversely impact on the existing and future amenity of the Humpty Doo locality.

AUTHORISED:

DRASHTI CHOVATIYA
RURAL, REGIONAL & REMOTE PLANNER
DEVELOPMENT ASSESSMENT SERVICES

Section 5006 & 5183 Arnhem HWY



Map Center: 131° 8' 58.4" E, 12° 34' 53.6" S

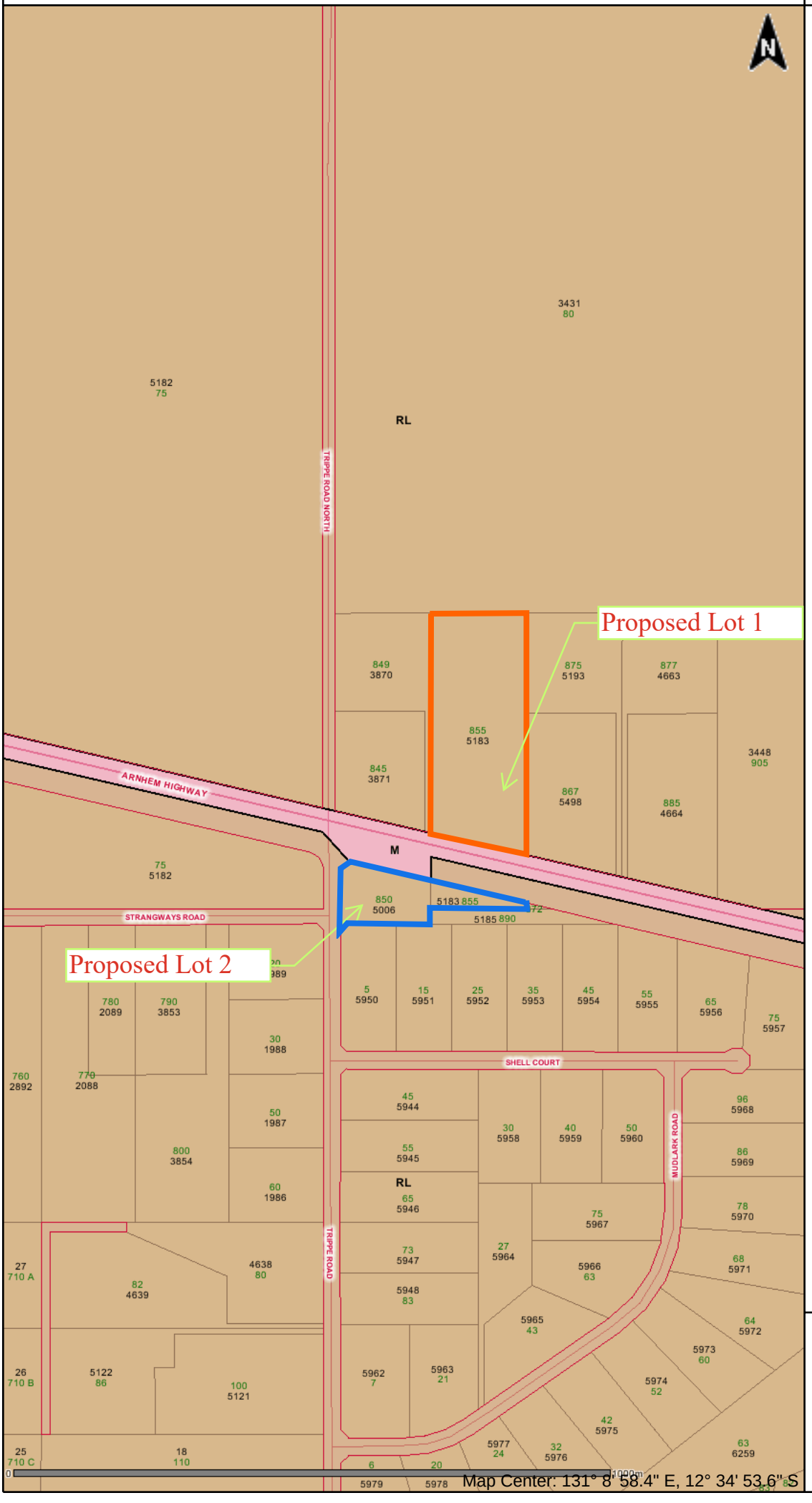
Created by DCHOV

Bottom Left: -12° 35' 05", 131° 08' 36" Top Right: -12° 34' 42", 131° 09' 20" Approximate Scale: 1:4,700 Datum: GDA 1994

Data for information purposes only - accuracy not guaranteed

N.T. Land Information System Copyright Northern Territory of Australia

Section 5006 & 5183 Arnhem HWY



Map Center: 131° 8' 58.4" E, 12° 34' 53.6" S

Legend

- General Lines
- Road Boundaries
- Town Planning Zones
  - A - Agriculture
  - CV - Caravan Park
  - CB - Central Business
  - C - Commercial
  - CL - Community Living
  - CP - Community Purpose
  - CN - Conservation
  - DV - Development
  - RR - Rural Residential
  - GI - General Industry
  - HT - Heritage
  - HR - High Density Residential
  - H - Horticulture
  - LI - Light Industry
  - M - Main Road
  - MR - Medium Density Residential
  - LMR - Low-Medium Density Residential
  - CA - No Planning Scheme Controls
  - OR - Organised Recreation
  - PM - Proposed Main Road
  - PS - Public Open Space
  - RW - Railway
  - RD - Restricted Development
  - R - Rural
  - RL - Rural Living
  - SC - Service Commercial
  - LR - Low Density Residential
  - S - Specific Use
  - TC - Tourist Commercial
  - U - Utilities
  - WM - Water Management
  - FD - Future Development
  - RJ - Residential Jabiru
  - PSJ - Public Open Space Jabiru
  - ORJ - Organised Recreation Jabiru
  - CJ - Commercial Jabiru
  - SCJ - Service Commercial Jabiru
  - TCJ - Tourist Commercial Jabiru
  - CPJ - Community Purpose Jabiru
  - FDJ - Future Development Jabiru
  - IJ - Industrial Jabiru
  - MJ - Main Road Jabiru
  - UJ - Utilities Jabiru
- Road Labels
- Road Centrelines
  - Highway
  - Other Road
- Street Numbers
- Parcel Numbers
- Cadastre
- Coastline

Created by DCHOV

Bottom Left: 131° 08' 36", -12° 35' 05"
Top Right: 131° 09' 20", -12° 34' 42"
Approximate Scale: 1:9,200
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
N.T. Land Information System
Copyright Northern Territory of Australia

Land owner/s authorisation to lodge a development application

The Planning Act 1999

Before you fill in the form

Signatures from ALL landowners registered on the land title must be provided.
The authorisation must be dated within six months of the submission of the application.

Fields marked with an asterisk (*) are required. Fields marked with a carat (^) are required if applicable.			
Applicant In accordance with Section 46(3)(aa)(i) of the *Planning Act 1999*, a development application is to contain the name and contact details of the **applicant** AND **any person on whose behalf the application is made.**			
Name of Applicant/Consultant or Acting agent	Brad Cunnington, Cunnington Rosse Town Planning and Consulting		
Address	PO Box 36004 Winnellie NT 0821		
Phone	0427 796 140	**Email**	brad@crtpc.com.au
Persons on whose behalf the application is made:			
Person/s on whose behalf the application is made:	Andris Bergs – Nominated Landowner Representative		
Address	24 Kapalga Street, Tiwi NT 0810		
Phone	0408 742 123	**Email**	avb1@bigpond.com
The applicant is hereby authorised to lodge a development application over the subject land described as:			
***Lot/NT portion**	Sections 5006 and 5183		
***Location/town/hundred**	Hundred of Strangways		
***Street address**	850 and 855 Arnhem Highway, Humpty Doo		

NORTHERN TERRITORY GOVERNMENT

The application is for the purpose of:			
***Proposed development** *Brief description of proposed development*	Subdivision and Consolidation (boundary realignment) to create 2 lots from 2 existing		
Landowner/s signature In accordance with Section 46(3)(aa)(ii) of the *Planning Act 1999*, a development application is to contain the **name and contact details of the owner of the land** to which the application relates. Written authorisation from each: • **Individual owner**: Each person listed on the title must provide written authorisation for the application. • **Companies**: For each company listed on the title, written authorisation must be obtained from the **director** or **authorised representative** of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so.			
***Full name**	Andris Valdis Bergs		
Phone	0408 742 123	**Email**	avb1@bigpond.com
***Signature**			
***Date**			
Landowner signature			
***Full name**	Mara Ina Bergs		
Phone		**Email**	
***Signature**			
***Date**			
Landowner signature			
***Full name**	Duncan Muir McKinstray		
Phone	0417838342	**Email**	DUNCANMCKINSTRAY.COM.AU
***Signature**			

*Date	5.5.2026		
Landowner signature			
*Full name	Ann Maree McKinstray		
Phone	0409479219	Email	annmareemckinstray@gmail.com
*Signature			
*Date	05.05.26		
Landowner signature			
*Full name	Jodi Nicole Abela		
Phone	0438040057	Email	jodiabela@outlook.com
*Signature			
*Date	5/5/26		
Landowner signature			
*Full name	John Alan Abela		
Phone	0408513605	Email	Johnabela69@outlook.com
*Signature			
*Date	16-4-2026		

Privacy Note

The Department of Lands, Planning and Environment, on behalf of the Minister, is authorised under the *Planning Act 1999* to collect the information on this form, or otherwise provided by you, to consider a proposal to grant a Development Permit or to amend a planning scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information is also regularly provided to other Northern Territory Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation within the Northern Territory *Information Act 2002*. For more information, please refer to the Northern Territory Government's privacy statement located at https://nt.gov.au/copyright-disclaimer-and-privacy
Any personal information provided can be subsequently accessed by you on request.

Land owner/s authorisation to lodge a development application

The Planning Act 1999

Before you fill in the form

Signatures from ALL landowners registered on the land title must be provided.
The authorisation must be dated within six months of the submission of the application.

Fields marked with an asterisk (*) are required.
Fields marked with a carat (^) are required if applicable.

Applicant In accordance with Section 46(3)(aa)(i) of the *Planning Act 1999*, a development application is to contain the name and contact details of the **applicant** AND **any person on whose behalf the application is made.**			
Name of Applicant/Consultant or Acting agent	Brad Cunnington, Cunnington Rosse Town Planning and Consulting		
Address	PO Box 36004 Winnellie NT 0821		
Phone	0427 796 140	**Email**	brad@crtpc.com.au
Persons on whose behalf the application is made:			
Person/s on whose behalf the application is made:	Andris Bergs – Nominated Landowner Representative		
Address	24 Kapalga Street, Tiwi NT 0810		
Phone	0408 742 123	**Email**	avb1@bigpond.com
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***Location/town/hundred**	Hundred of Strangways		
***Street address**	850 and 855 Arnhem Highway, Humpty Doo		

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The application is for the purpose of:	
***Proposed development** *Brief description of proposed development*	Subdivision and Consolidation (boundary realignment) to create 2 lots from 2 existing

Landowner/s signature

In accordance with Section 46(3)(aa)(ii) of the *Planning Act 1999*, a development application is to contain the **name and contact details of the owner of the land** to which the application relates.

Written authorisation from each:

- **Individual owner**: Each person listed on the title must provide written authorisation for the application.
- **Companies**: For each company listed on the title, written authorisation must be obtained from the **director** or **authorised representative** of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so.

***Full name**	Andris Valdis Bergs		
Phone	0408 742 123	**Email**	avb1@bigpond.com
***Signature**	AVBergs		
***Date**	14/4/2026		

Landowner signature

***Full name**	Mara Ina Bergs		
Phone	08 89881825	**Email**	—
***Signature**	Mara Bergs		
***Date**	14.4.26		

Landowner signature

***Full name**	Duncan Muir McKinstray		
Phone		**Email**	
***Signature**			

*Date			
Landowner signature			
*Full name	Ann Maree McKinstray		
Phone		Email	
*Signature			
*Date			
Landowner signature			
*Full name	Jodi Nicole Abela		
Phone		Email	
*Signature			
*Date			
Landowner signature			
*Full name	John Alan Abela		
Phone		Email	
*Signature			
*Date			

Privacy Note

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Any personal information provided can be subsequently accessed by you on request.

Date Registered: 10/11/2023 **Volume** 877 **Folio** 222
Duplicate Certificate as to Title issued? No

SEARCH CERTIFICATE

Section 5006 Hundred of Strangways from plan(s) L2006/066B
Area under title is 1 hectares 3600 square metres

Tenants in common:
Duncan Muir McKinstray
of PO Box 1518, Humpty Doo NT 0836
Ann Maree McKinstray
of PO Box 1518, Humpty Doo NT 0836
50/100 share jointly
Jodi Nicole Abela
of PO Box 1518, Humpty Doo NT 0836
25/100 share
John Alan Abela
of PO Box 1518, Humpty Doo NT 0836
25/100 share

Registered Date	Dealing Number	Description
		Previous title is **Volume** 849 **Folio** 437

End of Dealings

NORTHERN TERRITORY OF AUSTRALIA

Record of Administrative Interests and Information

Record of Administrative Interests and Information
The information contained in this record of Administrative Interests only relates to the below parcel reference.

Parcel Reference: Section 05006 Hundred of Strangways plan(s) L2006/066B

(See section 38 of the Land Title Act)

Note: The Record of Administrative Interests and Information is not part of the Land Register and is not guaranteed by the Northern Territory of Australia, and the NT Government accepts no Liability for any omission, misstatement or inaccuracy contained in this statement.

Registrar General

Government Land Register
(none found)

Custodian - Registrar General (+61 8 8999 6252)

Current Title
CUFT 877 222 (order 1)

Tenure Type
ESTATE IN FEE SIMPLE

Tenure Status
Current

Area Under Title
1 hectares 3600 square metres

Owners
Duncan Muir McKinstray
PO Box 1518, Humpty Doo NT 0836
Ann Maree McKinstray
PO Box 1518, Humpty Doo NT 0836
Jodi Nicole Abela
PO Box 1518, Humpty Doo NT 0836
John Alan Abela
PO Box 1518, Humpty Doo NT 0836

Easements
(none found)

Scheme Name
(none found)

Scheme Body Corporate Name
(none found)

Reserved Name(s)
(none found)

Unit Entitlements
(none found)

Transfers
10/11/2023 for $146,250 (Nil GST)
04/08/2015 for $580,000

Tenure Comments
(none found)

Historic Titles
CUFT 849 437 (order 1)
CUFT 803 360 (order 1)
CUFT 732 661 (order 1)
Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5346)

Address
850 ARNHEM HWY, HUMPTY DOO

Survey Plan
L2006/066B

Survey Status
Approved

Parcel Status
CURRENT

Parcel Area
1 hectares, 3600 square metres

Map Reference
Code 373 Scale 10000 Sheet 06.08

Parent Parcels
Section 04684 Hundred of Strangways plan(s) S2004/210
Section 05004 Hundred of Strangways plan(s) L2006/066A

Parcel Comments
NOTE: ALTERNATE STREET ADDRESS IS 11 TRIPPE ROAD, CONTACT THE SURVEYOR-GENERAL IF CHANGE REQUIRED.

Survey Comments
SECTION 5006, SUBDIVISION OF SECTIONS 4684 AND 5004, HUNDRED OF STRANGWAYS.

Proposed Easements
(none found)

Local Government Area
LITCHFIELD MUNICIPALITY

Region
DARWIN

Custodian - Valuer General (+61 8 8995 5375)

Owner's Last Known Address
McKinstray,Duncan Muir & McKinstray,Ann Maree & Abela,John Alan & Abela,Jodi Nicole, PO BOX 1518, HUMPTY DOO NT 0836 & PO BOX 1518, HUMPTY DOO NT 0836

Parcels in Valuation
Section 05006 Hundred of Strangways

Unimproved Capital Value
$320,000 on 01/07/2024
$270,000 on 01/07/2021
$270,000 on 01/07/2018
$325,000 on 01/07/2015
$192,000 on 01/07/2012
$167,000 on 01/07/2009
$90,000 on 01/07/2006

Custodian - Property Purchasing (+61 8 8999 6886)

Acquisitions
(none found)

Custodian - Building Advisory Service (+61 8 8999 8965)

Building Control Areas

BBDAR001 - Building Control Area	DARWIN BUILDING AREA

Building Permits

Application Number:	1 of 1
Description:	2 x Sheds (also see 695/4684 & 695/3872)
Number of Residential Units:	
Australian Bureau of Statistics Type:	(none found)
Building Class:	Non-habitable building
Area:	258 square metres
Certification:	Non-habitable building - Full Code - *issued on* 03/07/2015

Visit the website http://www.nt.gov.au/building/

Custodian - Town Planning and Development Assessment Services (+61 8 8999 6046)

Planning Scheme Zone
RL (Rural Living)

Overlays: The following overlays may apply to your land
- CNV - Clearing of Native Vegetation

Refer to the NT Planning Scheme 2020 for more information.

Strategic Frameworks: The following strategic frameworks may apply to your land
Regional Plans:
- Darwin Regional Land Use Plan

Sub Regional Plans:
- Litchfield Subregional Land Use Plan

Area Plans:
- None

Interim Development Control Orders
(none found)

Planning Notes
(none found)

Planning Applications

File Number
PA2012/0559

Type
Development

Date Received
02/08/2012

Application Purpose
Plant Nursery

Application Status
Approved

Other Affected Parcels
(none found)

Instrument Signed
19/10/2012

Instrument Number
DP12/0575

Instrument Issued
Signed

Instrument Status
Current

Custodian - Pastoral Estate - Vegetation Assessment Unit (+61 8 8999 4454)
(none found)

Visit the website for information on Pastoral land permits.

Custodian - Power and Water Corporation (1800 245 092)

Meters on Parcel

Power Water - Electricity	(none found)
Power Water - Water	(none found)

For Account balances, contact the Power and Water Corporation.

Custodian - Pool Fencing Unit (+61 8 8924 3641)

Swimming Pool/Spa Status
(none found)

For more information, contact the Pool Fencing Unit (+61 8 8924 3641).

Custodian - Department of Mining and Energy (+61 8 8999 5263)

Mineral Titles

Title ID	Status	Title Type	Expiry Date	Legislation
RL26136	Granted	Reserve Land		Mineral Titles Act 2010

For additional information contact the Mineral Titles Team on +61 8 8999 5322

Energy Titles

Title ID	Status	Title Type	Expiry Date	Legislation
RB56	Granted	Reservation of Blocks		Petroleum Act 1984
RB97	Granted	Reservation of Blocks		Petroleum Act 1984

For additional information contact the Petroleum Tenure Team on +61 8 8999 5263

Land Access Agreements

(none found)

For additional information contact the Land Access Team on +61 8 8999 5240

For further information contact as above or visit the website https://strike.nt.gov.au

Custodian - NT Environment Protection Authority (+61 8 8924 4218)

Results of site contamination assessment

(none found)

For further information contact Environment Protection Authority or visit the website https://ntepa.nt.gov.au/your-business/public-registers/contaminated-land-audits

Custodian - Heritage Branch (+61 8 8999 5039)

Heritage Listing:

(none found)

For further information on heritage places contact Heritage Branch or visit the website https://nt.gov.au/property/land/heritage-register-search-for-places-or-objects

Other Interests

For Account balances, contact Litchfield Council

Locality Diagram

Date Registered: 08/02/2019 **Volume** 831 **Folio** 538

Duplicate Certificate as to Title issued? No

SEARCH CERTIFICATE

Section 5183 Hundred of Strangways from plan(s) S2007/169B
Area under title is 6 hectares 7800 square metres

Tenants in common:
Andris Valdis Bergs
of 24 Kapalga Street, Tiwi NT 0810
25/100 share
Mara Ina Bergs
of PO Box 801, Humpty Doo NT 0836
75/100 share

Registered Date	Dealing Number	Description
		Previous title is **Volume** 830 **Folio** 723

End of Dealings

NORTHERN TERRITORY OF AUSTRALIA

Record of Administrative Interests and Information

Record of Administrative Interests and Information
The information contained in this record of Administrative Interests only relates to the below parcel reference.

Parcel Reference: Section 05183 Hundred of Strangways plan(s) S2007/169B

(See section 38 of the Land Title Act)

Note: The Record of Administrative Interests and Information is not part of the Land Register and is not guaranteed by the Northern Territory of Australia, and the NT Government accepts no Liability for any omission, misstatement or inaccuracy contained in this statement.

Registrar General

Government Land Register
(none found)

Custodian - Registrar General (+61 8 8999 6252)

Current Title
CUFT 831 538 (order 1)

Tenure Type
ESTATE IN FEE SIMPLE

Tenure Status
Current

Area Under Title
6 hectares 7800 square metres

Owners
Andris Valdis Bergs
24 Kapalga Street, Tiwi NT 0810
Mara Ina Bergs
PO Box 801, Humpty Doo NT 0836

Easements
(none found)

Scheme Name
(none found)

Scheme Body Corporate Name
(none found)

Reserved Name(s)
(none found)

Unit Entitlements
(none found)

Transfers
08/02/2019 for $305,000 (Nil GST)

Tenure Comments
(none found)

Historic Titles
CUFT 830 723 (order 1)
CUFT 741 544 (order 1)
Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5346)

Address
855 ARNHEM HWY, HUMPTY DOO

Survey Plan
S2007/169B

Survey Status
Approved

Parcel Status
CURRENT

Parcel Area
6 hectares, 7800 square metres

Map Reference
(none found)

Parent Parcels
Section 05005 Hundred of Strangways plan(s) L2006/066A
Section 05194 Hundred of Strangways plan(s) L2007/059
Section 03445 Hundred of Strangways plan(s) LTO74/008
Section 03467 Hundred of Strangways plan(s) S 93/165

Parcel Comments
BALANCE OF SEC 3445 AFTER ROAD OPENING.

Survey Comments
SECTIONS 5183 TO 5186, ROAD WIDENING FROM SECTIONS 3445, 3467, 5005 AND 5194 HUNDRED OF STRANGWAYS. PROPOSAL TO OPEN ROAD NTG S18 20/04/2009, ORDER TO OPEN NTG S48 8/9/2009.

Proposed Easements
(none found)

Local Government Area
LITCHFIELD MUNICIPALITY

Region
DARWIN

Custodian - Valuer General (+61 8 8995 5375)

Owner's Last Known Address
Bergs,Mara Ina & Bergs ,Andris Valdis, PO BOX 801, HUMPTY DOO NT 0836 & 24 KAPALGA STREET, TIWI NT 0810

Parcels in Valuation
Section 05183 Hundred of Strangways

Unimproved Capital Value
$600,000 on 01/07/2024
$600,000 on 01/07/2021
$620,000 on 01/07/2018
$750,000 on 01/07/2015
$492,000 on 01/07/2012
$427,000 on 01/07/2009
$230,000 on 01/07/2006

Custodian - Property Purchasing (+61 8 8999 6886)

Acquisitions
(none found)

Custodian - Building Advisory Service (+61 8 8999 8965)

Building Control Areas
BBDAR001 - Building Control Area DARWIN BUILDING AREA

Building Permits
(none found)

Visit the website http://www.nt.gov.au/building/

Custodian - Town Planning and Development Assessment Services (+61 8 8999 6046)

Planning Scheme Zone
RL (Rural Living)

Overlays: The following overlays may apply to your land
- CNV - Clearing of Native Vegetation

Refer to the NT Planning Scheme 2020 for more information.

Strategic Frameworks: The following strategic frameworks may apply to your land
Regional Plans:
- Darwin Regional Land Use Plan

Sub Regional Plans:
- Litchfield Subregional Land Use Plan

Area Plans:
- None

Interim Development Control Orders
(none found)

Planning Notes
(none found)

Planning Applications
(none found)

Custodian - Pastoral Estate - Vegetation Assessment Unit (+61 8 8999 4454)
(none found)

Visit the website for information on Pastoral land permits.

Custodian - Power and Water Corporation (1800 245 092)

Meters on Parcel

Power Water - Electricity	(none found)
Power Water - Water	(none found)

For Account balances, contact the Power and Water Corporation.

Custodian - Pool Fencing Unit (+61 8 8924 3641)

Swimming Pool/Spa Status
(none found)

For more information, contact the Pool Fencing Unit (+61 8 8924 3641).

Custodian - Department of Mining and Energy (+61 8 8999 5263)

Mineral Titles

Title ID	Status	Title Type	Expiry Date	Legislation
RL26136	Granted	Reserve Land		Mineral Titles Act 2010

For additional information contact the Mineral Titles Team on +61 8 8999 5322

Energy Titles

Title ID	Status	Title Type	Expiry Date	Legislation
RB56	Granted	Reservation of Blocks		Petroleum Act 1984
RB97	Granted	Reservation of Blocks		Petroleum Act 1984

For additional information contact the Petroleum Tenure Team on +61 8 8999 5263

Land Access Agreements
(none found)

For additional information contact the Land Access Team on +61 8 8999 5240

For further information contact as above or visit the website https://strike.nt.gov.au

Custodian - NT Environment Protection Authority (+61 8 8924 4218)

Results of site contamination assessment
(none found)

For further information contact Environment Protection Authority or visit the website https://ntepa.nt.gov.au/your-business/public-registers/contaminated-land-audits

Custodian - Heritage Branch (+61 8 8999 5039)

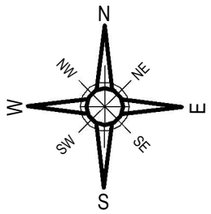
Heritage Listing:
(none found)

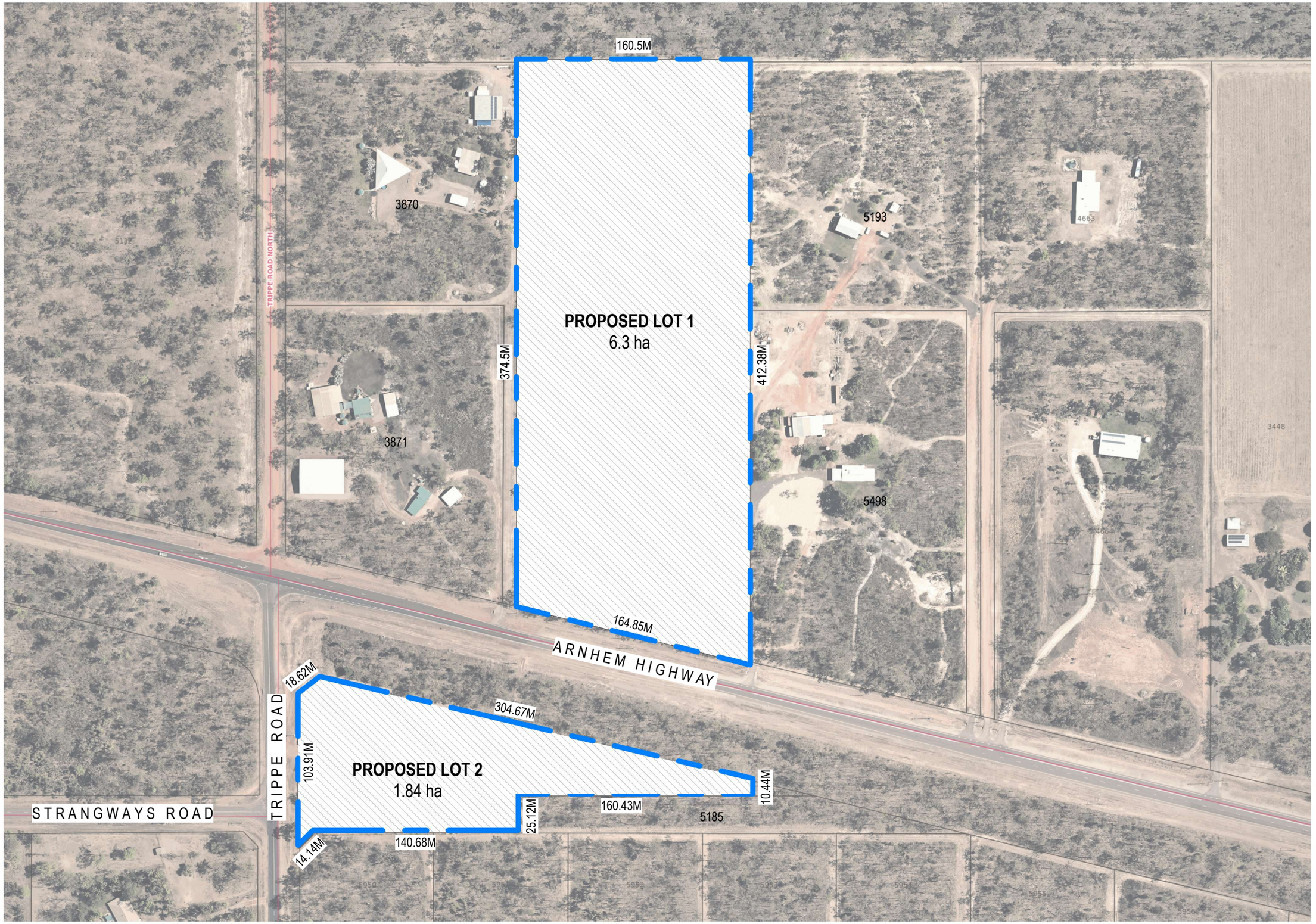
For further information on heritage places contact Heritage Branch or visit the website
https://nt.gov.au/property/land/heritage-register-search-for-places-or-objects

Other Interests

For Account balances, contact Litchfield Council

Locality Diagram





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JB@FUNARCHI.COM.AU
0457 033 418

SECTIONS 5183 & 5006

PROPOSED SUBDIVISION LAYOUT

SHEET No.	SCALE	DATE	PROJECT No.	DRAWN	SHEET SIZE
A100	1 : 2500	09/04/2026	26002	JB	A3

CUNNINGTON ROSSE
Town Planning & Consulting

Statement of Effect

SUBDIVISION (BOUNDARY REALIGNMENT) TO EXISTING LOTS

SECTIONS 5006 AND 5183 HUNDRED OF STRANGWAYS (850 AND 855 ARNHEM HIGHWAY, HUMPTY DOO)

8 May 2026

Contact

Name	Brad Cunnington
Position	Director
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Document Control

Author	Brad Cunnington
Version	1.2
Date	8 May 2026

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1.0 Introduction

Cunnington Rosse Town Planning and Consulting have been engaged by the landowners of sections 5006 and 5183 Hundred of Strangways to prepare and lodge a development application for the purpose of subdivision. The proposed subdivision comprises a boundary realignment to consolidate the portion of section 5183 on the southern side of the Arnhem Highway with adjoining section 5006. The remaining portion of section 5183, adjacent the northern side of the Arnhem Highway, will remain as a standalone parcel.

Section 5183 comprises two non-contiguous portions situated either side of the Arnhem Highway, which traverses through the site. The proposed subdivision is unique as portion 5183 will remain without unconstrained land directly accessible from the road frontage, and will result in section 5006 increasing in size to be closer to the minimum 2 hectare land size applicable in Zone RL (Rural Living).

The subdivision of land requires a development permit pursuant to **Section 44(b)** of the *Northern Territory Planning Act 1999* (the Act), and an application for development for the purpose of *subdivision* is considered at the level of *Impact Assessable.* This report details the nature of the subject land and locality, the proposed development, considers the proposal against the relevant provisions of the Planning Scheme (including the Strategic Framework), and the relevant components of **Section 46(3)** of the Act. This report (and application) is to be read together with the plans, reports and relevant information contained in **Attachments A** through **D**.

2.0 Site and Locality

Site Details	
Location	Section 5006 Hundred of Strangways (850 Arnhem Highway, Humpty Doo) Section 5183 Hundred of Strangways (855 Arnhem Highway, Humpty Doo)
Title Reference and Land Tenure	CUFT 877 222 Estate in Fee Simple (850) CUFT 831 538 Estate in Fee Simple (855)
Area Under Title	1.36 hectares (850) 6.78 hectares (855)
Easements Identified on Title	None identified
Landowner	Duncan and Ann Maree McKinstray, Jodi and John Abela (850) Mara and Andris Bergs (855)
Planning Scheme Context	
Planning Scheme	Northern Territory Planning Scheme 2020
Zone	• RL (Rural Living)
Applicable Land Use Definitions	Subdivision (NTPA **Section 5**)
Strategic Framework	• Darwin Regional Land Use Plan • Litchfield Subregional Land Use Plan
Overlays	• CNV – Clearing of Native Vegetation • LADR – Land Adjacent a Designated Road

Subdivision Requirements	• Clause 6.3.2 – Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land • Clause 6.3.3 – Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land • Clause 6.3.4 – Infrastructure for Subdivision in Zones RL, R and Unzoned Land

Table 1: *Site details and Planning Assessment Context*

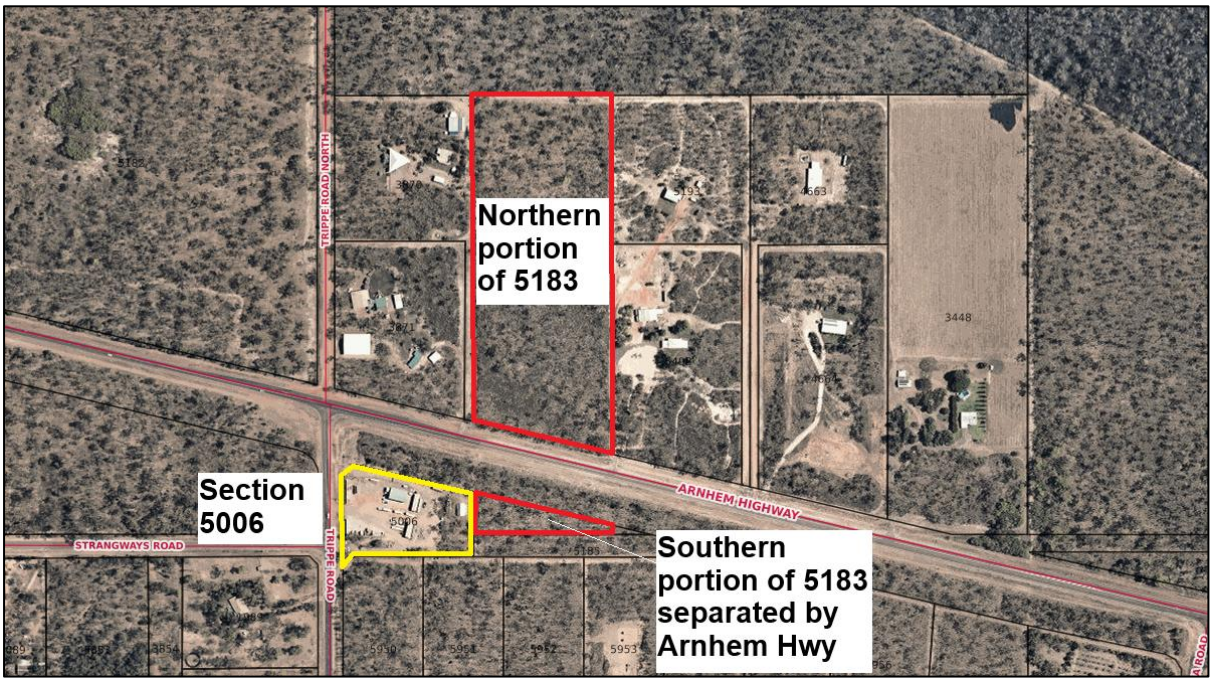

Figure 1: *shows Section 5183 (red border) with the northern and southern parts separated by the Arnhem Highway, together with Section 5006 (yellow border)*

The subject land comprises two separate lots – Sections 5006 and 5183 Hundred of Strangways. Section 5006 is located at 850 Arnhem Highway, Humpty Doo, adjacent the south-eastern side of the intersection between Arnhem Highway and Trippe Road, with a driveway access to Trippe Road and an area under title of 1.36 hectares. The western part of the site is largely cleared of vegetation with a number of structures, including landscape material bays, three large sheds and a number of smaller structures. The existing buildings are surrounded by vehicle manoeuvring and parking hardstand / compacted areas. The majority of existing vegetation in the eastern part of the site remains, with residential accommodation within the vegetated area. Title documents in **Attachment E** reference a single planning approval – development permit DP12/0575 issued on 19 October 2012 for the purpose of *plant nursery.* The site layout appears to be generally consistent with the DP12/0575 Endorsed Drawings.

Section 5183 is located at 855 Arnhem Highway, Humpty Doo. Whilst Section 5183 has 6.78 hectares under title, it is segregated into two distinct portions – the northern portion adjacent the northern side of the Arnhem

Highway is an undeveloped parcel with no apparent clearing of established vegetation and an area of approximately 6.3 hectares. The southern portion of Section 5183 is located adjacent the southern side of the Arnhem Highway (separated from the edge of the existing carriageway by approximately 38 metre wide vegetation corridor and 17 metre cleared verge) similarly undeveloped and covered by established vegetation, and covering an area of approximately 4,800m^2. This southern portion of Section 5183 directly adjoins Section 5006 to the west. The southern and northern portions of Section 5183 are entirely non-contiguous, separated by the 80 metre-wide Arnhem Highway road reserve, and neither portion has an existing vehicle access from the Arnhem Highway.

2.1 Locality

The surrounding locality is predominantly rural living and associated activities, as well as horticultural activities and retained natural areas. The wide Arnhem Highway road corridor visually dominates the immediate locality, which is also characterised by retained, established native vegetation and low-density / intensity land uses. A number of home-based activities and other rural industries are evident (partially visible in **figure 1**), with more recent subdivisions to the south generally consistent with the 2 hectare rural living lot pattern.

3.0 Proposed Development

As demonstrated in **Figure 2,** the proposed subdivision effectively comprises a subdivision and consolidation to realign existing boundaries as follows:

- Subdivision to separate the northern and southern portions of Section 5183; and
- Consolidate Section 5006 with the southern portion of Section 5183.

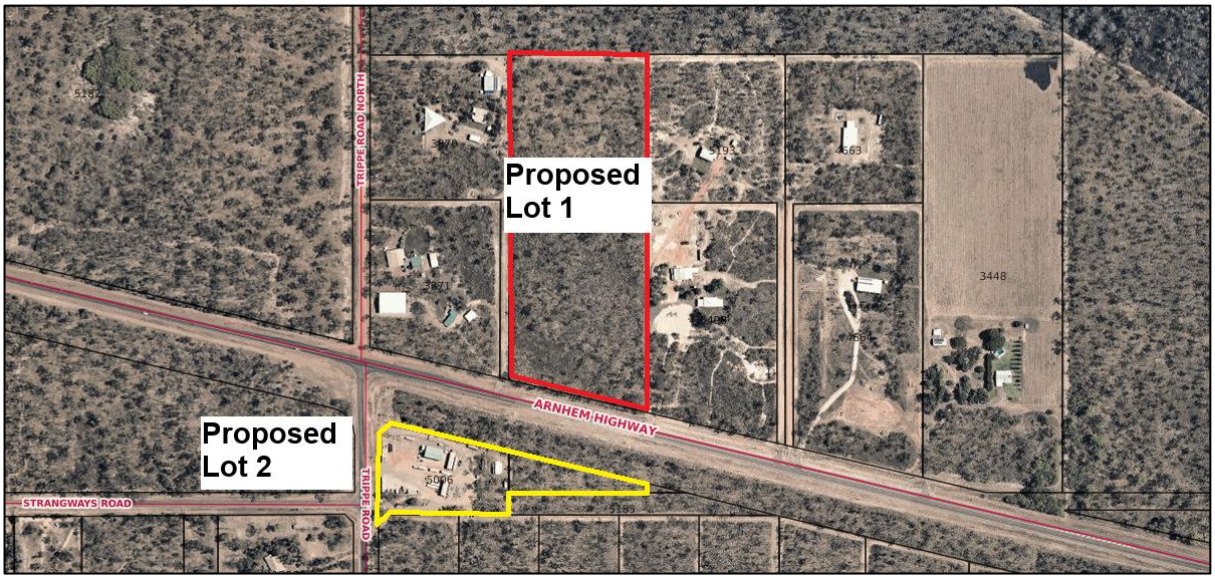

Figure 2: *Proposed subdivision layout resulting in a single consolidated lot south of the Arnhem Highway, and a single lot to the north*

From the existing 1.36 and 6.78 hectare parcels, the proposal will result in 1.84 and 6.3 hectare parcels, and remove the separation of a single lot (5183) by the Arnhem Highway. The proposed subdivision is not intended to alter the existing access or servicing arrangements, noting that no new lots are created, and the existing development rights / opportunities afforded to either parcel are not altered. The proposed subdivision layout is included in **Attachment A.**

4.0 Northern Territory Planning Scheme

4.1 Nature of Development

Section 5(1a) of the Northern Territory Planning Act defines *subdivision* as follows:

> *(1) Subject to subsections (2), (3) and (4), in this Act, subdivision means the division of land into parts available for separate occupation or use, by means of:*
>
> *a) Sale, transfer or partition.*

The proposal comprises the division of land into parts (being individual allotments) for separate occupation by means of sale or transfer, specifically by way of alteration to the existing boundary layout. The proposed subdivision is not a form of exempt subdivision under subsections (2), (3) or (4), thus is consistent with the definition of *subdivision* in **Section 5(1)(a).** Pursuant to **Section 44(b),** a development permit is required *if the proposed development is the subdivision or consolidation of land.*

4.2 Assessment Category

Subdivision (where it is not for consolidation or for the creation of a unit title scheme) is an *Impact Assessable* form of development pursuant to **Clause 1.8(1)(c)** of the Planning Scheme. In accordance with **Clause 1.10(4)**, when considering an application for a use or development identified as Impact Assessable the consent authority must consider all of the following:

a) any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;

b) any Overlays and associated requirements in Part 3 that apply to the land;

c) the guidance provided by the relevant zone purpose and outcomes in Part 4; and

d) any component of the Strategic Framework relevant to the land as set out in Part 2.

In accordance with **Clause 1.10(5)**, the consent authority may consent to a proposed use or development that is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:

a) the purpose and administration clauses of the requirement; and

b) the considerations listed under Clause 1.10(3) or 1.10(4).

Variations proposed in this application are addressed in response to the applicable scheme sections.

4.3 Strategic Framework

Part 2 of the Planning Scheme contains the Strategic Framework, consisting of strategic planning policies and strategic land use plans. Consideration of the Strategic Framework is required in an application for development identified as *Impact Assessable.* There are two layers of Strategic Framework policy applicable to the subject land and proposed development:

⇒ Darwin Regional Land Use Plan

⇒ Litchfield Subregional Land Use Plan

4.3.1 Darwin Regional Land Use Plan

The *Darwin Regional Land Use Plan* (DRLUP) was prepared by the NT Planning Commission and incorporated as a reference document in the Planning Scheme in 2015. The Plan now forms part of the Strategic Framework in the 2020 Planning Scheme, and provides a vision, goals and intended outcomes for development of the Darwin Region, identifies regional opportunities and the intention for development into the medium and long term. The Land Use Structure on Page 13 of the Plan identifies the subject land as *Rural Lifestyle*. Rural Lifestyle Areas are considered on page 19, with the following key objectives to:

- *Identify opportunities for rural lifestyle development to meet market demand.*
- *Encourage opportunities for a choice of lifestyle in terms of lot size and access to services.*
- *Provide appropriate buffers between different residential localities to maintain and enhance the amenity of established areas and protect the natural environment.*

Commentary notes "*growing concern about the impact of such development on the natural environment and established rural lifestyle localities indicates the need for responsible development and land use management.*"

The proposed subdivision won't provide significant development outcomes to further realisation of the rural lifestyle objectives, however will improve the orderly layout of rural lifestyle lots, and improve compliance with the rural lifestyle lot sizes in **Clause 6.3.2** by increasing the area of Section 5006 closer to 2 hectares. No impact on existing amenity, the natural environment or increased demand on services or infrastructure will occur as a result of the proposed subdivision.

4.3.2 Litchfield Subregional Land Use Plan

The *Litchfield Subregional Land Use Plan* (LSRLUP) was prepared by the NT Planning Commission and incorporated as a reference document in the Planning Scheme in 2016. The Plan now forms part of the Strategic Framework in the 2020 Planning Scheme, and provides a *"contemporary response to planning challenges in line with the direction set by the Darwin Regional Land Use Plan 2015."* The Subregional Land Use Plan provides more detailed planning that advances the concepts identified in the Regional Land Use Plan, specifically related to the Litchfield Subregion.

The Land Use Structure Plan on Page 7 of the Subregional Land Use Plan identifies the subject land as *Rural* (consistent with the identification of *Rural Lifestyle* in the Regional Land Use Plan). Within the *Rural* area, the plan seeks to protect the established amenity by ensuring "no changes to the current minimum lot sizes in Zone RL and Zone R." The proposed subdivision improves compliance with the minimum lot sizes in Zone RL relative to the existing lot layout. The proposed consolidated parcels south of the Arnhem Highway result in a 1.84 hectare lot, 8% below the 2 hectare minimum relative to the existing 1.36 hectare Section 5006, 32% below the minimum lot size.

4.4 Overlays

4.4.1 Clause 3.2 – Clearing of Native Vegetation

Clause 3.2 applies to land in Zone RR, and confirms that the clearing of native vegetation of more than one hectare in aggregate of land requires consent. With no increase in lot yield, the proposed subdivision will not increase the amount of land able to be cleared without consent.

4.4.2 Clause 3.8 – Land Adjacent to a Designated Road

Clause 3.8 stipulates that *any access from a designated road corridor must be in accordance with the requirements of the agency responsible for the management of the designated road.* The Transport Planning division of the Department of Logistics (DLI) and Infrastructure is the agency responsible for the management of the Arnhem Highway. Preliminary advice was sought from DLI regarding any existing restrictions on access to Section 5183, as well as the proposed subdivision. Via email response received 27 January 2026, DLI advised:

- *If access to 855 is required, DLI would allow access as far as possible to the intersection* (to Trippe Road) *to the northern portion of Section 5183 (855);*
- *Following duplication of the Arnhem Highway, access to Section 5183 will be limited to left-in and left-out movements only, unless an alternative local road access is provided;*

- *DLI has no concerns with the proposed subdivision, where:*
    - *The southern portion of 855 would rely on the existing access to 850 from Trippe Road, and*
    - *The northern portion of Section 855 will have access as noted in the comments above.*

Based on this advice, the southern portion of Section 5183 is effectively inaccessible and unusable unless consolidated with Section 5006 (as proposed), in which case access will be via the existing Trippe Road driveway. Separating the southern and northern portions of 5183 does not limit or otherwise restrict the ability for road access to be provided, as this is only possible to the northern portion in accordance with the advice from DLI.

This subdivision does not propose to alter the northern portion of Section 5183 by installing a vehicle access from the Arnhem Highway, however any future access will be subject to approval from DLI.

4.5 Zone RL

Zone Purpose

Provide for a range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available.

Zone Outcomes

1. *Predominantly dwellings-single and dwellings-independent within a rural lifestyle setting.*
2. *Home based businesses and dwellings-community residence are of a scale, intensity and nature that is compatible with the character and amenity of the surrounding locality.*
3. *Residential development, such as residential care facilities, does not interfere with the character and amenity of the zone.*
4. *Rural activities, such as agriculture, animal boarding, horticulture, intensive animal husbandry, plant nursery, industry-primary, stables, and veterinary clinic where the scale, intensity and nature of the activity is compatible with the character and amenity of the surrounding locality and the land is capable of supporting the development.*
5. *Development for residential purposes does not interfere with the existing or ongoing use of rural land for productive agricultural or horticultural purposes.*
6. *Community focused activities, such as community centre, child care centre, and emergency management facility:*

(a) *are of a scale and intensity compatible with the character and amenity of the area;*

(b) *wherever possible, are co-located with other non-residential activities in the locality;*

(c) *avoid adverse impacts on the surrounding road network; and*

(d) *are managed to minimise unreasonable impacts on the amenity of surrounding residents.*

7. *The design and site layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.*

Zone Outcomes 1-7 apply to land use and development, and in this instance will apply to any future use or development of either the existing or altered lots. The proposed subdivision improves compliance with the Zone RL minimum lot size, and does not compromise the ability for land to be developed in a manner consistent with Outcomes 1-7. The lots will allow development in a manner that maintains a rural setting, with lots subject to land use, building setbacks, height and servicing restrictions applicable to land in Zone RL.

8. *Development does not impose unsustainable demands on surface water and groundwater.*

The proposed subdivision does not alter rights to access groundwater under the *Northern Territory Water Act 1992,* thus will not alter demands on groundwater. No impact on surface water will occur as a result of the subdivision.

9. *Subdivision design is informed by land suitability assessment to confirm the land is able to support residential development.*

A Land Suitability Assessment is provided in **Attachment B.** The proposed subdivision does not alter the lands' ability to support residential development.

10. *Development is provided with an appropriate level of services and infrastructure, and minimises impacts on sensitive environments.*

No alteration to existing service provision is proposed or provided, and the subdivision will not affect sensitive environments.

11. *Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.*

Not applicable to the proposed subdivision.

4.6 Subdivision Development Requirements

4.6.1 Clause 6.3.2 – Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land

Purpose

Ensure subdivisions of rural and unzoned land:

(a) have lots that are of a size and configuration suited for the intended purpose;

(b) have lots that are of a size consistent with the topographical constraints of the land (that may dictate that lots are of an area in excess of the specified minimum); and

(c) do not impose unsustainable demands on groundwater or unreasonably degrade the environment.

Administration

1. *The consent authority may **consent** to a subdivision that is not in accordance with sub-clauses 5-10 if it is satisfied that:*
    a. *the subdivision does not result in an increased lot yield; and*
    b. *the lot size and/or configuration achieves at least one of the following:*
        i. *an existing boundary encroachment by a building is remedied;*
        ii. *the lots created are more regular in shape;*
        iii. ***access** is provided to a lot that previously had no **access** or an unsuitable **access**;*
        iv. *the subdivision will better meet the overall outcomes for the zone and the relevant components of the strategic framework applicable to the locality;*
        v. *the arrangement of lots results in a significant protection of areas of environmental value; or*
        vi. *provides opportunity for a future local road network; and*
    c. *the consent authority is satisfied that the lots created will be consistent with the purpose of this requirement and the zone purpose and outcomes.*
2. *The consent authority may **consent** to a subdivision on Unzoned Land that is not in accordance with the table to this clause only if it is satisfied that the lots created will be consistent with the purpose of this requirement.*

3. *Despite sub-clause 1, the consent authority must not **consent** to a subdivision in Zone RL in Alice Springs and adjacent zoned areas that is not in accordance with the table to this clause.*

4. *The unconstrained nature of the land is to be demonstrated by a land suitability assessment addressing the NT Land Suitability Guidelines, in accordance with clause 6.3.3.*

Requirements

5. *Land is to be subdivided in accordance with the table to this clause.*

The proposed subdivision will result in lots of 1.84 hectares (retaining the existing 5006 developed area) and 6.3 hectares (with 1 hectare of unconstrained land adjacent the rear boundary, albeit not directly accessible from the Arnhem Highway road frontage). Compliance with subclause 5 will be increased relative to the existing 1.36 / 6.78 hectares, and the extent of unconstrained land across both parcels will not be altered. Irrespective of whether the southern portion of 5183 is constrained / unconstrained, it is not considered to contribute to available unconstrained land within the existing Section 5183 due to:

- The land being disconnected from the northern portion of Section 5183;
- An area of 4,800m^2, well below 1 hectare and well below the 2 hectare minimum for land in Zone RL; and
- The land is inaccessible in its current form, as Arnhem Highway access will only be granted to the northern portion of 5183.

Noting the guidance provided by subclause 1, the proposed subdivision does not result in an increased lot yield, enables access to a lot that currently has no access (the southern portion of 5183), better meets overall outcomes for the zone and strategic framework by increasing the size of 5006 closer to the minimum 2 hectares, and is consistent with both the zone and **Clause 6.3.2** purpose.

6. *Lots have a depth to width ratio not exceeding 4:1.*

The proposed subdivision will reduce the depth to width ratio of Section 5183 to approximately 2.57:1. The consolidated Section 5006 will be somewhat irregular, retaining the tapered form of the southern portion of 5183. The Trippe Road frontage is 103.91 metres and combined depth will be 301.18 metres, with a depth to frontage ratio of 2.9:1.

7. *Incorporate as far as practicable, drainage lines and drainage floors wholly within a single lot.*

No alteration or further excision of drainage lines and floors will occur.

8. *Allow for 70m separation between bores, both proposed and existing.*

There is a single bore (RN035980) in Section 5006. The proposed subdivision does not alter the existing requirement for or resultant separation distances to groundwater extraction points.

9. *Lot boundaries are to be:*

    a. *at right angles to any watercourse;*

    b. *sufficiently up slope to be outside of seepage zones where following drainage lines; and*

    c. *at right angles to contours or along contours where slope is between 2.0% and 5.0% and follow ridge lines, spurs or contours where slope is above 5.0%.*

No new boundaries that don't effectively exist (being the boundaries of Section 5183 adjoining the Stuart Highway) are proposed. The existing boundary between Section 5006 and the southern portion of 5183 will be removed.

10. *Minimise the number of watercourse crossings.*

No watercourse crossings are proposed.

Table to Clause 6.3.2: Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land	
Zone	**Minimum Lot Size and Requirements**
RL	2ha with a minimum of 1ha of unconstrained land
R	8ha with a minimum of 1ha of unconstrained land or 40ha in Alice Springs and Tennant Creek municipalities, with a minimum of 1ha of unconstrained land
H	25ha all unconstrained land
Unzoned Land	8ha

4.6.2 Clause 6.3.3 – Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land

Purpose

Ensure subdivision of land in Zones RR, RL, R and H, and unzoned land, responds to the physical characteristics of the land.

Administration

1. *The consent authority must not **consent** to a subdivision that does not include 1ha of land per lot in Zones RL, R and Unzoned Land, and 25ha in Zone H, identified as unconstrained in relation to:*

    (a) Storm tide flooding;

    (b) Riverine flooding;

    (c) Localised stormwater flooding;

    in accordance with the land suitability assessment and stormwater management plan.

2. *The consent authority must not **consent** to a subdivision unless the relevant government agencies, local government council and service authorities provide formal comment to the consent authority in relation to the land suitability assessment and stormwater management plan and the possibility of storm tide flooding, riverine flooding and localised stormwater flooding of the identified 1ha of land.*

3. *The consent authority may **consent** to an application that is not in accordance with sub-clauses 4-7 if the application includes preliminary land assessment and stormwater management plans prepared by the applicant and approved by the relevant government agency and or service authority, demonstrating that 1ha of land per lot and all internal roads are unconstrained by localised stormwater flooding and by those issues addressed in the NT Land Suitability Guidelines.*

Requirements

4. *Each lot is to have unconstrained access from a public road to the identified unconstrained land.*

5. *An application to subdivide rural or unzoned land should include the following documents prepared by suitably qualified professionals:*

    (a) a land suitability assessment addressing the NT Land Suitability Guidelines; and

    (b) a stormwater management plan including but not limited to; the potential impact on neighbouring land, external roads, internal roads and the 1ha of land identified as unconstrained, the upstream and downstream flows and any proposed mitigation measures.

6. *The subdivision design must address the constraints as identified in the land suitability assessment and stormwater management plan in relation to the location of internal roads, lot boundaries and the identified 1ha of unconstrained land.*

This application includes a land Suitability Assessment in **Attachment B** which identifies the northern portion of 5183 containing 1 hectare of unconstrained land, however this land is located adjacent the rear boundary, a significant distance from the Arnhem Highway frontage and thus any potential access thereto.

Clearly, the proposed subdivision does not alter the provision or accessibility to unconstrained land within Section 5183. If the southern portion of Section 5183 were consistent with the definition of *Unconstrained* land it would be necessary to consider whether the removal of this land from 5183 reduces compliance with **Clause 6.3.3.** It does not, fundamentally due to:

- The southern portion of 5183 is 4,800m^2, below the minimum 1 hectare; and
- The southern portion is inaccessible, both due to it being non-contiguous with the northern portion, and as a result of any road access from the Arnhem Highway being restricted to the northern portion of 5183 only.

The preparation and submission of a stormwater management plan would be superfluous. The subdivision will not alter the existing landforms or, with the exception of the removal of the 5006 rear boundary, any existing boundaries. The subdivision provides a benefit to the owners of 5006 via an increase to the area under title, and to the owners of 5183 via the ability to dispose of a superfluous and inaccessible portion of the existing lot. Whilst the proposed subdivision is consistent with the **Clause 6.3.3** purpose (specifically that the subdivision responds to the physical characteristics of the land, including the existing boundary layouts and intersecting Arnhem Highway), the **Clause 6.3.3.** requirements clearly don't anticipate such a unique situation. In this instance the departure from the anticipated outcomes in subclauses 4-6 is anticipated via subclause 2, specifically the requirement for both Council and service authorities to provide comment regarding storm tide flooding, riverine flooding and localised stormwater flooding of the identified 1ha of land.

7. *An application to subdivide land on the maps "Priority Environmental Management Areas – Litchfield" and "Priority Environmental Management Areas – Katherine" as an area potentially of environmental significance should, on the advice of the relevant government agency, be accompanied by and the consent authority shall have regard to an evaluation by a suitably qualified professional of the environmental significance of the **native vegetation** and land form (e.g. lagoons, wetlands, rugged terrain and drainage systems).*

The subject land is not identified as a Priority Environmental Management Area within the Litchfield Subregional Land Use Plan.

8. *An application described in sub-clause 7 must demonstrate that the proposed subdivision design does not adversely affect the environmental values as identified in the evaluation.*

Not applicable.

9. *Subdivision design of rural and unzoned land should:*

    (a) *Retain and protect significant natural and cultural features;*

    (b) *Minimise the number of lots in, or exclude from subdivision, areas of high conservation significance and riparian zones;*

(c) *Minimise alteration or disturbance to natural drainage systems including drainage areas, recognisable watercourses, lagoons and permanent and semi-permanent springs; and*

(d) *Minimise erosion hazard, sedimentation and pollution of watercourses.*

The proposed subdivision will not result in any change to existing landforms, and thus will not impact natural or cultural features, areas of high conservation significance, watercourses or other features, and will not increase the risk of erosion, sedimentation or pollution.

4.6.3 Clause 6.3.4 – Infrastructure for Subdivision in Zones RL, R and Unzoned Land

Purpose

Ensure that subdivision of land in Zones RL, R and unzoned land, is integrated with infrastructure, community services and facilities and will not unreasonably affect the environment.

Administration

1. *The consent authority may **consent** to a subdivision that is not in accordance with sub-clauses 2-7, only if it is satisfied the subdivision is consistent with the purpose of this clause.*

Requirements

2. *Minimise disturbance through earthworks associated with the provision of infrastructure.*

No earthworks or infrastructure are proposed.

3. *Provide for connection to reticulated services where practical.*

No alteration to existing service connections are proposed noting that the proposed subdivision does not result in any increase in lot yields.

4. *Where no reticulated sewerage is available, a site and soil evaluation report must be completed by an appropriately qualified site-and-soil evaluator demonstrating that onsite wastewater management systems can be installed on each lot in accordance with the requirements of the Code of Practice for Wastewater Management.*

No reticulated sewerage is available, however the proposed subdivision does not reduce the available land or alter the ability for Section 5183 or 5006 to accommodate on-site wastewater treatment systems. Section 5006 contains an established septic system, and the increase land area will not alter existing or future compliance with the NT Code of Practice. The southern portion of 5183 cannot be accessed thus its excision from the

northern portion does not alter the ability for Section 5183 to contain an on-site wastewater treatment system (confirmed via the Site and Soil Evaluation in **Attachment C**).

5. *Where no reticulated water is available, development is to demonstrate that an adequate supply of groundwater is available for domestic purposes, except where the land is:*

    a. *Located within Zone RL or R in the Top End Region; and*

    b. *Within a 'restricted water extraction area' as declared by the Minister responsible for the administration of the Water Act 1992.*

The land is within a restricted water extraction area.

6. *Roads should:*

    c. *be designed to:*

        i. *interconnect with the existing road network;*

        ii. *provide for connections to potential future subdivisions of adjoining lands;*

        iii. *provide a clear hierarchy of roads; and*

        iv. *minimise individual lot **access** to major roads;*

    d. *respond to the physical characteristics of the land by:*

        i. *following ridge lines or contours where possible; and*

        ii. *where crossing watercourses be positioned at right angles to the watercourse and minimise the number of crossing points;*

    e. *be sealed where lot sizes are 2ha or less;*

    f. *be located above the 1.0% AEP flood line or any seepage line, whichever is the higher;*

    g. *be designed with discharge drains placed to minimise erosion and associated engineering and maintenance costs;*

    h. *provide direct **access** to lots and avoid battle-axe strips, however, where justified, battle-axe strips should be:*

        i. *not less than 10m wide; and*

        ii. *less than 250m in length.*

No roads are proposed.

7. *Where a road crosses a tidal arm in a rural subdivision it is expected to have a minimum elevation of RL 8m AHD and be designed to enable a discharge of at least a 5.0% AEP flood event.*

No new roads are proposed and the subject land is not subject to tidal inundation.

5.0 Section 46(3)(b) – Interim Development Control Order

Title details in **Attachment E** confirm there are no Interim Development Control Orders currently applicable to the proposed subdivision.

6.0 Section 46(3)(c) – Referral to the NT EPA

Section 48 of the Environmental Protection Act 2019 (EPA Act) requires a project be referred to the NT Environmental Protection Authority (NT EPA) for assessment if it has the potential to have a significant impact on the environment or meets a referral trigger. The proposed will not physically alter the subject land, the extent of land that can be cleared, or the subdivision or residential yield outcomes. No land use is proposed (nor can automatically occur as a direct result of the subdivision), thus a significant impact on the environment is unlikely and no referral triggers are considered to be met.

7.0 Section 46(3)(d) – Merits of Proposed Development

The proposed subdivision will resolve an existing anomaly without altering the development outcomes of either lot without further approval (noting the extent of land cleared within 5006, any further clearing of the southern portion of 5183 following consolidation will require a further development permit). The proposed subdivision will:

- Not result in a net increase in the number of lots or potential density;
- Not alter the existing need for access from the Arnhem Hwy;
- Not reduce or otherwise affect the availability of unconstrained land on the individual parcels; and
- Increase compliance with the Planning Scheme by increasing the size of 5006 nearer the 2 hectare minimum lot size.

8.0 Section 46(3)(e) – Subject Land, Suitability of Development and Effect on Other Land

The nature of the subject land and surrounding locality (**section 2**), and the suitability of the subject land to accommodate the proposed development (**section 4** and **Attachment B**) have been addressed in this report and associated attachments. In summary, this application is not affected by the ability of the subject land to accommodate future development due to the proposed remediation of an existing layout anomaly and the lack of lot yield change.

9.0 Section 46(3)(f) – Public Facilities and Open Space

Public facilities and open space are available at the Humpty Doo centre to the west. Consideration of additional public open space or facilities is not required as part of the proposed subdivision.

10.0 Section 46(3)(g) – Public Utilities and Infrastructure

Reticulated power and public road networks are located adjacent the subject lots. The proposed subdivision will not alter the existing servicing arrangements.

11.0 Section 46(3)(h) – Impact on Amenity

The proposed subdivision will not physically alter the existing land or land use, and will not facilitate additional land clearing without further approval.

12.0 Section 46(3)(j) – Benefit/Detriment to Public Interest

Section 51 of the Act requires the consent authority to consider whether the proposal is in the public interest with specific consideration given to (where relevant) how the application addresses community safety through crime prevention principles in design, water safety, and access for persons with disabilities. In response to these matters:

- No new roads, public space or other community safety aspects occur as a result of the proposed subdivision;
- No alteration to existing water rights or needs will occur; and
- No public interest matters regarding accessibility will be affected.

In addition to the above, the subdivision ensures a far more orderly land arrangement, resolving an existing lot dissected via public road infrastructure.

13.0 Section 46(3)(ja) – Restricted Water Extraction Area

The subject land is located within a restricted water extraction area. Pursuant to **Section 46(3ja)** of the Planning Act, **Section 14C** of the *Northern Territory Water Act 1992* requires the following:

a) *the owner must nominate in the application under section 30C(1), 38(1) or 46(1) of the Planning Act 1999 which of the titles proposed to be created by registration of the plan of subdivision or consolidation under section 51 of the Land Title Act 2000*

   i. *the owner of which retains the right to take water that is restricted in the area; and*

   ii. *the owner (if any) of which no longer retains the right; and*

b) *the owner must ensure that the application to register the plan of subdivision or consolidation under section 51 of the Land Title Act 2000 specifies which of the titles proposed to be created on subdivision or consolidation:*

   i. *the owner of which retains the right to take water that is restricted in the area; and*

   ii. *the owner (if any) of which no longer retains the right.*

On behalf of the owners identified in **Section 2.0** of this report, all proposed lots (and thus owners) seek to retain the existing right to take water that is restricted within the area.

14.0 Section 46(3)(k) – Compliance with the Building Act

Section 5183 is vacant however Section 5006 contains a number of existing buildings. A building certifier statement is included at **Attachment D** confirming the subdivision will not cause any non-compliance with the *Northern Territory Building Act.*

15.0 Section 46(3)(l) – Development of Scheme Land

The application does not comprise the subdivision of land under a unit titles scheme. Accordingly, Section **46(3)(l)** is not applicable.

16.0 Conclusion

The proposed subdivision of Sections 5006 and 5183 Hundred of Strangways represents a logical and orderly realignment of existing lot boundaries, addressing the current anomaly created by Section 5183 being divided by the Arnhem Highway. The consolidation of the southern portion of Section 5183 with Section 5006 will result in improved lot configuration, enhanced usability of land, and increased consistency with Zone RL and the applicable Strategic Framework.

Importantly, the proposal does not result in an increase in lot yield, does not intensify development potential without further approvals, and will not adversely impact access arrangements, infrastructure provision, environmental values, or the amenity of the surrounding locality. The subdivision facilitates more efficient land use outcomes by incorporating otherwise inaccessible land into an adjoining parcel, while maintaining the development potential and characteristics of the remaining northern portion of Section 5183.

The assessment demonstrates that the proposal does not conflict with the purpose and intended development outcomes identified in the Planning Scheme, including the Strategic Framework, and satisfies the intent of the applicable subdivision requirements. Where variations arise, they are a direct result of the unique cadastral layout, and are justified given the unique circumstances of the site and the overall improvement to land configuration and planning outcomes. Accordingly, the proposed subdivision is considered to be appropriate, in the public interest, and warrants consent

Brad Cunnington

Cunnington Rosse Town Planning and Consulting

8 May 2026

Land Suitability Assessment for subdivision:
Sections 5006 & 5183, Hundred of Strangways

Compiled by

VPS Land Assessment and Planning

April 2026

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Surface and subsurface conditions are created by natural processes and anthropogenic activities. Site assessment identifies actual subsurface conditions only at those points where samples are taken and when they are taken. This Report is based on assumptions that the site conditions as revealed through selective sampling are indicative of conditions throughout the site. Data derived from literature and external data source review are interpreted to provide an opinion about overall site conditions and their likely impact on the proposed development. Natural landscapes are variable and actual subsurface conditions and soil depth may differ from those inferred to exist. The actual interface between materials may be far more gradual or abrupt than assumed based on the facts obtained.

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1. Executive Summary

VPS Land Assessment and Planning (VPS) was commissioned to conduct a Land Suitability Assessment (LSA) of Sections 5006 & 5183, Hundred of Strangways, to support the proposed subdivision and consolidation of 850 & 855 Arnhem Highway, Humpty Doo. Both lots are zoned RL – Rural living. Section 5006 is 1.36ha. Section 5183, 6.78ha, is in two parts with 6.3ha north of the Arnhem Hwy and 0.48ha to the south.

Review of publicly available imagery shows that s5006 is fully developed whilst both parts of s5183 are undeveloped and wholly comprise extant native vegetation.

The intent is to subdivide s5183 to create Lot 1 (6.3ha) to the north of Arnhem Hwy with the smaller part of s5183, south of the Arnhem Hwy. The smaller part of s5183 is to be consolidated with s5006, to create Lot 2 (1.84ha). Final areas will be determined by a surveyor.

This land suitability assessment identified >1 ha unconstrained land in the northern end of s5183 however, there is no unconstrained access from the Arnhem Hwy due to the presence of an unmapped wetland in the front of the block. The smaller part of s5183 (0.48ha) and s5006 (1.36ha) are wholly unconstrained with similarly unconstrained access to Arnhem Highway.

The unconstrained land identified within Lot 1 is classed as *S3 – Marginally suitable* for subdivision as there is no unconstrained access to the Arnhem Highway. Consolidated Lot 2 is classed *S1 – Highly Suitable* for subdivision.

Both proposed lots will use groundwater bores for potable water supply. Setbacks between new and existing bores (70m), and 100m separation between bores to onsite wastewater land application areas (LAAs) have been demonstrated. Lot 2 will retain the use of existing bore on s5006 (RN35980).

Both lots will utilise onsite wastewater management. Field assessment confirmed the capability of the soil-landscape of the land within proposed lots to sustain onsite wastewater management using approved treatment and disposal systems that will comply with the NT *Code of Practice for Wastewater Management* (DOH 2020). Minimum separation distances between potential LAAs and other site features (eg bores) can be achieved or exceeded for both new lots. Lot 2 will retain the use of existing OWMS. See also the separate Site & Soil Evaluation (SSE) for this proposed subdivision (VPS 2026).

2. Introduction

VPS Land Assessment and Planning (VPS) was commissioned to conduct a Land Suitability Assessment (LSA) of Sections 5006 & 5183, Hundred of Strangways, to support the proposed subdivision and consolidation of 850 & 855 Arnhem Hwy, Humpty Doo. This LSA was prepared to support a proposal to create two lots, each including >1ha of unconstrained land with access to the Arnhem Hwy. However, published land resource mapping did not indicate the presence of a wetland affecting much of s5183 which affects access to the Arnhem Hwy.

This report presents the results of the LSA. It provides an assessment of the issues and opportunities of the site in the context of the NT *Land Suitability Guidelines* (NTG 2020).

The *Land Suitability Guidelines* (NTG 2020) define land suitability as:

> *The fitness of a given area for land utilisation type (or land use), or the degree to which it satisfies the land user.*

The *Guidelines* address seven land suitability categories. These categories are:

- Drainage
- On-site wastewater management *
- Erosion risk
- Soil salinity
- Acid sulphate soils
- Storm tide flooding
- Riverine flooding.

'*Unconstrained land'* is land that is unconstrained with respect to all the 7 criteria listed above.

These categories are then assigned *suitability classes* as per Table 2 of the *Guidelines* following assessment of the *relevant* characteristics identified through a review of existing land information and field investigations. Suitability classes 1-2 are generally considered to be 'unconstrained', while suitability classes 3-5 are considered to varying degrees to be 'constrained'. Land classified as suitability class 3-5 may prevent development from proceeding or require additional inputs in terms of design, planning, and on-going management (NTG 2020).

* in lieu of the *Land Suitability Guidelines* (NTG 2020) criteria, the capability of the subject land is assessed against the capacity of the unconstrained land to support onsite wastewater management systems (OWMS) that would comply with the NT *Code of Practice for Wastewater Management* (DOH 2020a).

  This is in accordance with the *NTPS* (2020) that states equally at Part 6.3.1.7 in relation to *Subdivision in Zone RR* and Part 6.3.4.4 in relation to *subdivision in Zones RL, R and Unzoned Land* that:

  > "… Where no reticulated sewerage is available, a site and soil evaluation report must be completed by an appropriately qualified site-and-soil evaluator demonstrating that onsite wastewater management systems can be installed on each lot in accordance with the requirements of the Code of Practice for Wastewater Management." (underline by VPS)

  According to DOH (2020a, Section 2.5; page 19):

  > "*The Code …* (DOH 2020a) … *must be read in conjunction with the AS/NZS 1547:2012 which takes a risk management approach to on-site domestic wastewater management for systems normally designed for domestic wastewater flows up to 2,000 litres/day, from a population equivalent of up to 10 persons.*
  >
  > *The scope of AS/NZS 1547:2012 applies to all WMS installed in the NT."*

  See separate Site & Soil Evaluation (SSE) for this proposed subdivision (VPS 2026).

3. Background

3.1. Site location

Sections 5006 & 5183, Hundred of Strangways (850 & 855 Arnhem Hwy, Humpty Doo) lie around 22kms southeast of Palmerston and 6km east of Humpty Doo by road (Figure 1).

Figure 1: Location of Sections 5006 & 5183

3.2. Site Description and proposed subdivision

Sections 5006 & 5183 are 1.36ha and 6.78ha respectively and both are Zoned RL – Rural Living. Review of publicly available imagery shows that s5183 is undeveloped and wholly comprises extant native vegetation whilst s5006 is fully developed (Figure 2). Published land resource information (Greaer Darwin And units – 3b & 3c) indicated that both existing lots comprised brown kandosols with '*nil to low level of seasonal waterlogging*'.

The proposed subdivision and consolidation will create two new lots, Lot 1 (6.3ha) north of the Arnhem Hwy and consolidated Lot 2 (1.84ha) south of the Arnhem Hwy comprising the existing s5006 combined with the southern part of s5183 (Figure 3). Both lots will utilise bores for potable water supply and onsite wastewater management systems (OWMS). Lot 2 will utilise the existing OWMS and bore (RN35980) located within s5006.

Figure 2 Existing developments on Sections 5006 & 5183

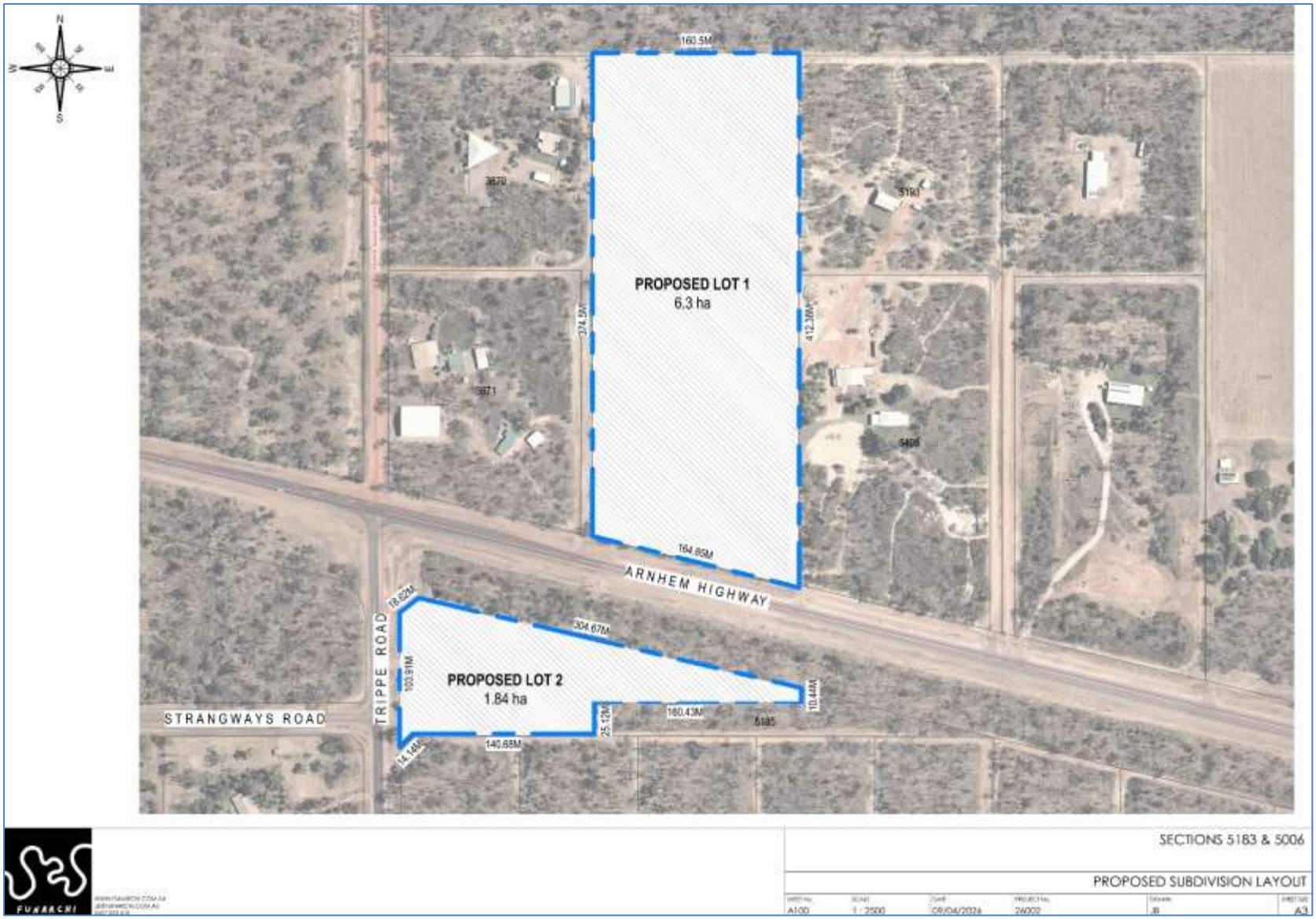

Figure 3: Subdivision and consolidation plan for Sections 5006 & 5183

4. Assessment

4.1. Overview

Field assessment of Sections 5006 & 5183 was undertaken on 18 & 19 March 2026. Field assessment confirmed that each proposed lot includes >1ha unconstrained land on low slopes (≤1%). Proposed Lot 2, comprising the fully developed s5006 and part of s5183 south of the Arnhem Hwy, is wholly unconstrained with similarly unconstrained access to the Arnhem Hwy (Figure 4). For Lot 1, the >1ha of unconstrained land is in the rear (northern most) portion of this block. However, there is no unconstrained access for Lot 1 due to an unmapped wetland that covers the entire front portion of the lot adjacent to the Arnhem Hwy. As a result of recent rains and an above average wet season, shallow standing water covered parts of this wetland.

According to BOM data for Collard Road Humpty Doo (Site 14226) 8kms the west of s5006 & s5183, the region has experienced wet season rainfall some 650mm above average by 15 March 2026.

4.2. Soil and Landscape assessment

Field assessment involved traversing Section 5183 with a handheld Garmin GPS to identify unconstrained land. Slope was assessed in the field using a hand-held clinometer. Slope recorded across the unconstrained land for both proposed lots 1 and 2 is ≤1%. A moderately deep, moderately well-drained, gravelly brown Kandosol was described within proposed Lot 1 (site 1) whilst a shallow, gravelly, moderately well drained brown kandosol was described in the undeveloped part of Lot 2 (Site 2) (Figure 4, Appendix 1, Table 1).

Table 1 Soil profile location*

Site	Easting	Northing
1	733726	8608384
2	733659	8607908

*Map Grid of Australia 1994, Zone 52

4.3. Site assessment

To address NTPS 6.3.2.7, field assessment identified 1.1ha of unconstrained land in the northern most part of Lot 1. For Lot 2, the entire 1.84ha block (combining 0.48ha from s5183 & 1.36ha from s5006) comprises unconstrained land (Figure 4).

As shown in Figure 4, Lot 2 has unconstrained access to the Arnhem Hwy via Trippe Road, however, there is no unconstrained access to the rear (northern) part of Lot 1 due to an unmapped wetland in the front of the block (Figure 4).

The unconstrained land within Lot 1 comprises a moderately deep, moderately well drained, gravelly brown kandosol on slope ≤1%. Within Lot 2, the soil comprises shallow, moderately well drained, gravelly brown kandosols.

To address Part 6.3.2.9 (NTPS 2020), and the DOH (2020a) setback requirements for onsite wastewater land application areas (LAA), the identified unconstrained land is >200m from any watercourse, drain or any waterbody used for potable water supply. Whilst the unconstrained land in Lots 1 & 2 are suitable for OWMS, setbacks required under Table 16 (DOH 202a) indicate that for Lot 1 only LAA coupled with secondary treatment systems (requiring minimum 30m setback from a wetland) are viable (Figure 4).

As shown in Figure 4, a 100m LAA exclusion buffer has been applied to all existing bores. The existing bore, RN 35980, will be retained on Lot 2. The nominal bore for Lot 1 will meet both the 70m bore to bore and 100m bore to LAA separation distances, satisfying both NTPS 2020 and DOH (2020a) setback requirements.

Published mapping shows that neither s5006 nor s5183 are affected by riverine flooding (Cardno 2014), storm tide flooding (SEA 2006), acid sulfate soils (Hill and Edmeades 2008) nor salinity (Tickell & Tyson 1994).

Figure 4 Field assessment summary

5. Land Suitability Assessment

An assessment of environmental constraints and administrative requirements identified through an analysis of data used for desktop review combined with field validated soil, landscape and site information was undertaken in accordance with requirements of relevant NT Government documents including:

- NT *Land Suitability Guidelines* (NTG 2020)
- NT *Planning Scheme* 2020
- DOH. 2020. *Code of Practice for Wastewater Management.* Department of Health, Northern Territory Government

Based on the findings of the desktop assessment and field investigation, an assessment of the site was undertaken to determine land suitability classes and provide a summary of the issues for the subject land. The suitability class ratings have been applied only to the land mapped as unconstrained. No 'constrained' land (eg poorly drained, steep slopes, etc) is considered in this land suitability assessment.

Suitability classes can be improved by engineering works and the application of other site management practices. As per the Land Suitability Guidelines (NTG 2020, iv) a lower land suitability rating "*does not necessarily prevent a land use from occurring, but in most situations indicates that additional inputs in terms of costs, design, planning and ongoing management could be required."* Table 1 contains a summary of the subdivision land suitability assessment.

Table 2 Land Suitability Assessment

Land Suitability Category	Assessment	Suitability Class
Drainage	Unconstrained land within both lots comprises moderately well drained brown kandosols (Appendix 1).	S1 - Highly Suitable
Onsite Wastewater Management (OWM) Land capability assessed against the requirements of the DOH. 2020a. *Code of Practice for Wastewater Management*	Soils comprise gravelly brown kandosols (earths), See Appendix 1. Nominal new bore on Lot 1 achieves required setbacks (Figure 4). However, due to the unmapped wetland on Lot 1, only LAA coupled with secondary treatment systems can achieve necessary setbacks. Lot 2 will use existing OWMS. As per AS1547:2012, slope ≤10% is unconstrained for all disposal systems. AS1547-2012 provides guidance for disposal method selection and suggests a range of 'standard' mitigation measures to address site and/or soil limitations such as soil depth and subsoil gravel. Field assessment confirmed the capability of the unconstrained land to sustain onsite wastewater management using existing approved treatment and disposal systems that will comply with the NT *Code of Practice for Wastewater Management* (DOH 2020).	S1 - Highly Suitable
Erosion Risk	Slope across unconstrained land within both proposed lots 1 & 2≤1%. No clearing required to establish new blocs.	S1 - Highly Suitable
Soil Salinity	Vegetation provides no evidence to suggest site is affected by salinity. Salinity hazard mapping by Tickell and Tyson (1994) indicates that subject land has a *Low Risk* of soil salinity.	S1 - Highly Suitable
Acid Sulphate soils (ASS)	Mapping by Hill *et al* (2008) indicates that there is no risk of acid sulphate soils within the identified unconstrained land	S1 - Highly Suitable
Storm tide flooding	Published storm surge mapping (NR Maps) indicates that no part of s5183 is affected by modelled storm tide flooding (SEA 2006).	S1 - Highly Suitable
Riverine Flooding	Published flood mapping (Cardno 2014) indicates no part of s5183 affected by flooding	S1 - Highly Suitable

Note:
The unconstrained land within both lots is suitable for subdivision. However, due to the presence of an unmapped wetland in the front portion of Lot 1, engineering works will be required to establish unconstrained access Lot 1.

6. Conclusion

The proposed subdivision and consolidation of Sections 5006 & 5183 will create two new lots, with final areas to be determined by a surveyor. This land suitability assessment identified >1ha of unconstrained land within each proposed however only Lot 2 has similarly unconstrained access to a public road (Arnhem Hwy). The unconstrained land within Lot 1 is located at the rear (northern) part of the block, however, access to the Arnhem Hwy is impeded by a previously unmapped wetland.

The unconstrained land within both lots is suitable for subdivision. However, due to the presence of an unmapped wetland in the front portion of Lot 1, engineering works will be required to establish unconstrained access Lot 1. As such

- Lot 1 is Classed as S3 – *Marginally suitable*
- Lot 2 is Classed S1 – *Highly suitable*.

Both proposed lots will use groundwater bores for potable water supply. Setbacks between new and existing bores (70m), and 100m separation between bores to onsite wastewater land application areas (LAAs) have been demonstrated in Figure 4.

Field assessment confirmed the capability of the soil-landscape of the land within both proposed lots to sustain onsite wastewater management using approved treatment and disposal systems that will comply with the NT *Code of Practice for Wastewater Management* (DOH 2020a). Minimum separation distances between potential LAAs and other site features can be achieved for all proposed lots. However, due to the unmapped wetland on Lot 1, only LAA coupled with secondary treatment systems can achieve necessary setbacks. See also the separate Site & Soil Evaluation (SSE – VPS 2026) for this proposed subdivision.

7. References

Australian Standard AS/NZS 1547:2012 On-site domestic-wastewater management

Cardno. 2014. *Elizabeth and Blackmore Rivers Catchments Flood Study*

DOH. 2020a. *Code of Practice for Wastewater Management*. Department of Health, Northern Territory Government

2020b. *Guidance notes for wastewater management*. Department of Health, Northern Territory Government

DLPE. *NR Maps*. *Department of Lands, Planning and the Environment* digital data discovery tool

Hill JV and Edmeades BFJ. 2008. *Acid Sulfate Soils of the Darwin Region.* Dept of Natural Resources, Environment, the Arts and Sport. Tech Report 09/2008D

NTG. 2020. *Northern Territory Land Suitability Guidelines*. Northern Territory Government Darwin, Australia

NTG. 2020. *Northern Territory Planning Scheme* 2020

SEA. 2006. *Darwin Storm Tide Mapping Study 2006*. Systems Engineering Australia Pty Ltd (SEA)

Tickell SJ and Tyson P.1994. *Dryland Salinity Hazard Map*. NT Department of Infrastructure, Planning and Environment. 2002 Revision.

VPS. 2026. *Subdivision Site and Soil Evaluation for Sections 5006 & 5183, Hundred of Strangways*

Appendix 1 - Soil and Vegetation Assessment

Rep Site 1 – Moderately well drained, moderately deep, gravelly, brown Kandosol

Slope: <1%	**Stopped by:** gravel	**Drainage:** Moderately well
Erosion: nil	**Surface gravel (%):** 5%	**Potable surface water:** >100m
Runoff: Slow	**Rock outcrop:** nil	**Surface**: brown termitaria
Vegetation*:* *Eucalyptus miniata / E. tetrodonta* woodland with dense mid including Cycads		

Level	**1**	**2**	**3**		
Depth (cm)	0 – 10	10 - 30	30-55		
Field Texture	Sandy loam	Sandy clay loam	Clay loam		
Structure	Massive earthy	Massive earthy	Massive earthy		
Dominant Colour	Grayish brown	Brown	Dark yellowish brown		
Mottles	nil	nil	nil		
Dispersion	Non dispersive	Non dispersive	Non dispersive		
Coarse Frags (%)	5	15	20		

Rep Site 2 – moderately well drained, shallow, gravelly, brown Kandosol

Slope: <1%	**Stopped by:** gravel	**Drainage:** Moderately well
Erosion: nil	**Surface gravel (%):** nil	**Potable surface water:** >100m
Runoff: Slow	**Rock outcrop:** nil	**Surface**: nil
Vegetation: *Eucalyptus tetrodonta / E. miniata* woodland over dense mid including Cycads		

Level	**1**	**2**			
Depth (cm)	0 – 10	10 - 40			
Field Texture	Sandy loam	Sandy clay loam			
Structure	Massive earthy	Massive earthy			
Dominant Colour	Grayish brown	Strong Brown			
Mottles	nil	nil			
Dispersion	Non dispersive	Non dispersive			
Coarse Frags (%)	5	40			

Site and Soil Evaluation for Subdivision and Consolidation

Section 5006 & 5183, Hundred of Strangways
850 & 855 Arnhem Hwy, Humpty Doo

VPS Land Assessment and Planning

13 April 2026

Site Address	850 & 855 Arnhem Hwy, Humpty Doo
Parcel	Sections 5006 & 5183, Hundred of Strangways
Lot size (m^2 or ha)	s5006 1.36ha, s5183 6.78ha
Building Control Area	Darwin
Zone	RL – Rural Living
Date of SSE	13 April 2026, field work 18/19 March 2026
Existing land use	S5006 – fully developed with existing OWMS, s5183 extant native vegetation
Proposed land use and lot size(s)	Subdivision and consolidation to create 2 proposed lots Lot 1 6.3ha, Lot 2 – 1.84ha
Potable water supply	Bores for all lots
Proposed treatment and land application system	Primary and secondary treatment and disposal systems approved under NT *Code of Practice for Wastewater Management* (DOH 2020)
Distance to bores (m)	Current bore, RN35980 will be retained in Lot 2. All bores on adjoining blocks buffered by 100m wastewater disposal exclusion area
Distance to surface water used for potable supply	Nil waterbodies used for potable supply within vicinity (<200m) of proposed subdivision

Discussion

This site and soil evaluation SSE prepared as per the *NTPS* (2020). Both Part 6.3.1.7 in relation to Subdivision in Zone LI and Part 6.3.4.4 in relation to subdivision in Zones RL, R and Unzoned Land require that:

> "… *Where no reticulated sewerage is available, a site and soil evaluation report must be completed by an appropriately qualified site-and-soil evaluator demonstrating that onsite wastewater management systems can be installed on each lot in accordance with the requirements of the Code of Practice for Wastewater Management*."

This SSE has been undertaken to address the requirements of the NT *Code of Practice for Wastewater Management* (DOH 2020) with reference to AS1547:2012, Appendix C *Site-And-Soil Evaluation for Planning, Rezoning, and Subdivision of Land*.

This SSE applies to the unconstrained land across Sections 5006 & 5183 (Figure 1) on the assumption that proposed lots will utilise onsite wastewater treatment systems approved under the NT *Code of Practice for Wastewater Management* (DOH 2020a).

As per Section 5.2.1 (AS1547:2012) the objective of the SSE is to "*Provide sufficient information for deciding whether or not a development area, subdivision, or lot is suitable for on-site system(s)*". The SSE process identifies soil/site characteristics that may need to be addressed through modifications to the soil or the site, including the use of different technologies or management options or a combination of these, to improve site capability, if required, and ensure compliance with the NT *Code of Practice for Wastewater Management* (DOH 2020a). AS1547-2012, particularly Appendix K (Tables K1 and K2) and Appendix R, provide a range of suggestions for disposal method selection and suggest a range of mitigation measures in line with '*standard industry practice*' to address soil and site limitations. Assessments in this table/matrix reflect the application of these standard mitigation measures to address the identified site-specific limitations and ensure site OWMS compliance with the NT *Code of Practice for Wastewater Management* (DOH 2020a).

Notes:

1. Under the NT *Public and Environmental Health Regulations* 2014 (in force 20 November 2020) Clause 69, the "*prescribed code for wastewater management* is the Code of Practice for Wastewater Management, as amended from time to time."
2. According to DOH (2020a, Section 2.5; page 19):
   "The Code … (DOH 2020a) … must be read in conjunction with the AS/NZS 1547:2012 which takes a risk management approach to on-site domestic wastewater management for systems normally designed for domestic wastewater flows up to 2,000 litres/day, from a population equivalent of up to 10 persons. The scope of AS/NZS 1547:2012 applies to all WMS installed in the NT."
3. DOH (2020b) provides a range of options to reduce daily flow which may reduce the size of an LAA.

Figure 1 Summary assessment of Sections 5006 & 5183 (from LSA – VPS 2026)

Land Capability Assessment Matrix for On-site Wastewater Management Systems

Field investigation of Section 5537 was undertaken on 15 March 2026. Appendix 1 provides a site summary and Appendix 2 contains a summary of the soil profiles reviewed.

Site Characteristic	**Assessment / considerations**
Climate	Nearest rainfall data from Humpty Doo Collard Road (BOM Station Number: 014226) – Average annual rainfall ~ 1864 mm – highly seasonal with vast majority of rain falling between October to April BOM map of annual "*Average pan evaporation 1975-2005*" shows the Humpty Doo region lies within an area that experiences 2000-2400mm average annual evaporation (which exceeds annual rainfall).
Vegetation	Review of publicly available imagery shows that s5006 is fully developed whilst both parts of s5183 are undeveloped and wholly comprise extant native vegetation. See Figure 1
Landform & Slope	Plains - ≤1% slope Slope ≤10% unconstrained for all disposal systems (AS1547:2012 – Table K2,p136)
Fill	No evidence of fill s5183 S5006 fully developed, fill likely due to hardened driveway and turn around areas However, s5006 also includes an existing OWMS
Surface gravel & Rock outcrop	Surface gravel 5-15%. This is unlikely to affect land application areas (LAA) utilising surface irrigation Rock outcrop – nil noted
Erosion potential	Low risk Erosion risk associated with installation of effluent disposal systems can be managed through appropriate timing of soil disturbance and minimising the area of soil exposed during installation, followed by site stabilisation on completion.
Flood risk and stormwater	The unconstrained land within proposed lots 1 & 2 are not at risk from flooding nor stormwater. Field investigation confirmed that, north of the Arnhem Hwy, stormwater naturally flows to the wetland within Lot 1. Stormwater from Lot 2 flows towards existing drains along Trippe Rd and the Arnhem Hwy.
Proximity surface water used for potable supply	Nil waterbodies used for potable supply within vicinity (<200m) of proposed subdivision
Proximity to groundwater	Review of bore reports for bores on the property and nearby (available from NR Maps) shows local permanent water table below 10m. Adequate vertical and horizontal separation from ground water will be achieved
Protection of potable water supply	Bores on neighbouring blocks used for potable water supply. All existing bores and new bores are buffered by 100m wastewater disposal exclusion area. Current bore, RN35980 in s5006, will be retained on Lot 2.
***Code of Practice* (CoP 2020) setback distances**	As per Figure 1, all required setback distances can be achieved. It is noted that for Lot 1, setback distances are achieved by coupling an LAA with a secondary treatment system.
Soil Profile Characteristic	**Assessment / considerations**
Soil depth	As per Appendix 2, soil depth at site 1 - 0.55m, site 2 – 0.4m Approved disposal systems include those that do not discharge treated effluent to the environment and are therefore unaffected by soil type, slope, or soil depth.
Indicative Saturated hydraulic conductivity **Ksat m/day**	Maximum soil profile field texture is massive clay loam (Appendix 2) See Table 5.1 AS1547:2012 for indicative permeabilities as a feature of soil category / soil texture class. For example, the heaviest soil texture described by VPS is at Waypoint 1 and 2 (Appendix 2), a massive Clay loam - Soil Category 4 - indicative Ksat of 0.06 – 0.12 m/day.

Seasonal waterlogging & Depth to water table	No evidence of prolonged saturation (no redoximorphic features) in assessed soil layers. No seasonally waterlogged areas (poorly to very poorly drained) identified within unconstrained land. Review of bore reports for bores on the property and nearby (available from NR Maps) shows local permanent water table below 10m.
Risk of local area salinity & Sodicity ESP %	*Dryland Salinity Hazard Map* (Tickell and Tyson 2002) indicates that unconstrained land has a very low risk of localised salinity.
Subsurface gravels, stones, boulders	Profile generally gravelly throughout. Subsurface gravels variable to 40%.
Design	**Assessment**
Disposal method selection	A range of disposal systems using both primary and secondary treated effluent are approved under the NT *Code of Practice* (DoH 2020) and could be used within the development site. AS1547-2012, particularly Appendices K (Tables K1 and K2) and R, provide guidance for disposal method selection and suggest a range of mitigation measures using standard industry practices to address specific site and/or soil limitations. DOH (2020b) provides a range of options to reduce daily flow rates and thus reduce the size of the LAA. For discussion, the 'design system' to assess site capability comprises a **primary** effluent treatment system coupled with a **conventional** absorption trench. Note: It is noted that for Lot 1, setback distances are only achieved by coupling an LAA with a **secondary** treatment system.
Soil category Table E1, AS1547:2012 **& Drainage Class**	Relevant soil category will depend on the most limiting layer as defined by the selected method of disposal. For example, for surface and shallow subsurface irrigation systems, Table M1 Note 1 states that "For *Category 3 to 5 soils (loams to light clays), the drip irrigation system needs to be installed in an adequate depth of topsoil (in the order of 150 – 250 mm of in situ or imported good quality topsoil) to slow the soakage and assist with nutrient reduction."* For an absorption trench typically installed at 0.6m, texture of the soil layers below 0.6m will define the Soil Category. For this discussion, assuming a conventional trench at Site 1 (Appendix 2), the maximum subsoil texture described in a soil profile is a sandy clay loam which equates to Soil Category 4. Drainage Class – Moderately well drained across all unconstrained land
Limiting site / soil feature(s)	Methods to mitigate these limitations using standard industry practices are discussed in AS1547:2012, particularly Appendices E and K. • Variable subsoil gravels <40% • Soil depth 0.3-0.6m
Design loading rate - DLR Table 5.2, AS1547:2012	DLR (design loading rate) or DIR (design irrigation rate) will depend on both the selected treatment system (primary or secondary), disposal method and soil texture / structure. See Appendices L-N (AS1547:2012). For discussion, the design system comprises a **primary treated effluent** and a conventional absorption trench in the vicinity of site 1. As per AS1547:2012 Table L1 'Recommended Design Loading Rates for Trenches and Beds' for **primary treated effluent** the DLR range for 'Massive, sandy clay loam' – Soil Cat 4 is 5 L/m^2/day Use of secondary treatment systems coupled with a trench / bed LAA will increase DLR to 10L/m^2/day and decrease LAA footprint. This is recommended for Lot 1.
Model area required for land application areas (LAA)	Assuming a 4-bedroom home using primary treatment system and disposal via a conventional absorption trench into a massive sandy clay loam subsoil (DLR = 5, as per AS1547:2012 Table L1). Design occupancy = 6 persons as per Table 7 (DOH 2020a) DLR: 900L/day = 6 x 150L/pers/day as per Table 8 (DOH 2020a) Trench / bed LAA @ DLR 5L/m^2/day = 1800 ÷ 10 = 180m^2

	There is ample room to locate a 180m^2 LAA within Lot 1 that will satisfy all requirements, including setbacks, of the NT *Code of Practice for Wastewater Management* (2020a). Use of **secondary** treated effluent with a DLR of 10L/m^2/day would reduce the LAA to 90m^2. This is recommended for Lot 1 to achieve COP (DOH 2020a) setback requirements. Options for reducing the volume of wastewater, thereby reducing the size of the LAA, are discussed in DOH (2020b).

Site and Soil Capability Assessment

This SSE demonstrates that:

- onsite wastewater disposal systems can be installed using standard industry practices as outlined in AS1547:2012 (Appendix K) that will comply with the *NT Code of Practice* (DOH 2020a)
- Erosion risk across LAA can be managed through appropriate timing of soil disturbance and minimising the area of soil exposed during installation, followed by site stabilisation on completion.
- For LAA sites with subsoil gravel content >20%, sufficient land is available per lot to allow for expanding size of LAA to compensate for gravel content if required
- The unconstrained land within Lots 1 & 2 allow for location of LAA to a site within the lot with deeper soils, or use of imported fill, mounds as per AS1547:2012 (Appendix K) or use of approved effluent disposal systems that do not involve discharge to the environment and are therefore independent of soil type, slope, or soil depth.
- Lot 2 has an existing OWMS as s5006 is already fully developed.
- As the lot size enables development of LAAs that will treat effluent within property boundaries, the risk of impact on either groundwater and nearby surface waters from onsite wastewater management is considered low.
- This assessment assumes that the setback requirements, including bores, for a primary (septic) wastewater treatment system are achievable for most proposed lots.
- It is noted that for Lot 1, COP (DOH 2020a) setback distances are only achieved by coupling an LAA with a secondary treatment system.

Conclusion

This SSE for the proposed two lot subdivision of Section 5537, Hundred of Strangways, has demonstrated that onsite wastewater disposal systems can be installed using standard industry practices as outlined in Appendix K (AS1547:2012) that will comply with the NT *Code of Practice for Wastewater Management* (DOH 2020a) assuming the lots using primary effluent treatment system.

This assessment is predicated on the expectation that for Lot 1, setback distances are achieved by coupling an LAA with a secondary treatment system.

DOH (2020b) provides a range of options to reduce daily flow rates and thus reduce the size of the LAA

References

AS/NZS 1547:2012 *On-site domestic-wastewater management*. Standards Australia / Standards New Zealand.

DOH. 2020a. *Code of Practice for Wastewater Management*. Department of Health, NT Government

2020b. *Guidance notes for wastewater management*. Department of Health, Northern Territory Government

NT Planning Scheme 2020

VPS. 2026. Land Suitability Assessment – Sectios 5006 & 5183, Hundred of Strangways

Tickell S and Tyson P (latest version 2002). *Dryland Salinity Hazard Map*

Reliance, Uses and Limitations

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This study, report and analyses have been based on the information available to VPS Land Assessment and Planning at the time of preparation. VPS Land Assessment and Planning accepts responsibility for the report and its conclusions to the extent that the information was sufficient and accurate at the time of preparation.

Certain information contained in this report is based on sources believed to be reliable. VPS Land Assessment and Planning is not in a position to, and has not, verified the accuracy or completeness of such information. Accordingly, VPS Land Assessment and Planning takes no responsibility for, and assumes no liability in respect of, any information provided to it by others or sourced from external sources for the purpose of preparing this report, or the consequences of the use of such information.

Surface and subsurface conditions are created by natural processes and anthropogenic activities. Site assessment identifies actual subsurface conditions only at those points where samples are taken and when they are taken. This Report is based on assumptions that the site conditions as revealed through selective sampling are indicative of conditions throughout the site. Data derived from literature and external data source review are interpreted to provide an opinion about overall site conditions and their likely impact on the proposed development. Natural landscapes are variable and actual subsurface conditions and soil depth may differ from those inferred to exist. The actual interface between materials may be far more gradual or abrupt than assumed based on the facts obtained.

Appendix 1 – Site assessment

1.1 Rainfall

The nearest rainfall data is available from Humpty Doo Collard Road (BOM Station Number: 014226). As shown in the table below, average annual rainfall is 1864 mm with vast majority of rain falling between October and April.

According to BOM data for Collard Road Humpty Doo (Site 14226) 8kms east of s5006 / 5183, the region experienced wet season rainfall some 650mm above average by 15 March 2026.

Statistic	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	470	359	316	101	20	1	1	4	18	77	179	310	1864
Median	421	337	302	88	6	0	0	0	8	75	171	283	1844

BOM map of annual "*Average pan evaporation 1975-2005*" shows the Humpty Doo area lies within an area that experiences 2000-2400mm average annual evaporation (which exceeds annual rainfall).

1.2 Soil and landscape assessment

To guide the interpretation of existing soil and site data and other information, VPS assessed 2 gravelly brown kandosols, one site within each of Lots 1 and 2 (Appendix 2).

Field assessment involved traversing the unconstrained land with a handheld Garmin GPS Map65 (Map Grid of Australia 1994, Zone 52) and slope (%) was assessed using a hand-held clinometer.

Location of assessed soil profile

Site	Easting	Northing
1	733726	8608384
2	733659	8607908

* Map Grid of Australia 1994, Zone 52

Appendix 2 – VPS soil profile

Rep Site 1 – Moderately well drained, moderately deep, gravelly, brown Kandosol

Slope: <1%	**Stopped by:** gravel	**Drainage:** Moderately well
Erosion: nil	**Surface gravel (%):** 5%	**Potable surface water:** >100m
Runoff: Slow	**Rock outcrop:** nil	**Surface**: brown termitaria
Vegetation*:* *Eucalyptus miniata / E. tetrodonta* woodland with dense mid including Cycads		

Level	**1**	**2**	**3**		
Depth (cm)	0 – 10	10 - 30	30-55		
Field Texture	Sandy loam	Sandy clay loam	Clay loam		
Structure	Massive earthy	Massive earthy	Massive earthy		
Dominant Colour	Grayish brown	Brown	Dark yellowish brown		
Mottles	nil	nil	nil		
Dispersion	Non dispersive	Non dispersive	Non dispersive		
Coarse Frags (%)	5	15	20		

Rep Site 2 – moderately well drained, shallow, gravelly, brown Kandosol

Slope: <1%	**Stopped by:** gravel	**Drainage:** Moderately well
Erosion: nil	**Surface gravel (%):** nil	**Potable surface water:** >100m
Runoff: Slow	**Rock outcrop:** nil	**Surface**: nil
Vegetation*: Eucalyptus tetrodonta / E. miniata* woodland over dense mid including Cycads		

Level	**1**	**2**			
Depth (cm)	0 – 10	10 - 40			
Field Texture	Sandy loam	Sandy clay loam			
Structure	Massive earthy	Massive earthy			
Dominant Colour	Grayish brown	Strong Brown			
Mottles	nil	nil			
Dispersion	Non dispersive	Non dispersive			
Coarse Frags (%)	5	40			

AB Consulting (NT) Pty Ltd

ABN: 98 602 384 672

PO Box 1631, BERRIMAH NT 0828
Mobile: 0400 518 367
Email: annette@abconsultingnt.com.au

Our Ref: ABC-26159

To Whom it may concern,

RE: Statement from a Building Certifier Re: Section 46(3)(k) of the Planning Act for Proposed Subdivision and Consolidation of Section 5183 (855) Arnhem Highway, Humpty Doo, Hundred of Strangways and 5006 (850) Arnhem Highway, Humpty Doo, Hundred of Strangways.

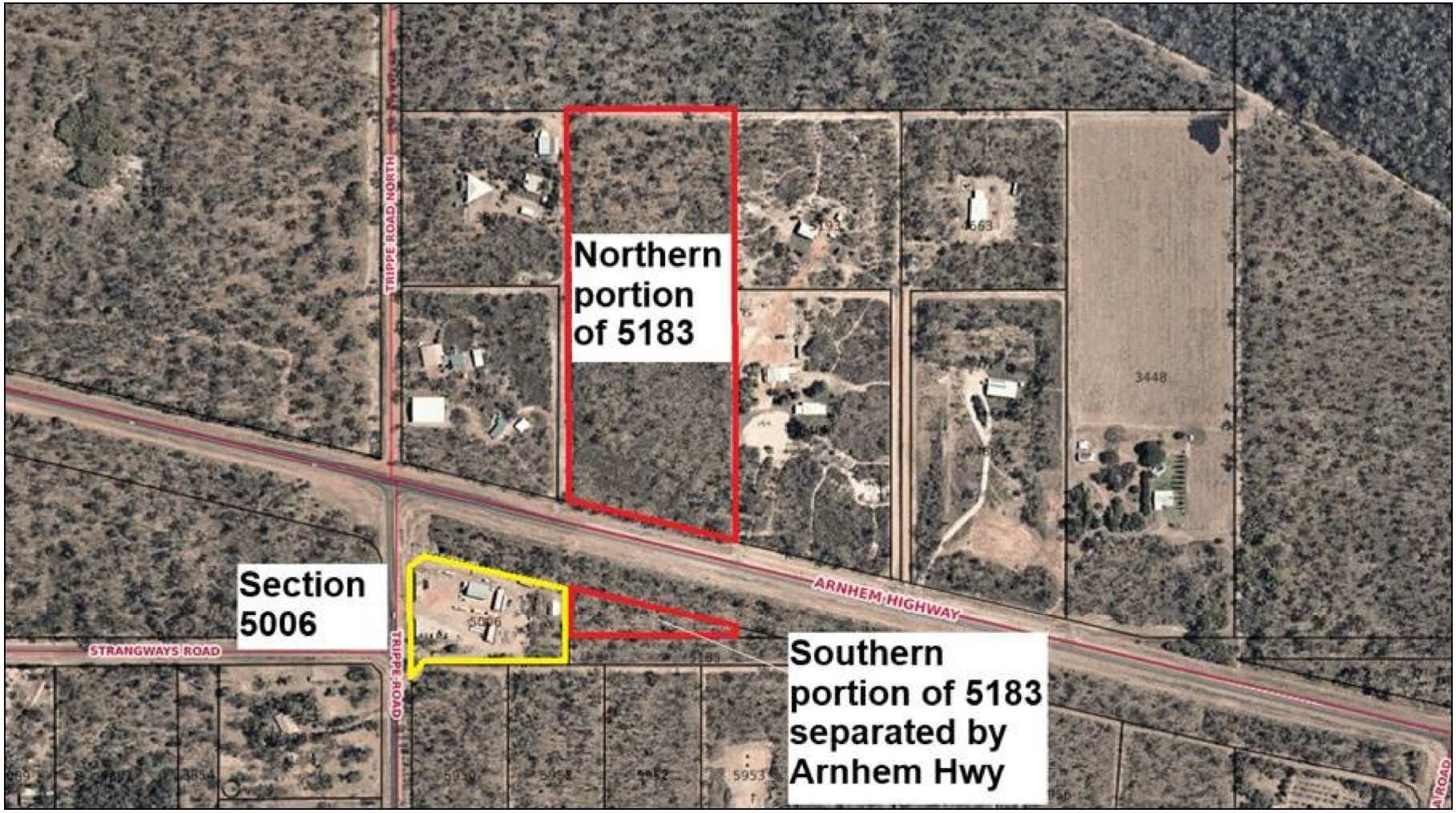
In accordance with Section 46(3)(k) & (l) of the Planning Act and Sheets 1 and 2 attached , I can confirm that the proposal is suitable for Subdivision/Consolidation and will not affect compliance with the NT Building Act or National Construction Code/Building Code of Australia.

Note, structures on Section 5006 proposed to be retained will not affect compliance with the NT Building Act or National Construction Code/Building Code of Australia.

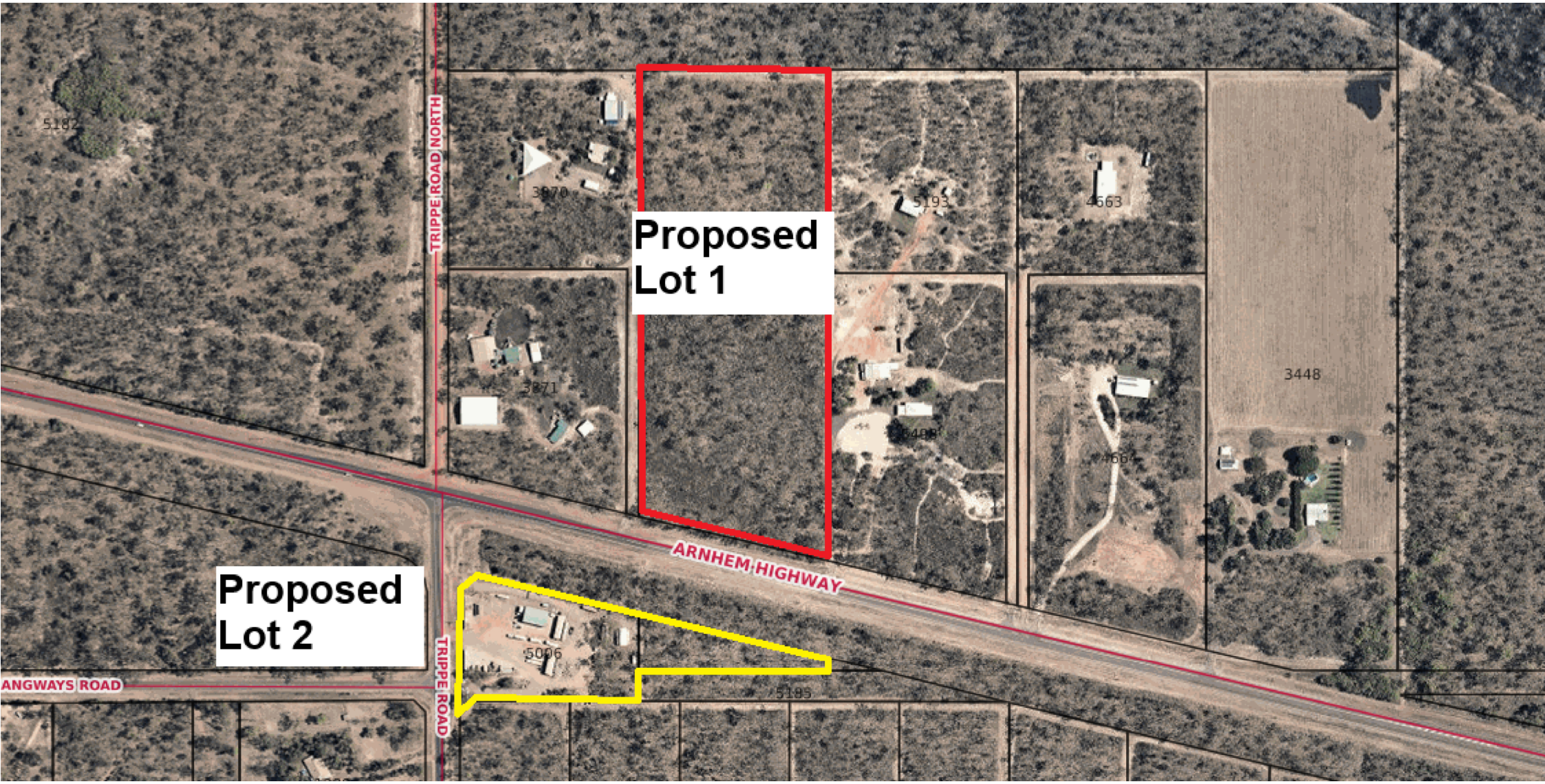
Yours Sincerely,

Annette Joseland
Building Certifier
Registration Number: 264433BU
29/04/2026

Documents Enclosed: Sheets 1 and 2


Northern portion of 5183
Section 5006
Southern portion of 5183 separated by Arnhem Hwy
TRIPPE ROAD NORTH
ARNHEM HIGHWAY
STRANGWAYS ROAD
TRIPPE ROAD
3448

SHEET 1


Proposed
Lot 1
Proposed
Lot 2
TRIPPE ROAD NORTH
ARNHEM HIGHWAY
TRIPPE ROAD
ANGWAYS ROAD
5182
3870
5193
4663
3871
3448
4664
5006
5185

SHEET 2

LITCHFIELD COUNCIL

08 July 2026

Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2026/0198
Hun: 695 P: 05006 850 Arnhem Highway HUMPTY DOO, Hundred of Strangways
Subdivision and consolidation to create 2 lots

Thank you for the Development Application referred to this office on 22/06/2026, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council does not support the granting of a Development Permit for the following reasons:

a) The application does not satisfactorily demonstrate compliance with clause 6.3.3 of the Northern Territory Planning Scheme 2020, particularly the requirement that each lot contain 1 hectare of land identified as unconstrained and that each lot have unconstrained access from a public road to the identified unconstrained land.

   Council notes that the applicant has requested the application be assessed in its current form, notwithstanding that Lot 1 will remain without access to the identified unconstrained land, which is a departure from the intent and requirements of the subdivision controls.

   Whilst the proposed subdivision may resolve an accessibility issue for the southern portion by consolidating Parcel 5006 with part of Parcel 5183, it leaves the northern section, proposed Lot 1, without practical access to the identified unconstrained land from the public road network.

Council can provide the following comments in relation to the application:

a) Access to the Arnhem Highway is subject to the requirements of the relevant road authority; however, should this application be approved, Council would urge the Consent Authority to require that unconstrained access be provided within

proposed Lot 1 so as to provide access to the unconstrained portion of land from the road and address the current access issue.

b) Council notes the application refers to a single planning approval for Parcel 5006; *development permit DP12/0575 issued on 19 October 2012 for the purpose of plant nursery. The site layout appears to be generally consistent with the DP12/0575 Endorsed Drawings.*

However, Council understands that the permit has not been finalised by Part V clearance, and therefore the current use may not be lawfully established under the approval.

Approval of the proposed subdivision and consolidation may facilitate the continuation or expansion of a business use that is not currently supported by a current approval, with potential implications for the local road network.

Council requests that the Consent Authority consider whether the use of the land should be addressed prior to approving the subdivision and consolidation.

c) Council notes that 850 Arnhem Highway (Section 5006) currently has two driveway accesses from Trippe Road. Council's records indicate that these accesses have not been approved. Accordingly, any access that does not comply with the standard requirements for a rural residential driveway crossover will be required to be removed unless it is authorised through the appropriate development application process.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

a) The crossover and driveway shall be designed in accordance with the NT Subdivision and Development Guidelines and meet Litchfield Council's requirements.

b) 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 Litchfield Council's stormwater drainage system, shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

a) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

b) Prior to finalisation of engineering design and specifications for the proposed and affected roads, a Road Safety Audit, prepared by a suitability certified traffic auditor, shall be approved by Litchfield Council.

c) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.

b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 33.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Kind regards,

Jaimie O'Connor
Planning and Development Program Leader

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Record number: D2026/184191
Container number: NE695/5006

Your Ref: PA2026/0198

Drashti Chovatiya
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Drashti

Re: Section 5006 & 5183 (850 & 855) Arnhem Highway Humpty Doo Hundred of Strangways

In response to your letter of the above proposal for the purpose of subdivision to create 2 lots Rural Living (RL):

- Lot 1: 6.3ha and
- Lot 2: 1.84ha

Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. Power service to current Lot 5006 from Substation 10465 shall remain unchanged for new Lot 2.

2. The Proponent shall need to apply for a Negotiated Connection application under Australian Energy Regulator (AER) compliance and be responsible for associated costs to design and installation of a basic supply of 25kVA, 3-phase power service to the newly created Lot 1 (6.3ha) under Rural Living (RL) zone in accordance with PWC's NP020 - Guidelines for Developers of Subdivisions and Electricity Infrastructure.

3. As all the applicable upgrade works will be designed and carried out on the existing overhead power line on Arnhem Highway, PWC shall provide a quote for payment by the Proponent.

If you have any further queries, please contact Nabiha Nusrat, Manager Negotiated Connections and Transmission on 8924 5065 regarding power servicing upgrade.

Yours sincerely

Thanh Tang
Manager Distribution Development
24 June 2026

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Container No: LD695/5006

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Drashti Chovatiya

RE: PA2026/0198 - Sections 05006 & 05183Hundred of Strangways - 850 & 855 Arnhem Hwy, Humpty Doo NT - Subdivision and consolidation to create 2 lots

In response to the above proposal for development application purposes, Power and Water Corporation (Water Services) advise the following with reference to water and sewer enquiries:

1. Reticulated water and sewer services are currently unavailable in the area. The developer must contact relevant authorities to discuss servicing requirements for the proposed development.

2. Power and Water have no objections or requirements for the proposed development.

If you have any further queries, please contact the undersigned on 08 9463 2089, or email developer.concierge@powerwater.com.au

Yours sincerely

Craig Thomas

Craig Thomas
Services Development

29 June 2026

cc: Brad Cunnington
email: Brad Cunnington

NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

Level 1
Goyder Centre
25 Chung Wah Terrace

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E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

2 July 2026

Ms Drashti Chovatiya
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Our Ref: DLPE2026/0246
Your Ref: PA2026/0198

Dear Ms Chovatiya

Re: PA2026/0198 Subdivision and consolidation to create 2 lots

The information provided for the above application has been assessed by the relevant divisions within the department, and the following comments are provided:

Land Resources Division

Land Assessment Branch

The Land Assessment Branch has assessed PA2026/0198 against the '*Northern Territory Land Suitability Guidelines' and f*or this subdivision application the Land Assessment Branch focused on drainage constraints. A site inspection was undertaken on 25 June 2026, which identified the following:

Lot 1**:** The proposed lot contains a minimum of 1ha of land unconstrained by drainage in the northern portion. However, there is no unconstrained access from the Arnhem Highway to this area. The southern portion of Lot 1 consists of vegetation indicative of poorly drained soils which included *Lophostemon lactifluus, Grevillea pteridifolia* and *Pandanus spiralis*. The Land Assessment Branch is unable to provide advice regarding any engineered solution that may be required to establish unconstrainted access to the unconstrained land in the northern portion of lot 1.

Lot 2**:** The proposed lot contains a minimum of 1ha of land unconstrained by drainage.

Land Management Unit

Based on a desktop assessment the Land Management Unit provides the following advice.

Due to the administrative nature of the proposal and the generally low surface gradients, the Land Management Unit does not require an Erosion and Sediment Control Plan (ESCP) condition on the Development Permit. However, the Land Management Unit does note the presence of an unmapped wetland that has the potential to be impacted should an engineered access track be constructed through the drainage constrained land (wetland) to access the unconstrained land in the north of Lot 1. It is important that erosion and sediment control measures are employed throughout the development stage in accordance with the recommended Permit Notes below.

Permit Notes:

1. For the purposes of best practice land management and environmental protection it is recommended that:

   (a) prior to the commencement of works an Erosion and Sediment Control Plan (ESCP) is developed;

   (b) the ESCP is implemented throughout the construction phase including clearing and early works; and

   (c) all disturbed soil surfaces are stabilised against erosion at completion of works.

2. Resources regarding erosion and sediment control is available on the IECA website https://austieca.com.au/home and Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation. For further advice, contact the Development Coordination Branch: (08) 8999 4446.

Weed Management Branch

A desktop assessment of the Northern Territory (NT) Weeds Database for the application area, surrounding parcels and roads has revealed current and or previous data records of the following:

Common Name	Botanical Name	Declared
850 Arnhem Highway, Humpty Doo		
Gamba grass	*Andropogon gayanus*	Class B
Perennial mission grass	*Cenchrus setosus*	Class B
Hyptis	*Mesosphaerum suaveolens*	Class B
855 Arnhem Highway, Humpty Doo		
Gamba grass	*Andropogon gayanus*	Class B
Perennial mission grass	*Cenchrus setosus*	Class B
Hyptis	*Mesosphaerum suaveolens*	Class B
Flannel weed	*Sida cordifolia*	Class B

All land in the NT is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to all persons, owners and occupiers of land regarding declared and potential weeds. General duties described in Division 1 of the WM Act include the requirement for owners or occupiers of land to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading.

Gamba grass is subject to a statutory weed management plan. Management obligations outlined in this plan are legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plans are available online[1].

[1] https://nt.gov.au/environment/weeds/weed-management-planning

Gamba grass and perennial mission grass are declared weeds, Class B and is listed in the Darwin Regional Weeds Strategy 2021-2026 as Category 2 – priority weeds for strategic control.

Guidelines for the prevention of weed spread are outlined in '*Preventing Weed Spread is Everybody's Business*[2]', which highlights the areas of risk for all activities associated with weed spread. The document details the pathways through which weeds are spread and provides actions to reduce weed spread. Proponents seeking to develop land for any purpose should address these actions.

Further information regarding weed management requirements is available online [3], or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Should this development application be approved, the Weed Management Branch recommends the following note to be included on the development permit:

Permit note:

All land in the Northern Territory is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Division 1 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection.

Gamba grass is subject to a statutory weed management plan. Management obligations outlined in this plan are legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plans are available online https://nt.gov.au/environment/weeds/weed-management-planning.

Information regarding weed management is available on the Department of Lands, Planning and Environment (DLPE) website: https://nt.gov.au/environment/weeds, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Environment and Heritage Division

Heritage Branch

A search has found that there are no nominated, provisionally declared or declared heritage places or objects within the subject site.

The search has also found that there are no recorded Aboriginal or Macassan archaeological places and objects within the subject site, and the likelihood of unrecorded Aboriginal or Macassan archaeological places existing has been assessed as possible. Previous archaeological surveys within the Kay Land System have recorded ancestral remains, stone artefact scatters, shell middens, Aboriginal quarries, grinding stones and Earth mounds.

The nature of the work in this application has been considered, and no physical survey is required for the proposed subdivision. However, future works or activities may be required to identify and mitigate impact on potential Aboriginal or Macassan archaeological places and objects. The

[2] https://denr.nt.gov.au/__data/assets/pdf_file/0011/257987/preventing-weed-spread.pdf
[3] http://www.nt.gov.au/environment/weeds

proponent is advised to consult with the Heritage Branch prior to undertaking any future development.

Context of Heritage Branch Advice

The NT Government's Heritage Branch administers the *Heritage Act 2011* and provides authoritative advice about obligations under the *Heritage Act 2011*, including steps to take to manage the impact of proposed work on Aboriginal and Macassan archaeological places and objects.

It is important that advice given by the Heritage Branch is followed. A failure to follow advice received from the Heritage Branch may be considered as evidence in an investigation if damage occurs to a declared heritage place, an Aboriginal or Macassan archaeological place or object.

Relevant parts of the NT *Heritage Act 2011*

1. All provisionally declared and declared heritage places and objects are protected under the *Heritage Act 2011*;
2. All Aboriginal or Macassan archaeological places and objects are automatically protected - this includes places and objects not previously recorded;
3. Places and objects include an artefact or thing given shape by a person - examples include stone tools, stone arrangements, fish traps, rock art, modified trees, and shell middens;
4. Ancestral remains are also protected;
5. Underwater Cultural Heritage is protected, up to three nautical miles from the coast; and
6. There is an obligation to notify of the discovery of Aboriginal or Macassan archaeological places or objects.

Conditions of advice

This advice is based on the description of the works provided to the Heritage Branch. If the work expands or changes significantly seek further advice.

In preparing this advice, the Heritage Branch has referred to the NT Heritage Register and the Heritage Branch archaeological database which includes information about Aboriginal and Macassan archaeological places and objects in the NT. However, the database only includes information about known archaeological places. The fact that there are no known archaeological places recorded may be because no archaeological surveys have been conducted in that particular area and is not necessarily an indication, they do not exist.

Water Resources Division

While the land is located within a Restricted Water Extraction Area, the proposed subdivision and consolidation will not result in a net increase in the number of land parcels. As such, the statutory groundwater access right will remain unchanged. Accordingly, the Water Resources Division considers that there are no issues of concern under the *Water Act 1992* in relation to the proposed subdivision and consolidation.

Environmental Regulations Division

Based on the information provided, the proposal does not appear to trigger the licensing requirements of an Environment Protection Approval (EPA) under the *Waste Management and*

Pollution Control Act 1998 (NT) (WMPC Act). Activities requiring authorisation are listed in Schedule 2 of the WMPC Act.

Under the WMPC Act, all persons have statutory obligations to take all reasonable and practicable measures to prevent or minimise pollution and environmental harm, and to reduce the amount of waste generated. This is known as the General Environmental Duty, set out in section 12 of the WMPC Act. The proponent is responsible for ensuring that their activities comply with these obligations.

Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website.[4]

The proponent is advised to take notice of this non-exhaustive list of environmental issues that should be considered to help satisfy General Environmental Duty:

1. **Dust**: The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.

2. **Noise:** The proponent must ensure that noise levels from the premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline[5].

   If the proposal is situated where there are existing activities nearby that may already generate noise, please see the NT EPA advice on Recommended Land Use Separation Distances[6].

3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environmental harm do not result from soil erosion.

   ESC measures must be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion Control Association (IECA) Australasia guidelines[7].

   Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

   Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites[8].

4. **Storage:** Where an Environmental Protection Approval or Environmental Protection Licence is required, the proponent must act in accordance with that authorisation.

   If an Environment Protection Approval or Environment Protection Licence is not required, the proponent must store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines[9]. Where these guidelines are not relevant, the storage must be at least 110% of the total capacity of the largest vessel in the area.

5. **Site Contamination**: If the proposal relates to a change of land use or if the site is known to be contaminated, a contaminated land assessment may be required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM).

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[4] https://ntepa.nt.gov.au/publications-and-advice/environmental-management

[5] https://ntepa.nt.gov.au/__data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf

[6] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf

[7] https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document

[8] https://ntepa.nt.gov.au/__data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf

[9] https://www.epa.vic.gov.au/about-epa/publications/1698

The proponent is encouraged to refer to the information provided on the NT EPA website[10], and the NT Contaminated Land Guidelines[11].

6. **Waste Management - Import and Export of Fill**: The proponent must ensure all fill imported or exported as part of the activity must be certified virgin excavated natural material (VENM) in accordance with the NSW EPA guidelines[12].

   All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers upon request. The proponent should also consider the following NT EPA fact sheet: Illegal Dumping - What You Need to Know[13].

7. **Odour or Smoke**: The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

   If the proposal is situated where there are existing activities nearby that may already generate odour or smoke, please see the NT EPA advice on Recommended Land Use Separation Distances[14].

8. **Water:** The proponent must ensure stormwater is not polluted, refer to water management in the NT EPA guidelines to Prevent Pollution from Building Sites[15].

   If this activity requires the discharge of waste to water or could cause water to be polluted, then a waste discharge licence under the *Water Act* 1992 may be required. Please refer to the Guidelines[16].

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely

Maria Wauchope
Executive Director Land Resources

[10] https://ntepa.nt.gov.au/your-environment/contaminated-land
[11] https://ntepa.nt.gov.au/__data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf
[12] https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material
[13] https://ntepa.nt.gov.au/__data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_know.pdf
[14] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf
[15] https://ntepa.nt.gov.au/_media/waste-and-pollution/pdf/guidelines/guideline_prevent_pollution_building_sites.pdf
[16] https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf

Technical Assessment PA2026/0198

TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No:	PA2026/0198
Lot number:	Section 5006 (850) and Section 5183 (855) Arnhem HWY, Humpty Doo
Town/Hundred:	Hundred of Strangways
Zone:	RL (Rural Living)
Site Area:	1.36 hectares (850), 6.78 hectares (855)
Proposal:	Subdivision and Consolidation to create two lots
Plans used for assessment:	Subdivision Plan
Date assessment finalised:	23 June 2026

The proposed development requires consent under the Northern Territory Planning Scheme 2020 as described in the below table:

4.7 Zone RL (Rural Living)			
Use	**Assessment Category**	**Overlays**	**Subdivision Requirements (Part 6)**
Subdivision and Consolidation	*Impact Assessable*	3.2 CNV - Clearing of Native Vegetation 3.8 LADR- Land Adjacent to a Designated Road	6.3.2 Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land 6.3.3 Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land 6.3.4 Infrastructure for Subdivision in Zones RL, R and Unzoned Land 6.3.5 Mineral Resources and Subdivision in Zone RL 6.6.2 Consolidation

Part 1 – Guidance

The application is *Impact Assessable* under clause 1.8(1)(c)(ii) of the NTPS2020 where the application is for the subdivision of land.

Overlays	**Compliance**		
	Yes	**No**	**N/A**
3.2 (Clearing of Native Vegetation)			
3.8 (Land Adjacent to a Designated Road)			
Part 6 - Subdivision and Consolidation Requirements	**Compliance**		
	Yes	**No**	**N/A**
6.3.2 (Lot Size and Configuration for Subdivision in Zones RL R H and Unzoned Land)			

NORTHERN TERRITORY GOVERNMENT

6.3.3 (Site Characteristics for Subdivision for Lots 1ha or Greater in Zones RR RL R H and Unzoned Land)			
6.3.4 (Infrastructure for Subdivision in Zones RL R and Unzoned Land)			
6.3.5 (Mineral resources and Subdivision in Zone RL)			
6.6.2 (Consolidation)			

1.8 When development consent is required

1. The need for consent and the level of assessment that applies to the use and development of land is set out in the framework below:

(c) Impact Assessable – use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the site and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.

Use and development of land require consent and is Impact Assessable when any of the following apply:

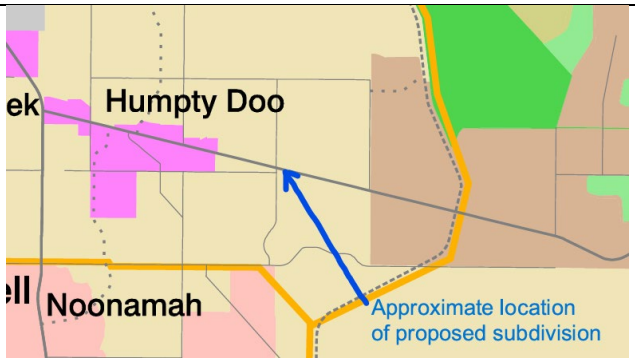
ii. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii);

1.10 Exercise of Discretion by the Consent Authority

4. In considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:
(a) any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
(b) any Overlays and associated requirements in Part 3 that apply to the land;
(c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and
(d) any component of the Strategic Framework relevant to the land as set out in Part 2.

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the consent authority.

Litchfield Subregional Land Use Plan (LSLUP)

NTPS 2020	DAS DLPE comments
*The Subregional Plan will preserve the existing amenity of the rural area, identified as **Rural Lifestyle** in the Darwin Regional Land Use Plan. Outside identified rural activity centres, the amenity of established areas will continue to be supported by no changes to the current minimum lot sizes in Zone RL (Rural Living) and Zone R (Rural)...* – Page 6 of the LSLUP.	 The LSLUP (above) identifies that the subject site is within the area identified as Rural and propose lot 2 has a lot size less than 2ha (minimum lot size).

The Litchfield Subregional Land Use Plan (LSLUP) provides statements of policy and principles on how to achieve policy outcomes. The relevant statements of policy are 'Rural Area', 'Ground Water' and 'Environmental Management', **Rural Area (principles 13)** 13. Maintain rural amenity and lifestyle choice. • continue to support the subdivision of suitable land outside rural activity centres into 2 ha lots in Zone RL (Rural Living) and into 8 ha lots in Zone R (Rural); • require reliable water supply adequate for residential use; • require stormwater drainage for new residential development to not adversely impact on the receiving environment **Ground Water (principle 25)** 25. Support sustainable groundwater use. • Maintain environmental flows of natural drainage and groundwater systems to protect wetland and forest habitats, and natural areas valued for tourism and recreation; • require the groundwater demand of subdivision and development to not exceed the sustainable recharge of the aquifer; • require the design of stormwater drainage and on-site effluent disposal systems to minimise the potential to pollute surface and ground water **Environmental Management (principle 28)** 28. Retain the cultural and landscape value of natural features and significant native vegetation. • natural features and vegetation are integrated into open space, widened road reserves and drainage corridors wherever possible; and • natural features and vegetation established as having value for their cultural, species, habitat, visual or natural amenity are identified and retained.	Proposal varies in consistency with Rural area principles: • The proposal is inconsistent with Principle 13 (Maintain rural amenity and lifestyle choice) because the location of the proposed subdivision is outside rural activity centres, and less than 2ha, where Principle 13 is *to "continue to support the subdivision of suitable land outside rural activity centres into 2 ha lots in Zone RL (Rural Living) and into 8 ha lots in Zone R (Rural)"* • PowerWater (water services) advised that no reticulated water and sewer services are available in the area, however Water Resource Management (DPLE) advise that land is located within a Restricted Water Extraction Area, the proposed subdivision and consolidation will not result in a net increase in the number of land parcels. As such, the statutory groundwater access right will remain unchanged. • Land Resource Division have provided adverse comments relating to drainage and land constraints. However, the Land Management Unit does note the presence of an unmapped wetland that has the potential to be impacted should an engineered access track be constructed through the drainage constrained land (wetland) to access the unconstrained land in the north of Lot 1. Stormwater management plan will need to be to the satisfaction of the Litchfield Council, Transport and NTG. A standard note can be included on the permit if issued relating to the use of ground water. • The applicant provided a land suitability assessment that indicates the unconstrained land identified within Lot 1 is classed as S3 – Marginally suitable for subdivision as there is no unconstrained access to the Arnhem Highway. Consolidated Lot 2 is classed S1 – Highly Suitable for subdivision. • Both proposed lots will use existing groundwater bores for potable water supply. Setbacks between existing bores (70m), and 100m separation between bores to onsite wastewater land application areas (LAAs) have been demonstrated. Lot 2 will remain the use of existing bore on s5006 (RN35980) (see sub-clause 8 of Clause 6.3.2.). • The applicant has provided a land suitability assessment and stormwater management plan. it does not identify the 1ha of land identified as unconstrained or the upstream and downstream flows.

Part 3 – Overlays

3.2 CNV - Clearing of Native Vegetation

NTPS 2020		DAS DLPE comments
Purpose		
Identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:		Not applicable – the application does not indicate any proposed clearing of native vegetation. The proposal is for subdivision purposes, and the process is most likely administrative and will only require clearing for firebreaks/fence lines.
(a)	impact on the conservation values of land within Zone CN; or	
(b)	unreasonably contribute to environmental degradation of the locality.	

NOT APPLICABLE

3.8 LADR – Land Adjacent to a Designated Road

NTPS 2020		DAS DLPE comments
Purpose		
Ensure that **access** to a designated road from adjacent land does not prejudice traffic safety or the integrity and operation of the infrastructure.		The subject site has been identified as being impacted by Designated Road.
Administration		
1.	**Access** to a use or development or proposed use or development from a designated road identified on this Overlay requires **consent**.	Applicable – the proposal is within the 'land subject to a designated road' overlay.
2.	Despite sub-clause 1, this Overlay does not apply where the agency responsible for the management of the designated road has provided written approval for the **access**.	Not applicable – the proposal is not related to sub-clauses (a), (b), (c) or (d).
3.	The consent authority may only **consent** to an **access** to a use or development where the **access** complies with sub-clause 4.	Not applicable – the proposal is not subject to the 'Rapid Creek flood response' overlay.
Requirements		
4.	Any **access** from a designated road corridor must be in accordance with the requirements of the agency responsible for the management of the designated road, to the satisfaction of that agency.	Applicable – the proposal is for the purpose of subdivision and Access requirements are subject to comments from Transport and Civil Services Division who own and manage the Arnhem Highway.

TO BE DETERMINED- by the Agency in responsible for the Corridor

Part 4 – Zone

Part 4.7 Zone RL – Rural Living

NTPS 2020	DAS DLPE comments
Purpose	

Provide for a range of **rural lifestyle** choices and rural activities, in areas where access to reticulated water and sewerage may not be available.			**Consistent with purpose** – the applicant has provided a land suitability assessment that identifies 1ha of unconstrained land will be available on each proposed lot.
Outcomes			
1.	Predominantly dwellings-single and dwellings-independent within a rural lifestyle setting.		Not applicable – the proposal is for subdivision purposes.
2.	Home based businesses and dwellings-community residence are of a scale, intensity and nature that is compatible with the character and amenity of the surrounding locality.		
3.	Residential development, such as residential care facilities, does not interfere with the character and amenity of the zone.		
4.	Rural activities, such as agriculture, animal boarding, horticulture, intensive animal husbandry, plant nursery, industry-primary, stables, and veterinary clinic where the scale, intensity and nature of the activity is compatible with the character and amenity of the surrounding locality and the land is capable of supporting the development.		
5.	Development for residential purposes does not interfere with the existing or ongoing use of rural land for productive agricultural or horticultural purposes.		
6.	Community focused activities, such as community centre, child care centre, and emergency management facility:		
	(a)	are of a scale and intensity compatible with the character and amenity of the area;	
	(b)	wherever possible, are co-located with other non-residential activities in the locality;	
	(c)	avoid adverse impacts on the surrounding road network; and	
	(d)	are managed to minimise unreasonable impacts on the amenity of surrounding residents.	
7.	The design and site layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.		
8.	Development does not impose unsustainable demands on surface water and groundwater.		Consistent with outcome -PowerWater (water services) advised that no reticulated water and sewer services are available in the area, however Water Resource Management (DPLE) advise that land is located within a Restricted Water Extraction Area. The applicant has identified that water will be available through the existing bores. A note can be included on the permit (if issued) relating to the use of ground water. (See sub-clause 8 of Clause 6.3.2.)
9.	Subdivision design is informed by land suitability assessment to confirm the land is able to support residential development.		**Consistent with outcome –** applicant has provided land suitability assessment which indicates there is 1ha of unconstrained land for each proposed lot.
10.	Development is provided with an appropriate level of services and infrastructure and minimises impacts on sensitive environments.		Noted – This application was circulated to the relevant service authorities for roads, pedestrian and cycle paths, reticulated electricity, water, sewerage, stormwater

		drainage and telecommunication infrastructure. While this assessment does not consider there to be any land capability concerns, this will be addressed by the service authority comments.
11	Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.	Not relevant

CONSISTENT WITH ZONE PURPOSE AND OUTCOMES

Part 6 - Subdivision Requirements

6.3.2 Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land

Purpose

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

Administration

1. The consent authority may consent to a subdivision that is not in accordance with sub-clauses 5-10 if it is satisfied that:
    a) the subdivision does not result in an increased lot yield; and
    b) the lot size and/or configuration achieves at least one of the following: See below.
        i. an existing boundary encroachment by a building is remedied;
        ii. the lots created are more regular in shape;
        iii. access is provided to a lot that previously had no access or an unsuitable access;
        iv. the subdivision will better meet the overall outcomes for the zone and the relevant components of the strategic framework applicable to the locality;
        v. the arrangement of lots results in a significant protection of areas of environmental value; or
        vi. provides opportunity for a future local road network; and
    c) the consent authority is satisfied that the lots created will be consistent with the purpose of this requirement and the zone purpose and outcomes.
2. The consent authority may consent to a subdivision on Unzoned Land that is not in accordance with the table to this clause only if it is satisfied that the lots created will be consistent with the purpose of this requirement.
3. Despite sub-clause 1, the consent authority must not consent to a subdivision in Zone RL in Alice Springs and adjacent zoned areas that is not in accordance with the table to this clause.
4. The unconstrained nature of the land is to be demonstrated by a land suitability assessment addressing the NT Land Suitability Guidelines, in accordance with clause 6.3.3.

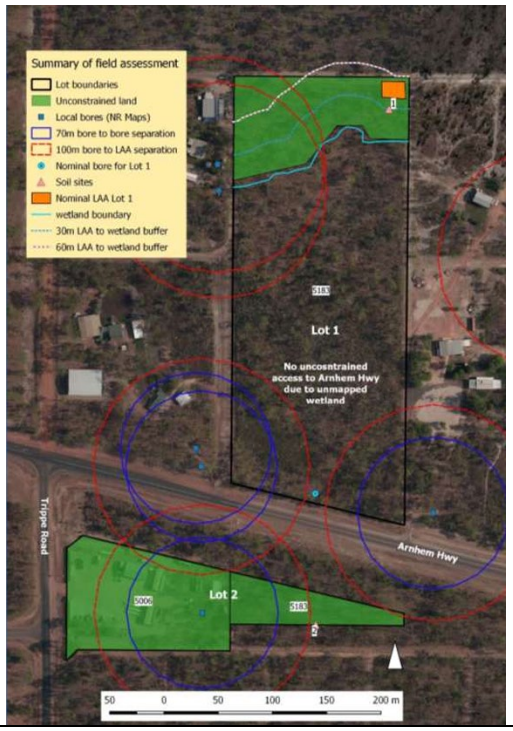
NTPS 2020- Requirements	DAS DLPE comments

<table>
<tr>
<td>5.</td>
<td>Land is to be subdivided in accordance with the table to this clause.

<table>
<tr><th colspan="2">Table to Clause 6.3.2: Lot Size and Configuration for Subdivision in Zones RL, R and H, and Unzoned Land</th></tr>
<tr><th>Zone</th><th>Minimum Lot Size and Requirements</th></tr>
<tr><td>RL</td><td>2ha with a minimum of 1ha of unconstrained land</td></tr>
<tr><td>R</td><td>8ha with a minimum of 1ha of unconstrained land
or
40ha in Alice Springs and Tennant Creek municipalities, with a minimum of 1ha of unconstrained land</td></tr>
<tr><td>H</td><td>25ha all unconstrained land</td></tr>
<tr><td>Unzoned Land</td><td>8ha</td></tr>
</table>
</td>
<td>Does not comply – Lot 5183 is currently 6.78 ha and Lot 5006 is currently 1.36. The proposal seeks to subdivide lot 5183 into a northern (6.3ha) and southern (0.48ha) portion and subsequently Consolidation section 5006 (1.36ha) with the southern (0.48ha) portion of section 5183.
the proposed lots the following lot sizes and unconstrained land (non-compliances in red):

<table>
<tr><th>Lot</th><th>Lot size</th><th>Unconstrained Land</th></tr>
<tr><td>1</td><td>6.3ha</td><td>Minimum of 1ha</td></tr>
<tr><td>2</td><td>1.84ha</td><td>Minimum of 1ha</td></tr>
</table>
While both proposed lots satisfy the requirement for a minimum of 1 hectare of unconstrained land, Proposed Lot 2 does not achieve the minimum lot size requirement of 2 hectares, with an area of 1.84 hectares. Accordingly, the proposal does not comply with the Table to Clause 6.3.2.</td>
</tr>
<tr>
<td>6.</td>
<td>Lots have a depth to width ratio not exceeding 4:1.</td>
<td>Complies - the proposed lots have the following approximate depth (longest length) to width (shortest length) ratio:

<table>
<tr><th>Lot</th><th>Depth</th><th>Width</th><th>Ratio (shrunk 50 times)</th></tr>
<tr><td>1</td><td>412.38m</td><td>160.5m</td><td>2.57:1.</td></tr>
<tr><td>2</td><td>301.11m</td><td>103.91m</td><td>2.9:1</td></tr>
</table>
</td>
</tr>
<tr>
<td>7.</td>
<td>Incorporate as far as practicable, drainage lines and drainage floors wholly within a single lot.</td>
<td>Complies</td>
</tr>
<tr>
<td>8.</td>
<td>Allow for 70m separation between bores, both proposed and existing.</td>
<td>Complies – the applicant provides the existing location of the bore on proposed lot 2 (RN035980) and the notional bore location on proposed lot 1 which shows a 70m separation. The applicant also shows (refer image below) that the existing bore on proposed 2 is within 70m of a bore.



</td>
</tr>
</table>

9.	Lot boundaries are to be:		
	(a)	at right angles to any watercourse;	Complies –The existing boundary between Section 5006 and the southern portion of 5183 will be removed.
	(b)	sufficiently up slope to be outside of seepage zones where following drainage lines; and	Complies –the proposed lot boundary does not follow drainage lines.
	(c)	at right angles to contours or along contours where slope is between 2.0% and 5.0% and follow ridge lines, spurs or contours where slope is above 5.0%.	Complies -the land suitability assessment indicates the unconstrained land within Lot 1 comprises a moderately deep, moderately well drained on slope ≤1%. Within Lot 2, the soil comprises shallow, moderately well drained.
10.	Minimise the number of watercourse crossings.		Complies – no watercourse crossings are proposed.

DOES NOT COMPLY

6.3.3 Site Characteristics for Subdivision for Lots of 1ha or Greater in Zones RR, RL, R and H, and Unzoned Land

Purpose

Ensure subdivision of land in Zones RR, RL, R and H, and unzoned land, responds to the physical characteristics of the land.

Administration

1. The consent authority must not consent to a subdivision that does not include 1ha of land per lot in Zones RL, R and Unzoned Land, and 25ha in Zone H, identified as unconstrained in relation to:
   a) Storm tide flooding;
   b) Riverine flooding;
   c) Localised stormwater flooding;
   in accordance with the land suitability assessment and stormwater management plan.
2. The consent authority must not consent to a subdivision unless the relevant government agencies, local government council and service authorities provide formal comment to the consent authority in relation to the land suitability assessment and stormwater management plan and the possibility of storm tide flooding, riverine flooding and localised stormwater flooding of the identified 1ha of land.
3. The consent authority may consent to an application that is not in accordance with sub-clauses 4-7 if the application includes preliminary land assessment and stormwater management plans prepared by the applicant and approved by the relevant government agency and or service authority, demonstrating that 1ha of land per lot and all internal roads are unconstrained by localised stormwater flooding and by those issues addressed in the NT Land Suitability Guidelines.

NTPS 2020 Requirements		**DAS DLPE comments**
4.	Each lot is to have unconstrained access from a public road to the identified unconstrained land.	**Does not comply**– While the unconstrained land within proposed Lot 1 is generally located in the northern portion of the site, access to Arnhem Highway is constrained by a previously unmapped wetland. As a result, Lot 1 does not have unconstrained access to a public road. In contrast, proposed Lot 2 has

			unconstrained access via Trippe Road, which connects directly to Arnhem Highway. Further, advice from the Land Resource Division, DLPE indicates that it is unlikely that proposed Lot 1 contains the required minimum of 1 hectare of land unconstrained by drainage. Although some unconstrained land may exist within the northern portion of the lot, there is no unconstrained access from Arnhem Highway to this area. Consequently, the proposal does not satisfy the intent of the requirement for an allotment to contain a suitable area of unconstrained land with practical access to a public road.
5.	An application to subdivide rural or unzoned land should include the following documents prepared by suitably qualified professionals:		Applicable – the proposal is located within Zone Rural Living, and the application includes a land suitability assessment.
	(a)	a land suitability assessment addressing the NT Land Suitability Guidelines; and	Complies – the application includes a land suitability assessment that addresses the land suitability guidelines.
	(b)	a stormwater management plan including but not limited to; the potential impact on neighbouring land, external roads, internal roads and the 1ha of land identified as unconstrained, the upstream and downstream flows and any proposed mitigation measures.	Further information required – the proposal includes a stormwater plan however the plan does not include assessment of potential impact on neighbouring land; it does not identify the 1ha of land identified as unconstrained or the upstream and downstream flows.
6.	The subdivision design must address the constraints as identified in the land suitability assessment and stormwater management plan in relation to the location of internal roads, lot boundaries and the identified 1ha of unconstrained land.		Can complies- The Land Suitability Assessment identifies at least 1 hectare of unconstrained land within each proposed lot, although the exact area has not been quantified. While Proposed Lot 1 does not have unconstrained access to Arnhem Highway due to a previously unmapped wetland, suitable unconstrained land exists within the lot. Proposed Lot 2 has unconstrained access to Arnhem Highway. The consolidation of land south of Arnhem Highway would create a 1.84-hectare lot, which, although 8% below the 2-hectare minimum, is a substantial improvement on the existing 1.36-hectare lot and reduces the current level of non-compliance. Accordingly, the proposal is considered generally consistent with the intent of the assessment criterion.
7.	An application to subdivide land on the maps "Priority Environmental Management Areas – Litchfield" and "Priority Environmental Management Areas – Katherine" as an area potentially of environmental significance should, on the advice of the relevant government agency, be accompanied by and the consent authority shall have regard to an evaluation by a suitably qualified professional of the environmental significance of the native vegetation and land form (e.g. lagoons, wetlands, rugged terrain and drainage systems).		Not applicable – The subject land is not identified as a Priority Environmental Management Area within the Litchfield Subregional Land Use Plan.

8.	An application described in sub-clause 7 must demonstrate that the proposed subdivision design does not adversely affect the environmental values as identified in the evaluation.		Not applicable – the Land Resource Division did not indicate that an environmental evaluation is required.
9.	Subdivision design of rural and unzoned land should:		See below
	(a)	Retain and protect significant natural and cultural features;	Complies – Drainage-constrained land (wetland) has been identified as a significant natural feature. The proposal has indicated measures to retain and protect the wetland by engineered access track is constructed through the drainage-constrained land (wetland) to provide access to the unconstrained land suggested by land resource division and TCI. The Land Resource Division did not have any concerns Due to the administrative nature of the proposal and the generally low surface gradients. However, it recommended that an Erosion and Sediment Control Plan be implemented during the development stage. This recommendation is based on the presence of an unmapped wetland that could potentially be impacted if an engineered access track is constructed through the drainage-constrained land (wetland) to provide access to the unconstrained land in the northern portion of Proposed Lot 1. In addition to the above, no cultural features have been identified.
	(b)	Minimise the number of lots in, or exclude from subdivision, areas of high conservation significance and riparian zones;	Complies – The proposed subdivision will not impact areas of high conservation significance.
	(c)	Minimise alteration or disturbance to natural drainage systems including drainage areas, recognisable watercourses, lagoons and permanent and semi-permanent springs; and	Complies – refer DAS DLPE comments subclause 9 (a).
	(d)	Minimise erosion hazard, sedimentation and pollution of watercourses.	Complies– no concerns were raised regarding erosion hazard, sedimentation and pollution of watercourses. The Land Resource Division recommends that an Erosion and Sediment control plan is implemented during the development stage (subject to condition).

DOES NOT COMPLY/FURTHER INFORMATION REQUIRED

6.3.4 Infrastructure for Subdivision in Zones RL, R and Unzoned Land

Purpose

Ensure that subdivision of land in Zones RL, R and unzoned land, is integrated with infrastructure, community services and facilities and will not unreasonably affect the environment.

Administration

1. The consent authority may consent to a subdivision that is not in accordance with sub-clauses 2-7, only if it is satisfied the subdivision is consistent with the purpose of this clause.

NTPS 2020 **Requirements**				DAS DLPE comments
2.	Minimise disturbance through earthworks associated with the provision of infrastructure.			Complies – no earthworks are proposed as part of this application. Location for future infrastructure has been identified however this will most likely happen at a later date.
3.	Provide for connection to reticulated services where practical.			Can comply (subject to condition) – Reticulated electricity is available to the site, and a condition of approval can require the existing power connection to remain with proposed Lot 2 and a negotiated connection to be provided for proposed Lot 1. Reticulated water and sewerage services are not available in the locality, with water supply and wastewater management to be provided through alternative approved arrangements.
4.	Where no reticulated sewerage is available, a site and soil evaluation report must be completed by an appropriately qualified site-and-soil evaluator demonstrating that onsite wastewater management systems can be installed on each lot in accordance with the requirements of the Code of Practice for Wastewater Management.			Complies – No reticulated sewerage is available; however, the proposed subdivision does not reduce the available land or alter the ability for Section 5183 or 5006 to accommodate on-site wastewater treatment systems. Section 5006 contains an established septic system and northern portion does not alter the ability for Section 5183 to contain an on-site wastewater treatment system. Site and Soil Evaluation confirmed the capability of the soil-landscape of the land within proposed lots to sustain onsite wastewater management using approved treatment and disposal systems that will comply with the NT Code of Practice for Wastewater Management (DOH 2020).
5.	Where no reticulated water is available, demonstrate that an adequate supply of groundwater is available for domestic purposes.			Can comply – Both proposed lots will use groundwater bores for potable water supply. Lot 2 will retain the use of existing bore on s5006 (RN35980). The property falls within the recently declared Howard South Restricted water Extraction Area. The nominal bore for Lot 1 will meet both. No additional bores are permitted.
	a.	Located within Zone RL or R in the Top End Region; and		
	b.	Within a 'restricted water extraction area' as declared by the Minister responsible for the administration of the Water Act 1992.		
6.	Roads should:			Not applicable – the application does not propose any roads. There is an existing driveway in proposed lot 2 and it is expected that a crossover or access will be developed in proposed lot 1 at a later stage.
	(a)	be designed to:		
		i.	interconnect with the existing road network;	
		ii.	provide for connections to potential future subdivisions of adjoining lands;	
		iii.	provide a clear hierarchy of roads; and	
		iv.	minimise individual lot access to major roads;	
	(b)	respond to the physical characteristics of the land by:		
		i.	following ridge lines or contours where possible; and	
		ii.	where crossing watercourses be positioned at right angles to the watercourse and minimise the number of crossing points;	
	(c)	be sealed where lot sizes are 2ha or less;		

	(d)		be located above the 1.0% AEP flood line or any seepage line, whichever is the higher;	
	(e)		be designed with discharge drains placed to minimise erosion and associated engineering and maintenance costs;	
	(f)		provide direct access to lots and avoid battle-axe strips, however, where justified, battle-axe strips should be:	
		i.	not less than 10m wide; and	
		ii.	less than 250m in length.	
7.	Where a road crosses a tidal arm in a rural subdivision it is expected to have a minimum elevation of RL 8m AHD and be designed to enable a discharge of at least a 5.0% AEP flood event.			

COMPLIES

6.3.5 Mineral Resources and Subdivision in Zone RL

NTPS 2020		DAS DLPE comments
Purpose		
Ensure subdivision does not prejudice the exploitation of mineral resources.		Complies- No mineral resource mining activities are current or foreseen in the immediate future for the locality, which is reserved from mining extraction as depicted in the Minerals and Extractive Minerals Map of the LSRLUP.
Administration		
1.	The consent authority may consent to a subdivision that is not in accordance with sub-clause 2 if it is satisfied the subdivision is consistent with the purpose of the requirement.	Not applicable – no existing or future mining activities are identified in the vicinity.
Requirements		
2.	Subdivision design is to avoid the creation of lots, the amenity of which would be adversely affected by existing or future mining activities in the vicinity.	Not applicable – no existing or future mining activities are identified in the vicinity.

COMPLIES

6.6.2 Consolidation

Purpose

Ensure that the consolidation of land results in lots that are of a size and configuration and are appropriately serviced in a manner that achieves the relevant zone purpose and outcomes.

Administration

1. The consent authority may consent to a consolidation that is not in accordance with sub-clause 3 only if the relevant requirement allows.
2. The consent authority must not consent to a consolidation that is not in accordance with sub-clause 4.

NTPS 2020 Requirements		DAS DLPE comments
3.	The lot created by consolidation should comply with the relevant development and subdivision	**Does not Comply** - The proposal seeks to consolidate two existing lots and does not increase development

	requirements including residential density, setbacks, minimum lot size, lot configuration, and connection to reticulated services (where available) and the local road network.		potential or affect residential density requirements. Although the resulting lot area of 1.84ha does not meet the 2ha minimum lot size required in Zone RL, it represents an improvement over the existing 1.36ha lot and reduces the extent of the current non-compliance. The subject land is not connected to reticulated water, and electricity and the proposed consolidation will not require any modifications to these existing service connections. An on-site wastewater treatment system currently services the land and is operating effectively. This arrangement will continue to service the consolidated parcel.
4.	The lot created should achieve at least one of the following:		
	a.	the consolidation remedies an existing boundary encroachment by a building;	Complies- The removal of existing internal boundaries will reduce the potential for future conflicts between building locations and lot boundaries and will facilitate the issue of a proposed lot 2.
	b.	the consolidated lot will be made more regular in shape;	Complies- The consolidation will create a more regular lot configuration
	c.	access is provided to a lot that previously had no access or an unsuitable access;	Complies- The proposed consolidation parcel will be serviced in accordance with the requirements of the relevant service authorities and will continue to have access to existing infrastructure and utility services.
	d.	the consolidated lot enhances compliance with the outcomes for the zone and any Area Plan in which the site is situated;	Complies- While the land is already utilised as current form, the removal of internal boundaries will provide greater flexibility for the future development extension. Accordingly, the proposal will facilitate ongoing compliance with the outcomes of the RL Zone.
	e.	the consolidated lot will provide for enhanced economic opportunities in accordance with the zone purpose; or	Complies- the consolidated lot will support future investment in and development of the land for purposes consistent with the intent of the RL Zone.
	f.	the consolidated lot results in an improvement in the protection of the environment.	Not applicable- the proposed consolidation does not give rise to any environmental protection or management considerations.

Assessment

Overall, the proposed Subdivision and consolidation is considered to be consistent with the purpose and outcomes of the RL (Rural Living) Zone. While the resulting lot area remains below the 2-hectare minimum requirement of each proposed lot, the proposal improves compliance with the minimum lot size requirements by increasing the area of Section 5006 from 1.36 hectares to 1.84 hectares. The consolidation will also improve the orderly layout of rural lifestyle lots and enhance the functionality, administration, and future development potential of the land, without resulting in adverse planning, servicing, or environmental impacts.

DOES NOT COMPLY

NORTHERN TERRITORY GOVERNMENT

Department of
LOGISTICS AND INFRASTRUCTURE

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Development Assessment Services
GPO Box 1680
Darwin NT 0801

File reference
DDLP2011/2785-02-0149~0005
TCI Project No: 2026-0033

Dear Drashti

Re: DARWIN – SECTION 5183 AND 5006 HUNDRED OF STRANGWAYS – 855 AND 850 ARNHEM HIGHWAY, HUMPTY DOO – SUBDIVISION AND CONSOLIDATION TO CREATE 2 LOTS– MULTIPE OWNERS – CUNNINGTON ROSSE TOWN PLANNING AND CONSULTING

I refer to the Development Assessment Services' correspondence of 19 June 2026, regarding Planning Application PA2026/0198 on subdivision and consolidation to create 2 lots.

I am pleased to advise that Transport and Civil Infrastructure (TCI), Department of Logistics and Infrastructure (DLI) has no objections in principle to the above mentioned subdivision, subject to the following comments and requirements:

1. Access to the proposed Lot 1 (Northern Part of Section 5183) shall be constructed in accordance with standard drawing CS-3005 "Rural Residential Property Access" and be located as far as possible from Trippe Road intersection. Prior to the endorsement of plans, the location and configuration of the access shall be referred to TCI, DLI for approval.

2. The developer is advised that the existing level of access, i.e. full left and right turn access from Arnhem Highway to the proposed Lot 1 may be restricted in the future following reconstruction/ duplication of Arnhem Highway. The level of future access will be dependent on the extent of the reconstruction/ duplication, the level of adjoining development and competing access requirements.

3. The Access to proposed Lot 2, comprising Section 5006 and the Southern Portion of Section 5183, shall be via Trippe Road to the standards and requirements of the Litchfield Council Accordingly, direct access to the proposed Lot 2 shall not be permitted from Arnhem Highway.

4. Where unfenced, the Arnhem Highway frontage is to be appropriately fenced in accordance with TCI's standards and requirements to deter unauthorised vehicular movement. Any gates provided are to be fixed to open inwards only.

5. All work (including the provision of access and/or connection of services) within, or impacting upon the Arnhem Highway road reserve shall be in accordance with the standards and specifications of TCI, DLI. Design documents must be submitted to TCI for road agency approval and no works are to commence prior to approval.

6. Note that a development permit issued under the Planning Act is not an approval for access onto a Territory Road. Approval for access to be taken from, or constructed within the NTG controlled road reserve rests solely with TCI, DLI as the approving road authority.

7. The developer, its contractor or service provider is required to obtain a "Permit to Work within the NTG Road Reserves" prior to the commencement of any works within the Arnhem Highway road reserve.

8. Upon completion of the works within the Arnhem Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of TCI, DLI.

9. The clearing and future use of the land shall not be detrimental to the drainage, flood immunity or safety of the Arnhem Highway road reserve through the blocking of off-let drains, natural drainage channels or overland flow.

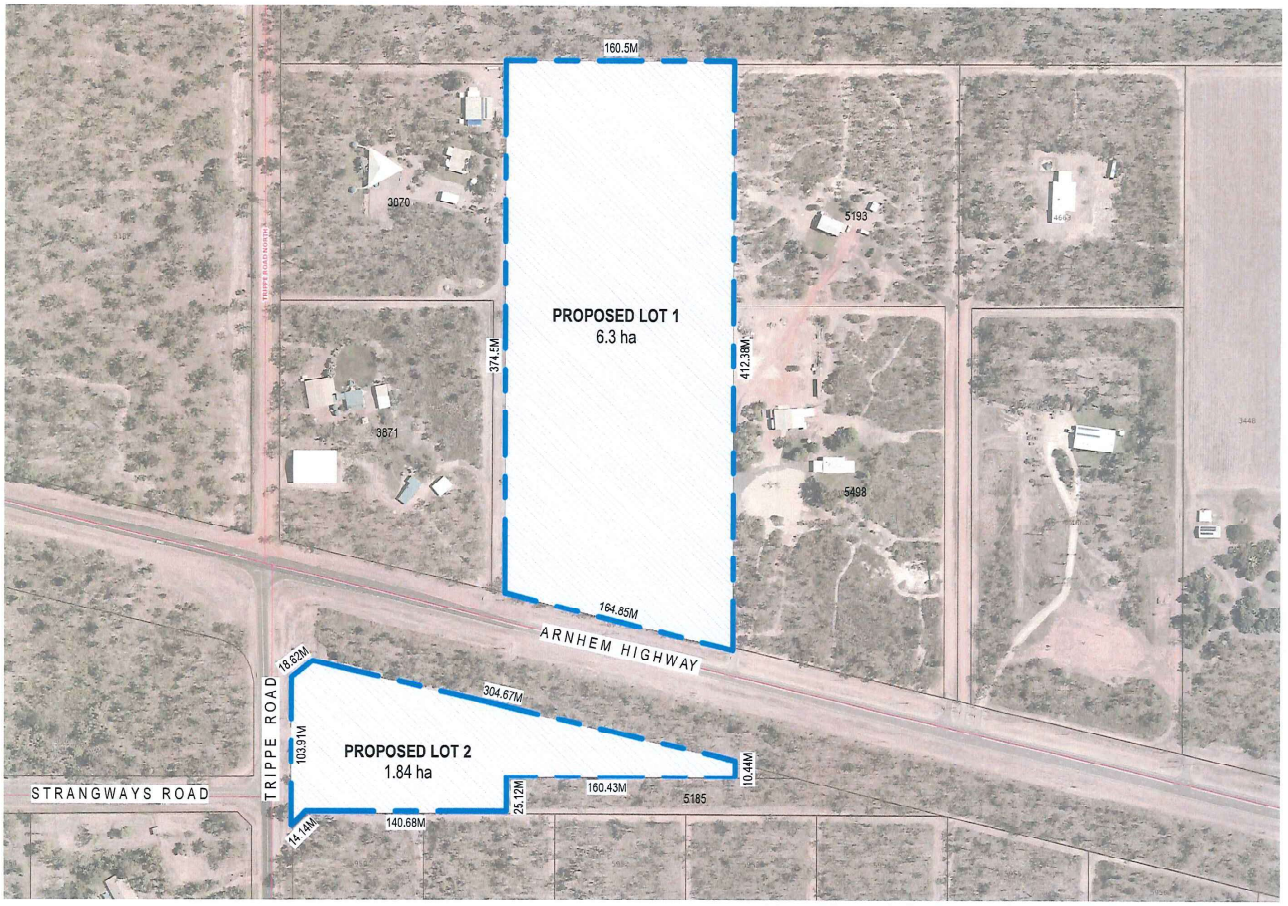
Should you wish to discuss the above mentioned further, please contact TCI on telephone 8999 4412.

Please quote TCI Project No 2026-0033 in all correspondence.

Yours sincerely

Ryan Coppola
A/Deputy Chief Executive Officer

2 / 7 / 2026



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SECTIONS 5183 & 5006

PROPOSED SUBDIVISION LAYOUT

SHEET No.	SCALE	DATE	PROJECT No.	DRAWN	SHEET SIZE
A100	1 : 2500	09/04/2026	26002	JB	A3