



**DEVELOPMENT CONSENT AUTHORITY**

**BATCHELOR DIVISION**

**MINUTES**

**MEETING No. 33 – MONDAY 18 SEPTEMBER 2017**

**CONFERENCE ROOM  
LITCHFIELD MOTEL  
49 RUM JUNGLE ROAD  
BATCHELOR**

**MEMBERS PRESENT:** Suzanne Philip (Chair), Monica Baumgartner, Richard Luxton, Andrew Turner and Max Corliss

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Ayla McGavin (A/Secretary), Dawn Parkes, and Roxanne Willing (Development Assessment Services)

**Meeting opened at 11.00 am and closed at 12.00 pm**

**THE MINUTES RECORD 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**                    **PARALLEL APPLICATION – SOLAR FACILITY AND SUBDIVISION TO CREATE ONE LOT FOR THE PURPOSE OF A LEASE IN EXCESS OF 12 YEARS**  
**PA2017/0344**           **SECTION 2924 (1065) BATCHELOR ROAD HUNDRED OF GOYDER**  
**APPLICANT**           **FRANK BOLAND**

Mr Frank Boland (applicant), Ms Sue Mornane (Rum Jungle Bungalows), and Mr Ross Finocchiaro (Submitter) attended.

**RESOLVED**            That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent  
**6/17**                      Authority defer consideration of the application to develop Section 2924 (1065) Batchelor Road, Hundred of Goyder, for the purpose of a solar facility, to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- (a) a detailed site plan that shows:
  - i. access that meets the requirements of Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics;
  - ii. car parking areas and driveways;
  - iii. locations of all proposed structures and signage;
  - iv. locations and density of solar panels across the site;
  - v. location of the proposed outdoor storage area;
  - vi. setbacks to all structures, taking into account required firebreaks;
  - vii. all proposed landscaping; and
  - viii. accurate mapping of the drainage line and exclusion zone undertaken by a suitably qualified and experienced professional, on the advice of the Department of Environment and Natural Resources.
- (b) elevations of signage and solar panels;
- (c) floor plans and elevations of all proposed structures including the site office and maintenance warehouse.

#### **REASONS FOR THE RECOMMENDATION**

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

The land is within Zone FD (Future Development) where the purpose of the zone is to *limit uses and development within the zone to a level that will not prejudice the future development*. A solar facility is an undefined use within the NT Planning Scheme and therefore requires the consent of the Authority.

An office is a discretionary use within Zone FD and a warehouse is a prohibited use. However given the proposed maintenance warehouse is ancillary to the solar facility it then becomes a discretionary use and requires assessment against the relevant clauses.

Limited assessment against the relevant clauses of the NT Planning Scheme has taken place to date in the absence of sufficient detail and therefore further details and plans regarding the proposed

ancillary structures should be provided to ensure compliance with the NT Planning Scheme; that there is no impact on the amenity of the adjoining land; the structures are setback appropriately; and to allow the Authority to determine the number of car parking bays required for the proposed use.

It is noted that given limited detail and no plans/elevations of the proposed ancillary structures were provided in the original proposal, once the additional information is submitted the proposal will need to be re-exhibited to capture the appropriate description of the proposal and to give members of the public an opportunity to comment on all aspects of the proposed development.

2. Pursuant to Section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The Department of Environment and Natural Resources raised concerns regarding the drainage line dissecting the property and suggest the drainage line is appropriately mapped to ensure it can be effectively managed. This requirement is included as a point of deferral to ensure that the constraints of the land are fully understood and that the site plan accurately reflects the land that is available for development.

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

The proposal did not include sufficient details and plans of the ancillary structures that are proposed on site. The ancillary structures have the capacity to impact on the existing and future amenity of the area and sufficient details needs to be provided so that members of the public have an opportunity to provide comment on these aspects of the proposal.

Landscaping details have also been requested as a point of deferral to ensure that appropriate consideration is given to screening the development from neighbouring properties and the street frontage.

**ACTION:** Notice of Deferral

**RESOLVED  
7/17**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to subdivide Section 2924 (1065) Batchelor Road, Hundred of Goyder, to create one lot for the purpose of a lease in excess of 12 years, to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- (a) An amended plan of subdivision that shows clear delineation of the proposed lease area including the total area of the proposed lot.

**REASONS FOR THE RECOMMENDATION**

1. Pursuant to section 51(t) of the *Planning Act*, the consent authority must take into account any other matters it thinks fit.

The Authority considered that determination of the subdivision component of the parallel application should be deferred to allow determination at the same time as the development component, to give certainty to both the applicant and members of the public.

The Authority considered that a revised plan of subdivision should be submitted that meets the requirements of the 'Application Attachment Guide' document that is available on the NTG website at <https://www.ntlis.nt.gov.au/planning/>

**ACTION:** Notice of Deferral

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



**SUZANNE PHILIP**  
Chair

20/9/17