



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 174 –THURSDAY 17 APRIL 2014

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

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

APOLOGIES: Nil

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

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 10.00 am and closed at 1.15 pm

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

ITEM 1 **4 X 3 BEDROOM MULTIPLE DWELLINGS IN TWO SINGLE STOREY BUILDINGS**
PA2014/0085 **SECTION 6559 (9) CONSTANT STREET, HUNDRED OF BAGOT**
APPLICANT **NT REPAIRS AND PAINTING PTY LTD**

Mr Zaharias Vronodos and Mr Charlie Mallias (NT Repairs and Painting Pty Ltd) attended.

RESOLVED
85/14

That, the Development Consent Authority vary Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.5 (Private Open Space) of the NT Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 6559 (9) Constant Street, Hundred of Bagot for the purpose of 4 x 3 bedroom multiple dwellings in two single storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
2. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan included in the application, except that the plan must show:
 - (a) details of surface finishes of pathways and driveways;
 - (b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (c) landscaping and planting within all open areas of the site;
 - (d) provision of an in ground irrigation system to all landscaped areas.All species selected must be to the satisfaction of the consent authority.
3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared to the requirements of the Litchfield Council. All works relating to this permit are to be undertaken in accordance with the ESCP to the satisfaction of the Litchfield Council and the consent authority.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Litchfield Council to the satisfaction of the consent authority.
7. 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.
8. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council, to the satisfaction of the consent authority.
9. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
14. Storage and collection of waste disposal bins is to be provided to the requirements of Litchfield Council to the satisfaction of the consent authority.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au)

should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/ or surrounding infrastructure.

2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
3. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

1. The proposed development is generally consistent with the requirements of the NT Planning Scheme and the primary purpose of Zone MD (Multiple Dwelling Residential). However the concept does not meet the minimum side setback requirements of 2.5m to the south west facing boundary and Unit 2 and Unit 3 have insufficient area to provide private open space with minimum dimensions of 5m x 5m.

As the proposed 2m setback represents only a minor variation to the minimum and the land is burdened by a drainage easement along the length of the north eastern boundary having a width of 4.52m, a variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme can be supported in this instance.

A variation to Clause 7.5 (Private Open Space) can be supported to enable Unit 2 and 3 to have outdoor areas which include dimensions of 4.5m x 5.4m and 4.5m x 14m, respectively, given the minor reduction, overall exceedance of the minimum area of 45m² and in consideration of the inclusion of a 2.5m x 2.5m verandah to each unit.

2. Litchfield Council is the sole authority responsible under the *Local Government Act* and associated by-laws for stormwater drainage and as such will have a requirement for details of the collection and discharge of stormwater for this proposal.

ACTION: Notice of Consent and Development Permit

ITEM 2
PA2014/0131
APPLICANT

**SUBDIVISION TO CREATE 4 LOTS
SECTION 4572 (500) REDCLIFFE ROAD, HUNDRED OF STRANGWAYS
EARL JAMES AND ASSOCIATES**

The applicant did not attend.

**RESOLVED
86/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 4572 (500) Redcliff Road Hundred of Strangways for the purpose of a subdivision to create four lots subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawing numbered 2014/0131/1, endorsed as forming part of this permit.
2. Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to state that: "*This allotment has shallow soils and an alternative on-site wastewater treatment system may be required to dispose of effluent in the absence of reticulated sewerage*". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.
3. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
4. The owner shall relocate the overhead power line servicing proposed Lot D to the requirements of the relevant authority, to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Engineering design and specifications for the proposed and affected roads, stormwater drainage and vehicular access, are to be to the technical requirements of Litchfield Council, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
7. A "Permit to Work Within a Road Reserve" is required from Litchfield Council before commencement of any work within the road reserve.
8. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT.
9. This development is subject to the Infrastructure Development Levy. The developer shall pay a development levy and other fees and charges according to the Litchfield Council Municipal Plan.

NOTES:

1. The Power and Water Corporation advises the Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. There are statutory obligations under the *Weeds Management Act 2001* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
3. Under the *Territory Parks and Wildlife Conservation Act 2000* the native herb *Cleome insolata* has been listed as a threatened species. The only known populations of *Cleome insolata* are within the Noonamah-Weddell area. The Department of Land Resource Management recommend a botanical survey is carried out of Section 4572 Hundred of Strangways during the wet season. Any findings of *Cleome insolata* should be reported to the Department of Land Resource Management and clearing of vegetation avoided in the immediate area.

REASONS FOR THE DECISION

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

The proposal is generally consistent with the requirements of the Scheme and the Litchfield Planning Concepts and Land Use Objectives. Each lot has 1ha of land unconstrained by storm tide flooding, riverine flooding or localised stormwater flooding.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into account the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The Department of Land Resource Management and the Department of Health have expressed concern that the land is classified as marginally suitable with regard to onsite wastewater management. The land is otherwise unconstrained in relation to drainage and has a low erosion risk associated with the subdivision works. There are suitable ground water supplies available to support rural purposes. A caution notice is to be placed on the permit advising future land owners that the physical nature of the soils may require that an alternative waste water treatment system may be required.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2014/0047

**LEISURE AND RECREATION (QUAD MOTOCROSS TRACK FOR ADDITIONAL 12 MONTHS)
SECTIONS 109 & 118 (160 & 220) BRANDT ROAD, HUNDRED OF BAGOT
TERRITORY QUAD ASSOCIATION INC**

APPLICANT

Mr Andrew Woods (Territory Quad Association Inc) attended.

**RESOLVED
87/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Part Sections 109 & 118 (160 & 220) Brandt Road, Hundred of Bagot for the purpose of Leisure and Recreation (Quad Motocross Track) for 12 months, subject to the following conditions:

1. The works carried out under this permit shall be in accordance with the drawing numbered 2014/0047/1 endorsed as forming part of this permit.
2. 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.
3. All proposed works impacting on Brandt Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Litchfield Council. Drawings must be submitted to Litchfield Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
4. "No Entry/No Exit" signs and arrows directing the internal traffic movement on site shall be provided prior to the commencement of use to the requirements and satisfaction of the consent authority.
5. Access to and egress from the site for all vehicles is to be via existing access points only.
6. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council drains or to any watercourse.
7. The use may only operate between the hours of 8am and 6pm.
8. The site identified in the drawings endorsed as forming part of this permit may only be used by quad motorbikes.
9. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
10. The loading and unloading of goods and vehicles must only be carried out on the land identified in the endorsed drawings.
11. Soil erosion and dust control measures must be employed throughout the development and operational phases of the use to the satisfaction of the consent authority.
12. This permit will expire on 30 November 2014.

NOTES:

1. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please phone (08) 8999 4567.
2. The development/activity has the potential to cause environmental nuisance including noise and dust. Environmental nuisance is defined under the *Waste Management and Pollution Control Act*. Pursuant to section 83(5) of the *Waste Management and Pollution Control Act* the proponent must not cause an environmental nuisance.

REASONS FOR THE DECISION

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

The application is generally consistent with the relevant provisions of the NT Planning Scheme.

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

The use of the land as a quad motocross track has the potential to impact on the amenity of the local area, particularly regarding noise and dust generation. Continuing previously imposed conditions restricting the hours of operation, prohibiting the use of loudspeakers on the site, and conditions relating to dust control and erosion and sediment control, will ensure that the TQA continue to operate in a manner that appropriately manages any amenity issues.

Imposing a time limit of 12 months on any development permit issued will ensure that any impacts on the amenity of the local area are short lived while allowing the TQA to continue operations for the 2014 race season.

ACTION: Notice of Consent and Development Permit

ITEM 4
PA2014/0169

**CARAVAN PARK (598 ROOMS IN 150 X SINGLE STOREY BUILDINGS) &
ANCILLARY WATER RECHARGE AREA
SECTIONS 2333, 2334, 2335 & 2336 & LOT 16 (175, 195, 215, 235 & 125)
DARWIN RIVER ROAD, HUNDRED OF CAVENAGH
APPLICANT JUNE D'ROZARIO & ASSOCIATES PTY LTD**

Ms June D'Rozario (June D'Rozario & Associates) attended and tabled:-

- a response to submissions from service authorities and public submissions; and
- a request for amendment to amend recommended conditions precedent.

Submitters who sent their apologies:- Mr David Rowe, Ms Robyn Rowe, Mr Dennis Hayes, Mrs Kate Olliver and Mr Peter Ebsworth.

Submitters in attendance: - Mr Nigel Olliver, Mrs Jude Ebsworth, Mr Ivan & Ms Anita Southard, Mr Greg Chapman, Ms Diana Rickard, Mr Shane Jones, Ms Denise Goodfellow and Mr Michael Stott and one further gentleman.

**RESOLVED
88/14**

That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Sections 2333, 2334, 2335 & 2336 & Lot 16 (LTO80/018) (175, 195, 215, 235 & 125) Darwin River Road, Hundred of Cavenagh, for the purpose of a caravan park (598 rooms in 150 x single storey buildings) and an ancillary water recharge area, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) 1m extension to the 3 'valley' car parks to provide full compliance with Clause 6.5.3 (Parking Layout); and
 - (b) an additional loading bay near the administration building.
2. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be prepared to the requirements of an independent suitably qualified professional and submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
3. Prior to the commencement of works (excluding site preparation works) a site specific wastewater treatment system is to be approved by the Department of Health to the satisfaction of the consent authority.
4. Prior to the commencement of works a Traffic Impact Assessment to the requirements of the Department of Transport and/or Litchfield Council as the case may be, to the satisfaction of the consent authority.
5. Prior to the commencement of works (including site preparation) a Traffic Management Plan (TMP for the construction phase of the development is to be prepared, to the requirements of the Department of Transport, to the satisfaction of the consent authority. The TMP may incorporate the operational phase as required by Condition 15 of this permit.

6. Prior to the commencement of works, the developer is to prepare a Restrictive Covenant to the requirements of Water Resources Division, Department of Land Resource Management and to the satisfaction of the consent authority. The Restrictive Covenant is to address the permitted volume of water to be extracted from the site.

GENERAL CONDITIONS

7. The works carried out under this permit shall be in accordance with the drawings and plans endorsed as forming part of this permit.
8. 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.
9. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, electricity facilities, and telecommunication networks to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
10. An approved effluent disposal system to the requirements of the Department of Health and to the satisfaction of the consent authority must be installed concurrently with the erection of the caravan park and all waste must be disposed of within the curtilage of the property.
11. Before the use of the site commences and pursuant to section 55 of the *Planning Act* and division 5 of the *Land Titles Act*, a restrictive covenant shall be lodged with the Registrar-General for notation on the titles of all lots (currently Sections 2333, 2334, 2335, 2336 and Lot 16 Hundred of Cavenagh) shown on the endorsed drawings. The restrictive covenant shall include the wording agreed to in Condition Precedent 6. Evidence of lodgement shall be provided to the satisfaction of the consent authority.
12. The restrictive covenant referred to in Condition 11 must remain in place on all lots that make up the site, for the duration of the use for the development. The development must at all times be operated in accordance with the restrictions imposed by the covenant, to the satisfaction of the consent authority.
13. An Occupancy Permit under the *Building Act* must not be issued until Sections 2334, 2335 and 2336, Hundred of Cavenagh have been consolidated and a new title issued for the consolidated lot.
14. Prior to commencement of use, a Traffic Management Plan (TMP) for the operational phase is to be prepared to the requirements of the Department of Transport and to the satisfaction of the consent authority.
15. Prior to commencement of use, a Biting Insect Management Plan for the operational phase is to be submitted to and approved by the consent authority on the advice of the Medical Entomology Unit, Department of Health. When approved, the plan will be endorsed and will then form part of this permit. All works relating to the permit are to be undertaken in accordance with the endorsed plan to the satisfaction of the consent authority.

16. Before the use commences, the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of the Department of Health, the details of the method of treatment of potable water at the development.
17. Prior to commencement of use, a solid waste management plan must be prepared to the requirements of the Department of Health and to the satisfaction of the consent authority.
18. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
19. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
20. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
21. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land.
22. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
23. The landscaping shown on the endorsed plans must be maintained to the satisfaction the consent authority, including that any dead, diseased or damaged plants are to be replaced.
24. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Department of Transport to the satisfaction of the consent authority.

and

The owner shall:

- (a) remove disused vehicle and/ or pedestrian crossovers;
- (b) collect stormwater and discharge it to the drainage network; and
- (c) undertake reinstatement works;

all to the technical requirements of and at no cost to the Department of Transport, to the satisfaction of the consent authority.

25. Where unfenced, the Darwin River Road frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction to the consent authority.
26. All proposed works impacting on Darwin River Road and Cox Peninsula 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 Department of Transport. Drawings must be submitted to the Transport Infrastructure Planning Division of the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
27. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
28. All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.
29. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - (d) presence of vermin.
30. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
31. Prior to the commencement of use, a detailed lighting plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
32. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Department of Transport drains or to any watercourse.
33. The proprietors must have in place at all times and adhere to an operational management plan that includes, but is not limited to, the management of excess noise and antisocial behaviour.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and

Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
3. A groundwater extraction licence is required under the *Water Act* for any bore equipped to supply over 15 litres per second. For advice on water extraction licences please contact the Water Management branch of the Department of Land Resource Management.
4. The applicant is advised to engage a building certifier, within the meaning of the *Building Act*, as to whether the building/s comply with the *Building Act* and associated Regulations.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
6. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
7. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
8. The developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.

REASONS FOR THE DECISION

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

A variation to Clause 6.5.1 (Parking Requirements) through the provisions of Clause 6.5.2 (Reduction in Parking Requirements) to provide only 611 car parks when the NT Planning Scheme requires 813 is supported. It is likely that a high number of guests will arrive on coach tours, and FIFO workers making use of the facility will also be travelling by bus. An

overflow car park is provided, as well as parking for up to 8 buses in a pick up/drop off zone. Additional parking can be accommodated on the site if the ongoing use of the development requires it.

Clause 4.1(b) (Northern Territory) refers to the administration of the Scheme and how it is to 'contribute to the sustainable use and development of land and water resources so that the use and development of land is consistent with the principles of sustainable development and avoids pollution and minimises degradation of the environment or over commitment of water resources.' The application has suitably addressed these concerns and a restrictive covenant will be placed on all lots limiting the volume of water than can be extracted.

Clause 5.10 (Zone TC - Tourist Commercial) of the NT Planning Scheme states that the primary purpose of the zone is to provide for uses or development servicing tourism, including commercial and residential activities. The locality is dominated by land zoned R (Rural), with lots typically 8ha or larger and developed for low density rural living and horticulture. The application demonstrates compatibility by noting that all buildings are single storey, there is a very low plot ratio for the development, and the proposed development will comfortably 'co-exist' with the immediately surrounding land uses.

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

Twenty-one individual submissions and 3 petitions (2 against, 1 supporting) were received. The submissions raised concerns regarding the capability of the site and the infrastructure available to support the proposed development, aspects of the development itself, potential impact on the rural lifestyle and amenity, the inconsistency of the proposed use with the zoning of the site, and an aversion to the site being used for FIFO workers accommodation.

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

The applicant has provided a Water Management Plan and a Wastewater Management Plan that provide information as to the capability of the land to support the proposed development. A restrictive covenant will be placed over all lots to limit the volume of water that can be extracted so as not to impact on surrounding land uses and to minimise any long term impacts on the aquifer. The Department of Health is reviewing recently provided additional information regarding the onsite treatment and disposal of wastewater, a situation that must be resolved prior to the commencement of works.

The land is otherwise unconstrained and is considered capable of supporting the proposed development.

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

Many of the public submissions have raised concern about the impact the proposed development will have on their rural living lifestyle and amenity. The application has taken particular care to minimise any potential impact on the existing and future amenity of the locality, and is considered to be of a compatible scale and character. The application demonstrates this by noting that all buildings are single storey, there is a very low plot ratio for the development, and the proposed development will comfortably 'co-exist' with the immediately surrounding land uses.

A detailed lighting plan is required to ensure that the lighting strategy for the site will not unduly affect surrounding residents. Landscaping along the Darwin River Road frontage and throughout the development will assist in screening the development and adding to the overall visual amenity of the site. The outcomes of both a Construction and an Operational Traffic Management Plan should minimise any inconvenience to local residents, given that Darwin River Road is an arterial road.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

25/4/14

