



DEVELOPMENT CONSENT AUTHORITY

TENNANT CREEK DIVISION

MINUTES

MEETING No. 64 – 26 NOVEMBER 2021

**GOVERNMENT CENTRE,
CONFERENCE ROOM, 1ST FLOOR
PEKO ROAD
TENNANT CREEK**

MEMBERS PRESENT:	Suzanne Philip (Chair), Steve Huntingford, Len Holbrok, Sid Vashist
APOLOGIES:	Nil
LEAVE OF ABSENCE:	Nil
OFFICERS PRESENT:	Dawn Parkes, Jennie Ryan (Development Assessment Services)
COUNCIL REPRESENTATIVES:	Steve Moore (CEO), Santosh Niraula (Director of Infrastructure)

Meeting opened at 1:00pm and closed at 1:35pm

THE MINUTES OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 CONCURRENT APPLICATION
PA2021/0309 - REZONE FROM GI (GENERAL INDUSTRY) AND MR (MEDIUM DENSITY RESIDENTIAL) TO CP (COMMUNITY PURPOSE), LI (LIGHT INDUSTRY) AND CN (CONSERVATION)
- SUBDIVISION TO CREATE FOUR LOTS
LOT 1238 (33) LEICHHARDT STREET, TOWN OF TENNANT CREEK

APPLICANT DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS

Nigel Bancroft (Planning Consultant representing DIPL), Graeme Finch (Executive Director Land Development), Ken Gardner (Project Officer Land Development), Oliver Penman (Urban Design Manager Land Development), Steve Gilmour (Contracted Consultant Land Development) and Sarah Fairhead (Senior Director, Southern Region) attended the meeting via Video Conference on behalf of the applicant.

RESOLVED Pursuant to section 30P(1)(a) of the *Planning Act 1999*, the consent authority made a preliminary decision that, if the Minister were to approve the amendment proposal to rezone Lot 1238 (33) Leichhardt Street, Town of Tennant Creek that it would be likely to determine to consent to the development under section 30W(1)(a) of the *Planning Act 1999*, conditionally for the purpose of a subdivision to create four lots subject to the following conditions:

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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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities, and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of the Barkly Regional Council and to the satisfaction of the consent authority and constructed at the owner's expense.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Barkly Regional Council and to the satisfaction of the consent authority.

6. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
7. Upon completion of any works within or impacting upon the Leichhardt Street reserve, the road reserve shall be rehabilitated to the standards and requirements of the Barkly Regional Council.
8. Prior to the issue of Part V clearance for the subdivision, confirmation shall be provided that the demolition works (as noted on the drawings) have been completed, to the satisfaction of the consent authority.

Notes

1. The Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-planwith-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/newdevelopments/buildersdesigners.html>
3. All works to be carried out in the vicinity of the identified Restricted Works Area of existing Lot 1238 Town of Tennant Creek will adhere to the conditions within Authority Certificate 2020-12124 as issued by the Aboriginal Areas Protection Authority.
4. The Department of Industry Tourism and Trade advise that Mineral Lease ML30322 overlaps the north-west portion of Lot 1238, Town of Tennant Creek. For further information on this matter please contact Mines and Energy on 08 8999 5322 or visit <http://strike.nt.gov.au>
5. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on 08 8995 5354 (surveylandrecords@nt.gov.au).
6. All new roads, including alterations and extensions to existing roads, are required to be named under the *Place Names Act 1967*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or place.names@nt.gov.au. Further information can be found at www.placenames.nt.gov.au
7. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build

should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

8. The development must comply with the technical standards of the Northern Territory Subdivision Development Guidelines for the construction of public infrastructure as part of subdivision works to the requirements of the relevant local and service authorities. Prior to any works commencing, it is encouraged that you engage early with the relevant authorities to confirm their requirements, and any variations that may be sought to the Subdivision Development Guidelines, to ensure the works are completed to the relevant authorities' requirements. The Northern Territory Subdivision Development Guidelines can be found at: <https://www.ntlis.nt.gov.au/sdg-online/>.

REASONS FOR DECISION

1. Pursuant to sections 30P(2)(a) and (b) of the *Planning Act 1999*, the consent authority must take into account any planning scheme that applies to the land to which the application relates and the amendment proposal contained within the application.

The NT Planning Scheme 2020 applies to the land and subdivision requires consent under Clause 1.8 (When development consent is required). It is identified as Impact Assessable under Clause 1.8(1)(c)(ii), and therefore the strategic framework (Part 2 of the Scheme, including the Tennant Creek Land Use Plan) is relevant to the application, zone purpose and outcomes of Clause 4.14 Zone LI (Light Industry), Clause 4.22 Zone CP (Community Purpose) and Zone CN (Conservation), and Clauses 6.4.1 Lot Size and Configuration for Subdivision in Zones LI, GI and DV, 6.4.2 Site Characteristics for Subdivision in Zones LI, GI and DV, and 6.4.3 Infrastructure for Subdivision in Zones LI, GI and DV 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. There are no minimum lot sizes or specific subdivision requirements for land in Zone CP and CN.

2. Pursuant to Section 30P(2)(l) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the public utilities or infrastructure provided in the area in which the land is situated and any requirement for public facilities and services to be connected to the land; and facilities, infrastructure or land to be provided by the applicant.

No issues are identified with respect to land capability for this subdivision. The site is relatively flat, and the historical use and development demonstrates its suitability for general use and development. The site is not affected by mapped 1% AEP flooding, storm surge or subject to airport noise impacts. All requests by service authorities have been appropriately addressed through recommended conditions and notes to be included on any permit issued.

Subsequent to hearing from the applicant and Council at the meeting, the Authority determined that the inclusion of a condition precedent requiring the applicant to liaise further with Council regarding the width of the proposed road was not necessary. The Authority was satisfied that the proposed road has been designed to meet standard subdivision requirements, and that the inclusion of a standard condition requiring engineering design and specifications for the proposed and affected roads to be submitted to the technical requirements of Council, would further ensure this is the case.

3. Pursuant to Section 30P(2)(m) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact of the existing and future amenity of the area in which the land is situated.

The site is identified within the Tennant Creek Land Use Plan as appropriate for industry and community purpose uses as is proposed. The subdivision is assessed as compliant with the relevant clauses of the NT Planning Scheme 2020 as if the land were in Zone LI (Light Industry). There are no minimum lot sizes or specific subdivision requirements for land in Zone CP and CN. No undue amenity impacts are anticipated as a result of the subdivision.

FOR: 4 AGAINST: 0 ABSTAIN: 0

**RESOLVED
0010/21**

Pursuant to section 30Q of the *Planning Act 1999*, the consent authority report to the Minister for Infrastructure, Planning and Logistics advising of the likely decision in relation to the development proposal, issues raised in the submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the amendment proposal.

FOR: 4 AGAINST: 0 ABSTAIN: 0

ACTION: Report to the Minister

**RESOLVED
0011/21**

That, pursuant to section 86(1) of the *Planning Act 1999*, the Development Consent Authority delegates its powers to the Chair or in the absence of the Chair any member of the Tennant Creek Division of the Authority to:

- determine pursuant to Section 30W(1)(a) to consent to the development proposal contained in the concurrent application and consent to the concurrent application after receipt of a notice under Section 30U(1) that the Minister has approved the amendment proposal contained in the application;
- issue a development permit under section 54(1) in relation to the development proposal to develop Lot 1238 (33) Leichhardt Street, Town of Tennant Creek for the purpose of a subdivision to create four lots; and
- issue the relevant notices under Section 30Y.

FOR: 4 AGAINST: 0 ABSTAIN: 0

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

**SUZANNE PHILIP
Chair**

09 December 2021