



## **DEVELOPMENT CONSENT AUTHORITY**

### **LITCHFIELD DIVISION**

### **MINUTES**

**MEETING No. 141 – FRIDAY 26 AUGUST 2011**

**WHITEWOOD HALL  
325 WHITEWOOD ROAD  
HOWARD SPRINGS**

**MEMBERS PRESENT:** Peter McQueen (Chairman, Michael Bowman, Lissa Herrmann and Richard Luxton

**APOLOGIES:** Keith Aitken

**OFFICERS PRESENT:** Margaret Macintyre (Secretary) and Steven Kubasiewicz (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Nil

**Meeting opened at 9.30 am and closed at 10.15 am  
Reopened at 11.00 am and closed at 11.30 am**

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

**ITEM 1**  
**PA2010/0527**  
**APPLICANT**                      **SUBDIVISION TO CREATE 13 LOTS**  
**SECTION 2444 (1500) LEONINO ROAD, HUNDRED OF CAVENAGH**  
**EARL JAMES AND ASSOCIATES**

Mr Kevin Dodd (Earl James & Associates) and Mr Dave Hutchinson (owner) attended.

Mr Dodd tabled six documents:-

Response to the DAS report;

A map showing seasonal waterlogging on the site;

A map showing the location and yield of bores on surrounding lots;

An A3 google map showing location of residences and clearing on adjoining lots,

A map showing Priority Environment Management area; and

An A4 google map showing locality plan west of subject land.

**RESOLVED**  
**98/11**

That, pursuant to Section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to subdivide Lot 2444 (1500) Leonino Road, Hundred of Cavenagh for the purpose of creating twelve (12) lots to require a response from:-

- DAS and NRETAS comments on information provided by the applicant at the meeting

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

To provide the consent authority with additional information in order to enable the proper consideration of the application.

**ACTION:**                      Advice to Applicant

**ITEM 2**  
**PA2011/0463**  
**APPLICANT**                      **LIGHT INDUSTRY (OFFICES, SHED AND OUTDOOR STORAGE)**  
**LOT 30 (2) DE CAEN CLOSE, HUNDRED OF BAGOT**  
**ROBERT WARD AND LEON MERRINGTON**

Mr Leon & Mrs Melissa Merrington and Mr Alan Barlee attended.

Mr Merrington tabled four plans showing staging of stormwater.

**RESOLVED**  
**99/11**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 30 (2) De Caen Close, Hundred of Bagot for the purpose of light industry comprising of offices, outdoor storage and a shed to be used for vehicle servicing, maintenance and a wash-down area, subject to the following conditions:

## CONDITIONS PRECEDENT

1. Prior to the commencement of works, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans submitted with the application but modified to show:
  - a) 19 car parking spaces;
  - b) future landscaping consistent with the requirements of the scheme;
  - c) stormwater management and basin details;
  - d) all existing structures on site; and
  - e) location of and details on oil and grease arrestor details and the management of this waste in a manner that does not impact on stormwater quality or disposal.
2. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) (including details and location of stormwater drains, and a dust management plan); is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment The Arts and Sport (Natural Resources Management Division), and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

## GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
4. The developer /landowner shall collect base line water samples and develop a water quality sampling and analysis plan within one year of the date of this permit to the satisfaction of the consent authority.
5. A comprehensive Traffic Impact Assessment is to be submitted to and approved by the consent authority on the advice of the Road Network Division, Department of Lands and Planning prior to certificate of occupancy being granted.
6. 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.
7. Engineering design and specifications for the proposed and affected roads, stormwater drainage, street lighting and vehicular access are to be to the technical requirements of the Department of Lands and Planning (Road Network Division) or Litchfield Council as the case may be, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

8. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council, to the satisfaction of the consent authority.
9. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the consent authority.
10. Any proposed work impacting on the Stuart Highway road reserve shall be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Chief Executive Officer, Department of Lands and Planning. Drawings must be submitted to the Road Network, Department of Lands and Planning for approval, and no works are to commence prior to approval and receipt of a "Permit to Work within a Road Reserve".
11. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat;
  - (d) drained;
  - (e) line marked to indicate each car space and all access lanes; and
  - (f) clearly marked to show the direction of traffic along access lanes and driveways;
 to the satisfaction of the consent authority.  
 Car spaces, access lanes and driveways must be kept available for these purposes at all times.
12. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of any driveway and the public street.
13. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night, readability is the same and is on consent display (i.e. not flashing of variable message). The sign shall be positioned:
  - so as not to create sun or headlight reflection to motorists; and
  - be located entirely (including foundations and aurally) within the subject site.
14. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.
15. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, effluent disposal, electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

16. Before the use/occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
17. The landscaping shown on endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
18. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
19. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.

**NOTE:**

The applicant /landowner is advised to contact the Department of Natural Resources, Environment, the Arts and Sports for additional information on the water analysis and sampling plan.

**REASONS FOR THE DECISION**

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

The proposal has demonstrated general compliance with the relevant clauses the *Litchfield Planning Concepts and Land Use Objectives (2002)* key land use objectives. Subject to amended plans that provide the required number of carparking spaces, designated areas set aside for future landscaping and the receipt of a sampling and analysis plan the development is consistent with the requirements of the Scheme.

The requirement for a Traffic Impact Assessment is to ensure that the development will not compromise the safe movement of traffic to and from the site and will not adversely impact on the existing road network.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into account the capability of the land to support the proposed development.

The requirement for an Erosion and Sediment Control Plan and a sampling and analysis plan will ensure that the appropriate measures are put in place to prevent the contamination of the creek at the rear of the property and will ensure that the proposal is developed in a manner that will not adversely impact on the land or adjoining land.

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

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



**PETER MCQUEEN**  
Chairman

26/8/11