

**DEVELOPMENT CONSENT AUTHORITY  
LITCHFIELD DIVISION**

**NORTHERN TERRITORY PLANNING SCHEME 2020**

**AGENDA ITEM: 4**      **MEETING DATE:** 17/06/2026      **FILE:** PA2026/0133

**APPLICATION PURPOSE:** Subdivision to create two lots

**SUBJECT SITE:** Lot 00017 (80) Produce Road Humpty Doo/ Hundred of Strangways

**ZONE:** RL (Rural Living)

**SITE AREA:** 4.04ha

**APPLICANT** Mr. Kevin Dodd, Earl James and Associates

**PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE** Mr. Kevin Ayers

**LANDOWNER** Mr. Kevin Ayers

**ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND** None

### 1. PROPOSAL

The proposal is to subdivide a parcel of land into two lots each of 2 hectares, which is located on the corner of Produce Road and Origin Close in Humpty Doo. Lot A would have an existing house and outbuildings and an existing bore. Lot B proposes to be rain-water dependent. The Soil evaluation supports creating a new onsite system for Lot B. It also confirms unconstrained land in excess of 1 hectare. No clearing is proposed as part of subdivision except for lot boundary and new access for Lot B from Origin Close.

A site plan is at **Bookmark A** and a copy of the application is at **Bookmark B**.

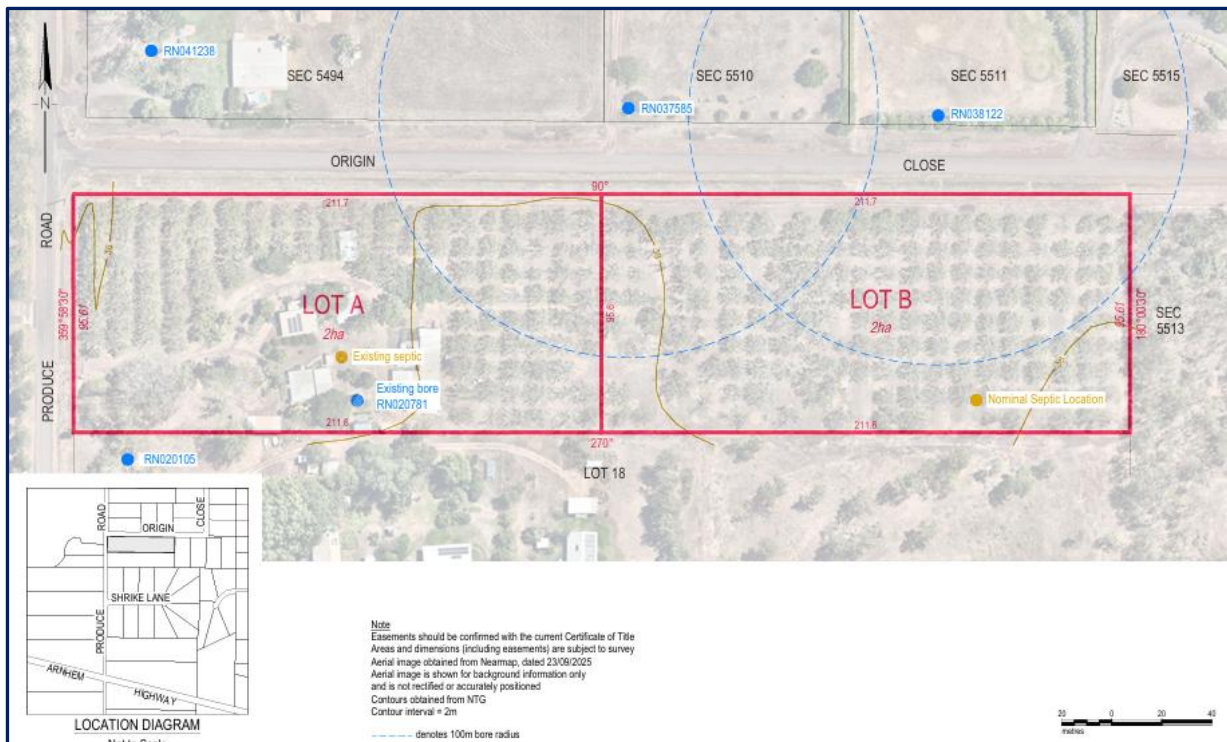


Figure 1. Proposed Subdivision into two lots taken from Plan 26/13256/01

## 2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

An application is required for planning permission as the proposal is *Impact Assessable*. The Lot is within a 'Restricted Water Extraction Area' and requires approval from the Development Consent Authority (DCA).

Zoning and Level of Assessment on Assessment Table	Part 3 Overlay	Consent required by virtue of Overlay Requirement	Part 4,5 6- General and Specific Development Requirements	Level of Assessment
Zone RL (Rural Living)	3.2 CNV (Clearing of Native Vegetation)	No	4.7 Zone RL -Rural Living 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	Impact Assessment

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

### 3. ASSESSMENT SYNOPSIS

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

### 4. BACKGROUND

There is no development history for the site.

### 5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks from 8/05/2026 to 22/05/2026. No public submissions were 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.

**(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**

No public submissions were received during the exhibition period under Section 49 of the *Planning Act 1999* with respect to the proposal.

**(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 create an opportunity for another party to own a part of the land that is currently not being utilised.

**(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 land can support the proposed development. The proposed subdivision as outlined within the supporting land suitability assessment and stormwater management plan responds to the physical characteristics of the site and provides two lots which all have complying sized portions of unconstrained land and access from Produce Road and Origin Close to the existing (and potential future) land use development on each lot.

The proposed lots have/can accommodate on site wastewater disposal systems. Proposed Lot A already comprises an existing onsite wastewater treatment system that operates effectively. A soil evaluation report is attached to this application confirming that proposed Lot B comprises soils that are suitable for the operation of an onsite system.

Both of the resulting lots will be able to utilise existing power reticulation and both lots will have direct access on to a sealed public road network. As the site is within the Howard South Restricted water Extraction Area, one of the proposed lots (Lot A) will source its potable water supply from an existing bore, RN20781, and the other lot (Lot B) will utilise harvested rainwater.

The only earthworks associated with the proposed subdivision will be the construction of the new access from Origin Close into proposed Lot B.

**(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 supported the proposal and 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 to the requirements of Litchfield Council.

- 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.

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 negotiated connection to Lot B. 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. Can be addressed through standard conditions and advice notes.

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

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. DLPE requested a permit note to address ESCP. Can be addressed through standard conditions 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. The existing bore RN20781 would service Lot A and the proposed Lot B would source its potable water from harvested rainwater using water storage tanks.

A condition would be placed on the on permit requiring a restriction on the new titles created allowing Lot A to use the existing bore and restricting Lot B from having a bore.

- (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 *Environmental Protection Act 2019* otherwise permits the making of the decision by virtue of this a referral is not required

## 7. RECOMMENDATION

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Lot 00017 (80) Produce Road Humpty Doo/ Hundred of Strangways for the purpose of a subdivision to create two lots, subject to the following conditions:

### CONDITIONS PRECEDENT

1. 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.
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. 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.
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 must enter into agreements with the Power and Water Corporation for the provision of electricity to each lot shown on the endorsed plan with the requirements of the Northern Territory Subdivision Development Guidelines and relevant authority policies.
5. All proposed and affected:
  - a. roads;
  - b. stormwater drainage;
  - c. vehicular access; and
  - d. streetscapingmust be designed and constructed at the owner's expense in accordance with the requirements of the Northern Territory Subdivision Development Guidelines and to the technical requirements of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
6. 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.
7. Pursuant to section 35 of the *Land Title Act 2000*, a Statutory Restriction Notice must be lodged with the Registrar-General on the parent parcel. The notice must set out a

requirement that, for all new lots created through subdivision PA2026/0133, a restriction is recorded on the title indicating:

- a. the parcel of land which retains the right to take water that is restricted in the area; and
- b. the parcel(s) of land (if any) of which no longer retains the right.

8. Any existing unlicensed bores on the additional land titles must be decommissioned to the requirements and satisfaction of the Water Resources Division of the Department of Lands, Planning and Environment.

## 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. Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 33.
4. The Power and Water Corporation (PWC) advises that the existing three points of power service to Section 5192 will remain unchanged for proposed Lots 1, 2 and 3.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. 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](mailto: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, 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)); 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); and 6.3.5 (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 Planning Scheme.

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, Stormwater Management Plan 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.

3. 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 Origin Close for Lot B can be achieved, noting Lot A already has access to Produce Road. To ensure these subdivision 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 unlicensed groundwater access for domestic and stock purposes in this overallocated groundwater area

4. 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 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:**

.....  
**SENIOR PLANNER - LITCHFIELD  
DEVELOPMENT ASSESSMENT SERVICES**



Figure 1 Subject Site Lot 00017 Hundred of Strangways 80 Produce Rd, Humpty Doo NT

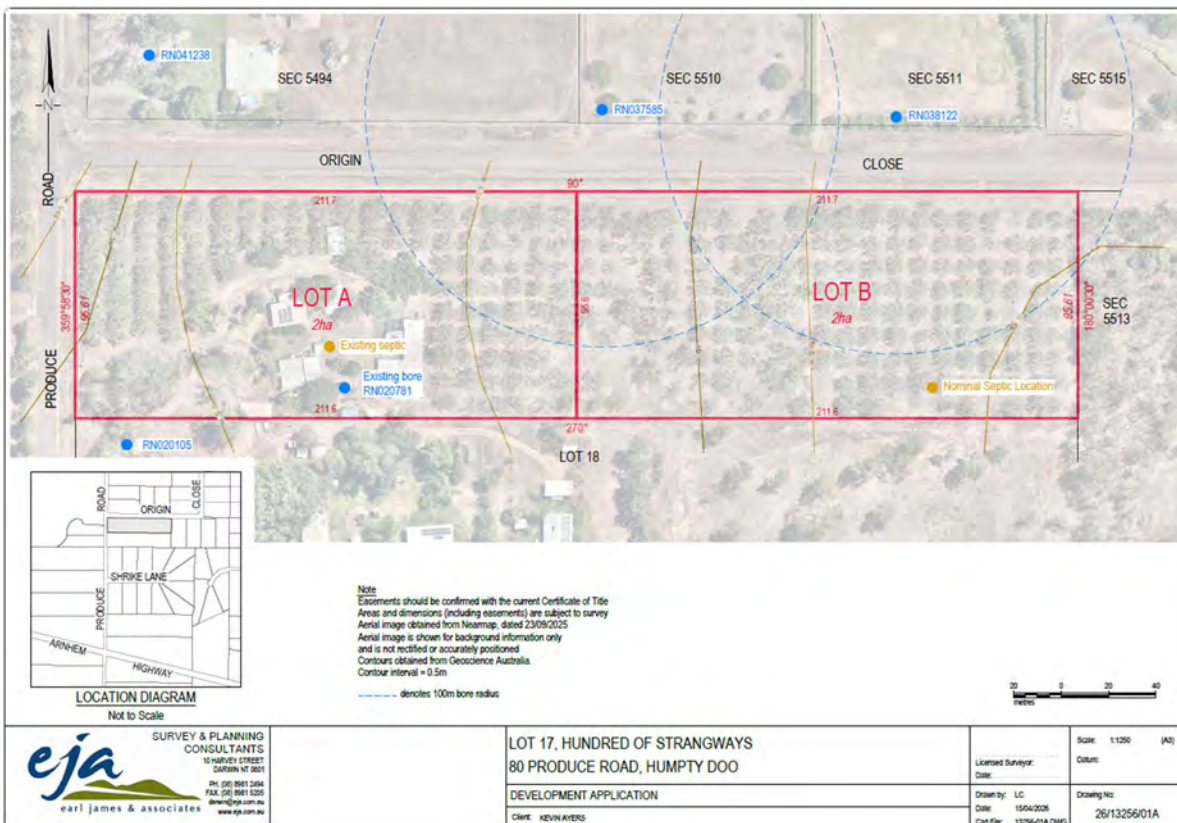
Ref: 13256

**Development Application**

**Lot 17, Hundred of Strangways from survey plan LTO79/009**

**Land Suitability Assessment**

This application is seeking approval to subdivide Lot 17 in order to create 2 lots in accordance with plan 26/13256/01A (see below).



Ref: 13256

## **Development Application**

### **Lot 17, Hundred of Strangways from survey plan LTO79/009**

#### **Land Suitability Assessment**

This application is seeking approval to subdivide Lot 17 in order to create 2 lots.

Following is an assessment of the land in accordance with the Northern Territory Land Suitability Guidelines.

#### *Drainage*

The proposed dividing boundaries do not impact on any natural drainage paths.

#### *On-site Wastewater Management*

The land unit data published by Department of Lands, Planning and Environment confirms that each of the proposed lots will comprise soils that are suitable for the effective operation of standard septic tank effluent disposal systems.

Proposed Lot A has an existing wastewater treatment system adjacent to the existing residence and this has operated effectively for many years.

An on-site wastewater treatment system is proposed for Lot B and the accompanying soil evaluation confirms that the soils are capable of supporting the proposed on-site wastewater treatment system.

There are no existing bores within 100m of the existing proposed septic system.

#### *Erosion Risk*

The proposed boundary lines traverse stable soils and grades similar to the existing boundaries and the risk of erosion associated with the proposed boundaries is minimal.

#### *Soil Salinity*

Due to the location of the subject land, there are no soil salinity issues.

#### *Acid Sulphate Soils*

These types of soils are associated with coastal areas and consequently are not an issue for the current proposal.

#### *Storm Tide Flooding*

The subject land is not affected by storm tide flooding due to its location.

#### *Riverine Flooding*

The subject land is not subject to riverine flooding.

## **Conclusion**

The Land Suitability Assessment has determined that the proposed lots are entirely unconstrained in accordance with the Land Suitability Guidelines, with each lot having unconstrained access from a public road.



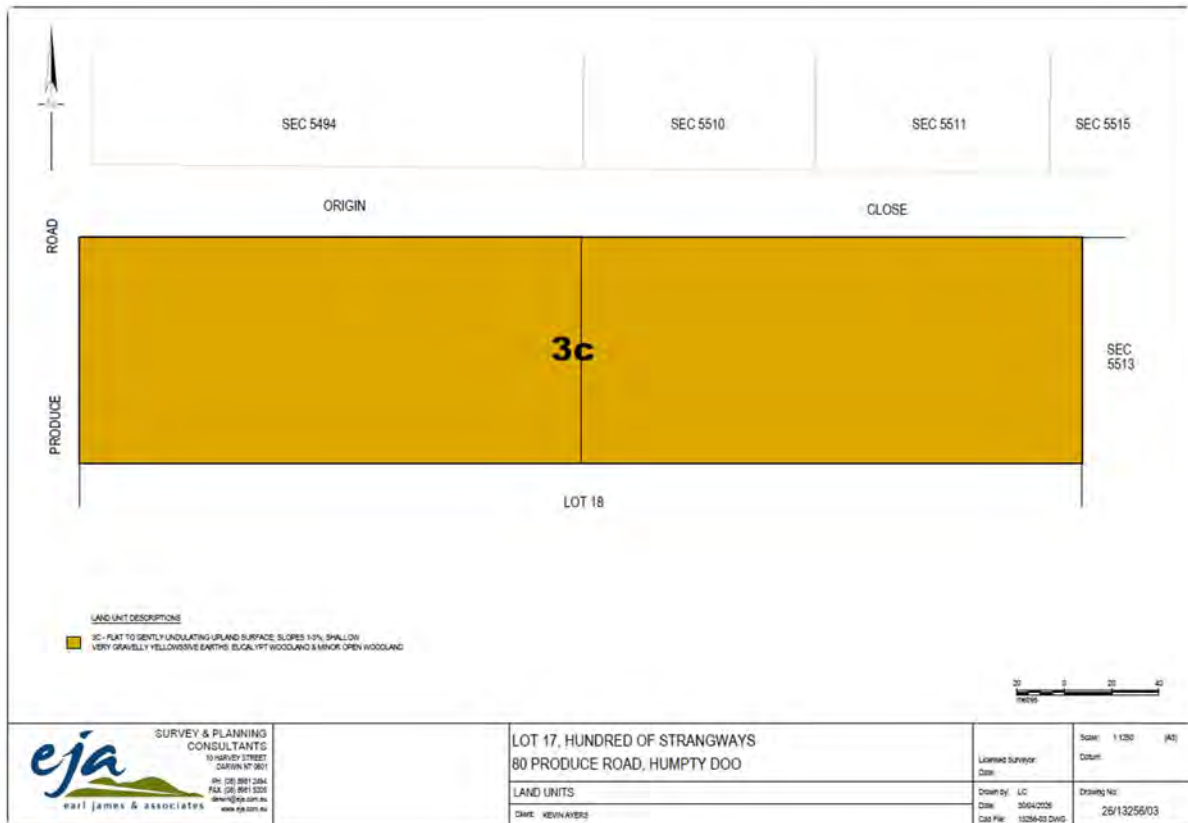
Following is an assessment of the land in accordance with the Northern Territory Land Suitability Guidelines.

**Drainage**

Land unit mapping published by the Northern Territory Government confirms that the entire site is made up of land unit 3C. This land unit comprises soils that are well drained.

Additionally, the proposed dividing boundaries do not impact on any natural drainage paths.

Suitability Class – S1



**On-site Wastewater Management**

The land unit data published by Department of Lands, Planning and Environment confirms that each of the proposed lots will comprise soils that are suitable for the effective operation of standard septic tank effluent disposal systems.

Proposed Lot A has an existing wastewater treatment system adjacent to the existing residence and this has operated effectively for many years.

An on-site wastewater treatment system is proposed for Lot B and the accompanying soil evaluation confirms that the soils are capable of supporting the proposed on-site wastewater treatment system.

There are no existing bores within 100m of the existing proposed septic system.

Suitability Class – S1

**Erosion Risk**

The proposed boundary lines traverse stable soils and grades (relatively flat) similar to the existing boundaries and the risk of erosion associated with the proposed boundaries is minimal. This is confirmed by the Site and Soil Evaluation – attached.

Suitability Class – S1



### *Soil Salinity*

Due to the location of the subject land (Top End) , there are no soil salinity issues.

Suitability Class – S1

### *Acid Sulphate Soils*

These types of soils are associated with coastal areas and consequently are not an issue for the current proposal.

Suitability Class – S1

### *Storm Tide Flooding*

NT Government mapping confirms that the site is not affected by storm tide flooding due to its location.

Suitability Class – S1

### *Riverine Flooding*

NT Government mapping confirms that the site is not subject to riverine flooding.

Suitability Class – S1

### **Conclusion**

The Land Suitability Assessment has determined that the proposed lots are entirely unconstrained in accordance with the Land Suitability Guidelines, with each lot having unconstrained access from a public road.

# 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	Earl James and Associates		
Address	GPO Box 884, Darwin NT 0801		
Phone	89812494	Email	kdodd@eja.com.au

#### Persons on whose behalf the application is made:

Person/s on whose behalf the application is made:	Kevin Michael Ayers		
Address	PO Box 64, Humpty Doo NT 0836		
Phone	89812494	Email	kdodd@eja.com.au

#### The applicant is hereby authorised to lodge a development application over the subject land described as:

*Lot/NT portion	Lot 17 – LTO 79/009
*Location/town	Hundred of Strangways
*Street address	80 Produce Road, Humpty Doo



**The application is for the purpose of:****Proposed development***Brief description of proposed development*

Subdivision to create two lots

**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**

Kevin Michael Ayers

**^Company name****^Title***(e.g. director/authorised representative)*

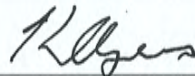
Owner

**Phone**

89812494

**Email**

kdodd@eja.com.au

**\*Signature****\*Date**

21 | 3 | 2026.

**Landowner signature****\*Full name****^Company name****^Title***(e.g. director/authorised representative)***Phone****Email****\*Signature****\*Date**

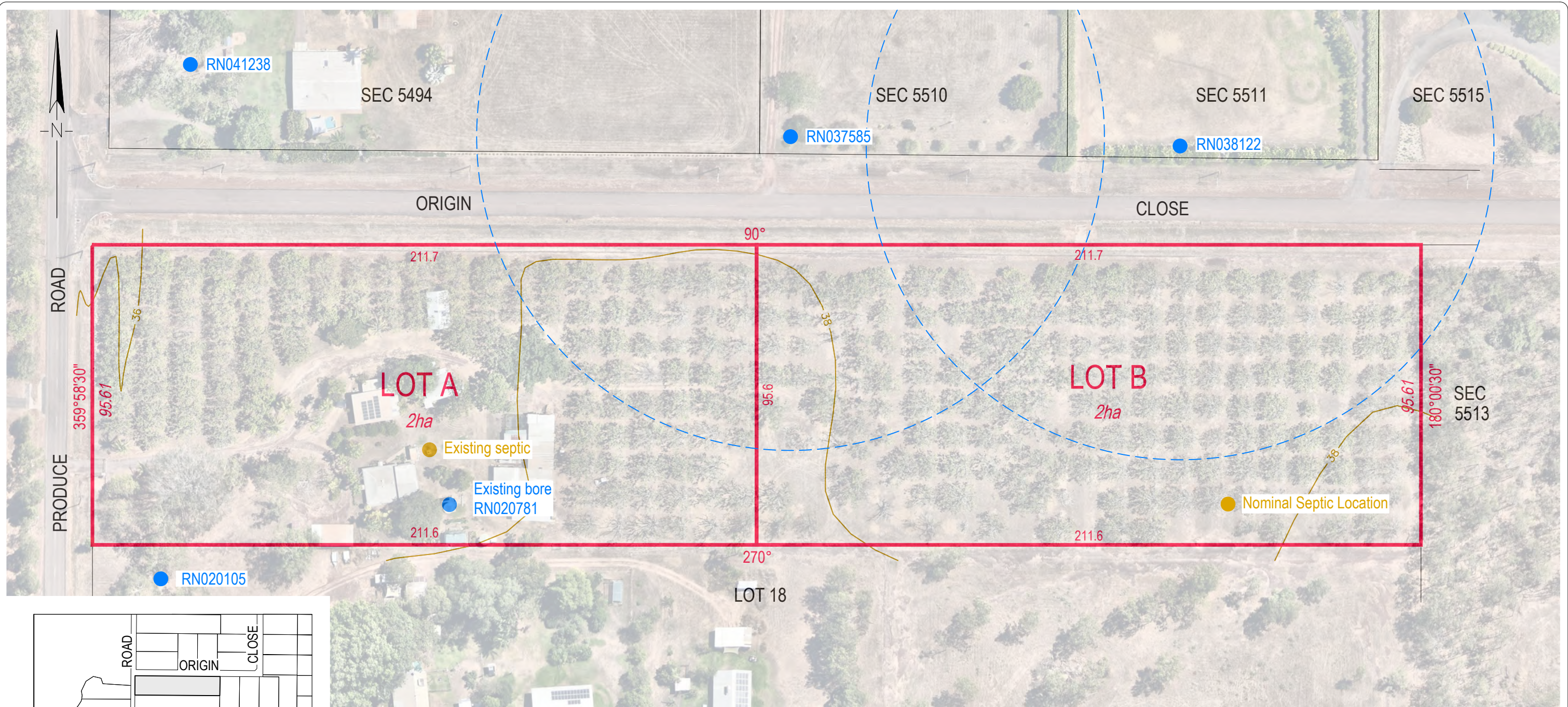
Ref: 13256

**Development Application**

**Lot 17, Hundred of Strangways from survey plan LTO79/009**

**Stormwater Management**

There will be no works associated with the proposed subdivision and consequently there will be no impact on adjoining parcels and no impact on upstream and downstream flows.



**Note**  
 Easements should be confirmed with the current Certificate of Title Areas and dimensions (including easements) are subject to survey  
 Aerial image obtained from Nearmap, dated 23/09/2025  
 Aerial image is shown for background information only and is not rectified or accurately positioned  
 Contours obtained from NTG  
 Contour interval = 2m

----- denotes 100m bore radius



**eja**  
 earl james & associates

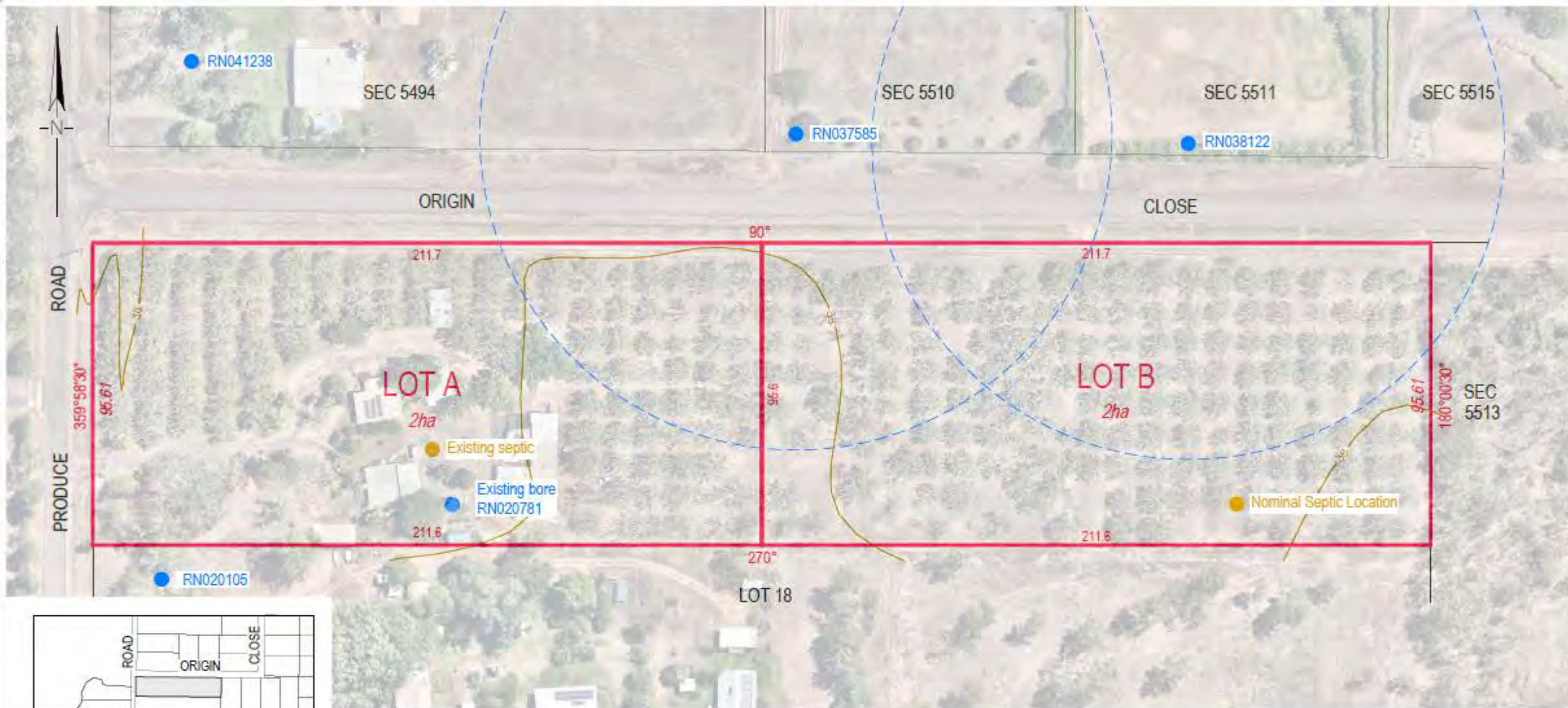
**SURVEY & PLANNING CONSULTANTS**  
 10 HARVEY STREET  
 DARWIN NT 0801  
 PH. (08) 8981 2494  
 FAX. (08) 8981 5205  
 darwin@eja.com.au  
 www.eja.com.au

**LOT 17, HUNDRED OF STRANGWAYS**  
**80 PRODUCE ROAD, HUMPTY DOO**

**DEVELOPMENT APPLICATION**

Client: KEVIN AYERS

Licensed Surveyor: .....	Scale: 1:1250 (A3)
Date: .....	Datum:
Drawn by: LC	Drawing No:
Date: 10/04/2026	26/13256/01
Cad File: 13256-01.DWG	



LOCATION DIAGRAM

Not to Scale

**Note**  
 Easements should be confirmed with the current Certificate of Title  
 Areas and dimensions (including easements) are subject to survey  
 Aerial image obtained from Nearmap, dated 23/09/2025  
 Aerial image is shown for background information only  
 and is not rectified or accurately positioned  
 Contours obtained from NTG  
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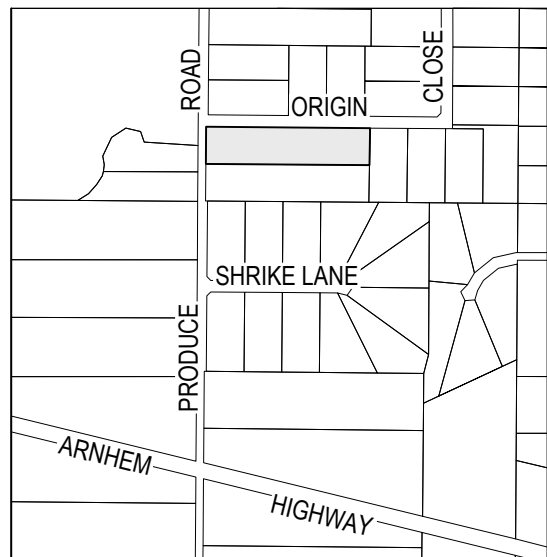
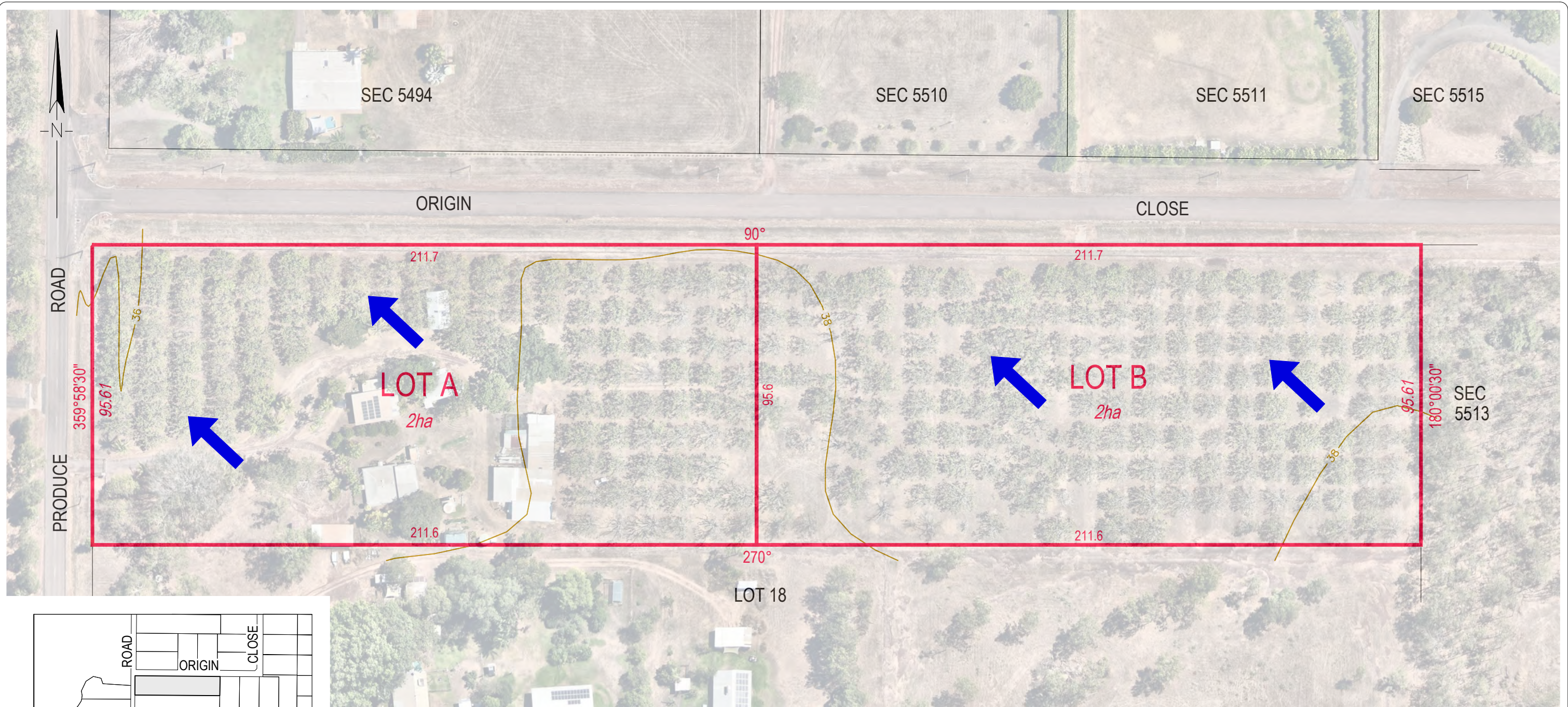
**eja**  
 SURVEY & PLANNING CONSULTANTS  
 10 HARVEY STREET  
 DARWIN NT 0801  
 Ph. (08) 8981 2494  
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 darwin@eja.com.au  
 www.eja.com.au

LOT 17, HUNDRED OF STRANGWAYS  
 80 PRODUCE ROAD, HUMPTY DOO

DEVELOPMENT APPLICATION

Client: KEVIN AYERS

Licensed Surveyor: Date:	Scale: 1:1250 (A3) Datum:
Drawn by: LC Date: 10/04/2026 Cad File: 13256-01.DWG	Drawing No: 26/13256/01



LOCATION DIAGRAM  
Not to Scale

**Note**  
 Easements should be confirmed with the current Certificate of Title  
 Areas and dimensions (including easements) are subject to survey  
 Aerial image obtained from Nearmap, dated 23/09/2025  
 Aerial image is shown for background information only  
 and is not rectified or accurately positioned  
 Contours obtained from NTG  
 Contour interval = 2m

← denotes stormwater flow



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**LOT 17, HUNDRED OF STRANGWAYS  
80 PRODUCE ROAD, HUMPTY DOO**

**STORMWATER FLOWS**

Client: KEVIN AYERS

Scale: 1:1250 (A3)

Datum:

Licensed Surveyor:  
Date:

Drawn by: SH  
Date: 13/04/2026  
Cad File: 13256-02.DWG

Drawing No:  
26/13256/02



Our ref: 599347-20260408-80 Produce Rd Subdivision

Your ref: 13256

By email  
kdodd@eja.com.au

8 April 2026

Kevin Dodd  
Earl James & Associates

Dear Sir

**Lot 17 (LTO79009) (80) Produce Road, Humpty Doo**

This statement has been prepared to support the lodgement of a subdivision application to the Development Consent Authority.

The proposal is to subdivide Lot 17 (LTO79009) Produce Road, Humpty Doo, into 2 allotments, Lot A and Lot B, as per EJA subdivision plan No. 26/13256/01.

A review of the proposed subdivision plan (No. 26/13256/01) prepared by EJA, has been undertaken by a Building Certifier of WSP Australia Pty Ltd to verify what impact, if any, the proposed subdivision will have in respect to compliance with the *Building Act 1993*.

We advise that as a result of the subdivision, and in consideration of sections 46(k) and 46(l) of the *Planning Act 1999*, the existing buildings on Lot 17 (LTO79009) Produce Road, Humpty Doo, will not cease to comply with the *Building Act 1993*.

Should you have any queries please do not hesitate to contact our office on 8980 5900.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Dehne Tynan', written over a light blue horizontal line.

Dehne Tynan  
Associate Director & Senior Building Certifier

Level 5, 37 Woods Street  
Darwin NT 0800  
GPO Box 4421  
Darwin NT 0801

Tel: +61 8 8980 5900  
www.wsp.com

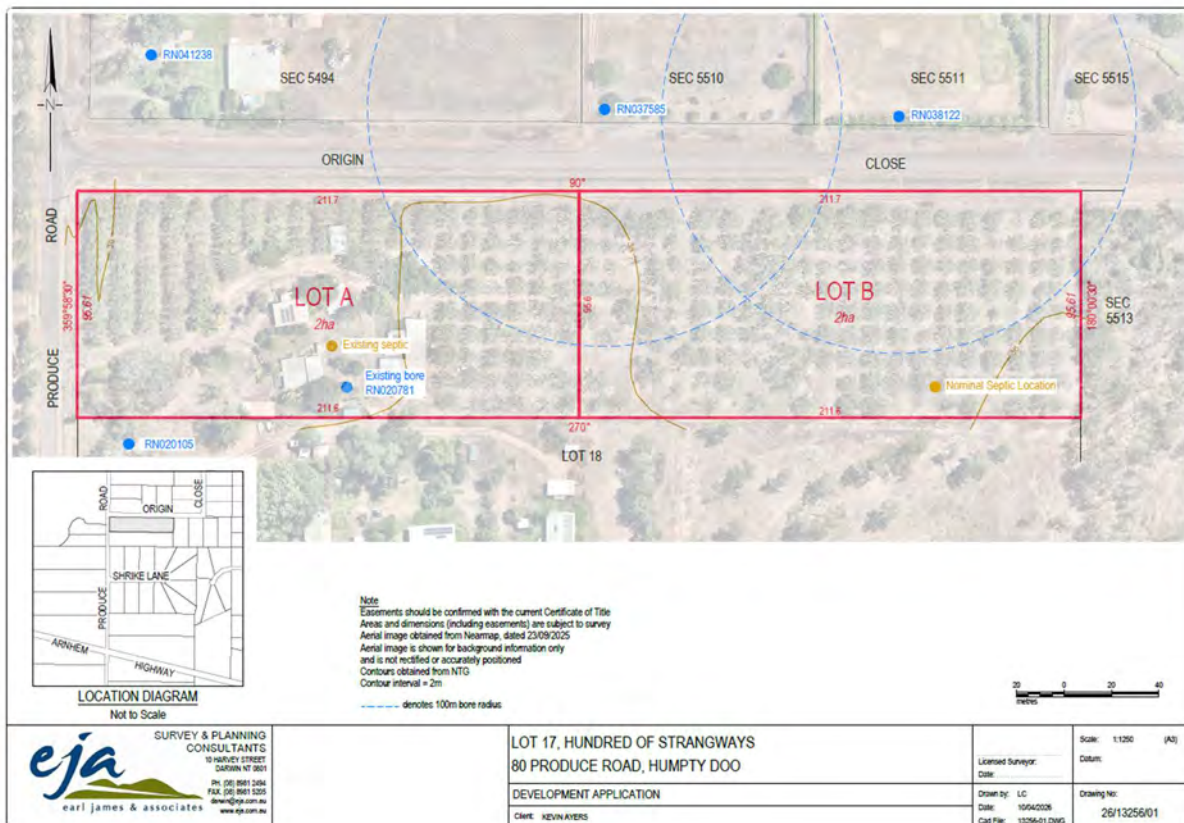
## Lot 17, Hundred of Strangways Survey Plan LTO79/009 Development Application

### PROPOSAL

Lot 17 is owned by NT resident, Kevin Ayers. The property is located on the corner of Produce Road and Origin Close in Humpty Doo.

Kevin would like to subdivide his property in order to create two lots with one parcel comprising his house and other improvements and a vacant, second lot.

Consequently, this application is seeking the approval of the Development Consent Authority (DCA) to subdivide Lot 17, LTO79/009 in order to create two lots in accordance with design plan 26/13256/01.



**The proposed subdivision of Lot 17**

## MATTERS TO BE ADDRESSED

### **46(3)(aa) – Interested parties**

#### *Applicant Details*

#### **Earl James and Associates**

Representative: Kevin Dodd

Address: GPO Box 884, Darwin NT 0801

Email: [kdodd@eja.com.au](mailto:kdodd@eja.com.au)

Phone: 08 89812494

#### *Landowner:*

#### **Lot 17 Hundred of Strangways from plan LTO79/009**

Kevin Michael Ayers

Address: PO Box 64, Humpty Doo NT 0836

Phone: c/o 08 89812494

### **46(3)(a) – Compliance with the NT Planning Scheme**

#### Property details:

#### **Lot 17 Hundred of Strangways from plan LTO79/009**

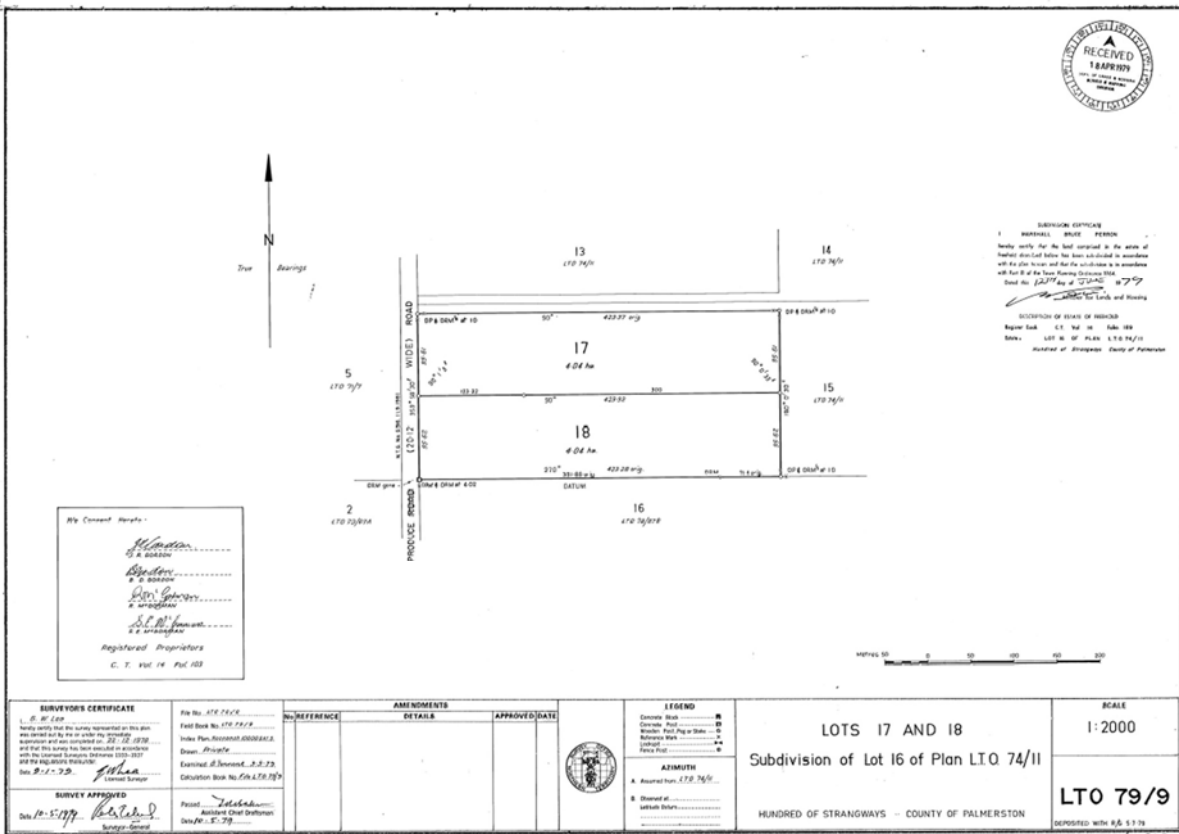
Title details: Volume 815 Folio 447

Survey Plan: LTO79/009

Address: 80 Produce Road, Humpty Doo

Easements: nil

Lot Area: 4.04 hectares



Survey Plan LTO79/9



The existing access from Produce Road

### *Strategic Framework*

The Darwin Regional Land Use Plan 2015 (DRLUP) applies to the subject land and identifies the subject area as *Rural Lifestyle*.

The Litchfield Sub-Regional Land Use Plan 2016 (LSLUP) also applies, and it identifies the area as *Rural Atea*

The subdivision to create 2 lots is consistent with the strategic planning for this locality.

### *Zoning*

The property is zoned RL (Rural Living) under the NT Planning Scheme (NTPS)

The purpose of zone RL is to *provide for a range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available.*

The subdivision is consistent with the purpose of the zone.

### *Zone Outcomes (RL)*

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.*
8. *Development does not impose unsustainable demands on surface water and groundwater.*
9. *Subdivision design is informed by land suitability assessment to confirm the land is able to support residential development.*
10. *Development is provided with an appropriate level of services and infrastructure, and minimises impacts on 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.*

The land is able to support the proposed subdivision, and the proposal will not place any increased demand on groundwater.

The subdivision will not have a negative impact on sensitive environments and there is infrastructure in place to support the one additional parcel.

Consequently, the proposal will achieve the outcomes being sought for the RL zone.



## Overlays

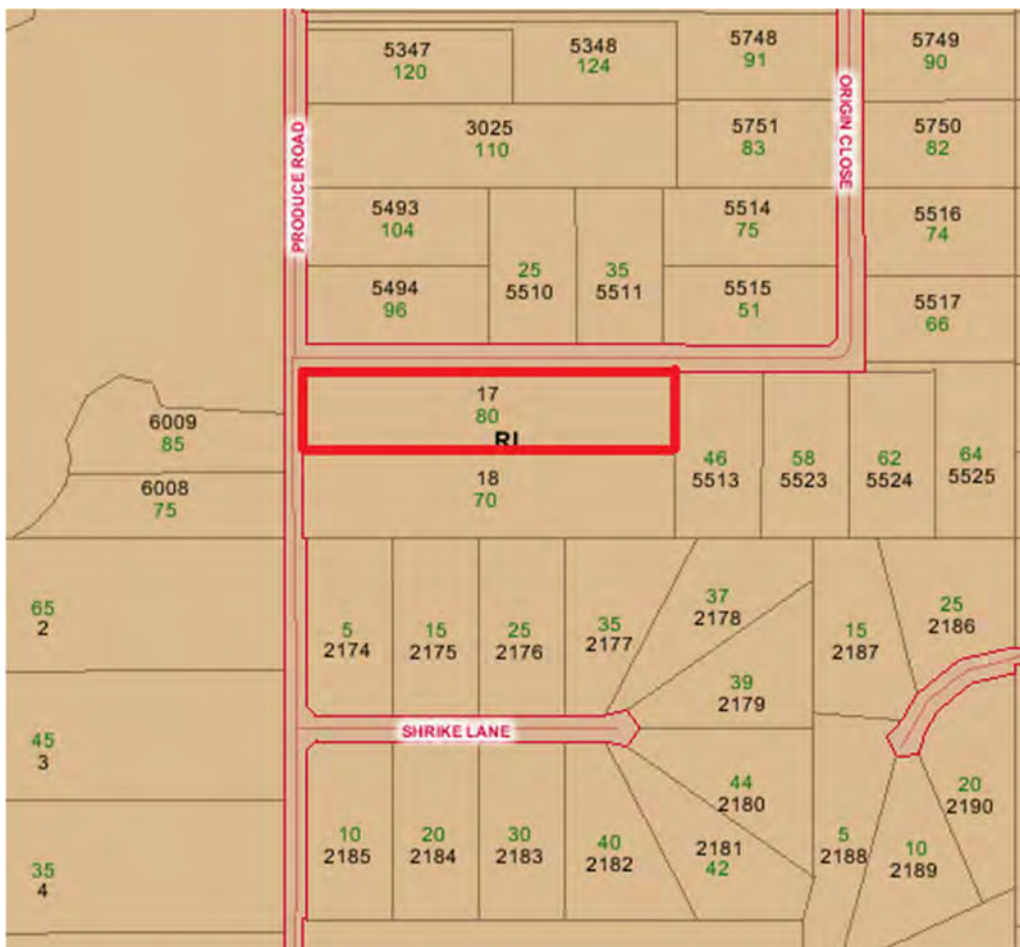
The Overlays in the NTPS identify areas of land that have specific development requirements.

The Record of Administrative Interests for Sections 4213 advises that overlay *Clearing of Native Vegetation (CNV)* applies to the land.

The purpose of the CNV overlay is to *identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:*

- a) *impact on the conservation values of land within Zone CN: or*
- b) *unreasonably contribute to environmental degradation of the locality.*

Clearing for the proposed subdivision will be limited to boundary firebreaks (Overlay does not apply)



Existing zones

### 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;

(c) and 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

*Editor's Note: Lots less than 8ha on unzoned land for urban and community uses and for the provision of essential infrastructure should address Clause 6.3.6.*

#### Requirements

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

The proposed lot sizes are consistent with the proposed RL zone.

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

The proposed Lots comply.

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

The proposed boundaries do not impact on drainage lines.

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

The subdivision will not involve any additional bores.



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%.

The subject land is relatively flat and the proposed boundaries do not impact on any watercourses, drainage lines or steep slopes.

10. Minimise the number of watercourse crossings.

The subdivision does not introduce any boundaries crossing watercourses.

<b>Zone</b>	<b>Minimum Lot Size and Requirements</b>
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

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.

2. 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.*

Lot A will utilise the existing access from Produce Road and a new access off Origin Close will be designed and constructed for proposed Lot B

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.*

A Land Suitability Assessment (LSA) and a stormwater management plan are included with this application.

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.*

The LSA confirms that the subject land is not constrained and consequently both of the proposed lots comprise well in excess of 1 hectare of unconstrained 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).*

No areas of environmental significance are identified on the subject land on the map 'Priority Environmental Management Areas – Litchfield'.

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 proposal does not impact any significant natural or cultural features, does not impact any watercourses or drainage systems and will not result in any increased potential for erosion.

#### 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.

The only earthworks associated with the proposed subdivision will be the construction of the new access into proposed Lot B

3. Provide for connection to reticulated services where practical.

Proposed Lot A has an existing connection to the power reticulation in Produce Road and Lot B will be able to utilise the reticulation in Origin Close. Reticulated water and sewer is not available in this locality.

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.

Proposed Lot A already comprises an existing onsite wastewater treatment system that operates effectively. A soil evaluation report is attached to this application confirming that proposed Lot B comprises soils that are suitable for the operation of an onsite system.

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.

Proposed Lot A will source its potable water from existing bore RN20781.

The property falls within the recently declared Howard South Restricted water Extraction Area.

Accordingly, we understand that no additional bores will be permitted, and consequently proposed Lot B will be required to source its potable water from another source – in this case, rainwater.

##### 6. Roads should:

- (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.*

The subdivision does not involve any new roads.

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.*

Not applicable as the proposal does any involve any new roads.

#### **46(3)(b) – Compliance with an Interim Development Control Order**

The Applicant is not aware of any Interim Development Control Orders applying to the subject land.

#### **46(3)(c) – Referral to the NT EPA**

There is no requirement for the proposed development to be referred to the NT EPA under Part 4, Division 3 of the Environment protection Act 2019.

#### **46(3)(d) – Merits of the proposed development**

The proposed subdivision will create an opportunity for another party to own a part of the land that is currently not being utilised.

#### **46(3)(e) – The physical characteristics of the land**

The contour information shown on plan 26/13256/01 has been generated from Geoscience Australia data and indicates that the land is relatively flat.

The soils across the property are suitable for the operation of on-site wastewater treatment systems and this is confirmed by the effective operation of the existing system on proposed Lot A and geotechnical report dealing with proposed Lot B.

The subject land does not have any physical characteristics that would make the proposed subdivision in appropriate.

No native vegetation will be affected by the proposed subdivision.

#### **46(3)(f) – Public facilities or open space**

The proposal does not create a demand for any additional public facilities or open space.

#### **46(3)(g) – Public utilities and infrastructure**

Both of the resulting lots will be able to utilise existing power reticulation and both lots will have direct access on to a sealed public road network.

One of the proposed Lots will source its potable water supply from an existing bore and the other lot will utilise harvested rainwater.

#### **46(3)(h) – Potential impact on the existing and future amenity of the area**

The proposed subdivision will have no adverse impact on the existing or future amenity of the area but will provide an opportunity for someone to purchase a lot that comprises currently under-utilised land.

#### **46(3)(j) – Benefit or detriment to the public interest**

The proposal will benefit the public interest as it will ensure that the land resources are appropriately utilised.

#### **46(3)(k) – Compliance with the Building Act**

Attached to this application is 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.





NORTHERN TERRITORY OF AUSTRALIA  
ABN: 84 085 734 992

**Development Applications Online**

GPO Box 1680, Darwin NT 0801

**TAX INVOICE NUMBER: DAO000079237**

Invoice Date: 05/05/2026

Mr Kevin Dodd  
GPO BOX 884  
DARWIN NT 0801 AUS

**Payment for 13256 Ayers - Produce (PA2026/0133)**

Item Description	Charge (GST inclusive)	GST
Advertisement fee	\$145.00	\$0.00
Subdivision Base fee	\$1131.00	\$0.00
Lot fee	\$110.00	\$0.00

**Total Amount Paid: \$1386.00**  
**Total Amount includes G.S.T. of \$0.00**



# Site and Soil Evaluation For On-site Wastewater Management 80 Produce Road, Humpty Doo

Prepared for: EJA

Prepared by: Stephen Flux, BSc MSc CGeol AffillEAust &  
Mary Flux BSc Hons On-site Wastewater Management Certificate

Telephone: 0499 996 659 (Stephen Flux); 0427 350 980 (Mary Flux)

Email: [steve@wantgeotechnics.com.au](mailto:steve@wantgeotechnics.com.au); [mary@wantgeotechnics.com.au](mailto:mary@wantgeotechnics.com.au)

Address: 10/17 Willes Road, Berrimah, NT 0828

6/04/2026

## 1. Executive Summary

WANT Geotechnics Pty Ltd has been engaged by EJA to undertake a Site and Soil Evaluation (SSE) for an approximately sized 4.05-hectare land parcel (herein referred to as ‘the Block’) at 80 Produce Road, Humpty Doo. A testing area (herein referred to as ‘the Site’) was identified in the southeastern corner of the Block. The aim of the assessment is to establish the degree of suitability of the soils on the Site for the installation of a Wastewater Management System (WMS) following subdivision of the Block. The result of the assessment concludes that the Block can support either a primary or secondary-treated WMS at all tested locations (TH1, TH2, and TH3) – so long as it is designed to the specifications outlined in the conclusion of this report and so long as the system is placed in a location commensurate to the setbacks required.

## 2. Introduction

This report details the findings of the SSE undertaken at the Site in accordance with Section 5 of *Australian/New Zealand Standard: Onsite Domestic Wastewater Management (AS / NZS1547<sup>A</sup>)* with guidance on its application to the NT by the *Code of Practice for Wastewater Management<sup>B</sup>*.

The findings of this report can be broken down into two distinct parts – a prior desktop study of the Block, and an Onsite Evaluation. The Prior Desktop Study of the Block serves to determine the initial feasibility of construction of the WMS by assessing the presence of constraints and/or contravening features (anthropogenic and natural) in the surrounding landscape. The Onsite Evaluation of the SSE was completed by a WANT Geotechnics employee who mobilised to the Block on April 3, 2026. This component involved conducting an onsite analysis of the soils in which the WMS will be constructed within (subsequent soil sample testing was undertaken to further understand the potential hydraulic capacity of the present soils).

The purpose of this report is to detail the findings of both the Prior Desktop Study and the Onsite Evaluation in order to make a qualitative and quantitative determination of the Design Loading Rate (DLR) and Design Irrigation Rate (DIR) of the Site. The scope of the works conducted included:

- A Prior Desktop Study of the Block and its surrounding geography and hydrology
- Excavation of 3 x test holes (TH1, TH2, & TH3), that cover:
  - TH1 – disposal near the eastern boundary of the potential reserve area
  - TH2 – disposal near the western boundary of the potential reserve area
  - TH3 – disposal near the centre of the potential reserve area
- In-situ permeability testing in all three test holes
- Logging of all three test holes’ soil profiles in accordance with *AS / NZS1547*
- Dispersion Testing of a sample collected from TH1’s lowest horizon
- Aerial drone photography of the Block

### 3. Prior Desktop Study

Table 1 summarises the key findings and associated implications of the factors considered in the Prior Desktop Study of the Block. In reference to these descriptions, find attached site locality plans in the appended data.

Table 1: Findings of the Initial Desktop Study

Site Factor	Findings	Implications on design <sup>1</sup>
Site boundaries	A fenced land parcel of approximately 40,545m <sup>2</sup> , the Block is bordered to the north and west by developed residential land parcels; and to the east and south by undeveloped residential land parcels	The Block is of appropriate size to support a primary or secondary treated WMS and is not bordered by any sensitive receptors
Climate	Mean rainfall = 1,882.8mm (McMinns Lagoon BOM Station <sup>c</sup> ) Annual evaporation = 2,000 – 2,400mm per year <sup>d</sup> Predominant wind direction = East in dry season and west in wet season	The Block is in an appropriate climatic region given yearly evaporation exceeds average yearly rainfall
Land unit <sup>e</sup>	The Site is located on the 3c land unit	This land unit possesses the following characteristics: flat to gently undulating upland surface; sandy clay loam subsoils; and well-drained. This land unit is conducive to effective WMS functionality
Soil Water Regime	Over the past 5 years, the closest Government Water Bore (RN035972 – located 1,155m to the northwest of the Block) <sup>f</sup> recorded a shallowest groundwater observation of 1.71 metres below ground level (mbgl) in February of 2021	Encountering groundwater at a depth less than 1.5mbgl is detrimental as the WMS could become inundated in surge events. This finding suggests such an occurrence is unlikely
Nearest watercourse	The closest water source to the Block is an ephemeral lake located ~770m to the northwest	The Site will be >60m from any waterway and >200m from the nearest domestic potable water source
Nearest water bore <sup>g</sup>	The closest water bore to the Site (RN038122) <sup>g</sup> is located to the north. Following the Onsite Evaluation, it is situated 121m from TH1, 124m from TH2, and 125m from TH3	The Site is an appropriate distance (>100m) from the nearest water bore to support either a primary or secondary treated WMS
Historical land use	Based on historical Google Earth imagery, the Block has only previously been utilised for horticultural production	No inhibitive implication
1 in 100-year flood risk <sup>h</sup>	The Site is located outside of the 1 in 100-year flood risk extent area for both the Elizabeth and Blackmore River Flood Maps	There is no apparent flood risk identified for the Site

Table notes:

- 1) A green colour coding suggests no identified constraint to construction, an orange colour coding suggests a potential constraint, and a red colour coding suggests a definite constraint

## 4. Onsite Evaluation and Sample Testing

### 4.1 Field Investigation Procedure

The fieldwork undertaken comprised of 3 test holes, each excavated to a depth of 600mm below ground level. All three test holes were dug by a Ryobi battery-powered handheld auger. At each test hole, the following recordings were taken:

- Orientation photographs facing north, east, south, and west
- Photographs of the test hole and the excavated spoil
- GPS locations
- Soil lithology findings
- An in-situ permeability test

At TH1, a 500g (dry weight) soil sample was collected from the deepest soil horizon. This sample was tested off-site for the following:

- Particle size analysis (separation into coarse fragments, sands, and fines). The Field Texture Analysis Method was employed to roughly estimate the make-up of the fines (percentage composition silt and clay)
- Dispersion Testing – analysis of the clay portion’s tendency to disperse in solution (indicative of long-term soil clogging potential)

### 4.2 Compliance with Setback Distances

Table 2 outlines the Site’s compliance with the setback distances stipulated in the *Code of Practice for Wastewater Management*<sup>B</sup>.

Table 2: Site compliance with required setback distances

Feature*	Required setback distance	Compliance
Allotment boundary	2m (absorption trench or bed), 0.5m / 3.0m (secondary: subsurface / surface irrigation)	✓
Any other WMS application area	2m (both primary and secondary)	✓
Buildings & stormwater drains	3m downslope, 6m upslope (absorption trench or bed), 2m / 3m (secondary: subsurface / surface irrigation)	✓
Swimming pool	3m downslope, 6m upslope (absorption trench or bed), 3m (secondary: subsurface / surface irrigation)	✓
Potable waterway	200m (primary), 100m (secondary)	✓
Non-potable waterways	60m (primary), 30m (secondary)	✓
Domestic potable bore	100m (primary), 50m (secondary)	✓
<b>Table notes:</b>		
*Testing was undertaken prior to construction of the settlement; these setback distances should be applied to the positioning of the WMS prior to its placement		

### 4.3 Onsite Evaluation Findings

Table 3 summarises the key findings and associated implications of the factors considered in the Onsite Evaluation of the Block.

Table 3: Findings of the Onsite Evaluation

Site Factor	Findings	Implications on design <sup>1</sup>
Onsite weather conditions	33.5°C and 51% humidity at 1:21pm on 03/03/26, with 44.0mm rainfall in the last 7 days (Noonamah Airstrip – BOM data)	Weather conditions unlikely to have impacted upon site assessment and soil permeability recordings
Slope and shape	According to Google Earth elevation data the Block is located on a <1% slope	The ground in the vicinity of the Site will likely not be prone to severe run-off events or erosion
Exposure	All three test holes receive a solar exposure >75%	Surface evaporation (to support WMS functionality) is sufficiently high across the Site
Vegetation	The entire Site is vegetated by short grass, with the surrounding mango trees soon to be removed	Tree root invasion of the WMS will not be an issue so long as the Site remains unvegetated by anything other than short grass
Topographical features	There are no major topographical features within the boundaries of the Block	No inhibitive implication
Anthropogenic features	No remarkable anthropogenic features observed within the vicinity of any of the test holes	No inhibitive anthropogenic features
Signs of erosion / land slip	Nothing observed	No inhibitive implication
Presence of boulders / rocky outcrops	No outcropping or subsurface presence of boulders were identified	No inhibitive implication
Soil surface condition	The surface soils are a moist gravelly loam across the entirety of the Site	The soil surface is in good condition to construct the WMS. Shrinkage / swelling (cracking) is not likely due to the <35% clay content
Signs of salination	No signs observed	No inhibitive implication
Presence of fill	Not assumed in the test holes	No inhibitive implication
Signs of run-off / flooding (controls)	No signs of directed run-off via natural or anthropogenic means	No inhibitive implication
Embankment	Nothing observed	No inhibitive implication
Table notes:		
1) A green colour coding suggests no identified constraint to construction, an orange colour coding suggests a potential constraint, and a red colour coding suggests a definite constraint		

#### 4.4 Particle Size Analysis Testing

The composition (relative proportion of gravel, sand, silt, and clay) of the lowest soil horizon has been informed by sieve analysis of a Horizon Compositive Sample from TH1's lowest depth (600mm). The findings from TH1 are deemed indicative of the conditions in TH2 and TH3 given a high degree of homogeneity was noted between the soils of each test hole. The fines portion was discriminated in its composition of silt and clay through the Field Texture Analysis Technique<sup>1</sup> – note, this technique only provides for a broad estimation of fines breakdown. These sieve results are presented in Table 4 with the associated soil description based on the Triangular Texture Diagram (Page 163 – *Australian Soil and Land Survey Field Handbook*<sup>2</sup>). Refer to the appended data for photographs of the test holes and their adjacent surrounding environment.

Table 4: Sieve results and inferred soil categorisation

	TH1	TH2	TH3
GPS (Latitude / Longitude - DMS)	12°34'6.77"S 131° 7'18.68"E	12°34'6.86"S 131° 7'19.35"E	12°34'6.73"S 131° 7'20.07"E
Analysed composition at 600mm	36.6% gravel 37.4% sand 26.0% fines	N/A – but assumed similar to TH1	N/A – but assumed similar to TH1
Soil description	0 – 0.60m: Gravelly Loam, loose, fine to medium-grained sand, fine to medium gravel, orange-brown, moist	0 – 0.60m: Gravelly Loam, loose, fine to medium-grained sand, fine to medium gravel, orange-brown, moist	0 – 0.60m: Gravelly Loam, loose, fine to medium-grained sand, fine to medium gravel, orange-brown, moist
Soil type	Category 3b (weakly structured Clay Loam)	Category 3b (weakly structured Clay Loam)	Category 3b (weakly structured Clay Loam)
Indicative permeability	0.5 – 1.5 metres / day	0.5 – 1.5 metres / day	0.5 – 1.5 metres / day

A coarse fragment (>2mm in size) abundance of 36.6% was recorded in TH1's sample. A coarse fragment percentage greater than 20% can be inhibitive of WMS design when the coarse fragments are classed as cobbles or larger (>60mm in size), however, the coarse fragments in the sample were deemed to be medium-sized or smaller (<20mm). Hence, the abundance of coarse fragments at the sample depth poses no additional risk to WMS design.

#### 4.5 Permeability Testing

To further understand the hydraulic conductivity of the soils an in-situ permeability test was undertaken. This test involves deploying a Mini Disk Infiltrometer at the base of the test hole and measuring its hydraulic displacement over time. The soil was soaked with 100mL of water, prior to undertaking the test, to simulate saturated soil conditions (conditions better representative of the year-round state of the soil given its constant subjection to septic effluent inundation). The results are presented below:

TH1	TH2	TH3
Step 4: Select Infiltrometer Type ⇒ MiniDisk Step 5: Select Soil Type ⇒ loam Step 6: Select Suction ⇒ 2	Step 4: Select Infiltrometer Type ⇒ MiniDisk Step 5: Select Soil Type ⇒ loam Step 6: Select Suction ⇒ 2	Step 4: Select Infiltrometer Type ⇒ MiniDisk Step 5: Select Soil Type ⇒ loam Step 6: Select Suction ⇒ 2
Radius 2.25 cm/s alpha 0.036 n/h <sub>0</sub> 1.56 Suction -2 cm/s	Radius 2.25 cm/s alpha 0.036 n/h <sub>0</sub> 1.56 Suction -2 cm/s	Radius 2.25 cm/s alpha 0.036 n/h <sub>0</sub> 1.56 Suction -2 cm/s
A 6.267384221 C1 0.001382412 cm/s K 0.000220572 cm/s	A 6.267384221 C1 0.002019474 cm/s K 0.00032222 cm/s	A 6.267384221 C1 -0.001842833 cm/s K -0.000294035 cm/s
Hydraulic Conductivity 0.19 m/day	Hydraulic Conductivity 0.28 m/day	Hydraulic Conductivity 0.25 m/day

TH1 recorded an insitu permeability of 0.19 m/day; TH2 an insitu permeability of 0.28 m/day; and TH3 an insitu permeability of 0.25 m/day. All insitu recordings are below the expected bounds of a Category 3b soil (0.5 – 1.5 m/day).

#### 4.6 Dispersion Testing

A characteristic detrimental to WMS performance of some clay-rich soils is their sodicity. A highly sodic soil refers to a soil rich in sodium ions, relative to its concentration of calcium and magnesium ions. Sodic soils have a tendency to disperse when immersed in solution (in practical terms – when inundated by rainwater or WMS effluent). This dispersive trait is damaging to WMS disposal trenches and beds as a dispersed clay horizon generally tends to form a very low-permeability clogging layer directly beneath the permeable piping of the trench/bed.

Testing for sodicity within the Site’s soils was deemed necessary on account of the soil’s high clay composition. This testing was carried out on the sample recovered from TH1s lowest horizon and involved a 24-hour immersion of a small soil ped in distilled water. Following the 24-hour immersion, the soil ped evidenced slaking but no signs of dispersion were identified (see appended data for photos). Consequent to this finding, no additional measures need to be implemented in the design of the trench/bed, and neither is a more conservative approach to the sizing of the trench required.

#### 4.7 Results Discussion

Given the findings above for the Particle Size Analysis Testing, Permeability Testing, and Dispersion Testing, WANT Geotechnics has determined that the soils underlying the Site are of a Loam texture with a weak structure and are not prone to dispersion.

While there is a minor discrepancy between the insitu permeability results recorded in the test holes and the indicative results expected for a Category 3b soil, this variation in results is minor in nature, and likely due to testing being undertaken in the wettest period of the year. Besides this discrepancy, the Block is free of any factors that warrant a more conservative approach to design than the specifications dictated by the indicative permeability of the Site’s predominant soil texture (weak Loam – Category 3b).

## 5. Conclusion

Between the Initial Desktop Study and the Onsite Evaluation, WANT Geotechnics has determined that the Site on 80 Produce Road, Humpty Doo appears suitable to support the following:

- A **primary-treated** onsite Wastewater Management System so long as it is constructed in close proximity to the Site (TH1, TH2, or TH3) and ensuring all aspects of the WMS are placed

at distances commensurate with the *NT Code of Practice for Wastewater Management* setbacks (on Page 4 of this report). The following methods of effluent disposal can be allowed for:

- **Subsurface trenching** – Allowable in accordance with a Design Loading Rate of 15mm/day. As per Table L1 of AS / NZS1547 (boxed pink below).
- **Subsurface bedding** – Allowable in accordance with a Design Loading Rate of 10mm/day. As per Table L1 of AS / NZS1547 (boxed orange below)
- **A secondary-treated onsite Wastewater Management System** so long as it is constructed in close proximity to the Site (TH1, TH2, or TH3) and ensuring all aspects of the WMS are placed at distances commensurate with the *NT Code of Practice for Wastewater Management* setbacks (on Page 4 of this report). The following methods of effluent disposal can be allowed for:
  - **Subsurface trenching or bedding** – Allowable in accordance with a Design Loading Rate of 30mm/day. As per Table L1 of AS / NZS1547 (boxed green below)
  - **Surface irrigation** - Allowable in accordance with a Design Irrigation Rate of 4mm/day for drip irrigation, and 3.5mm/day for LPED irrigation. As per Table M1 of AS / NZS1547 (boxed red below)

145 AS/NZS 1547:2012

**TABLE L1**  
RECOMMENDED DESIGN LOADING RATES FOR TRENCHES AND BEDS

Soil category	Soil texture	Structure	Indicative permeability ( $K_{sat}$ ) (m/d)	Design loading rate (DLR) (mm/d)			ETA/ETS beds and trenches
				Trenches and beds			
				Conservative rate	Maximum rate	Secondary treated effluent	
				20 (see Note 1)	35 (see Note 1)	50 (see Note 1)	
1	Gravels and sands	Structureless (massive)	> 3.0	20 (see Note 1)	35 (see Note 1)	50 (see Note 1)	(see Note 4)
2	Sandy loams	Weakly structured	> 3.0	20 (see Note 1)	30 (see Note 1)	50 (see Note 1)	
		Massive	1.4 – 3.0	15	25	50	
3	Loams	High/moderate structured	1.5 – 3.0	15	25	50	
		Weakly structured or massive	0.5 – 1.5	10	15	30	
4	Clay loams	High/moderate structured	0.5 – 1.5	10	15	30	
		Weakly structured	0.12 – 0.5	6	10	20	8
		Massive	0.06 – 0.12	4	5	10	5
5	Light clays	Strongly structured	0.12 – 0.5	5	8	12	8
		Moderately structured	0.06 – 0.12		5	10	
		Weakly structured or massive	< 0.06			8	
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	(see Notes 2 & 3)			5 (see Notes 2, 3, & 5)
		Moderately structured	< 0.06				
		Weakly structured or massive	< 0.06				

**TABLE M1**  
RECOMMENDED DESIGN IRRIGATION RATE (DIR) FOR IRRIGATION SYSTEMS

Soil Category (see Note 1)	Soil texture	Structure	Indicative permeability ( $K_{sat}$ ) (m/d)	Design irrigation rate (DIR) (mm/day)		
				Drip irrigation	Spray irrigation	LPED irrigation
1	Gravels and sands	Structureless (massive)	> 3.0	5 (see Note 2)	5	(see Note 3)
2	Sandy loams	Weakly structured massive	> 3.0			4
			1.4 – 3.0			
3	Loams	High/moderate structured	1.5 – 3.0	4 (see Note 1)	4	3.5
		Weakly structured or massive	0.5 – 1.5			
4	Clay loams	High/moderate structured	0.5 – 1.5	3.5 (see Note 1)	3.5	3
		Weakly structured	0.12 – 0.5			
		Massive	0.06 – 0.12			
5	Light clays	Strongly structured	0.12 – 0.5	3 (see Note 1)		2.5 (see Note 4)
		Moderately structured	0.06 – 0.12		3	
		Weakly structured or massive	< 0.06			
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	2 (see Note 2)	2	(see Note 3)
		Moderately structured	< 0.06			
		Weakly structured or massive	< 0.06			

NOTES:  
 1 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.  
 2 For Category 1, 2, and 6 soils, the drip irrigation system has a depth of 100 – 150 mm in good quality topsoil (see CM1 and M3.1).  
 3 LPED irrigation is not advised for Category 1 or Category 6 soils – drip irrigation of secondary effluent is the preferred irrigation method.  
 4 LPED irrigation for Category 5 soils needs a minimum depth of 250 mm of good quality topsoil (see M5 and CM7.1).

**WANT Geotechnics**

*Mary Flux*

**Mary Flux BSc Hons**  
Engineering Geologist

**Stephen Flux BSc MSc CGeol AffilE Aust**  
Director / Engineering Geologist

## 6. References

- A) **Joint Technical Committee WS-013** (2012). *Australia/New Zealand Standard: On-site domestic wastewater management*. SAI Global Limited.
- B) **Department of Health** (2020). *Code of Practice for Wastewater Management*. Northern Territory Government.
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- D) **Bureau of Meteorology** (2006). *Average annual, monthly and seasonal evaporation*. [Online]. Available at: [Average annual, monthly and seasonal evaporation maps, Bureau of Meteorology](#)
- E) **Conservation Commission of the Northern Territory**. (1984). *The Land Resource of the Elizabeth, Darwin and Blackmore Rivers* (Report No. 15). Conservation Commission of the Northern Territory.
- F) **The Department of Environment, Parks and Water Security** (2025). *Darwin Rural Groundwater Watch*. [Online]. Available at: [Darwin Rural Groundwater Watch](#)
- G) **NT Government – Department of Lands, Planning and Environment** (2025). *NR Maps*. [Online]. Available at: [NR Maps](#)
- H) **Floodplain maps | nt.gov.au** Available at: <https://nt.gov.au/environment/water/water-in-the-nt/flooding-and-storm-surge/floodplain>
- I) **National Committee on Soil and Terrain** (2009) *Australian Soil and Land Survey Field Handbook* (3rd edn). Collingwood, Vic: CSIRO Publishing, pp. 161–169



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The findings contained within this report are the result of limited investigations conducted in accordance with normal practices and standards. To the best of our knowledge, they represent a reasonable interpretation of the general conditions of the site. Under no circumstances, however, can it be considered that these findings represent the actual state of the site at all points. In assessing a structure from a limited number of exploratory locations there is the possibility that variations may occur that were not encountered. Site exploration identifies specific subsurface conditions only at those points from which samples have been taken. The data derived from the investigation and subsequent laboratory testing have been extrapolated to form an inferred model and an engineering opinion is rendered about overall subsurface conditions and their likely behaviour regarding the structure. Actual conditions at the site might differ from those inferred to exist, since no subsurface exploration program, no matter how comprehensive, can reveal all subsurface details and anomalies. The exploratory test records are the subjective interpretation of subsurface conditions at a particular location, made by trained personnel. The interpretation may be limited by the method of investigation and cannot always be definitive. For example, inspection of an excavation or test pit allows a greater area of the subsurface profile to be inspected than borehole investigation; however, such methods are limited by depth and site disturbance restrictions. In borehole investigation, the actual interface between materials may be more gradual or abrupt than a report indicates.

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Subsurface conditions may be modified by changing natural forces or man-made influences. A geotechnical engineering report is based on conditions which existed at the time of subsurface exploration. Construction operations, at or adjacent to the site, and natural events, such as floods or groundwater fluctuations may also affect subsurface conditions and thus the continuing adequacy of a geotechnical report. WANT Geotechnics should be kept apprised of any such events and should be consulted to determine if additional tests are necessary.

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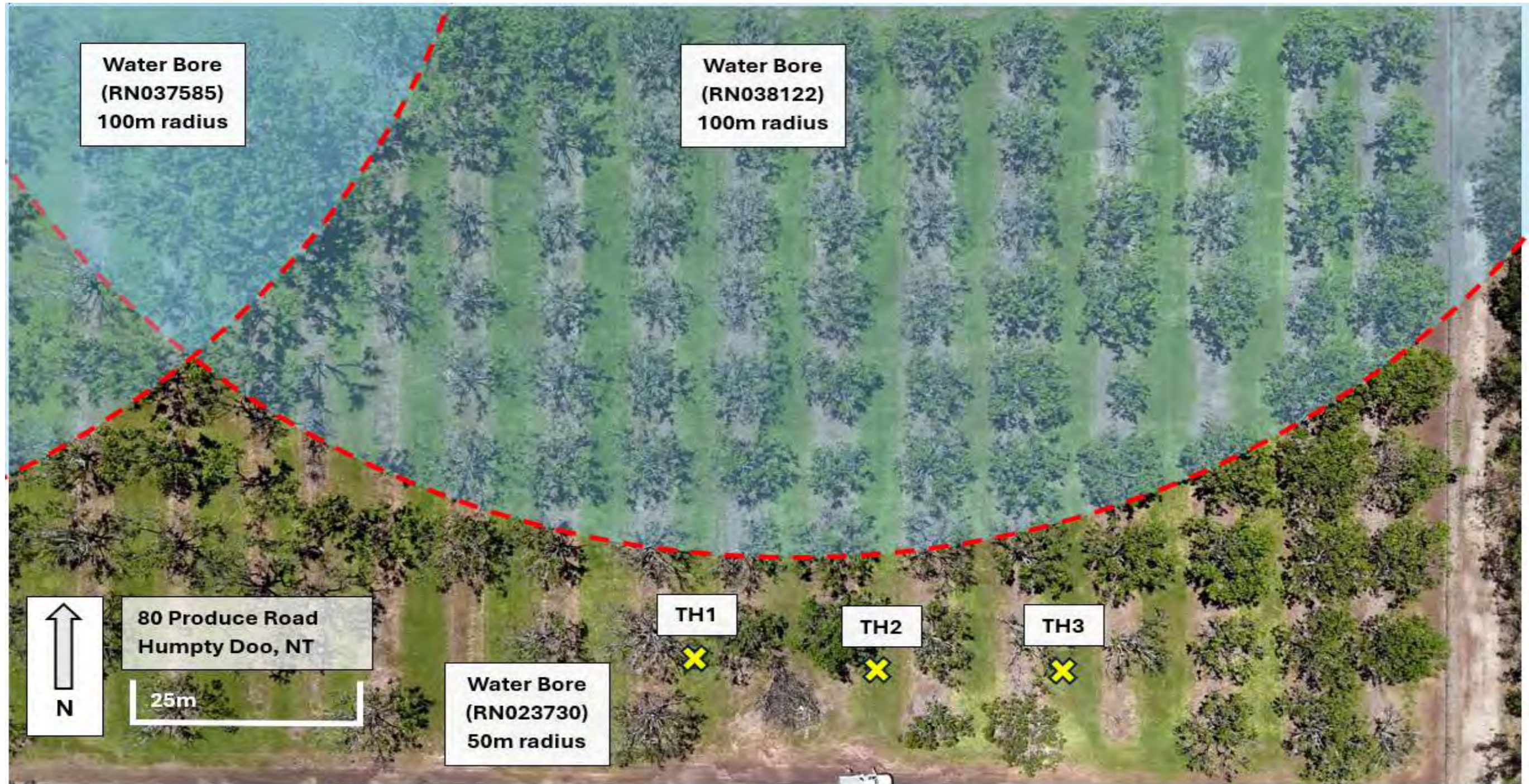
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#### **WANT Geotechnics Pty Ltd**

“Unfortunately, soils are made by nature and not by man, and the products of nature are always complex. As soon as we pass from steel and concrete to earth, the omnipotence of theory ceases to exist. Natural soil is never uniform. Its properties change from point to point while our knowledge of its’ properties is limited to those few spots at which the samples have been collected. In soil mechanics the accuracy of the computed results never exceeds that of a crude estimate and the principal function of theory consists in teaching us what  
and how to observe in the field”

Karl Terzaghi – Founder of Modern Geotechnology



Client: EJA	
	Drawn by: SF
Scale: NTS	Date: 5 Apr 2026

Site and Soil Evaluation
80 Produce Road, Humpty Doo
Northern Territory

Project: NTG20265346
Drawing No. 1
Revision: 0

**Photos 1-4: Test Hole 1 – North, East, South, West orientation (left to right)**



**Photos 5-6: Test Hole 1 – indicative of excavated spoil (L) and test hole condition (R)**



**Photos 7-10: Test Hole 2 – North, East, South, West orientation (left to right)**



**Photos 11-12: Test Hole 2 – indicative of excavated spoil (L) and test hole condition (R)**



**Photos 13-16: Test Hole 3 – North, East, South, West orientation (left to right)**



**Photos 17-18: Test Hole 3 – indicative of excavated spoil (L) and test hole condition (R)**



**Photo 19: Composition of TH1 sample following sieve analysis (gravel and sand only)**



**Photo 20: Dispersion Testing upon commencement**



**Photo 21: Dispersion Testing after 24 hours**





Centre for Environmental Training

# Certificate of Completion

## **On-site Wastewater Management**

This is to verify that

*Mary Flux*

has successfully completed the above course  
held Online  
on 30th November & 1st December

*the detailed content of which is outlined overleaf*

# On-site Wastewater Management

The person named overleaf has attended the On-site Wastewater Management training course held:

Online on 30th November & 1st December 2021

The course comprises a two-day (13 teaching hours) program covering the topics listed below:

- The Regulatory Environment
- On-site Wastewater; Generation, Quantification and Characterisation
- Primary Treatment; Septic Systems
- Other Primary Treatment Systems and Greywater Options
- Secondary Treatment; Sand Filters, Media Filters and Mound Systems
- Secondary Treatment; Treatment Wetlands and Reed Beds
- Secondary Treatment; Aerated Wastewater Treatment Systems
- Soil Assessment for On-site Wastewater Management
- Land Capability; Desktop Study
- Soil Absorption Systems; Trenches and Beds
- Passive Dosing Systems; Siphons and Flouts, LPED Systems
- Evapotranspiration Systems; Sizing by Water Balance Analysis
- Nutrients and Land Application Areas
- Irrigation Systems; Componentry and Design
- Failing Systems; Auditing and Troubleshooting

Further information on the On-site Wastewater Management training course may be obtained from:



## Centre for Environmental Training

# Technical Assessment PA2026/0133

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

Application No: PA2026/0133  
Lot number: Lot 00017  
Town/Hundred: Hundred of Strangways  
Zone: RL (Rural Living)  
Site Area: 4.04Ha  
Proposal: Subdivision to create 2 lots  
Plans used for assessment: Plan 26/13256/01.  
Date assessment finalised: 10/06/2026

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

Zone RL (Rural Living)				
Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Subdivision	Impact Assessable	CNV3.2 Clearing of Native Vegetation	4.7 Zone RL -Rural Living	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

### Clause 1.8(1)(c)(ii)

(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 requires 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);

### Clause 1.10 Exercise of Discretion by the Consent Authority

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.*

## 2.4 Strategic Framework

The following is relevant to the subject site.

### **The Darwin Regional Land Use Plan 2015 (DRLUP)**

This identifies the site as Rural Lifestyle.

### **The Litchfield Sub-Regional Land Use Plan 2016 (LSLUP)**

This identifies the area as Rural Area

The subdivision to create 2 lots is consistent with the strategic planning for this locality.

## COMPLIES

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## 3.2 CNV – Clearing of Native Vegetation

### **Purpose**

Identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:

- (a) impact on the conservation values of land within Zone CN; or
- (b) unreasonably contribute to environmental degradation of the locality.

### **Administration**

1. The clearing of native vegetation of more than one hectare in aggregate of land (including any area already cleared of native vegetation) within the area subject to the Clearing of Native Vegetation Overlay requires consent. This Overlay applies to land within Zones RR, RL, R, H, A, CP, CN, RD, WM and Unzoned land.

3. The consent authority may consent to the clearing of native vegetation that is not in accordance with subclause 5 only if it is satisfied that it is consistent with the purpose of this requirements and is appropriate in the context of the site and the locality having regard to such matters as:

- (a) the suitability of the site for the proposed use;
- (b) the values associated with the environmental characteristics (as applicable);
- (c) the significance, extent and likelihood of any potential environmental impacts; and
- (d) the measures the application proposes will be implemented to mitigate any potential impacts.

4. This Overlay does not apply if the clearing of native vegetation is required or controlled under any Act in force in the Territory, or is for the purpose of:

- (a) a firebreak as specified by the Bushfires Management Act 2016 or the Fire and Emergency Act 1996, up to 5m wide along a boundary of a lot having an area of 8ha or less, up to 10m wide on a lot having an area greater than 8ha unless otherwise specified by a Regional Fire Control Committee;
  - (b) an internal fence line up to 10m wide on a lot having an area greater than 8ha;
-

- (c) a road to access the land or other land; or
- (d) the maintenance and repair of public infrastructure.

### Requirements

5. The clearing of native vegetation is to:
- (a) avoid impacts on environmentally significant or sensitive vegetation;
  - (b) be based on land capability and suitability for the intended use;
  - (c) avoid impacts on drainage areas, wetlands and waterways;
  - (d) avoid habitat fragmentation and impacts on native wildlife corridors; and
  - (e) avoid impacts on highly erodible soils.
6. An application for the clearing of native vegetation is to demonstrate consideration of the following:
- (a) the Land Clearing Guidelines (as amended from time to time) by the agency responsible for natural resources and the environment;
  - (b) the presence of threatened wildlife as declared under the Territory Parks and Wildlife Conservation Act 1976;
  - (c) the presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation;
  - (d) the presence of essential habitats, within the meaning of the Territory Parks and Wildlife Conservation Act 1976;
  - (e) the impact of the clearing on regional biodiversity;
  - (f) whether the clearing is necessary for the intended use;
  - (g) whether there is sufficient water for the intended use;
  - (h) whether the soils are suitable for the intended use;
  - (i) whether the slope is suitable for the intended use;
  - (j) the presence of permanent and seasonal water features such as billabongs and swamps;
  - (k) the retention of native vegetation adjacent to waterways, wetlands and rainforests;
  - (l) the retention of native vegetation buffers along boundaries;
  - (m) the retention of native vegetation corridors between remnant native vegetation;
  - (n) the presence of declared heritage places or archaeological sites within the meaning of the Heritage Act 2011; and
  - (o) the presence of any sacred sites within the meaning of the NT Aboriginal Sacred Sites Act 1989.

Vegetation clearing for the subdivision is to be at minimum to establish fence lines, firebreaks and drive-way access for the proposed additional parcel.

### CONSISTENT

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## 4.6 Zone RL – Rural Living

### 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.
8. Development does not impose unsustainable demands on surface water and groundwater.
9. Subdivision design is informed by land suitability assessment to confirm the land is able to support residential development.
10. Development is provided with an appropriate level of services and infrastructure, and minimises impacts on 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.

The property is zoned RL (Rural Living) under the NT Planning Scheme (NTPS)

The purpose of zone RL is to provide for *a range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available.*

The subdivision is consistent with the purpose of the zone as the land is able to support the proposed subdivision, and the proposal will not place any increased demand on groundwater as the second lot will utilise harvested rainwater. The subdivision will not have a negative impact on sensitive environments and there are services and infrastructure in place to support the additional lot.

## COMPLIES

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### 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:

Northern Territory Planning Scheme 2020 Part 6-8

- 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.
- 6. Lots have a depth to width ratio not exceeding 4:1.
- 7. Incorporate as far as practicable, drainage lines and drainage floors wholly within a single lot.
- 8. Allow for 70m separation between bores, both proposed and existing.
- 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%.
- 10. Minimise the number of watercourse crossings.

**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

Both lots will be 2H with more than 1 H of unconstrained land, they will have a depth to width ratio of 4:1, The subject land is relatively flat and the proposed boundaries do not impact on any watercourses, drainage lines or steep slopes nor does it introduce any boundaries crossing watercourses. The subdivision will not involve any additional bores.

**COMPLIES**

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

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### **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. Lot A will utilise the existing access from Produce Road and a new access off Origin Close will be designed and constructed for proposed Lot B
  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.A Land Suitability Assessment (LSA) and a stormwater management plan are included with this application.
  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.  
The LSA confirms that the subject land is not constrained and consequently both of the proposed lots comprise well in excess of 1 hectare of unconstrained 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).  
No areas of environmental significance are identified on the subject land on the map 'Priority Environmental Management Areas – Litchfield'.
  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.  
N/A
-

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 proposal does not impact any significant natural or cultural features, does not impact any watercourses or drainage systems and will not result in any increased potential for erosion.

## COMPLIES

### 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.

The only earthworks associated with the proposed subdivision will be the construction of the new access into proposed Lot B.

3. Provide for connection to reticulated services where practical.

Proposed Lot A has an existing connection to the power reticulation in Produce Road and Lot B will be able to utilise the reticulation in Origin Close. Reticulated water and sewer is not available in this locality.

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.

Proposed Lot A already comprises an existing onsite wastewater treatment system that operates effectively. A soil evaluation report is attached to this application confirming that proposed Lot B comprises soils that are suitable for the operation of an onsite system.

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.

Proposed Lot A will source its potable water from existing bore RN20781. The property falls within the recently declared Howard South Restricted water Extraction Area. No additional bores are permitted.

Proposed Lot B will be required to source its potable water from another source – in this case, harvested rainwater.

6. Roads should:

(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.

N/A

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.

N/A

The proposed subdivision fully complies.

**COMPLIES**

### 6.3.5 Mineral Resources and Subdivision in Zone RL

#### **Purpose**

*Ensure subdivision does not prejudice the exploitation of mineral resources.*

#### **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.*

#### **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.*

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.

**COMPLIES**



22 May 2026

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

**RE: Letter of Comment Development Application**

**PA2026/0133**

**Hun: 695 LTO: 79009 P: 00017 80 Produce Road HUMPTY DOO, Hundred of Strangways  
Subdivision to create two lots**

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Thank you for the Development Application referred to this office on 08/05/2026, 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 object to the granting of a Development Permit for the following reasons:**

- a) The proposed subdivision aligns with the statements of policy within the Litchfield Subregional Land Use Plan.
- b) The preliminary stormwater plan and land suitability assessment are satisfactory for the proposed subdivision.

**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 to the requirements of Litchfield Council.
- b) 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) A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan.
- b) 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.

- 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](http://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.

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

Phone 1800 245 092

Web [powerwater.com.au](http://powerwater.com.au)

Record number: D2026/136387

Container number: NE695/0017/69003

Your Ref: PA2026/0133

Eve-Marie Davie  
Development Assessment Services  
GPO Box 1680  
Darwin NT 0801

Dear Eve-Marie

**Re: Lot 17 (80) Produce Road 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), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. Current power service to Lot 17 shall become the power supply to the proposed Lot A (2ha).
2. The Proponent shall engage a licensed electrician to remove any existing internal customer reticulation crossing boundaries between proposed Lots A and B and carry out customer's internal electricity reticulation upgrades as per NP018 – Service and Installation Rules, and NP010 – Meter Manual for all existing building structures.
3. 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 B (2ha) under Rural Living (RL) zone in accordance with PWC's NP020 - Guidelines for Developers of Subdivisions and Electricity Infrastructure.
4. As all the applicable upgrade works will be designed and carried out on the existing overhead power line on Origin Close, 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 or Robyn Gless, Customer Connections Officer on 8924 5702 regarding customer's internal electrical installation compliance.

Yours sincerely



Thanh Tang  
Manager Distribution Development  
11 May 2026



Container No: LD695/0017/69003

DLPE - Development Assessment Services  
GPO Box 1680  
Darwin NT 0801

Dear Eve-Marie Davie

**RE: PA2026/0133 - Lot 00017 Hundred of Strangways - 80 Produce Rd, Humpty Doo NT - Subdivision to create two 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](mailto:developer.concierge@powerwater.com.au)

Yours sincerely

*Craig Thomas*

Craig Thomas  
**Services Development**

21 May 2026

cc: Kevin Dodd  
email: [kdodd@eja.com.au](mailto:kdodd@eja.com.au)

28 May 2026

Ms Eve-Marie Davie  
Development Assessment Services  
Department of Lands, Planning and Environment  
GPO Box 1680  
DARWIN NT 0801

E [DevelopmentAssessment.DLPE@nt.gov.au](mailto:DevelopmentAssessment.DLPE@nt.gov.au)

T 08 8999 4446

Our Ref: DLPE2026/0155  
Your Ref: PA2026/0133

Dear Ms Davie

**Re: PA2026/0133 Subdivision to create two 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 Unit**

The proposed subdivision is located on level, well drained soils which have been modified, and currently contain mango orchards, buildings and associated infrastructure. Each proposed lot is unconstrained by drainage in accordance with the Northern Territory (NT) Land Suitability Guidelines.

**Land Management Unit**

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

Due to the application being for subdivision only, the Land Management Unit does not require an Erosion and Sediment Control Plan (ESCP) condition on the Development Permit.

Despite not requiring an ESCP, 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 International Erosion Control Association (IECA) website <https://austieca.com.au/home> and Land Management Factsheets are 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 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
Gamba grass	<i>Andropogon gayanus</i>	Class B
Perennial mission grass	<i>Cenchrus polystachios</i>	Class B
Spinyhead	<i>Sida acuta</i>	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 plan are available online<sup>1</sup>.

Gamba grass and perennial mission grass are declared weeds, Class B and are 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*<sup>2</sup>', 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 are available online<sup>3</sup>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Should this development application be approved, the Weed Management Branch recommend 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

<sup>1</sup> <https://nt.gov.au/environment/weeds/weed-management-planning>

<sup>2</sup> [https://denr.nt.gov.au/\\_data/assets/pdf\\_file/0011/257987/preventing-weed-spread.pdf](https://denr.nt.gov.au/_data/assets/pdf_file/0011/257987/preventing-weed-spread.pdf)

<sup>3</sup> <http://www.nt.gov.au/environment/weeds>

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 plan 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**

#### **Advice for Aboriginal or Macassan archaeological places and objects**

A search has 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 unlikely. No physical survey work is required for this proposed impact.

If archaeological places are discovered over the course of the work, establish an exclusion zone around the site and contact the Heritage Branch immediately.

#### **Advice for declared or Provisionally Declared heritage places and objects**

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

#### **Context of Heritage Branch Advice**

The Heritage Branch administers the *Heritage Act 2011* and provides authoritative advice about obligations under this legislation, 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 may be considered as evidence in an investigation if damage occurs to an Aboriginal or Macassan archaeological place or object.

#### **Relevant parts of the Northern Territory (NT) *Heritage Act 2011***

1. All provisionally declared and declared heritage places and objects are protected;
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;
6. There is an obligation to notify of the discovery of Aboriginal or Macassan archaeological places or objects; and
7. Work carried out to a heritage place or object must comply with the requirements of the *Heritage Act 2011*.

### 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 an archaeological database which includes information about Aboriginal and Macassan archaeological places and objects in the NT. The database only includes information about recorded archaeological places and objects. The fact that there are no archaeological places or objects recorded may be because there have been no archaeological surveys conducted in that particular area and is not necessarily an indication that archaeology does not exist.

### Actions

The following actions have been taken in relation to the enquiry:

- A search of the NT Heritage Register;
- A search of the archaeological database for recorded archaeological places within the subject site;
- A search of the archaeological database for recorded archaeological places located within the proximity of the subject site;
- The extent of pre-existing ground disturbance;
- The scale and nature of the work proposed (major, moderate or minor);
- Areas identified as being excluded from the work footprint e.g. riparian buffers; and
- An assessment of the likelihood of unrecorded archaeological places existing within the subject site, based on landscape features, recorded archaeological places in the vicinity, and other predictive tools.

Further information can also be found on the Department of Lands, Planning and Environment (DLPE) website<sup>4,5</sup>.

### Water Resources Division

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

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<sup>4</sup> <https://nt.gov.au/property/building/heritage-properties/heritage-properties-building-works-and-development>

<sup>5</sup> <https://nt.gov.au/leisure/arts-culture-heritage/visit-a-cultural-or-heritage-site/aboriginal-heritage-information>

no issues of concern requiring comment within the responsibilities of the Water Resources Division.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Wauchope', written in a cursive style.

Maria Wauchope  
Executive Director Land Resources