



## **DEVELOPMENT CONSENT AUTHORITY**

### **LITCHFIELD DIVISION**

### **MINUTES**

**MEETING No. 257 – FRIDAY 14 MAY 2021**

**HOWARD HALL  
325 WHITEWOOD ROAD  
HOWARD SPRINGS**

**MEMBERS PRESENT:** Suzanne Philip (Chair), Adam Twomey and Christine Simpson

**APOLOGIES:** Keith Aitken

**LEAVE OF ABSENCE:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Wendy Smith and Fiona Ray  
(Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Gerard Rosse and Mark Hogan

**Meeting opened at 10.15 am and closed at 11.00 am**

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

**ITEM 1**

**PA2021/0087 ALTERATIONS AND ADDITIONS TO EXISTING INTENSIVE ANIMAL HUSBANDRY COMPRISING CONSTRUCTION OF ADDITIONAL PRODUCTION PONDS, NURSERY AND ANCILLARY STRUCTURES, INCLUDING EXCAVATION AND FILL AND CLEARING OF NATIVE VEGETATION SECTION 1773 (1105) ANZAC PARADE, MIDDLE POINT, HUNDRED OF GUY**

**APPLICANT** Northern Planning Consultants

Mr Brad Cunnington (Northern Planning Consultants) and Mr Dan Richard (Humpty Doo Barramundi) attended.

**RESOLVED  
47/21**

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Section 1773 (1105) Anzac Parade, Middle Point, Hundred of Guy for the purpose of alterations and additions to existing animal husbandry comprising construction of additional production ponds, nursery and ancillary structures, including excavation and fill and clearing of native vegetation, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show the four stages of the development.
2. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment, Parks and Water Security ESCP Standard Requirements 2019 available at;  
<https://nt.gov.au/environment/soil-land-vegetation>.

The ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP should be submitted for acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to Development Assessment Services via email: [das.ntq@nt.gov.au](mailto:das.ntq@nt.gov.au).

**GENERAL CONDITIONS**

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority. The development

must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

4. All works relating to this permit must be undertaken in accordance with the endorsed Type 2 Erosion and Sediment Control Plan (ESCP) to the requirements of the consent authority. Should the endorsed Type 2 Erosion and Sediment Control Plan (ESCP) need to be amended, the revised ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CEPSC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to Development Assessment Services via email: [das.ntg@nt.gov.au](mailto:das.ntg@nt.gov.au).
5. All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. For further information refer to Note 1 below. At completion of works, clearance should be sought from the Department of Environment and Natural Resources regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. To arrange a clearance site inspection, email the Land Development Coordination Branch at: [DevelopmentAssessment.DENR@nt.gov.au](mailto:DevelopmentAssessment.DENR@nt.gov.au).
6. Any stormwater that is collected and discharged into the Litchfield Council drainage network is to be to the technical standards of, and at no cost to, Litchfield Council, to the satisfaction of the consent authority.
7. 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.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities, to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. A biting insect management plan/biting insect management section in the farm management plan be developed, outlining measures that will be implemented to reduce biting insect issues, particularly by mosquitoes, from affecting workers at the farm, shall be developed, to the satisfaction of Medical Entomology.
10. The proponent is required to meet the licencing requirements of Fisheries Division, Department of Industry, Tourism and Trade.
11. Prior to commencement of use, the Waste Management Plan must be updated to address how fish are to be disposed of after mortality events, to the requirements of Fisheries Division, Department of Industry, Tourism and Trade, to the satisfaction of the consent authority.

## NOTES:

1. 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.
2. 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).
3. Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.
4. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([waterdevelopment@powerwater.com.au](mailto:waterdevelopment@powerwater.com.au)) and Power Network Engineering Section ([powerdevelopment@powerwater.com.au](mailto:powerdevelopment@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
5. There are statutory obligations under the *Waste Management and Pollution Control Act 1998* (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at <http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines>.
6. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at [www.austieca.com.au](http://www.austieca.com.au) and the Department of Environment and Natural Resources ESCP Standard Requirements 2019 and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.
7. There are statutory obligations under the Weeds Management Act 2001 to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Environment and Natural Resources.
8. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Northern Territory Aboriginal Sacred Sites Act 1989. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

## REASONS FOR THE DECISION

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The NT Planning Scheme 2020 applies to the land and intensive animal husbandry requires consent under Clause 1.8 (When development consent is required). It is identified as Impact Assessable under Clause 1.8(c)(i) and therefore the strategic framework (Part 2 of the Scheme, including the Litchfield Subregional Land Use Plan 2016 is relevant to this application), zone purpose and outcomes of Clause 4.19 (Zone H – Horticulture) and clauses 5.2.4 (Vehicle Parking), 5.7.1 (Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry) and Clause 5.8.9 Excavation and Fill need to be considered.

These clauses have been considered and it is found that the proposal complies with 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.

Assessment of the application was heavily reliant upon comments received from the relevant service authorities. On the basis of the comments received, the land is capable of supporting the development. The overall use has been in place for a number of years. This application represents an expansion of the existing use and will be subject to relevant conditions. The proposed development is subject to the licensing requirements administered by the Department of Environment, Parks and Water Security and the Department Industry, Tourism and Trade, Fisheries Division.

3. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

Potential adverse amenity risks, including impacts on the groundwater environment odour, waste and the creation of mosquito breeding habitat, have been identified throughout the assessment. It is considered that these risks can be mitigated with appropriate management strategies in place.

Relevant conditions have been placed on the development permit requiring that the use be managed to avoid detrimentally affecting the amenity of the area.

**FOR: 3**

**AGAINST: 0**

**ABSTAIN: 0**

**ACTION:**

Notice of Consent and Development Permit

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

**SUZANNE PHILIP**  
Chair

18 May 2021