

DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 137 – FRIDAY 10 JUNE 2011

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman), Michael Bowman, Richard Luxton and Keith Aitken

APOLOGIES: Mary Walshe

OFFICERS PRESENT: Mone Coats-Ross (Acting Secretary) and Steven Kubasiewicz (Development Assessment Services)

COUNCIL REPRESENTATIVE:

Meeting opened at 9.45 am and closed at 10.45 am

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

ITEM 1 **SUBDIVISION TO CREATE 4 LOTS**
PA2010/0262 **LOT 3 (75) LOWTHER ROAD, HUNDRED OF STRANGWAYS**
APPLICANT **JUNE D'ROZARIO & ASSOCIATES PTY LTD**

Applicant June D'Rozario (June D'Rozario & Associates Pty Ltd) attended the meeting and tabled an amended subdivision proposal drawing.

RESOLVED
73/11

That, the Development Consent Authority vary the requirements of Clause 11.4.2 (Infrastructure in Subdivisions of Rural and Unzoned Land) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 3, (75) Lowther Road, Hundred of Strangways for the purpose of a subdivision to create three lots, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2010-0262-01, endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from Bushfires NT. The permit holder must contact Bushfires NT for advice on firebreaks prior to installation
5. 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.
6. This development is subject to the Litchfield Shire Council Developer Contribution Plan. The developer shall pay a development levy as per locality 13C of this plan for the additional lot created, to the Litchfield Council.
7. The developer shall provide substations to proposed lots B & C to the requirements of Power and Water.

NOTES:

1. There are statutory obligations under the *Weeds Management Act 2001* to take all practical measures to manage weeds on the property.
2. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates. The application is consistent with the objectives of the *Litchfield Planning Concepts and Land Use Objectives 2002* which identify the need for the continuation of 2ha subdivision predominantly for residential purposes in the Bees Creek locality.
2. Pursuant to section 51(e) of the *Planning Act* the Development Consent Authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application. The issues raised in submissions have been addressed. Bore reports relating to the existing bores in the locality demonstrate yields sufficient to provide a suitable water supply. The revised plans submitted also demonstrate that adequate distances can be achieved between existing and notional bores and septic tanks. The reduction in the number of lots alters the design of the subdivision and negates the issues surrounding a central driveway.

Pursuant to section 51(n) of the *Planning Act* the Development 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 subdivision will create opportunities for various aspirations in relation to rural lifestyle, while having a minimal impact on the existing or future amenity of the surrounding area.

ACTION

Notice of Consent and Development Permit

ITEM 2
PA2010/1257
APPLICANT

VARIATION TO ALLOW THE ROAD TO BE SEALED WITH FORMED GRAVEL
SECTION 2650 BERRY SPRINGS, HUNDRED OF CAVENAGH
VEKTA PTY LTD

Applicant Gregg Hestelow (Vekta Pty Ltd) and owner Doug Barden attended the meeting.

RESOLVED
74/11

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority determined to defer consideration of the application at the request of the applicant to enable the applicant to prepare and submit additional information including appropriate drawings i.e. cross sections deemed necessary to enable proper consideration of the application.

ITEM 3
PA2011/0216
APPLICANT

SUBDIVISION TO CREATE 3 LOTS
SECTION 2290 (55) BEDDINGTON ROAD, HUNDRED OF STRANGWAYS
VEKTA PTY LTD

Applicant Gregg Hestelow (Vekta Pty Ltd) attended the meeting.

RESOLVED
75/11

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 2290 (55) Beddington Road, Hundred of Strangways, for the purpose of a subdivision to create 3 lots subject to the following general and precedent conditions:

PRECEDENT CONDITIONS

1. Prior to the commencement of works the applicant must demonstrate to the satisfaction of the consent authority that the land is suitable for the intended residential use in accordance with the National Environment Protection (Assessment of Contamination) Measures 1999.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawing numbered 2011/0216/1 endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. 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.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

6. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
7. Engineering design and specifications for the proposed and affected roads, stormwater drainage, and vehicular access are to be to the technical standards of Litchfield Council to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
8. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from NT Fire and Rescue.
9. A new power substation is required to be provided by the developer at the front boundary of proposed Lot 3 to the satisfaction of the Power and Water Corporation.

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. 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 Natural Resources, Environment, The Arts and Sport.

REASONS FOR THE DECISION

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

The application is consistent with the objectives of the *Litchfield Planning Concepts and Land Use Objectives 2002* which identify the area for the continued development of predominately 2 hectare lots, to accommodate a range of land uses including rural living, agriculture (including horticulture and aquaculture) recreation, tourist, commercial and community purposes. The applicant is creating an additional two lots for rural living purposes that are in excess of 2 ha.

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

The subject site has been significantly modified and seasonal waterlogging and inundation is now very minimal with unconstrained access. The land is considered capable of supporting the proposed subdivision and no impact on the ecological sustainability of the area is anticipated.

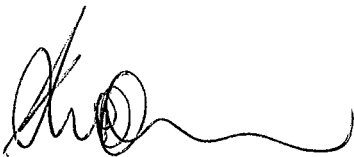
3. Pursuant to Section 51(m) of the *Planning Act*, the consent authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated, the requirement public facilities and services to be connected to the land and the requirement if any, for those facilities, infrastructure or land to be provided by the developer.

Reticulated electricity is available to the subject site at the front boundary. Due to the long 'axe-handle' access to proposed Lot 3, the provision of a substation is considered necessary to ensure that future landowners have access to an adequate reticulated power supply.

ACTION

Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

17 /6/11