



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING NO. 298 – WEDNESDAY 21 MAY 2025

**AGORA ROOM
HUDSON BERRIMAH
4 BERRIMAH ROAD
BERRIMAH**

MEMBERS PRESENT: Suzanne Philip (Chair), Rick Grant, Mitch Virgin, Rachel Wright and Doug Barden

APOLOGIES: Emma Sharp

LEAVE OF ABSENCE: None

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly, Steven Kubasiewicz and Rory Mackay (Development Assessment Services)

COUNCIL REPRESENTATIVE: Jaimie O'Connor

Meeting opened at 11.30 am and closed at 12.45 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 TIME DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1

PA2025/0109

SUBJECT SITE

APPLICANT

EXCAVATION AND FILL

**SECTION 3988 (155) BROOKING CIRCUIT, VIRGINIA, HUNDRED OF STRANGWAYS
CUNNINGTON ROSSE TOWN PLANNING AND CONSULTING**

The applicant sent their apology.

RESOLVED

30/25

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Section 3988 (155) Brooking Circuit, Virginia, Hundred of Strangways for the purpose of excavation and fill (fill), subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority.

The plan shall:

- include details of site levels and Litchfield Council's stormwater drain connection point(s);
- demonstrate that stormwater run-off is capable of being discharged across the lot surface to the main drainage system or to an approved alternate connection;
- demonstrate that the drainage system is designed to cater for both initial storm events and major storm events; and
- demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings numbered 2025/0109/01 to 2024/0109/02 which are endorsed as forming part of this permit.
3. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
4. The developer should implement necessary measures to ensure mosquito breeding does not occur during the construction phase of the development, to the requirements of the Department of Health, to the satisfaction of the consent authority.
5. The bulk fill earthworks of the development site, the subject of this approval, are to be completed within a period of three (3) months from the date of the approval, to the satisfaction of the consent authority.

NOTES

1. 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. Fee may apply.
2. The Power and Water Corporation advise that full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service.
3. 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.
4. 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.
5. For the purposes of best practice land management and environmental protection it is recommended that an Erosion and Sediment Control Plan (ESCP) be developed. 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, visit <https://nt.gov.au/environment/soil-land-vegetation> or contact the Land Development Coordination Branch on (08) 8999 4446.
6. 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 <http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines>.

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.

REASONS FOR THE DECISION

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 requires consent under Clause 1.8 (When development consent is required). It is identified as *Impact Assessable* under Clause 1.8(1)(c)(i), therefore: the strategic framework (Part 2 of the

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Scheme, including the *Darwin Regional Land Use Plan 2015* and the *Holtze to Elizabeth River Subregional Land Use Plan 2022* is relevant to this application), zone purpose and outcomes of zone purpose and outcomes of Clause 4.7 (Zone RL – Rural Living); Clause 3.2 (CNV (Clearing of Native Vegetation)); Clause 5.2.1 (General Height Control); Clause 5.2.4 (Car Parking); Clause 5.2.5 (Loading Bays); Clause 5.2.6 (Landscaping); Clause 5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR); and Clause 5.8.9 (Excavation and Fill) need to be considered.

These clauses have been considered and it is found that the proposal complies with all relevant requirements of the Northern Territory Planning Scheme 2020.

2. 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.

Provided sediment and erosion control measures are suitably implemented and adhered to, the land is considered capable of supporting the proposed fill earthworks to result in drainage improvements and better utilisation of the property for the zoned rural lifestyle purposes. The separation distance, relatively flat surface slopes, and existing established drainage network associated with the proposed filling site is low risk to the downstream receiving environment; and industry standard practices for erosion and sediment control and to mitigate the creation of potential mosquito breeding habit will be implemented during construction.

3. 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 proposed bulk fill earthworks within the southern portion of the subject property to raise the natural ground levels and improve site drainage will result in a landform topography that is sympathetic and consistent with the context of the surrounding development in the Virginia locality. Furthermore, the approval conditions and notations, which include amongst other matters, a short duration to complete the bulk fill earthworks being three months; and construction controls for the implementation of industry standard practices to mitigate soil erosion and mosquito breeding nuisances on the immediate locality. As a result, it is concluded that the proposal will not adversely impact on the current and future amenity of the Virginia rural lifestyle locality.

FOR: 5

AGAINST: 0

ABSTAIN: 0

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2025/0104
SUBJECT SITE
APPLICANT

SUBDIVISION TO CREATE TWO LOTS

LOT 10 (130) WELLS CREEK ROAD, VIRGINIA, HUNDRED OF STRANGWAYS

CUNNINGTON ROSSE TOWN PLANNING AND CONSULTING AND MARIO MIFSUD

The applicants sent their apology

**RESOLVED
31/25**

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Lot 10 (130) Wells Creek Road, Hundred of Strangways for the purpose of a subdivision to create 2 lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works, the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the Litchfield Council.
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.
3. Prior to the endorsement of plans and prior to the commencement of works a design for the proposed floodway shall be prepared by an appropriately qualified registered engineer. The design shall generally be consistent with the Stormwater Management Plan prepared by ADG (22531 C L001) and must not impact on existing upstream and downstream flows and storage of water up to a 1%AEP flood event, to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. Before the use commences the owner must, in accordance with Part 6 of the *Planning Act 1999*, pay a monetary contribution to the Litchfield Council for the upgrade of local infrastructure, in accordance with its Development Contribution Plan.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage and electricity facilities networks to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
7. 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 Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
8. All proposed works impacting on Wells Creek Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Litchfield Council. Drawings must

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be submitted to the Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

9. 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.
10. The proposed floodway shall be certified by an appropriately qualified registered engineer 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. The Power and Water Corporation (PWC) advise that the proponent shall:
 - a. engage an accredited electrical consultant and contractor to design and construction of electricity network extension as required in consultation with PWC;
 - b. engage an electrical consultant to submit a Negotiated Connection application under the Australian Energy Regulator (AER) compliance process for PWC's assessment on the required load connections;
 - c. be responsible for the costs to design and install a new point of power service to the proposed 239m long axe-handled Lot B (2ha) as follows:
 - i. 22kV overhead power line extension from Wells Creek Road and establishment of a suitable transformer at end of the axe-handled access are required to provide a basic supply of 25kVA, 3-phase to Lot B;
 - ii. 10m wide electricity easement survey and registration at no cost to PWC; and
 - iii. Suitable road access capable of taking the weight of a 15ton service truck.
4. 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.
5. 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.
6. For the purposes of best practice land management and environmental protection it is recommended that an Erosion and Sediment Control Plan (ESCP) be developed. 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, visit <https://nt.gov.au/environment/soil-land-vegetation> or contact the Land Development Coordination Branch on (08) 8999 4446.

7. 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 <http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines>.

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.

REASONS FOR THE DECISION

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 the subdivision of land to create two lots requires consent under Clause 1.8 (When development consent is required). It is identified as *Impact Assessable* under Clause 1.8(c)(ii), therefore the Litchfield Subregional Land Use Plan 2016, the purpose and requirements of Overlays 3.2 CNV (Clearing of native vegetation), and 3.6 LSF (Land subject to flooding), the purpose and outcomes of Clause 4.7 Zone RL (Rural living), the purpose and requirement of 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) and 6.3.6 (Mineral resources and subdivision in zone RL) need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Northern Territory Planning Scheme 2020.

2. 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, Site and Soil Evaluation, and a Stormwater Management Plan (SMP) have been provided in support of the application. Parts of the land are subject to riverine inundation. Notwithstanding this each of the lots has a minimum of 1ha of unconstrained land. Lot A has unconstrained access from Wells Creek Road. Lot B is accessed by a battle axe to the unconstrained portion of the lot. The battle axe crosses a drainage line that is subject to a 1%AEP flood event. The SMP, notes that a floodway is proposed over the drainage line. The floodway is to be designed to accommodate a 1%AEP flood event without restricting flows and provide unconstrained access to Lot B.

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On the basis of the engineering report, it is considered by the consent authority that unconstrained access has been achieved to both lots.

The Site and Soil Evaluation, provided in support of the application, identifies that onsite waste disposal systems can be installed in a manner that will comply with the NT Code of Practice for Wastewater Management.

3. 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 land is zoned RL (Rural living). The primary purpose of Zone RL is to provide for low-density rural living and a range of rural land uses including agriculture and horticulture. The proposal is considered to align with the primary purpose of the clause by creating two lots for low-density rural living in accordance with the requirements of the Northern Territory Planning Scheme 2020. Therefore, the consent authority finds the subdivision will not adversely impact the existing and future amenity of the Virginia locality.

FOR: 5

AGAINST: 0

ABSTAIN: 0

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2017/0528
SUBJECT SITE
APPLICANT

EXTENSION OF TIME TO DP18/0051 FOR A PERIOD OF TWO YEARS

NT PORTION 2626 (3820) GUNN POINT ROAD, KOOLPINYAH
SEAFARMS GROUP LIMITED

DAS tabled comments from Litchfield Council, DLPE Rangelands; and DLI Transport and Civil Infrastructure with attached maps of the subdivision.

Applicant: Megan Farr (Seafarms Group Limited) attended via a Teams Link.

RESOLVED
32/25

That, pursuant to section 59(3)(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to extend the base period of Development Permit DP18/0051 (for the purpose of a two lot subdivision at NT Portion 2626 (3820) Gunn Point Road, Koolpinyah) for a period of two years (to 23 February 2027 for the base period).

REASONS FOR THE DECISION

Development Permit DP18/0051 was issued on 23 February 2018 for the purpose of a subdivision to create 2 lots. The period of DP18/0051 was extended on three occasions: DP18/0051A, DP18/0051B and DP 18/0051C were issued on 13 February 2020, 19 March 2021 and 3 May 2023 respectively. The base period of the permit is now due to expire on 23 February 2027. The Authority notes that while granting this extension of time, it determines that any further request for an extension of time to the base period of the permit is unlikely to be given, and the applicant is encouraged to commence the development in accordance the new base period of the permit. The permit has been extended for a period of 9 years and work is yet to commence to finalise the subdivision. Conditions on the permit (DP18/0051) that require to be addressed prior to the commencement of works have not been addressed.

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On 19 February 2025, Mrs Meghan Farr, from Seafarms Group Limited (applicant), on behalf of the applicant, lodged an application to extend the base period of the permit for a further 2 years.

Mrs Meghan Farr attended the meeting by video conference and explained the various circumstance that have occurred in the past resulting in the delay of the development.

In summary, these are as follow.

- Seafarms are continuing to pursue the development.
- Ongoing investment of time, funds and energy into the project team and maintaining licenses and approval for the subject site.
- Seafarms financial commitment to the Legune Station Indigenous Land Use Agreement.
- Seafarms continue to work closely with the Department of Chief Minister and Cabinet and Development Assessment Services.
- Seafarms is continuing to work to resolve the liquidation of Project Sea Dragon Pty Ltd (PSD). Seafarms is a major creditor of PSD and is entitled to receive a substantial portion of any funds distributed by the liquidator.
- A number of key investors are continuing to seek involvement in the project, subject to resolution of the liquidation matter.
- The project continues to have the support of existing shareholders.

In response to questions from members of the Authority, Mrs Farr, could not provide a time frame within which the works would commence.

The Authority carefully considered the applicants submission and considered all factors in making the decision, including the additional information tabled at the meeting by Development Assessment Services. The information tabled was from service authorities responding to the request for an extension of time. In summary these are as follow.

Litchfield Council

- The application was approved in 2018 and since then there have been significant changes to the Northern Territory Planning Scheme and related environmental and cultural regulations. Do the existing permits remain consistent with current statutory requirements and planning objectives?
- The Gunn Point area is recognised for its environmental sensitivity and cultural significance. Any new information or community concerns that have arisen since the permit was issued should be taken into and be addressed.
- There are numerous Aboriginal sacred sites and areas of cultural significance as well as ongoing Native Title claims. The development should remain compliant with relevant heritage legislations and that the project should involve meaningful engagement with traditional owners.
- The permit has been extended on numerous occasions and the repeated extensions of the permit sets a precedent and has implications for planning integrity and public confidence.
- A new application process would allow for a comprehensive assessment under current planning and environmental standards as well as up dated community consultation.

Department of Lands, Planning and Infrastructure–Rangelands

- The response included comments from the following divisions, Flora and Fauna, Water Resources, Environment and Rangelands and the Weed Management Branch had no objection to the proposed extension.

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Department of Logistics and Infrastructure – Transport and Civil Infrastructure

- All planning comments remain applicable.
- The subdivision plans shall be amended to reflect the upgraded alignment of the Murrumujuk Drive, specifically the proposed road boundary road reserve boundary of Gunn Point/Murrumujuk Drive intersection.

The Authority noted the advice contained within the Development Assessment Report (DCA) and matters discussed in the “Kantor” test. The Authority notes the efforts of the applicants (as detailed in their submission) of efforts to resolve outstanding matters and the ongoing support of the landowner (Northern Territory Land Development Corporation).

The Authority also noted that advice contained in the DAS report of changes to the strategic framework (Litchfield Subregional Land Use Plan 2016) present no conflict to the subdivision and that the introduction of the new NT Planning Scheme 2020 only resulted in minor changes to wording, numbering and clause arrangements but did not alter requirements applicable to the subdivision, and that should a new application be submitted today, it is expected that a new development permit would be issued. The application would be subject to public exhibition with the Authority noting that 5 public submissions were received during the exhibition of the subdivision application.

The Authority expects that the remaining condition precedent (2) be cleared and works substantially commenced on the subdivision.

The Authority determined to grant a two year extension, which will extend the base period of the permit to 23 February 2027. The substantial commencement of works before this date will extend the period of the permit to 23 February 2029. The Authority echoed the concerns of the Litchfield Council and notes such matters make it unlikely that any further extensions of time, beyond that presently granted to extend the base period to 2027, would be allowed without commencement of substantive works.

FOR: 5

AGAINST: 0

ABSTAIN: 0

ACTION: Extension of Time

ITEM 4
PA2017/0529
SUBJECT SITE
APPLICANT

EXTENSION OF TIME TO DP18/0052D FOR A PERIOD OF 2 YEARS
PORTION 2626 (3820) GUNN POINT ROAD, KOOLPINYAH
SEAFARMS GROUP LIMITED

DAS tabled comments from Litchfield Council; DLPE Rangelands; and DLI Transport and Civil Infrastructure with attached maps of the subdivision.

Applicant: Megan Farr (Seafarms Group Limited) attended via a Teams Link.

RESOLVED
33/25

That, pursuant to section 59(3)(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to DP18/0052 for the purpose of Intensive Animal Husbandry (prawn hatchery) including 2 x 3 bedroom single dwellings in 2 single storey buildings at NT Portion 2626, (3820) Gunn Point Road, Koolpinyah, for a period of two years (to 23 February 2027 for the base period.).

REASONS FOR THE DECISION

Development Permit DP18/0052 was issued on 23 February 2018 for the purpose of a Intensive Animal Husbandry (prawn hatchery) including 2 x 3 bedroom units in 2 single storey buildings. A variation was granted, DP18/0052A which changed Conditions 4 and 6 on the permit, but did not alter the applicable time frames. The period of DP18/0052 and was extended on three occasions: DP18/0052B, DP18/0052C, and DP 18/0052D were issued on 7 August 2020, 19 March 2021 and 3 May 2023 respectively. The Authority notes that while granting this extension of time, it determines that any further request for an extension of time to the base period of the permit is unlikely to be given, and the applicant is encouraged to commence the development in accordance the new base period of the permit. The permit has been extended for a period of 9 years and work is yet to commence. Plans have yet to be endorsed that would allow work to commence.

On 19 February 2025, Mrs Meghan Farr, from Seafarms Group Limited (applicant), on behalf of the applicant, lodged an application to extend the base period of the permit for a further 2 years.

Mrs Meghan Farr attended the meeting by video conference and explained the various circumstance that have occurred in the past resulting in the delay of the development. In summary, these are as follow.

- Seafarms are continuing to pursue the development.
- Ongoing investment of time, funds and energy into the project team and maintaining licenses and approval for the subject site.
- Seafarms financial commitment to the Legune Station Indigenous Land Use Agreement.
- Seafarms continue to work closely with the Department of Chief Minister and Cabinet and Development Assessment Services.
- Seafarms is continuing to work to resolve the liquidation of Project Sea Dragon Pty Ltd (PSD). Seafarms is a major creditor of PSD and is entitled to receive a substantial portion of any funds distributed by the liquidator.
- A number of key investors are continuing to seek involvement in the project, subject to resolution of the liquidation matter.
- The project continues to have the support of existing shareholders.

In response to questions from members of the Authority, Mrs Farr, could not provide a time frame within which the works would commence.

The Authority carefully considered the applicants submission and considered all factors in making the decision, including the additional information tabled at the meeting by Development Assessment Services. The information tabled was from service authorities responding to the request for an extension of time. In summary these are as follow.

Litchfield Council

- The application was approved in 2018 and since then there have been significant changes to the Northern Territory Planning Scheme and related environmental and cultural regulations. Do the existing permits remain consistent with current statutory requirements and planning objectives?
- The Gunn Point area is recognised for its environmental sensitivity and cultural significance. Any new information or community concerns that have arisen since the permit was issued should be taken into and be addressed.
- There are numerous Aboriginal sacred sites and areas of cultural significance as well as ongoing Native Title claims. The development should remain compliant with relevant heritage legislations and that the project should involve meaningful engagement with traditional owners.
- The permit has been extended on numerous occasions and the repeated extensions of the permit sets a precedent and has implications for planning integrity and public confidence.
- A new application process would allow for a comprehensive assessment under current planning and environmental standards as well as up dated community consultation.

Department of Lands, Planning and Infrastructure–Rangelands

- The response included comments from the following divisions, Flora and Fauna, Water Resources, Environment and Rangelands and the Weed Management Branch had no objection to the proposed extension.

Department of Logistics and Infrastructure – Transport and Civil Infrastructure

- All planning comments remain applicable.
- The subdivision plans shall be amended to reflect the upgraded alignment of the Murrumujuk Drive, specifically the proposed road boundary road reserve boundary of Gunn Point/Murrumujuk Drive intersection.

The Authority noted the advice contained within the Development Assessment Report (DCA) and matters discussed in the “Kantor” test. The Authority notes the efforts of the applicants (as detailed in their submission) to resolve outstanding matters and the ongoing support of the land owner (Northern Territory Land Development Corporation).

The Authority also noted that advice contained in the DAS report of changes to the strategic framework (Litchfield Subregional Land Use Plan 2016) present no conflict to the subdivision and that the introduction of the new NT Planning Scheme 2020 only resulted in minor changes to wording, numbering and clause arrangements but did not alter requirements applicable to the subdivision, and that should a new application be submitted today, it is expected that a new development permit would be issued. The application would be subject to public exhibition with the authority noting that 14 public submissions were received during the public exhibition of this application.

The Authority expects that the plans for the development be endorsed and works substantially commenced on the development.

The authority determined to grant a two year extension, which will extend the base period of the permit to 23 February 2027. The substantial commencement of works before this date will extend the period of the permit to 23 February 2029. The Authority echoed the

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concerns of the Litchfield Council and notes such matters make it unlikely that any further extensions of time, beyond that presently granted to extend the base period to 2027, would be allowed without commencement of substantive works.

FOR: 5

AGAINST: 0

ABSTAIN: 0

ACTION: Extension of Time

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

SUZANNE PHILIP
Chair

27 May 2025