

Report to the DCA

This report is prepared under section 30P of the *Planning Act 1999*, and considers the submissions made in relation to the proposal

DEVELOPMENT CONSENT AUTHORITY LITCHFIELD DIVISION

PROPOSED CONCURRENT APPLICATION PA2025/0055

Amendment proposal to rezone Lot 16 Hundred of Bagot (355 Whitewood Road, Howard Springs) from Zone RL (Rural living) to Zone RR (Rural residential)

And

A development proposal seeking consent for subdivision to create two lots.

Agenda Item Number: **1**
Meeting Date: 18 June 2025

Bookmark A -	Exhibition Material
Bookmark B -	Submissions Received: <ul style="list-style-type: none">• Bookmark B1 - Litchfield Council• Bookmark B2 - PWC - Power• Bookmark B3 - PWC - Water• Bookmark B4 - DLPE - Land Resources Division• Bookmark B5 - Department of Health
Bookmark C -	Technical Assessment

1. GENERAL INFORMATION

ADDRESS:	Lot 16 Hundred of Bagot, (355 Whitewood Road, Howard Springs)
CURRENT ZONE:	Zone RL (Rural living)
PROPOSED ZONE:	Zone RR (Rural residential)
SUMMARY OF APPLICATION:	Subdivision to create 2 lots
APPLICANT:	Mr Gerard Rose – Cunnington Rosse Town Planning and Consulting.
LAND OWNER:	Tam Francisco
AREA:	2.07ha

2. LEGISLATIVE REQUIREMENTS

The Minister for Lands Planning and the Environment is responsible for determining proposals to amend the NT Planning Scheme 2020 (including the amendment component of a concurrent application).

The *Planning Act 1999* establishes requirements relating to the exhibition, consultation and reporting of concurrent applications.

Under section 30N, the consent authority must conduct a hearing if any submissions are received during the exhibition period.

Under section 30P, the consent authority must (following any required hearing and taking account of matters under section 30P(2)) make a preliminary decision that if the Minister were to approve the amendment proposal, the authority would be likely to consent or refuse to consent to the development proposal.

Under section 30Q of the Act, the consent authority must give the Minister a written report that includes the preliminary decision, the submissions received, the issues raised in submissions or during consultation, and any other information that the consent authority believes the Minister should take into account when considering the proposal.

Upon receipt of a notice of approval of the amendment proposal from the Minister, the consent authority must determine, as required by section 30W(1) to either consent, alter and consent or refuse the development proposal.

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should:

- make a preliminary decision that if the Minister were to approve the amendment proposal the consent authority would be likely to consent to the development proposal;

- provide a report to the Minister including the preliminary decision, the submissions and the issues raised in the submissions; and
- delegate to the Chairman the determination of the development proposal subject to the Minister's decision on the amendment proposal.

4. PROPOSAL

On 13 February 2025, Gerard Rosse from Cunnington Rosse Town Planning and Consulting lodged a concurrent application comprising an amendment proposal to rezone Lot 16 Hundred of Bagot, (355 Whitewood Road, Howard Springs), from Zone (RL (Rural Living) to Zone RR (Rural residential) and a subdivision application to create 2 lots.

The minimum lot size in zone RL (Rural living) is 2ha per lot with a minimum of 1ha of unconstrained land, in accordance with the NTPS 2020. The minimum lot size in zone RR (Rural Residential) for the purpose of this application is 1ha all unconstrained.

Once rezoned, the subdivision seeks to create two lots, each with an area of 1.07ha (lot 1) and 1ha (lot 2). Lot 1 has a battle axe configuration with a driveway length of 107m. Both lots will have access and frontage to Whitewood Road.

The application is supported by a Land Suitability Assessment (LSA), a Site Soil Evaluation (SSE) and a Stormwater Management Plan (SMP).

A copy of the exhibition material including the application is at **Bookmark A**.

The pre lodgement meeting with a planning advisor, as required by Section 30B of the *Planning Act 1999*, was held on 6 February 2025.

5. SITE AND LOCALITY CONTEXT

Lot 16, Hundred of Bagot has an area of 2.07ha. Apart from an existing shed on the land and the extensive number of domestic vehicles on the land there is no other development. The vehicles are to be removed and relocated to facilitate the new boundary.

The land is currently zoned RL (Rural living). Other than the adjoining land adjacent to the western boundary, which is zoned RR (Rural residential), all other boundaries abut land zoned RL (Rural living). A locality plan and a zoning plan are at **Bookmark A**.

The land is approximately 450m from the Howard Springs Rural Activity Centre.

6. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of 28 days in accordance with the requirements of the *Planning Act 1999*, from 2 May 2025 to 30 May 2025.

No public submissions were received.

1. PRELIMINARY DECISION ABOUT DEVELOPMENT PROPOSAL (SECTION 30P OF THE PLANNING ACT)

Section 30P(2) of the *Planning Act 1999* establishes matters the consent authority is required to consider in making a preliminary decision in relation to the development proposal.

The matters discussed below are those identified in section 30P(2) that are relevant to this proposal.

Sub clauses not relevant to this proposal and not addressed include (c), (e), (f), (g), (k) and (n) and (na).

(a) the planning scheme that applies to the land to which the application relates (the land);

The proposed subdivision has been assessed against the relevant provisions of the NTPS 2020 at **Bookmark C** and complies with all applicable clauses including the strategic framework for development in zone RR (Rural residential).

(b) the amendment proposal in the application;

The amendment proposal within this application relates to a proposed change in the zoning of the land, from Zone RL (Rural living) to Zone RR (Rural residential). The merits of the proposal are discussed below, in section 7(i) of this report. In summary the site is potentially suitable for the proposed use because:

- It will provide rural lifestyle options, addressing a demand identified in the Litchfield Subregional Land Use Plan.
- A Land suitability report, Site Soil Evaluation have been submitted as a part of the application. These documents and the Land Resources Division of the Department of Lands Planning and Environment (DLPE) response to the application confirm that each lot is capable of supporting the proposed subdivision and subsequent development of the land in a manner consistent for development in zone RR (Rural residential).
- The subdivision is unlikely adversely impact on the existing and future amenity of the locality in proximity to the Howard Springs Rural Activity Centre as it would create additional land for rural living purposes, in a manner that is consistent with the existing rural character and historical land uses in the rural locality.

(d) any interim development control order in force for the land;

Interim Development Control Order No.34 (IDCO34) is not explicitly applicable to the assessment of this application. IDCO34 introduces planning controls to regulate domestic livestock in the Northern Territory. It does not apply to land zoned RR (Rural (residential)).

(i) the merits of the development proposal as demonstrated in the application;

The application identifies the following merits.

“The proposed amendment will facilitate the subdivision of undeveloped land consistent with the relevant and publicly available strategic planning policies, and in a form appropriate given the nature of the land and locality. The site is suitable for subdivision and the zone meets the outcomes and requirements of the Strategic Framework. It is in the public interest to occur and will provide for various rural residential living choices in on a suitable site in the locality. Furthermore, the proposal meets all requirements of the scheme as a Zone RR site and subdivision.”

- (j) ***the capability of the land to support the development proposal and the effect of the proposal on the land, and on other land, the physical characteristics of which may be affected by the proposal;***

The application is supported by a LSA, SSE and SMP. In summary each lot will contain 1ha of unconstrained land with unconstrained access to a public road. The land is capable of accommodating an on-site waste water treatment and disposal system and will not change the existing stormwater flows over the land. It is noted that the proposed boundary is at right angles to the movement of stormwater over the subject land.

The land is considered capable of supporting the proposed subdivision and future development consistent with the requirements of zone RR (Rural residential).

The Department of Lands, Planning and Environment did not raise any concerns regarding capability of the land in the rezoning or proposed subdivision.

- (l) ***the public utilities or infrastructure provided in the area in which the land is situated and any requirement for:***

- (i) ***public facilities and services to be connected to the land; and***
(ii) ***facilities, infrastructure or land to be provided by the applicant;***

The application was circulated to the below service authorities and agencies for comment.

Litchfield Council. – **Bookmark B1**

- Council supports the proposed scheme amendment and the proposed subdivision provided that the land is suitable, and that reticulated water is provided to both lots.
- Council notes that there should be a substantial clean up on proposed lot 1 to accommodate firebreak and setback requirements.
- Council has requested that standard conditions be placed on the permit with regard to access to Whitewood Road. Council requests a condition precedent be applied regarding a SMP and that standard notes be applied.
- A monetary contribution be made in accordance with its development contribution plan.

In consideration of the Councils comments, it is noted that the LSA, SSE indicate that the land is unconstrained and can accommodate on site wastewater management.

A SMP was provided in support of the application. The applicant notes that a SMP has been provided in support of the application and requested that a condition precedent, to this effect, not be applied. In consideration of this, standard conditions can be placed on the permit requiring such compliance. Such an approach would allow for the plans to be endorsed (provided there are no other conditions precedent on the permit).

Power and Water Corporation, Power - **Bookmark B2**

- No objection to the rezoning proposal
- Connection to a reticulated power supply shall be to their requirements.

Power and Water Corporation, Water – **Bookmark B3**

- Only reticulated water available. Both lots to be connected to the reticulated water supply.

Department Lands, Planning and Environment, Land Resource Division - Bookmark B4

- Note that both lots contain at least 1ha of unconstrained land.
- Erosion and sediment control plan is not required but appropriate measures should be undertaken.
- No known Aboriginal or Macassan archaeological places or objects.
- No issues of concern from Water Resources Division to the rezoning and subdivision proposal.

Department of Health – Medical Entomology Branch. - Bookmark B5

- No objection to the proposed rezoning and subdivision.
- The land is located within 5-600m from Dutchies Lagoon. This is considered to be a source of seasonally moderate to high mosquito populations.
- Recommends a caution notice on the title for future land owners.

In consideration of the recommendation that a Caution Notice be applied to the land, a copy of section 34 of the Land Title Act 2000 is at **Bookmark B5**. Should the consent authority determine that a caution notice is required, a condition can be placed on the permit reflecting the requirements of specified by the DoH.

(m) the potential impact on the existing and future amenity of the area in which the land is situated;

Land adjacent to the western boundary of the land is currently zoned RR (Rural residential). The proposed rezoning and subdivision will not significantly impact on the existing and future amenity of the locality.

(o) if the development proposal relates to a 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);

The application includes a statement from AB Consulting (NT Pty. Ltd) stating it will not impact or affect compliance with the NT Building Act or National Construction Code /Building Code of Australia. This refers to the building intended to be retained on proposed lot 1. See **Bookmark A**.

(p) any potential impact on natural, social, cultural or heritage values (including, for example, the heritage significance of a heritage place or heritage object under the Heritage Act);

No natural, social, cultural or heritage values have been identified for the land. No impact is anticipated.

(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 lots are to be connected to a reticulated water supply.

(q) any beneficial uses, quality standards, criteria, or objectives, that are declared under the Water Act ;

Beneficial uses are declared under Section 73 of the Water Act. The following beneficial uses apply

- Darwin Harbour Region - aquaculture, environment, cultural, rural stock and domestic.
- Darwin Rural Water Control District - agriculture, aquaculture, public water supply, environment, cultural, industry, rural stock and domestic, mining activity and petroleum activity

The proposal is unlikely to impact on water quality. 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*.

(r) other matters the consent authority considers relevant.

There is currently an existing shed and numerous cars being stored on the subject land. There is no record of when the existing shed/s were constructed on the land or the how the land came to be used for the storage of vehicles. There is no residential building on the subject land.

Schedule 2 of the NTS 2020 defines an Outbuilding as “*means a non-habitable structure that is ancillary to the primary use of the land including a shed, garage, carport, pergola or shed*”. The primary purpose of Zone RR (Rural residential) is to provide for residential lots with a semi-rural character while the zone outcomes promote, amongst others, the development of Dwelling-single and Dwelling-independent.

Without a residential building or dwelling, it could be considered that the current development of the shed on the land, and the use of the land for the storage of vehicles is a use that would not be supported by the zoning and would retain an existing use of the land that could be prohibited.

One manner in which the use of the shed and the land for the storage of vehicles could be addressed is by conditioning the permit to require all vehicles to be removed from the land as well as the shed.

2. RECOMMENDATION SUMMARY

The consent authority is required to make a number of related decisions about a concurrent application. The decisions required in relation to the amendment proposal and development proposal are summarised below.

Recommendation 1 relates to the preliminary decision the consent authority is likely to make, as required by section 30P, on the development proposal seeking consent for a subdivision to create 2 lots, in the event the Minister were to approve the amendment proposal.

Note that the preliminary decision does not result in a development permit at this stage in the concurrent application process.

Recommendation 2 relates to the report the consent authority is required, under section 30Q to provide to the Minister.

Recommendation 3 delegates to the Chair the determination of the development proposal contained in the application after receipt of a notice from the Minister under section 30U(1) Minister's decision on the amendment proposal.

Note that the determination of the development proposal will also give effect to the amendment proposal contained in the concurrent application.

3. RECOMMENDATION 1

As required by section 30P(1)(a), the consent authority must make a preliminary decision that, if the Minister were to approve the amendment proposal to rezone Lot 16 Hundred of Bagot (355 Whitewood Road Howard Springs) that it would be likely to determine to consent to the development under section 30W(1)(a) conditionally for the purpose of a subdivision to create two lots subject to the following conditions:

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 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.
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. Before the issue of titles the owner must, in accordance with Part 6 of the *Planning Act 1999*, pay a monetary contribution to the Litchfield Council for the upgrade of local infrastructure, in accordance with its Development Contribution Plan.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of reticulated water supply and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. All proposed works impacting on Whitewood Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Lichfield Council. 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".
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 the *Bushfires NT Division of the Northern Territory Fire and Emergency Services*.

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 "Permit to Work Within a Road Reserve" is required from the Litchfield Council, before commencement of any work within the road reserve.
3. The Power and Water Corporation (PWC) power, advise that the existing overhead power service to the current Lot 16 will remain unchanged for the proposed Lot 2. Power servicing requirement to the proposed 107m long axe-handled Lot 1 with existing building structures shall be as follows:
 - Establishment of a new point of power service from a suitable substation within one span at the front boundary of the axe-handled access on the existing overhead power line on Whitewood Road. As all the applicable upgrade works will be carried out on the existing overhead power line on Whitewood Road, PWC shall provide a quote for payment by the landowner under the Australian Energy Regulator (AER) assessment process and carry out the design and construction work.
 - The landowner shall engage a licensed electrician to submit a Negotiated Connection application and AS-3000 maximum demand calculations under the AER compliance process for PWC's assessment on the required load connections.
 - The engaged licensed electrician shall install a new customer's service pole and switchboard with electricity meter to be installed within one metre from the front boundary of the axe-handled access in accordance with PWC's NP018-Service and Installation Rules 2024 and NPOIO-Meter Manual.
 - All current internal electrical installations connecting to the existing building from the current power supply to the original Lot 16 must be removed by the engaged licensed electrician.
 - The engaged licensed electrician shall correctly determine and carry out new and suitable internal electrical extension from the customer's service pole to connect electricity supply back to all existing building structures within acceptable voltage drop.
4. The Power and Water Corporation (PWC) water, advise the following:
 - Reticulated sewer services are currently unavailable in the area. The developer shall contact relevant authorities to discuss servicing requirements for the proposed development.
 - The developer will need to extend the existing DN150 AC water main with a DN150 PVC pipe for approximately 50 meters to provide service for the proposed two-lot subdivision. A BS750 hydrant is to be installed at the end of the extended DN150 PVC water main. The developer is advised to engage a hydraulic consultant to discuss the water servicing for this development. All work shall be carried out by a PWC accredited plumber.
 - Only a single water service is permitted for each proposed individual lot. All new services are constructed by the developer, at no cost to Power and Water.
 - Full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service. PWC recommends that the developers' hydraulic consultant confirm internal firefighting requirements with PWC prior to the development, so that flow capability can be adequately assessed.

- Structures must not be located on or over a water supply or sewerage easement, or where no easement exists (such as within a road), within 1.5 metres of the centreline of water and/or sewer main infrastructure.
 - All required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. A letter has been sent to the applicant outlining the fees and charges applicable for this development. All standard and quoted charges, as well as contribution charges will be valid for a period of 6 months from date of letter issue. As required, Power and Water will reassess the charges for the development.
5. Any new on-site wastewater management system is to be installed in accordance with the Code of Practice for Wastewater Management.
 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 the clearing operation, cease operation and please phone Heritage Branch of the Department of Lands, Planning and Environment.
 8. 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.

9. 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

10. 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.

11. REASONS FOR RECOMMENDATION 1

1. Pursuant to sections 30P(2)(a) and (b) of the *Planning Act 1999*, the consent authority must take into account any planning scheme that applies to the land to which the application relates and the amendment proposal contained within the application.

The rezoning amendment from Zone RL (Rural living) to Zone RR (Rural residential) will provide rural lifestyle options, addressing a demand for such, as identified in the Litchfield Sub-Regional Land Use Plan (Strategic Framework) and the two-lot subdivision has been found to comply with all relevant requirements of the Northern Territory Planning Scheme 2020.

2. Pursuant to Section 30P(2)(l) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the public utilities or infrastructure provided in the area in which the land is situated and any requirement for public facilities and services to be connected to the land; and facilities, infrastructure or land to be provided by the applicant.

A Land Suitability Assessment, Stormwater Management Plan and Site and Soil Evaluation have been submitted as part of the application. These documents and the Land Resources Division of the Department of Lands, Planning and Environment responses to the application confirm that each new lot is capable of supporting the proposed subdivision.

3. Pursuant to Section 30P(2)(m) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposed two-lot subdivision within an established rural lifestyle area is unlikely to have an adverse impact on the existing and future amenity of the Howard Springs rural locality.

12. RECOMMENDATION 2

That under section 30Q of the *Planning Act 1999*, the consent authority report to the Minister for Lands, Planning and Environment advising of the likely decision in relation to the development proposal, issues raised in the submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the amendment proposal.

13. RECOMMENDATION 3

That, pursuant to section 86(1) of the *Planning Act 1999*, the Development Consent Authority delegates its powers to the Chair or in the absence of the Chair any member of the Litchfield Division of the Authority to:

- Determine, pursuant to Section 30W(1)(a), to consent to the development proposal contained in the concurrent application, and consent to the concurrent application after receipt of a notice under Section 30U(1) that the Minister has approved the amendment proposal contained in the application;
- issue a development permit under section 54(1) in relation to the development proposal to Lot 16, Hundred of Bagot, (355) Whitewood Road Howard Springs for the purpose of a subdivision to create 2 lots; and
- issue the relevant notices under Section 30Y.

AUTHORISED



Fiona Ray
Senior Planner

Lands Planning



Steven Kubasiewicz

Rural, Regional & Remote Senior Planner

Development Assessment Services

NORTHERN TERRITORY OF AUSTRALIA

CONCURRENT APPLICATION PA2025/0055

The Minister for Lands, Planning and Environment has accepted a concurrent application made by Cunnington Rosse Town Planning and Consulting. The application seeks to:

- rezone Lot 16 Hundred of Bagot (355 Whitewood Road, Howard Springs) from Zone RL (Rural Living) to Zone RR (Rural Residential); and
- subdivide Lot 16 Hundred of Bagot (355 Whitewood Road, Howard Springs) to create 2 lots.

The proposed amendment is intended to facilitate subdivision and future development in Zone RR (Rural Residential) in accordance with the Litchfield Subregional Land Use Plan 2016 and Howard Springs Rural Activity Centre Area Plan.

Attached are:

- extracts from the NT Planning Scheme 2020 relating to Zone RL (Rural Living) and Zone RR (Rural Residential);
- a locality map; and
- a copy of the application.

Period of Exhibition and Lodging a Submission

The exhibition period is from Friday 2 May 2025 to Friday 30 May 2025.

The Concurrent Application includes both an amendment proposal and a development proposal. Written submissions about the concurrent application may address the amendment proposal, the development proposal, or both. Submissions received during the exhibition period will be taken into consideration by both the Minister and the consent authority in their determination of the respective components of the application.

Submissions in relation to a concurrent application must be in writing and include the name and postal address of the author and may be made publicly available in full.

Written submissions are to be received by 11.59pm on Friday 30 May 2025 and addressed to:

Lands Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801; or
Email: planning.ntg@nt.gov.au or
Hand delivered to: Level 1, Energy House, 18-20 Cavenagh Street, Darwin

For more information please contact Fiona Ray, on (08) 8999 6634 or fiona.ray@nt.gov.au

4.7 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 **dwelling-single** and **dwelling-independent** within a rural lifestyle setting.
2. **Home based businesses** and **dwelling-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.

ASSESSMENT TABLE – ZONE RL – RURAL LIVING					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Agriculture	Impact assessable	3.2 CNV – Clearing of Native Vegetation	5.2.1 General Height Control		5.7.1 Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry)
Animal Boarding	Impact assessable	3.3 RCNV – Restricted Clearing of Native Vegetation	5.2.4 Car Parking		5.7.4 Industry-Primary in Zones RL, R, and H
Caravan Accommodation	Permitted	3.4 CR – Coastal Reclamation	5.2.5 Loading Bays		5.7.2 Animal Related Use (Animal Boarding and Stables)
Child Care Centre	Impact assessable		5.2.6 Landscaping		5.4.11 Caravan Accommodation
Community Centre	Impact assessable	3.5 LPA – Land in Proximity to Airports	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.5.7 Child Care Centre
Demountable Structures	Permitted	3.6 LSF – Land Subject to Flooding			
Dwelling-Community Residence	Permitted				5.8.7 Demountable Structures
Dwelling-Independent	Permitted	3.7 LSSS – Land Subject to Storm Surge			5.4.14 Dwelling-Community Residence
Dwelling-Single	Permitted	3.8 LADR – Land Adjacent to a Designated Road			5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures
Emergency Services Facility	Impact assessable	3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance			5.4.6 Private Open Space
Excavation and Fill	Impact assessable				5.4.13 Dwelling-Independent
Helicopter Landing Site	Impact assessable				5.4.1 Residential Density
Home Based Business	Permitted				5.4.3 Buildings Setbacks for Residential Buildings and Ancillary Structures
Horticulture	Impact assessable				5.4.6 Private Open Space
Industry-Primary	Impact assessable				5.8.6 Emergency Services Facility
Intensive Animal Husbandry	Impact assessable				5.8.9 Excavation and Fill
				5.4.16 Helicopter Landing Sites	
		5.4.10 Home Based Businesses			
		5.7.1 Rural Development (Agriculture, Horticulture and Intensive Animal Husbandry)			
		5.7.4 Industry-Primary in Zones RL, R, and H			
		5.7.1 Rural development (Agriculture, Horticulture and Intensive Animal Husbandry)			

ASSESSMENT TABLE – ZONE RL – RURAL LIVING					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Plant Nursery	Impact assessable	3.2 CNV – Clearing of Native Vegetation 3.3 RCNV – Restricted Clearing of Native Vegetation 3.4 CR – Coastal Reclamation 3.5 LPA – Land in Proximity to Airports 3.6 LSF – Land Subject to Flooding 3.7 LSSS – Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road 3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		
Residential Care Facility	Impact assessable				5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.15 Residential Care Facility 5.4.17 Building Articulation
Retail Agricultural Stall	Permitted				5.7.5 Retail Agricultural Stall
Sex Services-Home Based Business	Permitted				5.4.10 Home Based Businesses
Stables	Impact assessable				5.7.2 Animal Related Use (Animal Boarding and Stables)
Telecommunications Facility	Impact assessable				5.8.10 Telecommunications Facility
Veterinary Clinic	Impact assessable				
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable				Part 2, Part 3, Part 4, Part 5 of this Planning Scheme

4.6 Zone RR – Rural Residential

Zone Purpose

Provide residential lots with a semi-rural character in areas where reticulated water is available that may:

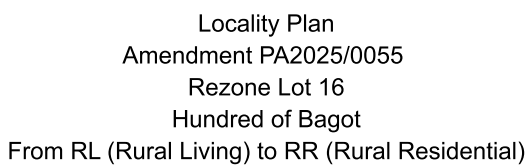
- (a) cater for a range of lifestyle choices and semi-rural activities; or
- (b) support the growth and viability of rural activity centres; or
- (c) provide a transition between existing rural living areas and rural activity centres; or
- (d) provide a buffer between urban residential uses and constrained land.

Zone Outcomes

1. **Dwellings-single** and **dwellings-independent** within a semi-rural setting.
2. **Home based businesses** and **dwellings-community residence** of a scale, intensity and nature that is compatible with the character and **amenity** of the locality.
3. Residential development, such as **residential care facilities**, is compatible with the character and **amenity** of the locality.
4. Non-residential activities, such as **community centres** and **plant nursery**:
 - (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.
5. The design and **site** layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.
6. Subdivision and development avoids adverse impacts on ecologically important areas through location, design, operation and management.
7. Subdivision design is informed by land suitability assessment to confirm the land is able to support rural residential development.
8. Development is provided with an appropriate level of services and infrastructure, and avoids negative impacts on the natural environment.

9. 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.

ASSESSMENT TABLE – ZONE RR – RURAL RESIDENTIAL					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Caravan Accommodation	Permitted	3.2 CNV – Clearing of Native Vegetation	5.2.1 General Height Control		5.4.11 Caravan Accommodation
Community Centre	Impact assessable		5.2.4 Car Parking		
Demountable Structures	Merit assessable	3.3 RCNV – Restricted Clearing of Native Vegetation	5.2.6 Landscaping		5.8.7 Demountable Structures
Dwelling-Community Residence	Permitted				5.4.14 Dwelling-Community Residence
Dwelling-Independent	Permitted	3.4 CR – Coastal Reclamation	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space 5.4.13 Dwelling-Independent
Dwelling-Single	Permitted	3.6 LSF – Land Subject to Flooding			5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Excavation and Fill	Impact assessable	3.7 LSSS – Land Subject to Storm Surge			5.8.9 Excavation and Fill
Home Based Business	Permitted	3.8 LADR – Land Adjacent to a Designated Road			5.4.10 Home Based Businesses
Plant Nursery	Impact assessable				
Residential Care Facility	Impact assessable	3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance			5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space; 5.4.8 Residential Building Design 5.4.15 Residential Care Facility 5.4.17 Building Articulation
Sex Services-Home Based Business	Permitted				5.4.10 Home Based Businesses
Telecommunications Facility	Impact assessable				5.8.10 Telecommunications Facility
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable				Part 2, Part 3, Part 4, Part 5 of this Planning Scheme



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Concurrent Application

PLANNING SCHEME AMENDMENT (REZONING) /

SUBDIVISION TO CREATE 2 LOTS

LOT 16 (355) WHITEWOOD ROAD, HOWARD SPRINGS - HUNDRED OF
BAGOT

February 2025

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Document Control

Author	Gerard Rosse
Version	1
Date	February 2025

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1.0 Introduction

Cunnington Rosse Town Planning and Consulting have been engaged to prepare, lodge and manage a concurrent application pursuant to **Section 30** of the Northern Territory Planning Act, for the purpose of amending the Northern Territory Planning Scheme and seeking a development permit to:

- Rezone Lot 16 (355) Whitewood Road, Howard Springs from Zone RL (Rural Living) to Zone RR (Rural Residential) to facilitate the subdivision of land as proposed; and
- Subdivision to create two allotments.

The subject land is located adjacent Zone RR Lots along Hamilton Road, Howard Springs, some 460m from the Commercial Zone and centre of Howard Springs.

This report details the nature of the subject land and locality, the proposed development, considers the proposal against relevant Northern Territory planning policy, including the NT Planning Scheme and Strategic Framework, and considers the relevant components of **Section 30** of the Act.

Attachment A:	Subdivision Plan
Attachment B:	Stormwater Management Plan
Attachment C:	Land suitability Assessment (LSA)
Attachment D:	Site Soil Evaluation (SSE)

2.0 Site and Locality

2.1 Site

The site is identified and described in **Figure 1** and **Table 1** below.

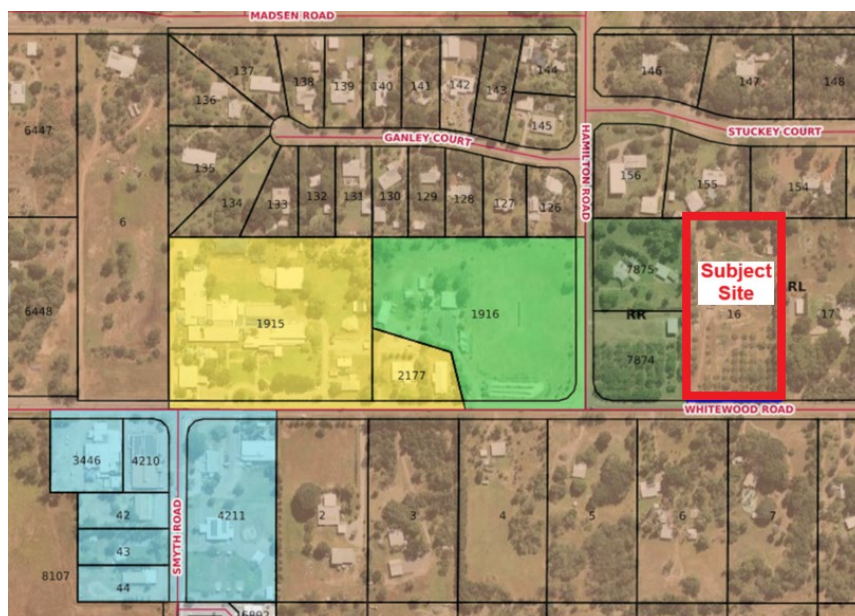


Figure 1: Site and Zoning Plan

Site Details	Lot 16 (355) Whitewood Road, Howard Springs
Site Area	2.07 Ha (total site)
Zone	Zone RL (Rural Living)
Easements / Encumbrances	NIL
Proposal	Concurrent Application – <ul style="list-style-type: none"> Rezone (from Zone RL to Zone RR); and Subdivision (1 lot into 2 lots)
Applicable Strategic Framework	Darwin Regional Land Use Plan Litchfield Sub Regional Land Use Plan
Applicable Area Plan	NIL
Applicable Overlays	Clearing of Native Vegetation

Table 1: Site Details

2.2 Locality

The subject site is described as Lot 16 (355) Whitewood Road, Howard Springs and has a total area of 2.07 Ha. Lot 16 contains an existing shed. The site fronts Whitewood Road to the south and is contained within Zone RL (Rural Living). The site abuts 1HA lots in Stuckey Court to the North and 1HA lots to the west (Hamilton Road). A detailed overview of the site and its key features is contained within the attached Land Suitability Assessment Report which informs the proposed subdivision component of this proposal.

Of importance, the site is approximately 460m from the commercial area of the Howard springs centre and as per the NT Planning Scheme is “close proximity to community facilities” being within 1 km, measured as travelled, from the commercial area of the rural activity centre as per Section 4.2 of the Howard Springs Area Plan and Litchfield Sub Regional Land Use plan.

3.0 Planning History

The site has no relevant Planning History. The site contains one existing shed structure (as per plans) and an number of domestic vehicles that will be removed and relocated to facilitate the new boundary.

4.0 Proposed Development

The proposal comprises the following features:

- Planning Scheme Amendment to Rezone the site from Zone RL (Rural Living) to Zone RR (Rural Residential); and
- A subdivision to create two lots.

A copy of the subdivision concept at Attachment A.

5.0 Northern Territory Planning Act Section 30C(3)

This application is made in accordance with Section 30C of the Northern Territory Planning Act. Subsection (3) provides the specific requirements for a concurrent application.

(3) The concurrent application must:

(a) specify the details of the amendment proposal and development proposal.

Pursuant to Section 30C of the Northern Territory Planning Act, the proposal comprises a concurrent application for the purpose of an amendment proposal (to the NT Planning Scheme) to rezone parcel 16 (355) Whitewood Road, Howard Springs from Zone RL (Rural Living) to Zone RR (Rural Residential) to facilitate the proposed subdivision.

The development proposal comprises the subdivision of land to create two lots. Each Lot being a minimum of 1HA of unconstrained area and serviced by reticulated water and electricity.

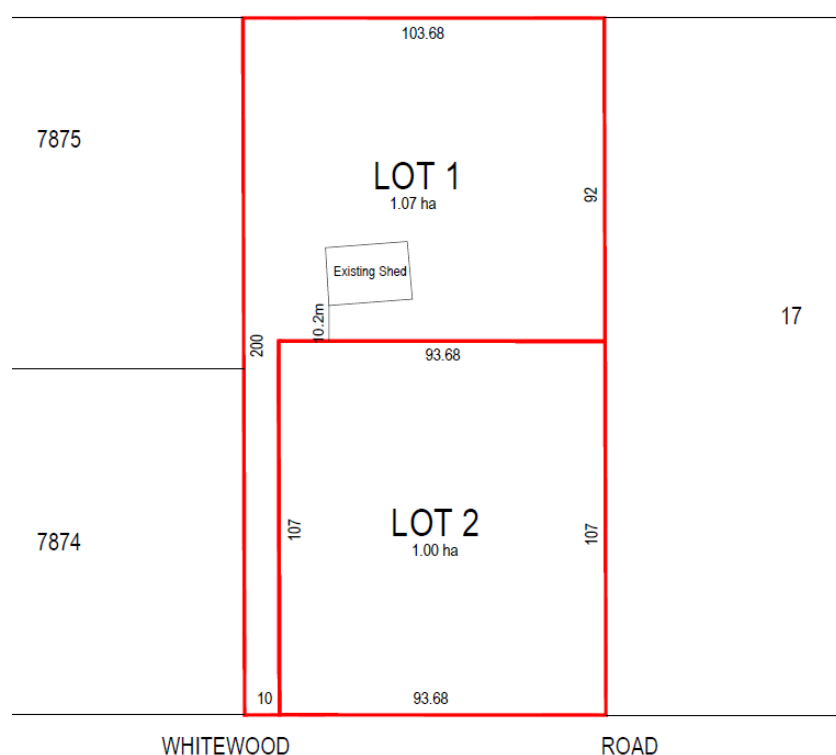


Figure 2: Extract of Subdivision Plan

The meaning of the concurrent application, amendment proposal and development proposal are as per Section 30 (1), (2) and (3) of the Planning Act, respectively.

5.1 Amendment Proposal

This submission proposes an amendment to the Northern Territory Planning Scheme to rezone the subject land from Zone RL (Rural Living) to Zone RR (Rural Residential). The rezoning will enable the subdivision of the site into two lots in accordance with the Strategic Framework and Zone Outcomes of the NT Planning Scheme.

5.2 Development Proposal

The development proposal comprises the subdivision of land to create two lots in an axe handle layout. The purpose of this layout is to allow the retention of the existing shed structure on the northern Lot and access to Whitewood Road. Each lot has a minimum of 1HA and this is entirely unconstrained as per the attached Land Suitability Assessment.

The layout (axe handle on the Western side) also allows the efficient existing of the watermain on Whitewood Road to be extended to provide reticulated water to both proposed lots.

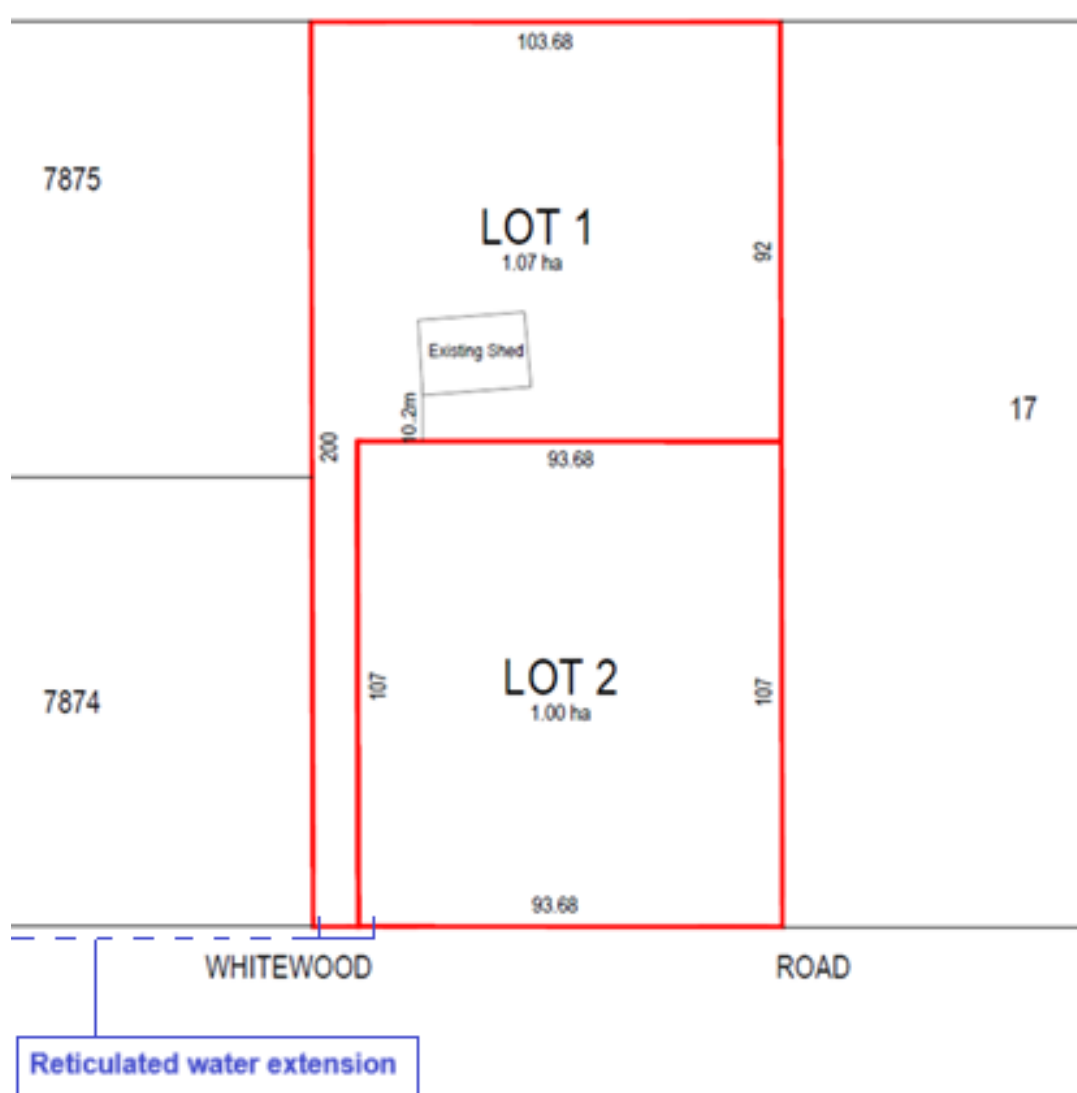


Figure 3: Subdivision Plan and Reticulated water extension Concept

Land Suitability Assessment and Site Soil Evaluation:

Attachment C (LSA) and Attachment D (SSE) contain the Land Suitability Assessment and Site Soil Evaluation for the proposed subdivision. The land suitability assessment confirms that each proposed lot comprises wholly unconstrained land with similarly unconstrained access to Whitewood Road. The Site Soil Evaluation Report demonstrates that onsite wastewater disposal systems can be installed using standard industry practices that will comply with the NT Code of Practice for Wastewater Management (DoH 2020) including required setbacks.

5.3 Reason for Concurrent Application

Section 30C(3)(b) of the Act requires a concurrent application *specify why a concurrent application is required for the development proposed to be carried out on the land to which the application relates (the land).*

5.4 Compliance with the NT Planning Scheme

Section 30C(3)(b) of the Act requires a concurrent application *include an assessment demonstrating how the development proposal will comply with the planning scheme that applies to the land if the scheme is amended as specified in the amended proposal.* This assessment is provided in detail in Section 6 of this report. In summary, the development proposal is consistent with the requirements of the Planning Scheme were the land to be rezoned as specified in the amendment proposal.

5.5 Information Required by Subsection 4

Section 30C(3)(b) of the Act requires a concurrent application *include all of the information required by subsection (4) and the approved form.* Specific consideration required is contained in Sections 7-18 of this report.

6.0 Northern Territory Planning Scheme

6.1 Nature of the Development

Section 5(1) of the *Northern Territory Planning Act* provides that:

- 1) *Subject to subsections 2), 3) and 4), in this Act, **subdivision** means the division of land into parts available for separate occupation or use, by means of:*
 - a. *Sale, transfer or partition; or*
 - b. *Lease, agreement, dealing or instrument purporting to render different parts of the land available for separate disposition or separate occupation.*

Accordingly, the proposal fits within the definition of *subdivision*, and requires a development permit pursuant to **Section 44(b)** of the Act.

The subdivision of land requires a development permit pursuant to **Section 44(b)** of the Northern Territory Planning Act. In accordance with **Part 1, clause 1.8** of the Planning Scheme, subdivision is identified as *Impact Assessable Development*.

An Assessment of the NT Planning Scheme is provided below.

6.2 Strategic Framework

The Darwin Regional Land Use Plan (DRLUP) and the Litchfield Sub Regional Land Use Plan (LSRLUP) are applicable to the subject land.

Darwin Regional Land Use Plan

Key Objectives of the applicable rural lifestyle areas under the Darwin Regional Land Use Plan include:

- Identify opportunities for rural lifestyle development to meet market demand.
- Encourage opportunities for a choice of lifestyle in terms of lot size and access to services.
- Provide appropriate buffers between different residential localities to maintain and enhance the amenity of established areas and protect the natural environment.

With context to the proposed subdivision the proposal complies with key objectives, particularly by providing for Rural Residential development that allows a rural type of lifestyle to meet market demand. The proposed rezoning will encourage opportunities and a choice of lifestyle in terms of proposing a suitable 1 Ha Zone RR lot size with convenient access to services and facilities. Finally, the proposed RR rezoning maintains appropriate buffers between different uses in the locality to maintain and enhance the amenity of established areas and protect the natural environment.

The Land Use Structure (Page 19) for “Litchfield” (subject site) identifies the following key relevant elements:

- *“..sites within the broader rural lifestyle areas, particularly those located adjacent to transport networks and/or existing and identified activity centres, have the potential to provide increased housing choice within the context of the increasing focus on improving efficiencies and affordability.”*

Complies – It is highlighted that the subject site is located in proximity to an existing activity centre (460m) and can provide increased housing choice within the context of improving efficiencies and affordability. This efficiency is identified as the sites availability of reticulated water and how it is serviced by the existing road network.

Litchfield Sub Regional Land Use Plan

The Litchfield Subregional Plan provides more detailed planning than the Darwin Regional Land Use Plan, including statements of policy specific to the Litchfield subregion and land use concept plans to guide the future development of the rural area.

Specific to this proposal the following elements of the Litchfield Sub Regional Land Use Plan apply:

Page 13 (Statements of Policy) - Rural Area - Rural residential development (Item 12.)

12. Facilitate new areas of rural residential development close to community facilities.

- *locate Zone RR (Rural Residential) lots either within or in close proximity to peri-urban areas and rural residential transition areas;*

This statement of policy can be interpreted in conjunction with the Howard Springs Rural Village Area plan where section 4.2 highlights that:

ii. Rural residential development outside of the Howard Springs Rural Activity Centre must comply with relevant policy in the Litchfield Subregional Land Use Plan 2016, and For the purpose of the Howard Springs Rural Activity Centre, “close proximity to community facilities” means within 1 km, measured as travelled, from the commercial area of the rural activity centre.

Complies – In this instance the site is 460m measured as travelled, from the commercial area of the rural activity centre and there fore *Facilitate new areas of rural residential development close to community facilities. Therefore.*

- *Locate Zone RR (Rural Residential) lots either within or in close proximity to peri-urban areas and rural residential transition areas;*

Complies – the site is in close proximity to peri-urban areas and rural residential transition areas.

- *Require all lots in Zone RR to be serviced by reticulated water and to not adversely impact on groundwater resource*

Complies – The proposed rezoning will be serviced by reticulated water via a main extension along Whitewood Road.

- *Require all lots in Zone RR that are outside the defined boundaries of peri-urban areas and rural residential transition areas to be in close proximity to community facilities and be no less than 1 ha; an*

Complies. The lots are not less than 1HA.

- *Require land proposed for rezoning to Zone RR to have an area of 8 ha or greater to allow for the provision of an interconnected local road network.*

Not Applicable – The intent of this statement is to enable larger scale Zone RR proposals that require new internal roads to be of a size to be serviced by new roads. The nature of this proposal (limited scale, 1 lot into 2 lots and serviced by an existing road) make this not applicable to the proposal.

6.3 Zone RR (Rural Residential)

The below assessment is in the context of only the subdivision development component of this concurrent proposal.

Zone Purpose

Provide residential lots with a semi-rural character in areas where reticulated water is available that may:

- (a) cater for a range of lifestyle choices and semi-rural activities; or*
- (b) support the growth and viability of rural activity centres; or*
- (c) provide a transition between existing rural living areas and rural activity centres; or*
- (d) provide a buffer between urban residential uses and constrained land.*

The proposal provides for residential lots with a semi-rural character and have available reticulated water to service new lots. The creation of one additional lots will cater for a range of lifestyle choices and semi-rural activities.

Zone Outcomes

1. Home based businesses and dwellings-community residence of a scale, intensity and nature that is compatible with the character and amenity of the locality.

Not Applicable

2. Residential development, such as residential care facilities, is compatible with the character and amenity of the locality.

Not Applicable

3. Non-residential activities, such as community centres and plant nursery: (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

Not Applicable

4. The design and site layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.

The proposed subdivision layout and design is sympathetic to the existing locality, and lot design and is consistent to the character of the adjacent surrounding development.

5. Subdivision and development avoids adverse impacts on ecologically important areas through location, design, operation and management.

The proposed subdivision design avoids adverse impacts on the surrounding areas utilising existing road access and no required works on the proposed lots. The entire site (both proposed lots) are entirely unconstrained.

6. Subdivision design is informed by land suitability assessment to confirm the land is able to support rural residential development.

The attached land suitability assessment confirms the land is able to support rural residential development and that the site and resulting lots are entirely unconstrained.

7. Development is provided with an appropriate level of services and infrastructure and avoids negative impacts on the natural environment.

The proposed subdivision is provided with an appropriate level of services and infrastructure including available reticulated water and power. The development is informed by a land suitability analysis which demonstrates each lots' unconstrained land and each lots' ability to manage wastewater via on site wastewater treatment.

Part 6 – Subdivision and Consolidation requirements

6.3.1 Subdivision in Zone RR

Purpose

Ensure that small lot rural residential subdivisions:

- (a) *respond appropriately to the physical characteristics of the land;*

The proposed subdivision design responds to the physical characteristics via simple lot arrangement that responds to the unconstrained nature of the land, existing structure and road frontage. The design accounts for the existing

physical characteristics of the land and no physical works are proposed on site as existing drainage flows will be maintained.

(b) are integrated with local infrastructure, community services and facilities; and

The proposed subdivision connects available infrastructure and the existing road network via Whitewood Road. This existing road network will connect the subdivision to community services and facilities. The water Main will be extended along Whitewood Road to provide reticulated water to the proposed Lots

(c) ensure that lots are of a size and configuration suited for the purpose.

Each of the proposed lots meet minimum lots size requirements and are of a configuration to allow them to be suited for the intended Rural Residential purpose.

Administration

1. The consent authority must not consent to a subdivision that is not in accordance with sub-clause 6.

The proposed subdivision is in accordance with sub clause 6. Each proposed Lot will be connected to the available reticulated water.

2. The consent authority may consent to a subdivision that is not in accordance with the table to this clause and sub-clauses 7-10 only if it is satisfied that the subdivision will create lots that all unconstrained land and are consistent with the purpose of this clause.

N/A – The proposed subdivision is in accordance with the table to this clause and sub clause 7-10.

3. Despite sub-clause 2, the consent authority must not consent to a subdivision in Zone RR in Alice Springs and adjacent zoned areas that is not in accordance with the table to this clause.

N/A

4. The unconstrained nature of the land is to be demonstrated by a land suitability assessment addressing the NT Land Suitability Guidelines, prepared by a suitably qualified professional.

The attached land suitability assessment confirms that the site and resulting lots are entirely unconstrained. The land suitability assessment addressing the NT Land Suitability Guidelines has been prepared by a suitably qualified professional.

Requirements

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

The proposed development is designed in accordance with the Table to Clause 6.3.1 whereby all lots meet the minimum unconstrained land requirement under the scheme.

6. Each lot is to be connected to reticulated water.

Each proposed Lot will be connected to the available reticulated water.

7. Provide for connection to reticulated services. 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.

Each lot can be connected to reticulated water and power. The attached land suitability analysis and site soil evaluation demonstrates that that onsite wastewater management systems can be installed on each lot in accordance with the requirements of the Code of Practice for Wastewater Management.

8. Provide for adequate drainage within the road reserve or through engineered drainage reserves.

No new roads are proposed as part of this subdivision with all lots having direct access to existing roads. Drainage is accommodated via the existing stormwater flow on the site. No works are proposed to alter the existing stormwater and drainage flow on the lots.

9. Provide sealed roads and direct access to a sealed public road.

No new roads are proposed as part of this subdivision with all lots having direct access to Whitewood Road.

10. Roads

N/A - No new roads are proposed as part of this subdivision with all lots having direct access to existing roads.

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.

The proposed subdivision design responds to the physical characteristics via simple lot arrangement that responds to the unconstrained nature of the land, existing shed and road frontage. The design accounts for the existing physical characteristics of the land and no physical works are proposed on site as existing drainage flows will be maintained.

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.

Not applicable. The site is entirely unconstrained as outlined in the attached Land Suitability Assessment. The design accounts for the existing physical characteristics of the land and no physical works are proposed on site as existing drainage flows will be maintained.

2. The consent authority must not consent to a subdivision unless the relevant government agencies, local government 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.

The subdivision application demonstrates that the site is entirely unconstrained. The site is not constrained by storm tide flooding, nor riverine flooding and a stormwater management plan demonstrates the site can manage stormwater flows.

3. The consent authority may consent to an application that is not in accordance with sub-clauses 4-6 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.

The subdivision application is in accordance with Sub-clause 4-6.

Requirements

4. 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.

Complies – A land suitability assessment addressing the NT Land Suitability Guidelines is attached along with a stormwater management plan that notes that no physical works are proposed on site as existing drainage flows will be maintained.

5. 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.

Not applicable. The site is entirely unconstrained as outlined in the attached Land Suitability Assessment.

6. 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).

Not Applicable to this application.

7. An application described in sub-clause 6 must demonstrate that the proposed subdivision design does not adversely affect the environmental values as identified in the evaluation.

Not Applicable to this application.

8. Subdivision design of rural and unzoned land should:

(a) Retain and protect significant natural and cultural features;

Complies – The proposed subdivision does not alter natural and cultural features on the site.

(b) Minimise the number of lots in, or exclude from subdivision, areas of high conservation significance and riparian zones;

Complies – The proposed subdivision accounts for vegetation and areas of conservation on the site.

(c) Minimise alteration or disturbance to natural drainage systems including drainage areas, recognisable watercourses, lagoons and permanent and semi-permanent springs; and

Complies – No disturbance to natural drainage systems is proposed.

(d) Minimise erosion hazard, sedimentation and pollution of watercourses.

Complies – The proposal minimises erosion hazard, sedimentation and pollution of watercourses as no works are proposed and no disturbance is proposed to natural drainage systems and watercourses.

7.0 Section 30(4)(a) – Interim Development Control Order

There are no Interim Development Control Orders currently applicable to the subject land.

8.0 Section 30C(4)(b) – Referral to the NT EPA

Section 48 of the *Environmental Protection Act 2019* (EPA Act) requires a project be referred to the NT Environmental Protection Authority (NT EPA) for a standard assessment if it has the potential to have a significant impact on the environment or meets a referral trigger. For the reasons contained within this report, referral under the EPA Act is not likely to be required.

9.0 30C(4)(c)- Matters to be Considered by the Minister

9.1 Section 30D(4A)(a) – Purpose and Objectives of the Act

Section 2A provides the purposes and objectives of the Act. The proposal is consistent with the purpose and objectives in **Section 2A** of the Act. The proposal adheres to the strategic planning framework and is consistent with the outcomes associated with the Darwin Regional Land Use Plan and Litchfield Sub regional Land use Plan.

The proposal is likely to undergo consultation in accordance with the Act and follows a clear and concise process consistent with the Planning Framework (strategic – Scheme Amendment – Statutory). The subject land is serviced with reticulated infrastructure, will not unsustainably draw on water or other natural resources, and will not impact ecologically sensitive areas.

9.2 Section 30D(4A)(b) – Strategic Framework

The proposed amendment and development comply with both the Darwin Regional Land Use Plan (DRLUP) and the Litchfield Sub Regional Land Use Plan (LSRLUP) which are applicable to the subject land. This is discussed in detail in section 6.2 of this report.

9.3 Section 30D(4A)(c) – Declared Class of Amendments

The proposed amendment is not within a declared class of amendments that do not require exhibition.

9.4 Section 30D(4A)(d) – Exhibition

It is likely that the proposed amendment will require exhibition.

9.5 Section 30D(4A)(e) – Merits of Proposed Amendment

The proposed amendment will facilitate the subdivision of undeveloped land consistent with the relevant and publicly available strategic planning policies, and in a form appropriate given the nature of the land and locality. The site is suitable for subdivision and the zone meets the outcomes and requirements of the Strategic Framework. It is in the public interest to occur and will provide for various rural residential living choices in on a suitable site in the locality. Furthermore, the proposal meets all requirements of the scheme as a Zone RR site and subdivision.

9.6 Section 30D(4A)(f) – Report from Commission

Any report from the Planning Commission will be provided at the Ministers request (made under Section 12B(1)) and will (if requested) provide the Commission's views on the strategic planning implications of the proposed amendment.

9.7 Section 30D(4A)(g) – Any other matters

The proponent does not submit any other matters for consideration by the Minister.

10.0 Section 30(4)(D) – Subject Land, Suitability of Development and Effect on Other Land

Sections 3 and **4** of this report detail the subject land and its locality, and **Section 6** considers the potential impact on surrounding land. Given the nature of the subject land and surrounding locality, the proposed development is considered suitable.

11.0 Section 30(4)(e) – Public Facilities and Open Space

There is no requirement for public facilities or open space as part of this subdivision.

12.0 Section 30(4)(f) – Public Utilities and Infrastructure

The site and proposed lots will be serviced by reticulated power and water. Wastewater for the new lot will be facilitated on site.

13.0 Section 30(4)(g) – Impact on Amenity

The site is also in a location where Zone RR development is an expected land use in the area and locality. The proposed rezoning and subdivision will not negatively impact on the existing Rural Amenity in the locality.

14.0 Section 30(4)(h) – Benefit/Detriment to Public Interest

Section 51 of the Act requires the consent authority to consider whether the proposal is in the public interest with specific consideration given to (where relevant) how the application addresses community safety through crime prevention principles in design, water safety, and access for persons with disabilities.

In response to these matters:

- the land is connected to reticulated water supply and will therefore not impact on water security; and
- it is understood the proposal will be required to comply with the access requirements outlined in **Section 23** (Access to Premises) of the *Disability Discrimination Act 1992*;

More broadly, the proposed development is of a consistent nature and expected outcome for the locality. The Rural Residential outcome will benefit the public by providing one additional lot that can accommodate rural residential living in the locality. In this regard it is of benefit to the public interest of the development.

15.0 Section 30(4)(i) – Compliance with the Building Act

An existing building existing on the site and **Section 46(3)(k)** is addressed with a certifier report.

16.0 Section 30(4)(j) – Development of Scheme Land

The application does not comprise the subdivision of land under a unit titles scheme. Accordingly, **Section 46(3)(I)** is not applicable.

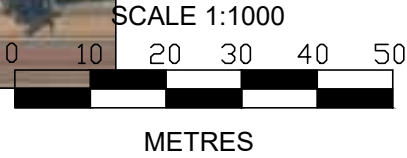
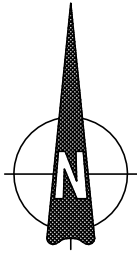
17.0 Conclusion

This report accompanies a submission to the Minister for Infrastructure, Planning and Logistics to amend the Northern Territory Planning Scheme to rezone Lot 16 (355) Whitewood Road, Howard Springs from Zone RL (Rural Living) to Zone RR (Rural Residential) to facilitate the subdivision of land as proposed to create two allotments. The proposal is consistent with the relevant strategic planning policies, including the Darwin Regional Land Use Plan and the Litchfield Subregional Land Use Plan and relevant applicable codes for subdivision within the NT Planning Scheme.



Gerard Rosse

Cunnington Rosse Town Planning and Consulting



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Project
PROPOSED SUBDIVISION OF LOT 16

Project Description
Lot 16 (355) Whitewood Road- Howard Springs NT

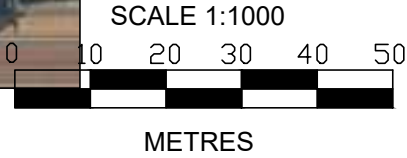
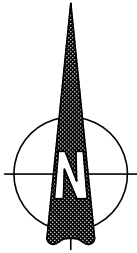
Drawing Title
EXISTING ARRANGEMENT

Date
Scale AS NOTED AT A3
Drawn JB INDUSTRIES

Drawing Number
JBD-1524-D01

Revision
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Project
PROPOSED SUBDIVISION OF LOT 16

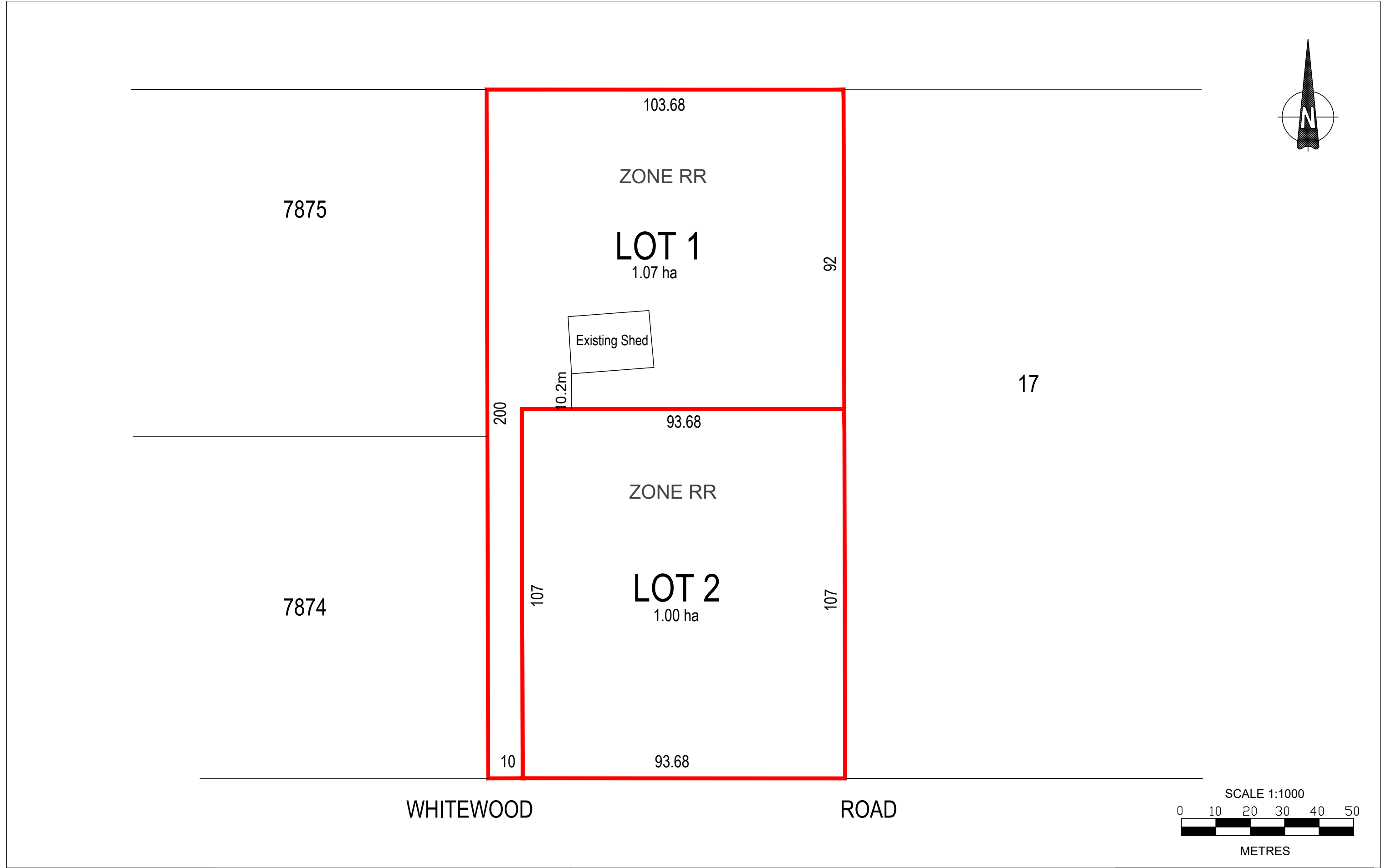
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Lot 16 (355) Whitewood Road- Howard Springs NT


Drawing Title
PROPOSED SUBDIVISION TO CREATE 2 LOTS WITH AERIAL UNDERLAY

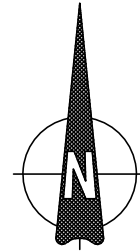
Date
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Drawing Number
JBD-1524-D02
Revision
1

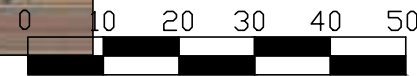
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Project
PROPOSED SUBDIVISION OF LOT 16

Project Description
Lot 16 (355) Whitewood Road- Howard Springs NT

STORMWATER MANAGEMENT

Date
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Land Suitability Assessment for subdivision: Lot 16, Hundred of Bagot

Compiled by

VPS Land Assessment and Planning

February 2025

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Surface and subsurface conditions are created by natural processes and anthropogenic activities. Site assessment identifies actual subsurface conditions only at those points where samples are taken and when they are taken. This Report is based on assumptions that the site conditions as revealed through selective sampling are indicative of conditions throughout the site. Data derived from literature and external data source review are interpreted to provide an opinion about overall site conditions and their likely impact on the proposed development. Natural landscapes are variable and actual subsurface conditions and soil depth may differ from those inferred to exist. The actual interface between materials may be far more gradual or abrupt than assumed based on the facts obtained.

Document Control Record

Prepared by	Graeme Owen
Position	Consultant Environmental Scientist
Date	February 2025

Revision Status

Revision*	Description of Revision	Date	Approved
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*Recipients are responsible for eliminating all superseded documents in their possession

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1. Executive Summary

VPS Land Assessment and Planning (VPS) was commissioned to conduct a Land Suitability Assessment (LSA) of Lot 16, Hundred of Bagot, to support the proposed two lot subdivision of 355 Whitewood Road, Howard Springs. The subject land is 2.07ha in area and Zoned RL – Rural Living. Review of publicly available imagery shows that the subject has been cleared previously; proposed Lot 1 will include the existing house and sheds, whilst lot 2 comprises a mostly cleared block with relict mango trees.

The proposed subdivision of Lot 16 will create two new lots, each at least 1ha, with final areas to be determined by a surveyor. This land suitability assessment confirmed that each proposed lot comprises wholly unconstrained land with similarly unconstrained access to Whitewood Road.

The subdivision area is classed as *S1 – Highly Suitable* for subdivision.

Both proposed lots, as well as adjoining and nearby lots, have access to a reticulated (town water) potable water supply. It is expected that none of the bores shown on NR Maps are used for potable water supply.

Field assessment confirmed that the soil-landscape of the identified unconstrained land is capable of sustaining onsite wastewater management using approved treatment and disposal systems that will comply with the NT *Code of Practice for Wastewater Management* (DoH 2020). No seepage line was identified within 100m of the proposed subdivision. Minimum separation distances between potential disposal areas and other site features can be achieved or exceeded.

One metre interval contour lines on the publicly available 1:2,500 scale topographic map (5173-33322), show that the proposed subdivision will not change the existing stormwater flow regime as the gentle natural slope across the subject land drains towards the south and Whitewood Road.

2. Introduction

VPS Land Assessment and Planning (VPS) was commissioned to conduct a Land Suitability Assessment (LSA) of Lot 16, Hundred of Bagot (355 Whitewood Road, Howard Springs), to support a proposed subdivision. This LSA was prepared to support a proposal to create two lots, each lot at least 1ha, wholly unconstrained and with similarly unconstrained access to Whitewood Road.

This report presents the results of the LSA. It provides an assessment of the issues and opportunities of the site in the context of the NT *Land Suitability Guidelines* (NTG 2020).

The *Land Suitability Guidelines* (NTG 2020) define land suitability as:

The fitness of a given area for land utilisation type (or land use), or the degree to which it satisfies the land user.

The *Guidelines* address seven land suitability categories. These categories are:

- Drainage
- On-site wastewater management *
- Erosion risk
- Soil salinity
- Acid sulphate soils
- Storm tide flooding
- Riverine flooding.

These categories are then assigned *suitability classes* in accordance with Table 2 of the *Guidelines* following assessment of the *relevant* characteristics identified through a review of existing land information and field investigations. Suitability classes 1-2 are considered to be generally 'unconstrained', while suitability classes 3-5 are considered to varying degrees to be 'constrained'. Land classified as suitability class 3-5 may prevent development from proceeding or require additional inputs in terms of design, planning and on-going management (NTG 2013).

* in lieu of the *Land Suitability Guidelines* (NTG 2020) criteria, the capability of the subject land is assessed against the capacity of the unconstrained land to support onsite wastewater management systems (OWMS) that would comply with the NT *Code of Practice for Wastewater Management* (DoH 2020).

3. Background

3.1. Site location

Lot 16, Hundred of Bagot is located at 355 Whitewood Road, Howard Springs, approximately 0.5kms east of Howard Springs shops (Figure 1).



Figure 1: Location of Lot 16

3.2. Site Description and proposed subdivision

The subject land is 2.07ha in area and Zoned RL – Rural Living. Review of publicly available imagery shows that the Lot 16 has previously been cleared; proposed Lot 1 will include the existing house and sheds, whilst lot 2 comprises parts of an old mango plantation (Figure 2).

Both lots will have access to reticulated (town water) potable water supply and both current and future developments will utilise onsite wastewater management systems (OWMS). The house within proposed Lot 1 is serviced by an existing onsite wastewater management system, as such only Lot 2 will be assessed with respect to onsite wastewater management.



Figure 2 Subdivision plan for Lot 16

4. Assessment

4.1. Overview

Field assessment was undertaken in 22 January 2025. Field assessment confirmed that each proposed lot is wholly comprised of unconstrained land on low slopes and that each lot has unconstrained access to a public road, Whitewood Road.

4.2. Soil and Landscape assessment

Field assessment involved traversing parts of Lot 16 with a handheld Garmin GPS Map65 to identify unconstrained land with low slopes adjacent to proposed access. Slope was assessed in the field using a hand-held clinometer and slope <1% was recorded across the subject land and proposed lots.



Figure 3 Summary of soil landscape assessment

A soil validation profile was described in proposed lot 2 (see Appendix 1; Figure 3). The described soil is well drained, gravelly and 0.5m depth. For the purposes of addressing Part 6.3.2.9 (NTPS 2020), no seepage line (boundary of poorly to very poorly drained lands) was identified within 50m of proposed lots.

NR Maps data indicates that there are several bores within 100m of the proposed subdivision (Figure 3). However, as all lots within the proposed subdivision and adjoining lots are serviced by the reticulated (town) water supply and bores are not believed to be used for potable water supply.

4.3. Site assessment

As per NTPS 6.3.2.7, field assessment identified that each proposed lot is wholly unconstrained with similarly unconstrained access to a public road, Whitewood Road (Figure

4). As stated in Section 4.2, no seepage line was identified within 50m of proposed subdivision.

One metre interval contour lines on the publicly available 1:2,500 scale topographic map (5173-33322), show that the proposed subdivision will not change the existing stormwater flow regime as the gentle natural slope across the subject land drains southwards toward Whitewood Road.



Figure 4 Site assessment and unconstrained land within each proposed lot

5. Land Suitability Assessment

An assessment of environmental constraints and administrative requirements identified through an analysis of data used for desktop review combined with field validated soil and landscape information was undertaken in accordance with requirements of relevant NT Government documents including:

- NT *Land Suitability Guidelines* (NTG 2020)
- NT *Planning Scheme* 2020
- DoH. 2020. *Code of Practice for Wastewater Management*. Department of Health, Northern Territory Government

Based on the findings of the desktop assessment and field investigation, an assessment of the site was undertaken to determine land suitability classes and provide a summary of the issues for the subject land. The suitability class ratings have been applied only to the land mapped as unconstrained. No 'constrained' land (eg poorly drained, steeper slopes, etc) is considered in this land suitability assessment.

Suitability classes can be improved by engineering works and the application of other site management practices. As per the Land Suitability Guidelines (NTG 2020, iv) a lower land suitability rating “*does not necessarily prevent a land use from occurring, but in most situations indicates that additional inputs in terms of costs, design, planning and ongoing management could be required.*”

Table 1 contains a summary of the land suitability assessment subdivision.

Table 1 Land Suitability Assessment

Land Suitability Category	Assessment	Suitability Class
Drainage	Unconstrained land identified within all proposed lots and residual area is well drained brown kandosol, consistent with published land resource mapping. See Appendix 1.	S1 - Highly Suitable
Onsite Wastewater Management Land capability assessed against the requirements of the DoH. 2020. <i>Code of Practice for Wastewater Management</i>	Soil within each unconstrained area is well drained. Profile depth within Lot 2 is 0.5m (Site 1). See Appendix 1. As per AS1547:2012, slope $\leq 10\%$ is unconstrained for all disposal systems. Soil depth is not a constraint to sustainable onsite wastewater disposal. AS1547-2012 provides guidance for disposal method selection and suggests a range of 'standard' mitigation measures to address site and/or soil limitations such as soil depth, gravels, etc. Field assessment confirmed that the unconstrained land is capable of sustaining onsite wastewater management using existing approved treatment and disposal systems that will comply with the NT <i>Code of Practice for Wastewater Management</i> (DoH 2020).	S1 - Highly Suitable
Erosion Risk	Low risk - Slope across unconstrained land within all proposed lots $< 1\%$. Lot 1 is developed and Lot 2 predominantly cleared; therefore, establishment of the new lot boundary will require little land disturbance.	S1 - Highly Suitable
Soil Salinity	Not affected - The subject land comprises a mix of mown grasslands with some old mango trees from previous mango orchard. Salinity hazard mapping by Tickell and Tyson (1994) indicates that subject land has a Low Risk of soil salinity.	S1 - Highly Suitable
Acid Sulphate soils (ASS)	Not applicable – subject land well outside areas mapped as at risk from ASS by Hill and Edmeades (2008)	S1 - Highly Suitable
Storm tide flooding	Not applicable – Subject land > 10 kms from coast and well beyond land affected by modelled storm tide flooding (SEA 2006).	S1 - Highly Suitable
Riverine Flooding	Not affected – no flood risk for this property was identified	S1 - Highly Suitable

6. Conclusion

The proposed subdivision of Lot 16 will create two new lots, each at least 1ha, with final areas to be determined by a surveyor. This land suitability assessment confirmed that each proposed lot comprises wholly unconstrained land with similarly unconstrained access to Whitewood Road.

Whilst the slope across the unconstrained land within both proposed lots <1%, as minimal disturbance (low erosion risk) is required to establish the new lots and that soil depth is not considered a constraint to sustainable onsite wastewater disposal, the subdivision is classed as *S1 – Highly Suitable* for subdivision.

Both lots, and all nearby and adjoining lots, have access to reticulated (town water) potable water supply. Field assessment confirmed that the soil-landscape of the identified unconstrained land is capable of sustaining onsite wastewater management using approved treatment and disposal systems that will comply with the NT *Code of Practice for Wastewater Management* (DoH 2020). Minimum separation distances between potential disposal areas and other site features can be achieved.

The proposed subdivision will not change the existing stormwater flow regime as the gentle natural slope across the subject land drains southward towards Whitewood Road as shown on the publicly available 1:2,500 scale topographic map 5173-33322.

7. References

- Australian Standard AS/NZS 1547:2012 On-site domestic-wastewater management
- DoH. 2020. *Code of Practice for Wastewater Management*. Department of Health, Northern Territory Government
- DLPE. *NR Maps*. Department of Lands, Planning and the Environment digital data discovery tool
- Hill JV and Edmeades BFJ. 2008. *Acid Sulfate Soils of the Darwin Region*. Dept of Natural Resources, Environment, the Arts and Sport. Tech Report 09/2008D
- NTG. 2020. *Northern Territory Land Suitability Guidelines*. Northern Territory Government Darwin, Australia
- Tickell SJ and Tyson P.1994. *Dryland Salinity Hazard Map*. NT Department of Infrastructure, Planning and Environment. 2002 Revision.

Appendix 1 - Soil and Vegetation Assessment

Rep Site 1 – Well drained, shallow, gravelly, brown Kandosol



Slope: <1%		Stopped by: dense gravel		Drainage: Well	
Erosion: nil		Surface gravel (%): 10%		Surface water: >100m	
Runoff: Moderate		Rock outcrop: nil		Surface: nil	
Vegetation: Mown grass and old mango orchard					
Level	1	2	3		
Depth (cm)	0–10	10-30	30–50		
Field Texture	Clayey sand	Sandy loam	Sandy clay loam		
Structure	Massive	Massive	Massive		
Dominant Colour	Dark grayish brown	Strong Brown	Brown		
Mottles	nil	nil	nil		
Coarse Frags %	25	25	40		
Emerson	Non dispersive	Non dispersive	Non dispersive		



Site and Soil Evaluation for Subdivision

Lot 16, Hundred of Bagot
355 Whitewood Road, Howard Springs

VPS Land Assessment and Planning
February 2025

Site name	Lot 16, Hundred of Bagot
Site Address	355 Whitewood Road, Howard Springs
Parcel	Lot 16, Hundred of Bagot
Lot size (m² or ha)	Existing lot 2.07ha
Building Control Area	Darwin
Zone	RR – Rural residential
Date of SSE	2 February 2025 - field work undertaken 22 January 2025
Existing land use	Developed block, previously fully cleared and part of irrigated mango plantation
Proposed land use and lot size(s)	Small lot subdivision – 2 lots, each at least 1ha
Potable water supply	Reticulated / mains potable water supply (no bores for potable water)
Proposed treatment and land application system	Systems approved under NT <i>Code of Practice for Wastewater Management</i> (2020)
Distance to bores (m)	100m exclusion buffer not required for irrigation bores not used to supply potable water – see Figure 1
Distance to surface water (m) used for potable supply	Nil waterbodies used for potable supply within vicinity (<200m) of proposed subdivision

Discussion

This SSE has been undertaken in accordance with the NT *Code of Practice for Wastewater Management* (2020) with reference to AS1547:2012, Appendix C *Site-And-Soil Evaluation for Planning, Rezoning, and Subdivision of Land*. This SSE applies to 2.07ha unconstrained land (Figure 1) across the proposed 2 new lots within Lot 16, Hundred of Bagot identified by a Land Suitability Assessment (LSA) (VPS 2025¹) that is suitable for small lot subdivision. As Proposed lot 1 already includes an onsite wastewater management system, SSE field assessment focussed on Proposed lot 2.

As per Section 5.2.1 (AS1547:2012) the objective of the SSE is to “*Provide sufficient information for deciding whether or not a development area, subdivision, or lot is suitable for on-site system(s)*”. The SSE process identifies soil/site characteristics that may need to be addressed through modifications to the soil or the site, including the use of different technologies or management options or a combination of these, to improve site capability, if required, and ensure compliance with the NT *Code of Practice for Wastewater Management* (2020).

AS1547-2012, in particular Appendix K (Tables K1 and K2) and Appendix R, provide a range of suggestions for disposal method selection and suggest a range of mitigation measures in line with ‘*standard industry practice*’ to address soil and site limitations. Assessments in this table/matrix reflect the application of these standard mitigation measures to address the identified site-specific limitations and ensure site OWMS compliance with the NT *Code of Practice for Wastewater Management* (2020).

Notes:

1. Under the NT *Public and Environmental Health Regulations* 2014 (in force 20 November 2020) Clause 69, the “*prescribed code for wastewater management* is the Code of Practice for Wastewater Management, as amended from time to time.” referred to as NT CoP 2020 in this document.
2. As with other Australian Standards, AS/NZS 1547:2012 “*On-site Domestic Wastewater Management*” is utilised as an authoritative reference, but does not replace nor override, the NT *Code of Practice*.

¹ VPS 2025. *Land Suitability Assessment for Subdivision: Lot 16 Hundred of Bagot*



Figure 1 Unconstrained land across Lot 16 (Source: LSA – VPS, 2025)

Note: 100m bore buffers not shown. All proposed lots and surrounding properties access reticulated (town) water for potable water supply. Bores believed to be used for irrigation only.

Land Capability Assessment Matrix for On-site Wastewater Management Systems

Appendix 1 contains a summary of the soil profile assessments carried out by VPS

Site Characteristic	Assessment / considerations
Climate	Nearest rainfall data from Howard Springs Nature Park (BOM Station Number: 014149) – Average annual rainfall ~ 1873 mm – highly seasonal with vast majority of rain falling between October to March BOM map of annual “ <i>Average pan evaporation 1975-2005</i> ” shows the Virginia area lies within an area that experiences 2000-2400mm average annual evaporation (which exceeds annual rainfall).
Exposure	Review of Google Earth indicates all proposed lots formerly were included in a mango orchard that has since been cleared - good exposure
Vegetation	Land previously a mango orchard. Proposed lot 1 will retain existing house, sheds, pool, etc. Lot 2 comprises mown grass and old mango trees
Landform & Slope	Gently undulating plain with slope <1% Slope <10% unconstrained for all disposal systems as per AS1547:2012 – Table K2
Fill	Nil recorded at soil site
Surface gravel & Rock outcrop	Surface gravel – 10% – only affects LAA utilising surface irrigation Rock outcrop – none recorded
Erosion potential	As proposed lot 2 comprises an old mango orchard and mown grasses, minimal disturbance will be required to establish an effluent drain field. Erosion risk associated with installation of effluent disposal systems is very low and can be managed through appropriate timing of soil disturbance and minimising the area of soil exposed during installation, followed by site stabilisation on completion.
Flood risk	Not affected – no flood risk for this property was identified
Proximity surface water used for potable supply	Nil waterbodies used for potable supply within vicinity (<200m) of proposed subdivision
Proximity to groundwater	Review of bore reports for bores on the property and nearby (available from NR Maps) shows local permanent water table below 10m. Adequate vertical and horizontal separation from ground water can be achieved
Protection of potable water supply	Both proposed lots to be connected to reticulated / mains potable water supply (no bores). Adequate vertical and horizontal separation from ground water can be achieved
Code of Practice (CoP 2020) setback distances	Each proposed lot wholly comprises unconstrained land Lot size allows for LAA to be installed to meet all CoP (2020) setback requirements
Soil Profile Characteristic	Assessment / considerations
Soil depth	As per Appendix 2, soil depth is 0.5m. Minimum lot sizes of 1ha provide ample space for land application areas mean that soil depth is not a limitation to onsite wastewater disposal. Furthermore, approved disposal systems include those that do not discharge treated effluent to the environment and which are therefore unaffected by soil type, slope or soil depth.
Indicative Saturated hydraulic conductivity Ksat m/day	Soil profile textures and, by inference, indicative saturated hydraulic conductivity vary across the development site – See Table 5.1 AS1547:2012 for indicative permeabilities as a feature of soil category / soil texture class. For example, the heaviest soil texture described by VPS is at Site 1 (Appendix 2), a massive sandy clay loam - Soil Category 4 - indicative Ksat of 0.06 – 0.12 m/day.
Seasonal waterlogging & Depth to water table	No evidence of prolonged saturation (redoximorphic features) in assessed soil layers. Seasonally waterlogged plains (as defined by seepage line) are excluded from assessment.

	Review of bore reports (available from NR Maps) for bores on the property and nearby shows local permanent water table below 10m.
Risk of local area salinity & Sodicity ESP %	<i>Dryland Salinity Hazard Map</i> (Tickell and Tyson 2002) indicates LAA sites have low risk of localised salinity. Existing vegetation community (mown grassland and previously mango orchard) indicates site not affected by saline soils.
Subsurface gravels, stones, boulders	Profile is gravelly, up to 40% subsurface gravels. Nil stone or outcrop identified
Design	Assessment
Disposal method selection	A range of disposal systems using both primary and secondary treated effluent are approved under the <i>NT Code of Practice</i> (DoH 2020) and could be used within the development site. AS1547:2012, particularly Appendix K (Tables K1 and K2) and Appendix R, provide guidance for disposal method selection and suggest a range of mitigation measures using standard industry practices to address specific site and/or soil limitations (for example, soil depth). For the purposes of discussion, the commonly used combination of a septic system (primary treatment) coupled with a conventional absorption trench has been selected to assess site capability.
Soil category Table E1, AS1547:2012 & Drainage Class	Relevant soil category will depend on the most limiting layer as defined by the selected method of disposal. For example, for surface and shallow subsurface irrigation systems, Table M1 Note 1 states that “For <i>Category 3 to 5 soils (loams to light clays)</i> , 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.” For an absorption trench typically installed at 0.6m, texture of the soil layers below 0.6m will define the Soil Category. For the purposes of discussion, assuming a conventional trench at VPS site 1 (Appendix 2), the maximum subsoil texture described in the soil profile is a Sandy clay loam which equates to Soil Category 4. Drainage Class – Well drained across subdivision
Limiting site / soil feature(s)	Methods to mitigate these limitations using standard industry practices are discussed in AS1547:2012, primarily Appendices E and K. <ul style="list-style-type: none"> • Soil depth 0.5m • Gravels up to 40% • Soil depth and gravels not constraints to sustainable onsite wastewater disposal on this site.
Design loading rate - DLR Table 5.2, AS1547:2012	DLR or DIR (design irrigation rate) will depend on both the selected treatment system (primary or secondary), disposal method and soil texture / structure. See Appendices L-N (AS1547:2012). For the purposes of discussion, assuming disposal of primary treated effluent via a conventional absorption trench at VPS site 1, as per AS1547:2012 Table L1 ‘Recommended Design Loading Rates for Trenches and Beds’ for primary treated effluent the DLR range for ‘Massive, Sandy clay loam’ – Soil Cat 4 – 4-5 L/m ² /day
Model area required for land application areas (LAA)	Assuming a 4-bedroom home using primary treatment system and disposal via a conventional absorption trench into Massive Sandy clay loam subsoils (DLR = 5 per AS1547:2012 Table L1) Design occupancy = 6 persons as per Table 7 (DoH 2020) DLR: 900L/day = 6 x 150L/pers/day as per Table 8 (DoH 2020) Trench / bed LAA @ DLR 5L/m ² /day = 900 ÷ 5 = 180m ² Use of secondary treated effluent would result in a larger DLR and smaller LAA As each proposed lot includes at least 0.4ha unconstrained land, there is ample room to locate a 180m ² LAA that will satisfy all requirements, including setbacks, of the <i>NT Code of Practice for Wastewater Management</i> (2020)

Site and Soil Capability Assessment

This SSE demonstrates that

- onsite wastewater disposal systems can be installed using standard industry practices as outlined in AS1547:2012 (Appendix K) that will comply with the *NT Code of Practice* (DoH 2020) on this site
- Erosion risk across LAA can be managed through appropriate timing of soil disturbance and minimising the area of soil exposed during installation, followed by site stabilisation on completion.
- Soil depth and subsoil gravels, addressed in Appendix K, are not constraints to sustainable onsite wastewater disposal.
- The minimum 1ha unconstrained land per lot allows for relocation of LAA to a site within the lot with deeper soils, or use of imported fill, mounds or use of approved disposal systems that do not involve discharge to the environment and are therefore independent of soil type, slope or soil depth.
- The lot size enables development of LAAs that will treat effluent within property boundaries, the risk of impact on either groundwater and nearby surface waters from onsite wastewater management is low.
- Development site is capable of sustainably disposing of primary or secondary treated effluent using effluent disposal systems approved under the *NT Code of Practice* (DoH 2020) without environmental / health impacts

Conclusion

This SSE for the proposed two lot subdivision of Lot 16, Hundred of Bagot, each lot including at least 1ha unconstrained land and serviced by reticulated (town) potable water supply, has demonstrated that onsite wastewater disposal systems can be installed using standard industry practices as outlined in Appendix K (AS1547:2012) that will comply with the *NT Code of Practice for Wastewater Management* (DoH 2020) including required setbacks.

References

- AS/NZS 1547:2012 *On-site domestic-wastewater management*. Standards Australia / Standards New Zealand.
- DoH. 2020. *Code of Practice for Wastewater Management*. Department of Health, NT Government
- NT *Public and Environmental Health Regulations* 2014 (in force 20 November 2020)
- Tickell S and Tyson P (latest version 2002). *Dryland Salinity Hazard Map*
- VPS 2025. *Land Suitability Assessment for Subdivision: Lot 16 Hundred of Bagot*

Reliance, Uses and Limitations

This report is copyright and is to be used only for its intended purpose by the intended recipient, and is not to be copied or used in any other way. The report may be relied upon for its intended purpose within the limits of the following disclaimer. This document has been prepared for the persons to whom it has been addressed and, if printed, should be printed in colour.

This study, report and analyses have been based on the information available to VPS Land Assessment and Planning at the time of preparation. VPS Land Assessment and Planning accepts responsibility for the report and its conclusions to the extent that the information was sufficient and accurate at the time of preparation.

Certain information contained in this report is based on sources believed to be reliable. VPS Land Assessment and Planning is not in a position to, and has not, verified the accuracy or completeness of such information. Accordingly, VPS Land Assessment and Planning takes no responsibility for, and assumes no liability in respect of, any information provided to it by others or sourced from external sources for the purpose of preparing this report, or the consequences of the use of such information.

Surface and subsurface conditions are created by natural processes and anthropogenic activities. Site assessment identifies actual subsurface conditions only at those points where samples are taken and when they are taken. This Report is based on assumptions that the site conditions as revealed through selective sampling are indicative of conditions throughout the site. Data derived from literature and external data source review are interpreted to provide an opinion about overall site conditions and their likely impact on the proposed development. Natural landscapes are variable and actual subsurface conditions and soil depth may differ from those inferred to exist. The actual interface between materials may be far more gradual or abrupt than assumed based on the facts obtained.

Appendix 1 – Site and soil assessment

This assessment is based upon a desktop assessment and field investigations carried out by VPS for the land suitability assessment (VPS 2025). See Figure 1 for a summary of findings discussed below and identification of unconstrained land.

1.1 Background

Review of Google Earth imagery indicates that all three proposed lots were once part of a mango orchard but now comprise mostly mown grasses. Proposed lots will all access the sealed Hamilton Road. Both lots have access to reticulated (town water) potable water supply and future developments will utilise onsite wastewater management systems (OWMS).

Field assessment was undertaken on 22 January 2025 which identified at least 1ha of unconstrained land on low slopes for each of the two (2) proposed lots.

1.2 Rainfall data

The nearest rainfall data from Howard Springs Nature Park (BOM Station Number: [014149](#)). Average annual rainfall shown in the table below, Average annual rainfall is 1885 mm with vast majority of rain falling between October to March.

Statistic	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	465	406	341	103	22	2	1	4	20	66	163	297	1872
Median	435	389	316	79	9	0	0	0	7	46	159	239	1879

BOM map of annual “Average pan evaporation 1975-2005” shows the Virginia area lies within an area that experiences 2000-2400mm average annual evaporation (which exceeds annual rainfall).

1.3 Water supply, bores and groundwater aquifers

VPS has been advised that both proposed lots have access to reticulated / mains potable water supply.

As required under Part 6.3.2.9 (NTPS 2020) in relation to the siting of potential effluent disposal systems, there is no identified seepage line within 100m of proposed lots and no known bores used for potable water supply within subject land nor on adjoining lots. The location of nearby bores is shown in Figure 1.

1.4 Soil and landscape assessment

To guide the interpretation of existing soil and site data and other information, VPS assessed one well drained, shallow soil profile across the proposed subdivision (Appendix 2). Field assessment involved traversing the unconstrained land with a handheld Garmin GPS Map65 (Map Grid of Australia 1994, Zone 52) and slope (%) was assessed using a hand-held clinometer.

site	Easting	Northing
1	722747	8617742

1.5 Erosion Risk and stormwater

Slope is often used as a surrogate for erosion risk. Slope within unconstrained land within both proposed lots is <1%. Erosion risk across the site during the development of land application areas (~ 180m²) will be low.

The proposed subdivision will not change the existing stormwater flow regime as the land from all lots naturally slopes and drains towards the south towards Whitewood Road.

1.6 Soil profile depth

VPS used a 75mm jarrett auger to assess soil profiles. Profile depth at Site 1 is 0.5m with hand auger stopped by dense gravel at depth. Soil depth is a not a constraint to sustainable onsite wastewater disposal. AS1547-2012 provides guidance for disposal method selection and suggests a range of ‘standard’ mitigation measures to address site and/or soil limitations including soil depth, gravels etc.

Appendix 2 – VPS soil profile

Rep Site 1 – Well drained, shallow, gravelly, brown Kandosol



Slope: <1%		Stopped by: dense gravel		Drainage: Well	
Erosion: nil		Surface gravel (%): 10%		Surface water: >100m	
Runoff: Moderate		Rock outcrop: nil		Surface: nil	
Vegetation: Mown grass and old mango orchard					
Level	1	2	3		
Depth (cm)	0–10	10-30	30–50		
Field Texture	Clayey sand	Sandy loam	Sandy clay loam		
Structure	Massive	Massive	Massive		
Dominant Colour	Dark grayish brown	Strong Brown	Brown		
Mottles	nil	nil	nil		
Coarse Frags %	25	25	40		
Emerson	Non dispersive	Non dispersive	Non dispersive		





AB Consulting (NT) Pty Ltd

ABN: 98 602 384 672

Shop 4 / 290 Whitewood Road (Cnr Smyth Rd)
HOWARD SPRINGS NT 0835

PO Box 1631, BERRIMAH NT 0828

Mobile: 0400 518 367

Email: annette@abconsultingnt.com.au

Our Ref: ABC-25051

To Whom it may concern,

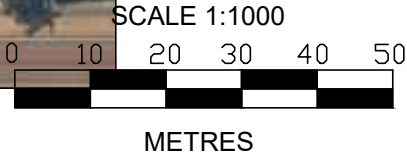
RE: Statement from a Building Certifier Re: Section 46(3)(k) of the Planning Act for Proposed Subdivision of Lot16 (355) Whitewood Road, Howard Springs, Hundred of Bagot.

In accordance with Section 46(3)(k) & (l) of the Planning Act and Drawing 'JBD-1524-D01 to JBD-1524-D03' issued by JB Industries (NT) Pty Ltd attached, I can confirm that the proposal is suitable for Subdivision and will not affect compliance with the NT Building Act or National Construction Code/Building Code of Australia.

Yours Sincerely,

Annette Joseland
Building Certifier
Registration Number: 264433BU
12/02/2025

Documents Enclosed: JBD-1524-D01 to JBD-1524-D03 issued by JB Industries (NT) Pty Ltd



JB INDUSTRIES (NT) Pty Ltd
BUILDING DESIGN AND DRAFTING
RESIDENTIAL, COMMERCIAL, INDUSTRIAL
Phone: 0407834229

PO BOX 571 COOLALINGA NT 0839
EMAIL: admin@jbindustries.com.au

Project
PROPOSED SUBDIVISION OF LOT 16

Project Description
Lot 16 (355) Whitewood Road- Howard Springs NT

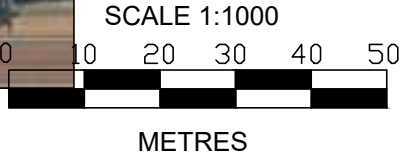
Drawing Title
EXISTING ARRANGEMENT

Date
Scale AS NOTED AT A3
Drawn JB INDUSTRIES

Drawing Number
JBD-1524-D01

Revision
1

DO NOT SCALE DRAWINGS
ALL DIMENSIONS TO BE VERIFIED & CHECKED ON SITE



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Project
PROPOSED SUBDIVISION OF LOT 16

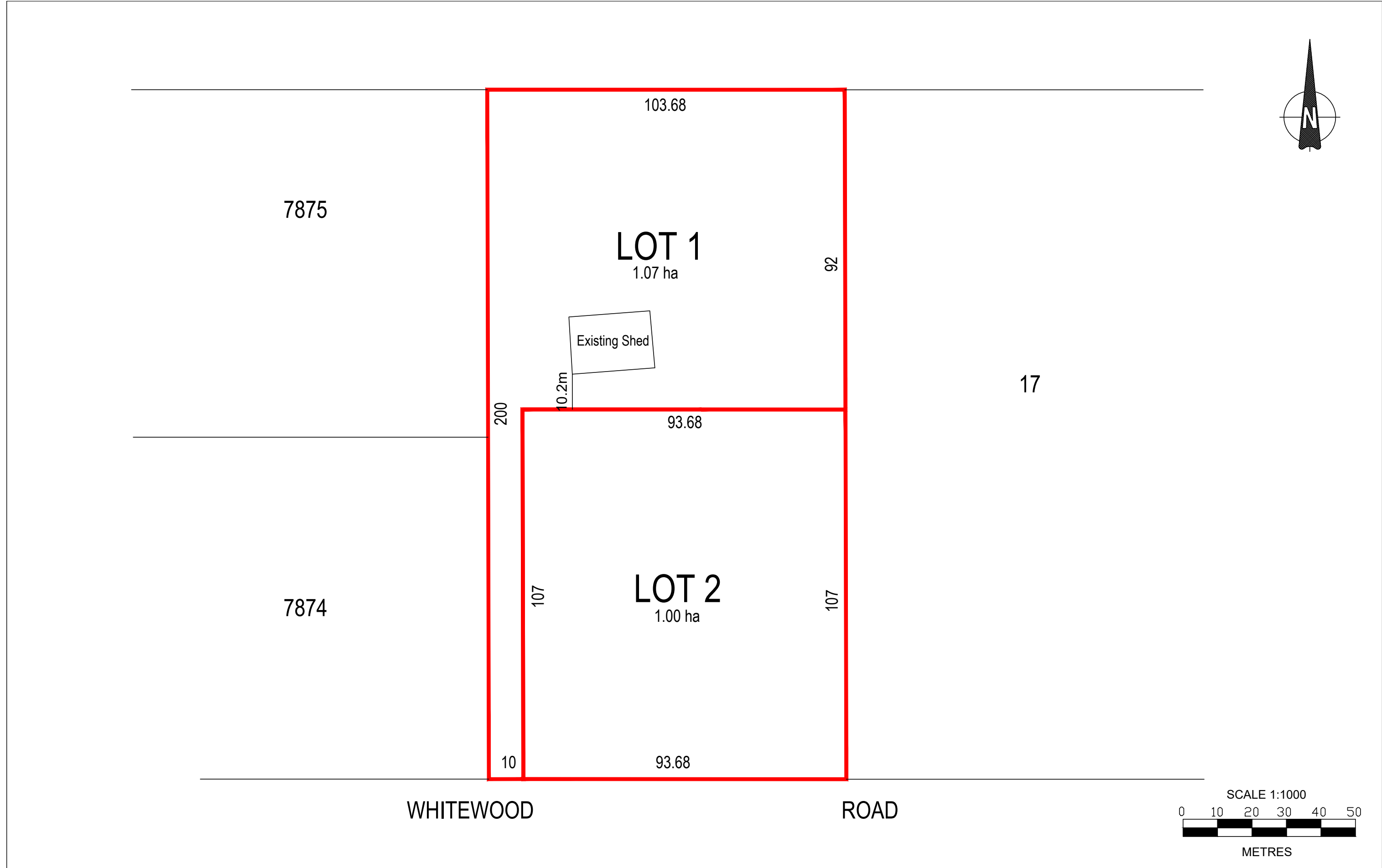
Project Description
Lot 16 (355) Whitewood Road- Howard Springs NT


Drawing Title
PROPOSED SUBDIVISION TO CREATE 2 LOTS WITH AERIAL UNDERLAY

Date
Scale AS NOTED AT A3
Drawn JB INDUSTRIES

Drawing Number
JBD-1524-D02
Revision
1

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	<p>JB INDUSTRIES (NT) Pty Ltd BUILDING DESIGN AND DRAFTING RESIDENTIAL, COMMERCIAL, INDUSTRIAL Phone: 0407834229</p> <p>PO BOX 571 COOLALINGA NT 0839 EMAIL: admin@jbindustries.com.au</p>	<p>Project PROPOSED SUBDIVISION OF LOT 16</p> <p>Project Description Lot 16 (355) Whitewood Road- Howard Springs NT</p>	<p>Drawing Title PROPOSED SUBDIVISION TO CREATE 2 LOTS</p>	<p>Drawing Number JBD-1524-D03</p>	<p>Revision 1</p>
			<p>Date</p>	<p>DO NOT SCALE DRAWINGS ALL DIMENSIONS TO BE VERIFIED & CHECKED ON SITE</p>	
			<p>Scale AS NOTED AT A3</p>		
			<p>Drawn JB INDUSTRIES</p>		



30 May 2025

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

RE: Letter of Comment Concurrent Planning Application

PA2025/0055

**Hun: 055 LTO: 78011 P: 00016 355 Whitewood Road HOWARD SPRINGS, Hundred of Bagot
A proposed Concurrent Application to Rezone from Zone RL (Rural Living) to Zone RR (Rural Residential)**

Thank you for the Planning Scheme Amendment Application referred to this office on 30/04/2025, 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 under Section 22(1) of the *NT Planning Act*:

Council supports the granting of a Planning Scheme Amendment for the following reasons:

- a) The proposed rezoning of the property from RL Rural Living to zone RR Rural Residential is supported by the statements of policy in the *Litchfield Subregional Land Use Plan* to locate rural residential lots either within or in close proximity to peri-urban areas and rural residential transition areas. It is noted that this property is approximately 480m from the Howard Springs Rural Activity Centre and only a short distance from the transition area boundaries.

Council supports the granting of a Development Permit for the following reasons:

- a) Pending the outcome of the proposed rezoning, Council supports the proposed subdivision to create 2 lots as the provided site and soil assessment and land suitability assessment show that the location is suitable and can support the two lots provided there is reticulated water for both lots.

Council can provide the following comments in relation to the application:

- a) Council notes that there should be substantial clean up to proposed Lot 1 in order to satisfy the requirements to install firebreaks and setback requirements.

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 meet Litchfield Council's requirements, and be in accordance with the NT Subdivision and Development guidelines and standard drawings.
- b) 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 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.
- 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

Record No: D2025/175061

Container No: NE055/0016

Your Ref: PA2025/0055

Fiona Ray / Steven Kubasiewicz
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Fiona / Steven

Re: Lot 16 (355) Whitewood Road Howard Springs Hundred of Bagot

In response to your letter of the above proposal for the purpose of Concurrent Application:

- Rezone Zone RL (Rural Living) to Zone RR (rural Residential) to facilitate the subdivision of land as proposed.
- Subdivision to create 2 lots.

Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. PWC has no objection to the above rezone proposal.
2. The existing overhead power service to the current Lot 16 will remain unchanged for the proposed Lot 2.
3. Power servicing requirement to the proposed 107m long axe-handled Lot 1 with existing building structures shall be as follows:
 - Establishment of a new point of power service from a suitable substation within one span at the front boundary of the axe-handled access on the existing overhead power line on Whitewood Road. As all the applicable upgrade works will be carried out on the existing overhead power line on Whitewood Road, PWC shall provide a quote for payment by the Landowner under the Australian Energy Regulator (AER) assessment process and carry out the design and construction work.
 - The Landowner shall engage a licensed electrician to submit a Negotiated Connection application and AS-3000 maximum demand calculations under the AER compliance process for PWC's assessment on the required load connections.
 - The engaged licensed electrician shall install a new customer's service pole and switchboard with electricity meter to be installed within 1m from the front boundary of the axe-handled access in accordance with PWC's NP018-Service and Installation Rules 2024 and NP010-Meter Manual.
 - All current internal electrical installations connecting to the existing building from the current power supply to the original Lot 16 must be removed by the engaged licensed electrician.
 - The engaged licensed electrician shall correctly determine and carry out new and suitable internal electrical extension from the customer's service pole to connect electricity supply back to all existing building structures within acceptable voltage drop.

If you have any further queries, please contact Andrew Venhuizen, Senior Customer Connections Officer on 8924 5700 for customer's internal electrical installation requirements or Luke Nielsen, Distribution Development Officer on 8924 5195 for power quote on electricity supply upgrade requirements.

Yours sincerely



Thanh Tang
Manager Distribution Development

01 May 2025



Container No: LD055/0016

Fiona Ray
DIPL - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Fiona,

RE: PA2025/0055 - Lot 0016 Hundred of Bagot - 355 Whitewood Road Howard Springs - Concurrent Application: Rezone from RL to RR and Subdivision to create 2 lots

In response to your letter of the above proposal for development application purpose, Power and Water Corporation advises the following with reference to water and sewer enquiries:

1. Reticulated sewer services are currently unavailable in the area. The developer shall contact relevant authorities to discuss servicing requirements for the proposed development.
2. The developer will need to extend the existing DN150 AC water main with a DN150 PVC pipe for approximately 50 meters to provide service for the proposed two-lot subdivision. A BS750 hydrant is to be installed at the end of the extended DN150 PVC water main. The developer is advised to engage a hydraulic consultant to discuss the water servicing for this development. All work shall be carried out by a PWC accredited plumber.
3. Only a single water service is permitted for each proposed individual lot. All new services are constructed by the developer, at no cost to Power and Water.
4. Full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service. PWC recommends that the developers' hydraulic consultant confirm internal firefighting requirements with PWC prior to the development, so that flow capability can be adequately assessed.
5. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists (such as within a road), within 1.5 metres of the centreline of water and/or sewer main infrastructure.
6. All required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. A letter has been sent to the applicant outlining the fees and charges applicable for this development. All standard and quoted charges, as well as contribution charges will be valid for a period of 6 months from date of letter issue. As required, Power and Water will reassess the charges for the development.

Power and Water advises that the Water and Sewer Services Development Section

(waterdevelopment@powerwater.com.au) and Power Network Engineering Section
(powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior
to construction works commencing.

If you have any further queries, please email waterdevelopment@powerwater.com.au

Yours sincerely



Sarah Hemopo

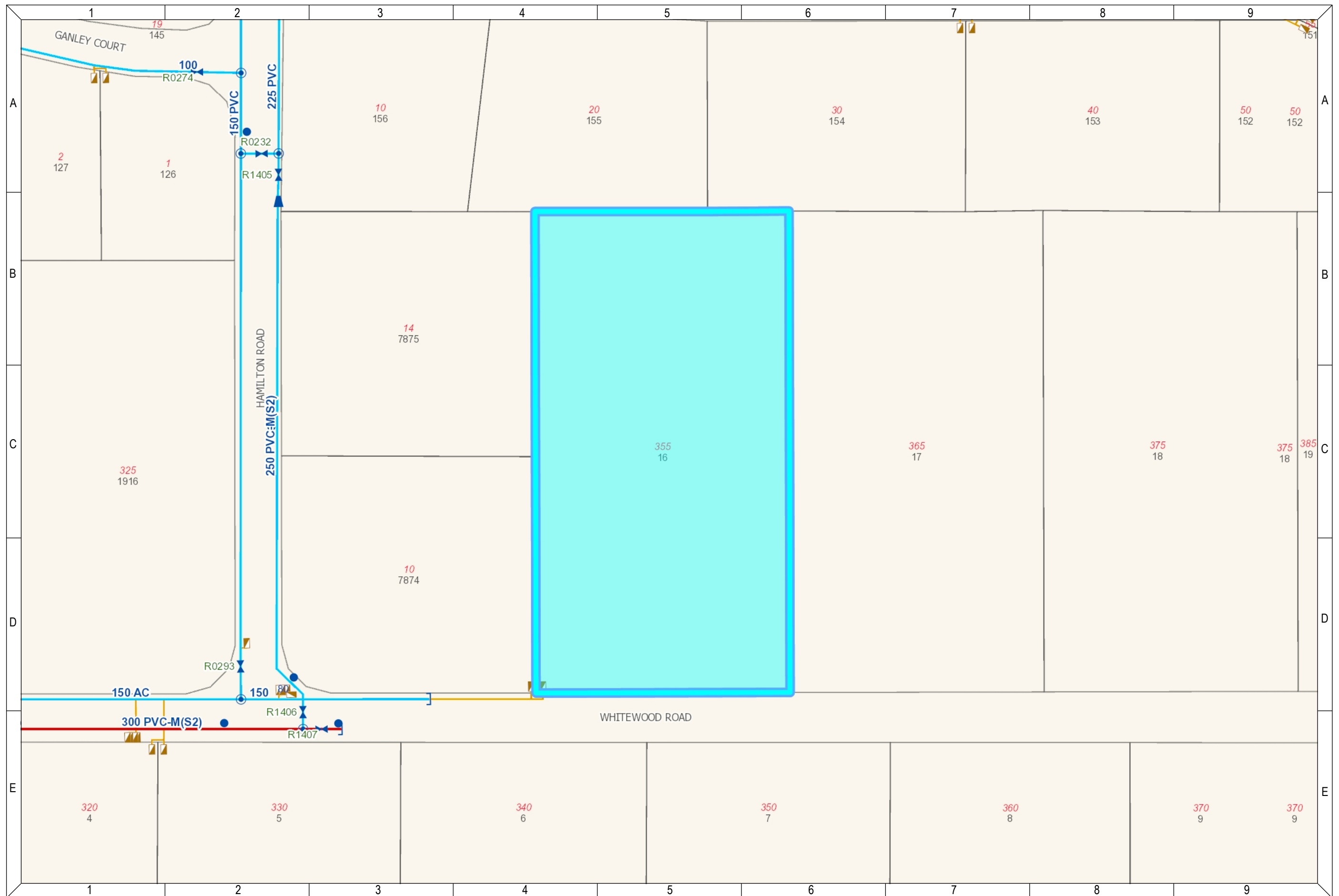
Services Development

4th June 2025

cc: Gerard Rosse – Cunnington Rosse Town Planning and Consulting
email: gerard@crtpc.com.au

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Mr Steven Kubasiewicz
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Mr Kubasiewicz

Re: PA2025/0055 Concurrent Application Rezoning RL to RR and Subdivision

The above application has been assessed by the relevant environmental divisions within the department and the following comment is provided:

Land Resources Division

Weed Management Branch

A desktop assessment of the Northern Territory (NT) Weeds Database for the application area, surrounding areas and adjoining land tenures has revealed records of the following weed species:

Common Name	Botanical Name	Declared
Gamba grass	<i>Andropogon gayanus</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 management plan¹. Management obligations outlined in this plan must be adhered to by all land holders.

Further information as to weed management requirements and the Weed Management Plan for gamba grass are available online², alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

¹ https://nt.gov.au/_data/assets/pdf_file/0006/954789/weed-management-plan-for-gamba-grass-2020-2030.pdf

² <http://www.nt.gov.au/environment/weeds>

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 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 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 is legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plans are available at <https://nt.gov.au/environment/weeds/weed-management-planning>.

Information regarding weed management is available on the DLPE website: <https://nt.gov.au/environment/weeds>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Land Assessment Branch

Both allotments have been highly modified and are considered to contain at least 1ha of land that is unconstrained by drainage, soil salinity or acid sulfate soils, as per the requirements under the NT Planning Scheme (2020).

Land Management Unit

Due to generally low surface gradients and the small area subject to rezoning and subdivision, the Land Management Unit does not require an Erosion and Sediment Control Plan (ESCP) condition on the Development Permit. However, it is important that erosion and sediment control measures are employed throughout the development stage in accordance with the recommended condition below:

1. For the purposes of best practice land management and environmental protection, it is recommended that:
 - prior to the commencement of works an ESCP is developed;
 - the ESCP is implemented throughout the construction phase including clearing and early works; and
 - all disturbed soil surfaces are stabilised against erosion at completion of works.
2. Resources regarding erosion and sediment control is available on the IECA website www.austieca.com.au and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Development Coordination Branch: (08) 8999 4446.

Environment Division

Heritage Branch

Context of Heritage Branch Advice

The NT Government's Heritage Branch administers the *Heritage Act 2011* and provides authoritative advice about obligations under the *Heritage Act 2011*, 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 received from the Heritage Branch may be considered as evidence in an investigation if damage occurs to a declared heritage place, an Aboriginal or Macassan archaeological place or object.

Relevant parts of the NT's *Heritage Act 2011*:

1. All provisionally declared and declared heritage places and objects are protected under the *Heritage Act 2011*;
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; and
6. There is an obligation to notify of the discovery of Aboriginal or Macassan archaeological places or objects.

Conditions of advice

1. 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.
2. In preparing this advice, the Heritage Branch has referred to the NT Heritage Register and the Heritage Branch archaeological database which includes information about Aboriginal and Macassan archaeological places and objects in the NT. However, the database only includes information about known archaeological places. The fact that there are no known archaeological places recorded may be because no archaeological surveys have been conducted in that particular area and is not necessarily an indication they do not exist.

Actions

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

- A search of the NT Heritage Register;
- A search for known archaeological places located within the subject site on the Heritage Branch archaeological database;
- A search for known archaeological places located within the proximity of the subject site on the Heritage Branch archaeological database;
- 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, known archaeological places in the vicinity, and other predictive tools.

Advice

The search has found that there are no known Aboriginal or Macassan archaeological places and objects within the subject site. The likelihood of unrecorded Aboriginal or Macassan archaeological places has been assessed as possible. The extent of pre-existing disturbance and the nature of the work itself has also been considered. If archaeological places are discovered over the course of the subdivision and rezoning, establish an exclusion zone around the site and contact the Heritage Branch immediately.

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

Water Resources Division

There are no issues of concern within the responsibilities of Water Resources Division associated with the concurrent application for rezoning and subdivision for Lot 16 Hundred of Bagot.

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

Yours sincerely



Maria Wauchope
Executive Director Land Resources

29 May 2025

7 May 2025

T 08 89228337

Steven Kubasiewicz
Senior Project Officer
Development Assessment Services
Department of Infrastructure, Planning and Logistics
Floor 1, Energy House, 18-20 Cavenagh Street,
Darwin GPO Box 1680, Darwin, NT 0801

File reference
EFILE 2024/10267

Dear Steven

Re: PA2025/0055 Concurrent Application to Rezone from Zone RL (Rural Living) to Zone RR (Rural Residential) at LOT 00016 Hundred of Bagot, LTO Plan 78011, and create two lots

Thank you for the opportunity to comment on the above Development Application. Medical Entomology comments are as follows.

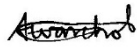
1. There are no Medical Entomology objections to the proposed rezoning and subdivision to create two 1ha lots.
2. The proposed subdivision is located within about 500-600m of Dutchies Lagoon, which is considered a source of seasonally moderate to high mosquito populations to areas up to 1-1.5km from the lagoon. There are currently no mosquito control programs targeting the pest and potential disease carrying mosquitoes arising from the lagoon. Therefore, future landowners should be made aware of the seasonal mosquito issues, and that NT Government or Local Government will not be able to alleviate the problem.

Recommended Development conditions

- a) Before issue of titles and pursuant to section 34 of the Land Title Act, a Caution Notice should be lodged with the Registrar General on the parent parcel to include the following advice on all the proposed lots indicated on the endorsed drawings. The Caution Notice is to state that: 'The land is likely subject to seasonal mosquito problems, and the owner/occupier is responsible for managing mosquito problems that occur on this land. This could be via the use of personal insect repellents, avoidance of outdoor areas during periods of pest biting insect problems, use of protective clothing, use of insect screening on dwellings and outdoor patios and verandas, and the use of adult biting insect control insecticides around houses and in shrub areas, applied by a qualified pest controller'.

Please contact me if there are any queries with this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Allan Warchot', with a stylized flourish at the end.

Allan Warchot
Advice and Control Officer

LAND TITLE ACT 2000 - SECT 34

Caution notices

(1) The Minister or, if a minister of the Commonwealth has administrative responsibility for the first grant or transfer of land from the Crown, that minister may lodge with the Registrar-General a memorandum if he or she is of the opinion that characteristics of or relating to the land may adversely affect its use or occupation.

(2) The memorandum may be lodged:

(a) on the first grant or transfer of land (whether freehold or leasehold) from the Crown; or

(b) at any time afterwards with the consent in writing of the registered proprietor of any interest in the land that is affected by the memorandum.

(3) The memorandum is to:

(a) identify the land;

(b) set out the characteristics of or relating to the land that may adversely affect its use or occupation; and

(c) if the memorandum is lodged other than on the first grant or transfer of the land – contain the consent of the registered proprietor of any interest in the land that is affected by the memorandum.

(4) Characteristics of or relating to land that may be set out in the memorandum include:

(a) a propensity towards flooding;

(b) the presence of unexploded bombs or other ordnance; and

(c) the presence of rubbish disposal or landfill sites, whether compacted or not.

(5) The Registrar-General must:

(a) register the memorandum; and

(b) enter a caution notice in the land register against the land to which the memorandum relates.

- (6) A caution notice does not of itself preclude any dealing with the land.

Technical Assessment PA2025/0055

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

Application No: PA2025/0055

Lot number: Lot 16, (355) Whitewood Road, Howard Springs

Town/Hundred: Hundred of Bagot.

Zone (Proposed): RR (Rural Residential)

Site Area: 2.07ha

Proposal: Subdivision to create 2 lots

Lot 1 - 1.07ha

Lot 2 - 1ha.

Plans used for assessment: Plan numbered: JBD-1524-D02 and JBD-1524-D03.

Date assessment finalised: 12 June 2025

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

Zone RR (Rural Residential)			
Use	Assessment Category	Overlays	Specific Development Requirements
Subdivision to create 2 lots	Impact	Overlay 3.2 CNV (Clearing of native vegetation)	6.3.1 Subdivision in Zone RR 6.3.3 Site characteristics for Lots of 1ha or greater in zones RR, RL, R and H and unzoned land.

Clause 1.8 When development consent is required.

(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:

- i. it is shown as Impact Assessable on the relevant assessment table in Part 4;*
- ii. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii); or***
- iii. it is identified as Impact Assessable in Clause 1.9; or*
- iv. it is a Prohibited development which relates to a heritage place as set out in Clause 1.10(7)(b); or*
- v. a provision of this Planning Scheme expressly requires assessment as Impact Assessable.*

Clause 1.8(1)(c)(ii) applies.

Clause 1.10 Exercise of Discretion by the Consent Authority

4. 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.

2.0 Strategic Framework

In accordance with subclause 2.2 (4) of NTPS 2020, the Strategic Framework guides the interpretation of all Parts of the NTPS 2020:

Where there is inconsistency between the components of the Strategic Framework, Area Plans, providing the most detailed level of guidance, prevail over higher-order Land Use Plans and Strategic Planning Policies to the extent of any inconsistencies.

Subregional Land Use Plans, Regional Land Use Plans and Strategic Planning Policies will guide interpretation of the Planning Scheme when:

- (a) there is no applicable Area Plan;*
- (b) the Area Plan does not provide guidance on a particular issue;*
- (c) a use or development does not accord with an Area Plan; or*
- (d) a new Area Plan is being created or a change is proposed to an existing Area Plan.*

The Darwin Regional Land Use Plan (DRLUP) and the Litchfield Sub-Regional Land Use Plan (LSRLUP) are relevant to the subject site and identify the land for Rural Lifestyle, and Rural Area development respectively. The LSRLUP, which provides the most detailed level of guidance, in this instance, outlines the following objectives for such identification:

- *Facilitate new areas of rural residential development close to community facilities.*
- *Maintain rural amenity and lifestyle choice.*
- *Provide opportunity for residential land uses in the Rural Area to meet market demand.*

The site of the subdivision is in close proximity (approx. 450m) to the Howard Springs Rural Activity centre. The subdivision seeks to create two lots that satisfy the minimum lot size of 1ha per lot and is unconstrained. The land has a low Horticultural potential. The proposed lots are to be connected to a reticulated power and water supply.

COMPLIES

3.2 Overlay - 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.*
- 2. Notwithstanding sub-clause 1, all clearing of native vegetation in Zone CN requires consent, other than as provided for by sub-clause 4.*
- 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.

No clearing is proposed as a part of this application.

NOT APPLICABLE

4.6 Zone RR – (Rural residential)

Zone Purpose

Provide residential lots with a semi-rural character in areas where reticulated water is available that may:

- (a) cater for a range of lifestyle choices and semi-rural activities; or*
- (b) support the growth and viability of rural activity centres; or*
- (c) provide a transition between existing rural living areas and rural activity centres; or*
- (d) provide a buffer between urban residential uses and constrained land.*

Zone Outcomes

- 1. Dwellings-single and dwellings-independent within a semi-rural setting.*
- 2. Home based businesses and dwellings-community residence of a scale, intensity and nature that is compatible with the character and amenity of the locality.*
- 3. Residential development, such as residential care facilities, is compatible with the character and amenity of the locality.*
- 4. Non-residential activities, such as community centres and plant nursery:*
 - (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.*
- 5. The design and site layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.*
- 6. Subdivision and development avoids adverse impacts on ecologically important areas through location, design, operation and management.*
- 7. Subdivision design is informed by land suitability assessment to confirm the land is able to support rural residential development.*
- 8. Development is provided with an appropriate level of services and infrastructure and avoids negative impacts on the natural environment.*
- 9. 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.*

Each lot is to be connected to reticulated power and water. The Land Suitability Assessment, provided in support of the application, indicates that the land is unconstrained with unconstrained access to a public road. No ecologically important areas have been identified affecting the subject land.

COMPLIES

6.3.1 Subdivision in Zone RR

Purpose

Ensure that small lot rural residential subdivisions:

- (a) respond appropriately to the physical characteristics of the land;*
- (b) are integrated with local infrastructure, community services and facilities; and*
- (c) ensure that lots are of a size and configuration suited for the purpose.*

Administration

- 1. The consent authority must not consent to a subdivision that is not in accordance with sub-clause 6.*
 - 2. The consent authority may consent to a subdivision that is not in accordance with the table to this clause and sub-clauses 7-10 only if it is satisfied that the subdivision will create lots that comprise all unconstrained land and are consistent with the purpose of this clause.*
-

3. Despite sub-clause 2, the consent authority must not consent to a subdivision in Zone RR 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, prepared by a suitably qualified professional.

Requirements

5. Land is to be subdivided in accordance with the table to this clause.
6. Each lot is to be connected to reticulated water.
7. Provide for connection to reticulated services. 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.
8. Provide for adequate drainage within the road reserve or through engineered drainage reserves.
9. Provide sealed roads and direct access to a sealed public road.
10. 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 located above the 1.0% AEP flood line or any seepage line, whichever is the higher;
 - (d) be designed with discharge drains placed to minimise erosion and associated engineering and maintenance costs;

Table to Clause 6.3.1: Subdivision in Zone RR	
Locality	Minimum Lot Size and Requirements
In Litchfield Municipality, outside of urban / peri-urban areas and rural activity centres	1ha – all unconstrained
All other areas	0.4ha – all unconstrained

Each lot will have 1ha of unconstrained land and meets the minimum lot size requirements. No physical constraints have been identified. Lots will be provided with access to available reticulate services (power and water) and provides access via Whitewood Road. The lots are suitably dimensioned and will accommodate future development. In conclusion the Site and Soil Evaluation (SSE) notes that the following:

“This SSE for the proposed two lot subdivision of Lot 16, Hundred of Bagot, each lot including at least 1ha unconstrained land and serviced by reticulated (town) potable water supply, has demonstrated that onsite wastewater disposal systems can be installed using standard industry practices as outlined in Appendix K (AS1547:2012) that will comply with the NT Code of Practice for Wastewater Management (DoH 2020) including required setbacks.”

No new roads are proposed.

COMPLIES

6.3.3 Site characteristics for subdivision for lots of 1ha or greater in zones RR, RL, R 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.
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.
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.
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.
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).
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.
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 water courses.

No physically constraining characteristics of the land have been identified. The land is not subject to either storm tide or riverine flooding. The stormwater management plans provided, indicate that there will be no change to the existing overland stormwater flows. Unconstrained access from a public road (Whitewood) is provided. No natural drainage systems have been identified.

COMPLIES
