

DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 182 – FRIDAY 12 DECEMBER 2014

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Denis Burke (Chairman), Keith Aitken, Bob Shewring, Michael Bowman and Allan McKay

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary) Steven Kubasiewicz, Allison Hooper, Karen McGuigan and Melanie Boland (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 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 **CHANGES TO DP11/0670 WORKSHOP WITH HEIGHT IN EXCESS OF 8.5M**
PA2014/0830 **LOT 30 (2) DE CAEN CLOSE, HUNDRED OF BAGOT**
APPLICANT **C&R CONSTRUCTIONS**

The applicant did not attend.

RESOLVED
250/14

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 30 (2) De Caen Close, Hundred of Bagot for the purpose of changes to DP11/0670 including a workshop in excess of 8.5m in height, changes to the site layout, and changes to the floor plan of a previously approved workshop, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and the commencement of works, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans submitted with the application but modified to show:
 - (a) A detailed floor plan of the top level warehouse/office/workshop, delineating each use and the associated floor area;
 - (b) A landscaping plan that is generally in accordance with the plans submitted, but modified to show:
 - i a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - ii a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - iii details of surface finishes of pathways and driveways;
2. Prior to the endorsement of plans and the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council 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, retention basin details, and the location of and details on oil and grease arrestor details and the management of this waste in a manner that does not impact on stormwater quality or disposal.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
4. All works in relation to this permit are to be undertaken in accordance with the endorsed Erosion and Sediment Control Plan Document No. 2011/0463/ESCP, to the satisfaction of the consent authority on the advice of the Department of Land Resource Management.
5. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works or materials; and the
 - (c) Emission of noise, artificial light, vibration, small, fumes, dust, waste water, waste products, grit or oil.
6. The use may only operate between the hours of 7am to 7pm Monday to Saturday, and 9am to 6pm Sunday and Public Holidays.
7. All other general conditions of DP11/0670 remain unchanged.

REASONS FOR THE DECISION

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

A variation to Clause 6.1 (General Height Control) for a structure with a height of 16m is supported as the proposed structure is considered consistent with the development and use of the site. With the addition of landscaping at the front of the site and along the rear and side boundaries, the proposed structure is unlikely to impact on the amenity of the locality. An additional floor plan and a detailed landscaping plan are required to formally demonstrate compliance with the requirements of Specific Use Zone SL13.

2. Pursuant to section 51(e) of the *Planning Act*, the consent authority must take into account any submissions made under section 49 in relation to the development application.

One public submission was received, and raised concerns regarding compliance with the zoning, activities taking place on the site, and the impact of those activities on the amenity of the locality. Specific conditions have been recommended restricting the days and times that the use can operate, and general amenity provisions within which the use must operate.

3. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into account 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

No land capability issues have been identified through the assessment of the proposal. A condition has been included requiring that all works be undertaken with the endorsed Erosion and Sediment Control Plan for DP11/0670.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2014/0870
APPLICANT

INDEPENDENT UNIT IN EXCESS OF 80M²
LOT 50 (150) CYPRESS ROAD, HUNDRED OF STRANGWAYS
ONE PLANNING CONSULT

The applicant did not attend.

RESOLVED
251/14

That, the Development Consent Authority vary the requirements of Clause 7.10.4 (Independent Units) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 50 LTO72/005 (150) Cypress Road, Hundred of Strangways for the purpose of an independent unit with floor area in excess of 80m² and a second effluent disposal system subject to the following conditions:

1. The works carried out under this permit shall be in accordance with drawing number 2014/0870/1 to 2014/0756/4 inclusive, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the independent unit shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
3. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
4. An approved effluent disposal system to the requirements of the Department of Health is to be installed to the satisfaction of the consent authority must be installed concurrently with the erection of the independent unit and all waste must be disposed of within the curtilage of the property to the requirements of the Department of Health.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is 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. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
3. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

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

A variation of Clause 7.10.4 (Independent Units) is supported as the installation of a second effluent disposal system is a practical and economically viable solution to servicing the proposed development. The development of an independent unit exceeding 80m² is also supported as the proposal makes use of an existing structure which will be appropriately setback from the lot boundaries, and is unlikely to significantly increase the residential density of the area.

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

The proposed independent unit in excess of 80m² with independent wastewater system will not significantly increase density in the area, will be reasonably screened from the road, and appropriately serviced. The Independent Unit is not expected to detrimentally impact the existing or future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2014/0798
APPLICANT

CARETAKERS RESIDENCE AND ANCILLARY WORKSHOP
SECTION 4771 (20) HENNING ROAD, HUNDRED OF BAGOT
BIDDLECOMBE & FANTASY NOMINEES PTY LTD

Mr Yogi Greisbach (Fantasy Nominees Pty Ltd) and Mr Kevin Kennedy attended.

RESOLVED
252/14

That, the Development Consent Authority vary the requirements of Clause 7.10.3 (Caretaker's Residence) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 4771 (20) Henning Road, Hundred of Bagot for the purpose of a caretaker's residence and ancillary workshop, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic stormwater plan demonstrating the onsite collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council to the satisfaction of the consent authority. The plan shall include details of site levels and Councils stormwater drain connection points.
2. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of Litchfield Council, and an endorsed copy will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
3. Prior to the commencement of works, the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of the Department of Health that the existing effluent disposal system is of sufficient capacity to cope with the projected increased loading.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. 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.
6. The owner of the land must enter into agreements with the relevant authorities for the connection of electricity and telecommunications services to the development, in accordance with the authorities' requirements and relevant legislation at the time.
7. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
8. All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.
9. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

10. Before the occupation of the development starts, the area set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;
 to the satisfaction of the consent authority.
 Car spaces, access lanes and driveways must be kept available for these purposes at all times.

11. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the caretaker's residence and their visitors.

12. All proposed works impacting on Henning Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve."

13. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council drains or to any watercourse.

14. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Litchfield Council, to the satisfaction of the consent authority.

15. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works, or materials; and
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

16. No goods or machinery are to be stored or left exposed outside the building so as to be visible from any public street.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) The development is not started within two years of the date 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. The Power and Water Corporation advises that the Power Network Engineering Section (powerconnections@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.
3. Professional advice regarding the implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from the Department of Land Resource Management.

REASON FOR THE DECISION

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

A variation to Clause 7.10.3 (Caretaker's Residence) for a floor area of 78m² is supported as the proposal will not prejudice the use of the site for commercial purposes, and is unlikely to impact on adjoining and nearby property. The application otherwise generally complies the requirements of the NT Planning Scheme and the objectives of the Litchfield Planning Concepts and Land Use Objectives.

2. Pursuant to section 51(e) of the *Planning Act*, the consent authority must take into account any submissions made under section 49 in relation to the development application.

One public submission was received, and identified issues of concern relating to stormwater management, wastewater management, and pollution. These concerns have been addressed through standard and specific conditions of approval, including the requirement for a stormwater management plan, an erosion and sediment control plan, and specific approval from the Department of Health regarding onsite wastewater treatment and disposal.

3. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into account 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 area for development has previously been cleared and is relatively flat. The Department of Land Resource Management has not identified any areas of concern in relation to the proposal. The site is considered capable of supporting the proposed development.

ACTION: Notice of Consent and Development Permit

ITEM 4
PA2014/0821
APPLICANT

**SUBDIVISION AND CONSOLIDATION TO CREATE 2 LOTS (BOUNDARY REALIGNMENT) AND INDEPENDENT UNIT
LOT 29 (15) NIEL COURT, HUNDRED OF BAGOT
MASTERPLAN NT**

Mrs Linda Henning (Masterplan NT) and Mr Kevin Harvey (landowner) attended.

**RESOLVED
253/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lots 29 & 30 LTO82/017 (15) Niel Court & (80) Fitzgerald Road, Hundred of Bagot, for the purpose of a subdivision and consolidation to create 2 lots (boundary realignment) subject to the following conditions:

1. The works carried out under this permit are to be in accordance with the drawing numbered 2014/0821/01, endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the satisfaction of the relevant service authority to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity, water supply and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Only a single power connection and a single water connection to each proposed lot is permitted, to the requirements of Power and Water to the satisfaction of the consent authority.
6. All proposed work affecting the Fitzgerald Road and Niel Court road reserves is to be designed, supervised and certified on completion by a practicing and registered Civil Engineer in accordance with the standards and specifications of the Litchfield Council to the satisfaction of the consent authority. Drawings must be submitted to the Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve" from Council.
7. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors and streetscaping are to be to the technical requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owners expense.
8. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from Bushfires NT.

9. Before the issue of titles, the shed located 6.4m from the proposed boundary on proposed Lot A is to be removed so as to comply with the setback requirements of Clause 6.11 (Garages and Sheds) of the NT Planning Scheme.
10. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
11. This development is subject to the Litchfield Council Developer Contribution Plan. The developer shall pay a development levy as per the plan.
12. Prior to the issue of titles, an application for a Certificate of Compliance with DP14/---- (*the development permit issued for the purpose of an independent unit with floor area in excess of 80m² with an independent wastewater treatment system*) must be lodged with Development Assessment Services, to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is 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. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
4. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management at <http://lrm.nt.gov.au/soil/management/factsheets>.
6. The applicant is advised to engage a building certifier, within the meaning of the *Building Act*, as to whether the building/s comply with the *Building Act*.

ACTION:

Notice of Consent and Development Permit

**RESOLVED
254/14**

That, the Development Consent Authority vary the requirements of Clause 7.10.4 (Independent Units) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lots 29 & 30 LTO82/017 (15) Niel Court & (80) Fitzgerald Road, Hundred of Bagot for the purpose of an independent unit with floor area in excess of 80m² with an independent wastewater treatment system subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, the developer is to obtain the written approval of Litchfield Council for a second access to proposed Lot A, to the satisfaction of the consent authority;
2. Prior to the endorsement of plans and prior to the commencement of works, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application, but modified to show the removal of the shed currently located at 6.4m from the proposed boundary on proposed Lot A in order to comply with Clause 6.11 (Garages and Sheds) of the NT Planning Scheme.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
4. Any developments on or adjacent to any easements on site shall be carried out to the satisfaction of the relevant service authority to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity, water supply and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
7. A Certificate of Compliance pursuant to Section 65 of the *Planning Act* will not be issued until Lots 29 & 30 LTO82/017 (15) Niel Court & (80) Fitzgerald Road, Hundred of Bagot have been subdivided and consolidated and new titles issued for the reconfigured lots.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is 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. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
3. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

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

The application generally complies with the requirements of the NT Planning Scheme in relation to the subdivision of land within Zone RL (Rural Living). The applicant has provided a preliminary Land Suitability Assessment in accordance with Clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) of the NT Planning Scheme. A minimum of 1ha of unconstrained land is achievable on each of the reconfigured lots.

A variation of Clause 7.10.4 (Independent Units) in regards to the floor area, use of an independent wastewater treatment system, and a second access (subject to Council approval) is supported as the independent unit exceeds the minimum setback requirements, and is reasonably well screened from the street and adjoining land by existing mature landscaping. The proposed independent wastewater treatment system is an existing system that already services the dwelling. It is unlikely that the conversion of one of the existing dwellings to an independent unit in excess of 80m² will impact on the amenity of the locality.

A condition requiring that the existing power and water connections be consolidated so that only a single connection for each service is provided to proposed Lot A addresses the limitations of the consent authority to vary the requirements of Clause 7.10.4. The provision of single services is also a requirement of Power and Water Corporation, and supports the integrity of the development of independent units.

Conditions requiring that the existing shed be removed have been included as the structure does not comply with the setback requirements of Clause 6.11 (Garages and Sheds) of the NT Planning Scheme.

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

The application contends that the land is relatively flat, and is comprised of land units 3b, 3e and 8a. The Department of Land Resource Management confirm that the proposed lot configuration will achieve 1ha of unconstrained land as defined by the NT Land Suitability Guidelines. The land is considered capable of supporting the proposed development.

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

The proposed subdivision / boundary realignment is unlikely to have a detrimental impact on the existing and future amenity of the locality as there will be no overall increase in lot numbers, and the land use (rural living) will remain the same. Conditions requiring the consolidation of water and power services to the site will validate the ancillary nature of the dwelling, and continue to support the purpose of Zone RL (Rural Living).

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2014/0765
APPLICANT

SUBDIVISION TO CREATE 2 LOTS
SECTION 4649 (120) BASTIN ROAD, HUNDRED OF BAGOT
ARAFURA SURVEYING CONSULTANTS

The applicant sent his apologies. Mr Justin Groves brother of owner Mr Des Groves attended.

RESOLVED
255/14

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 4649 (120) Bastin Road Hundred of Bagot for the purpose of subdivision to create two (2) lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and the commencement of works, a qualified person, under section 68 of *Waste Management and Pollution Control Act*, must provide certification that the site is suitable for its intended use(s). The certification must be submitted to and approved by the consent authority on the advice of the Northern Territory Environment Protection Authority and an endorsed copy of the certification will form part of this permit.

2. Prior to the endorsement of plans and the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases. Erosion and sediment control information can be located on the DLRM website at <http://lrm.nt.gov.au/soil/management>. (Zoned Land Clearing)
3. Prior to the endorsement of plans and the commencement of works a fire management plan, is to be submitted to and approved by the consent authority on the advice of the NT Fire and Rescue Service and the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit.

The plan should detail methods and treatments for providing fire access trails without impacting upon the wetland, adjacent riparian areas and associated buffers of vegetation.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. Engineering design and specifications for the proposed vehicular access are to be to the technical requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
8. Before the issue of titles, firebreaks at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services and in accordance with the fire management plan.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is 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 "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

3. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
4. The applicant is advised to engage a building certifier, within the meaning of the *Building Act*, as to whether the building/s comply with the *Building Act* and associated Regulations.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
6. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.

REASONS FOR THE DECISION

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

The proposed subdivision generally complies with all relevant provisions of the NT Planning Scheme.

While the application does propose a single lot boundary through a constrained area, appropriate management of the boundary line through suitable fencing and appropriately planned fire access trails as well as the retention of appropriate buffers to the wetland area can minimise erosion hazard, sedimentation and pollution of nearby watercourses.

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

The application proposes the creation of two rural living lots that meet minimum lot size requirements and have demonstrated suitable available land for the placement of effluent disposal systems. The proposed lot sizes are consistent with existing rural living lots in the immediate vicinity and the subdivision as proposed would not be expected to adversely impact upon the existing and future amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 6
PA2014/0764
APPLICANT

**SUBDIVISION TO CREATE 2 LOTS
SECTION 3995 (180) BROOKING CIRCUIT, HUNDRED OF STRANGWAYS
ARAFURA SURVEYING CONSULTANTS**

The applicant sent his apologies.

**RESOLVED
256/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 3995 (180) Brooking Circuit, Hundred of Strangways for the purpose of a subdivision to create two lots, subject to the following conditions:

1. The works carried out under this permit are to be in accordance with the drawing numbered 2014/0764/01, endorsed as forming part of this permit.
2. Any developments on or adjacent to any easements on site shall be carried out to the satisfaction of the relevant service authority to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity, water supply and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. All proposed work affecting the Brooking Circuit road reserve is to be designed, supervised and certified on completion by a practicing and registered Civil Engineer in accordance with the standards and specifications of the Litchfield Council to the satisfaction of the consent authority. Drawings must be submitted to the Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve" from Council.
6. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors and streetscaping are to be to the technical requirements of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owners expense.
7. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from Bushfires NT.
8. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

9. Before the issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on all proposed lots a statement to the effect that: "A non-standard effluent disposal system is required on this allotment". Evidence of lodgement on the parcel shall be provided to the satisfaction of the consent authority.
10. This development is subject to the Litchfield Council Developer Contribution Plan. The developer shall pay a development levy as per the plan.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development is 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. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
4. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management at <http://lrm.nt.gov.au/soil/management/factsheets>.

REASONS FOR THE DECISION

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

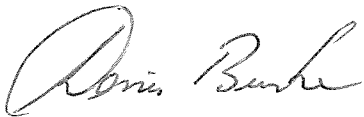
The applicant has provided a preliminary Land Suitability Assessment in accordance with Clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) of the NT Planning Scheme. The assessment demonstrates, and the Department of Land Resource Management has confirmed, that 1ha of unconstrained land is available to each proposed lot.

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

The capability of the land to support the proposed subdivision has been demonstrated through the preliminary land suitability assessment. A Caution Notice on each proposed lot is required to advise of the requirement that an alternate wastewater treatment system is required, in accordance with the recommendation of the Department of Health. A condition is also included that requires the developer to employ erosion and sediment control measures throughout the construction stage of the subdivision.

ACTION: Notice of Consent and Development Permit

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



DENIS BURKE
Chairman

15/12/14