



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 269 – FRIDAY 10 JUNE 2022

**HOWARD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Suzanne Philip (Chair), Adam Twomey and Emma Sharp

APOLOGIES: Keith Aitken, Rachael Wright and Doug Barden
LEAVE OF ABSENCE: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), George Maly and Sonia Barnes
(Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 11.30 am and closed at 12 noon

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 **ALTERATIONS AND ADDITIONS (5 x NEW HANGARS AND REMOVAL OF**
PA2022/0110 **1 x HANGAR) TO AN EXISTING AIRSTRIP**
SECTION 4617 (850) BEES CREEK ROAD, WEDDELL, HUNDRED OF
STRANGWAYS

APPLICANT Cunnington Rosse Town Planning and Consulting

Brad Cunnington (Cunnington Rosse Town Planning and Consulting) attended and tabled a site plan showing aircraft tied up on the site.

RESOLVED That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent
50/22 Authority consent to the application to develop Section 4617 (850) Bees Creek Road, Hundred of Strangways for the purpose of alterations and additions to an existing airstrip (5 x new hangars), subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show all existing and proposed structures and the location of each hangar on the site.
2. 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 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 to Council's stormwater drainage system.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The use of the land for the purpose of alterations and additions to an existing airstrip (5 x new hangars) must cease upon the expiration of Development Permit DP16/0088.
5. No further development associated with aviation activities is to be undertaken on the subject site, without consent.

6. 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.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost Litchfield Council, to the satisfaction of the consent authority.

NOTES

1. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
2. The Power and Water Corporation advises that the Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.

REASONS FOR THE DECISION

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

The NT Planning Scheme 2020 applies to the land and the use of the subject site, as a private airstrip is an 'undefined use' and requires consent under Clause 1.8 (When development consent is required).

An undefined use is *Impact Assessable* under Clause 1.8(1)(c), therefore the strategic framework (Part 2 of the Scheme, including the Darwin Regional Land Use Plan and Litchfield Subregional Land Use Plan, which are relevant to this application) need to be considered. The purpose and outcomes of zone FD, under Clause 4.27 Zone FD (Future Development), and Clauses 5.2.1 (General Height Control), 5.2.4 (Vehicle Parking) and 5.3.4 (Development of Land in Zone FD) also need to be considered, as they are relevant to the application.

The proposal had been assessed against the provisions of the strategic framework and the relevant clauses of the NT Planning Scheme.

While there is no Area Plan in place for the subject land, both the Darwin Regional Land Use Plan 2015 and Litchfield Sub-Regional Land Use Plan 2016 identify the locality for the development of a future city of Weddell, which will include a mix of residential, commercial, service, community and entertainment facilities in this area. The proposed additions to the existing airstrip are likely to result in an adverse impact on these proposed future uses.

The existing airstrip and ancillary structures are approved through DP16/0088, which prohibits the use of the airstrip on or after 20 April 2028. The proposed use will not be detrimental to the future development of the City of Weddell, provided approval is for a limited period, consistent with that specified by development permit DP16/0088. An approval is therefore granted, subject to a condition limiting the use of the land to a date specified in Development Permit DP16/0088.

An imposition of time limitation on the proposed development of the site will not prejudice the future use or development of the land in accordance with the regional and subregional land use plans.

The proposal generally complies with general and specific clauses of the NT Planning Scheme 2020.

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

The additional hangars are not considered likely to impact the amenity of the existing area any more than the existing use of the site as approved through DP16/0088 which prohibits the use of the airstrip on or after 20 April 2028.

3. Pursuant to section 51(1)(e) of the *Planning Act 1999*, the 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.

Two submission received support the use of the airfield, however concerns were raised that any increased development of the site will further damage the unsealed section of Bees Creek Road being used to access the airstrip.

Litchfield Council advised that reshaping and grading of the unsealed section of Bees Creek Road was undertaken on 16 May 2022 as part of regular maintenance works. Further drainage maintenance works will occur once the road has dried out, and the next maintenance grading is scheduled for October/ November 2022. Council advised there are no plans to seal the section of the road in the near future. Council refers to

the report submitted with the application, which asserts that an increase in traffic, as a result of the additional hangars, is not anticipated.

The Authority also note that the landowner is amenable to liaising with Council to undertake additional maintenance works on Bees Creek Road in between the scheduled maintenance periods as necessary and will liaise directly with Council.

4. Pursuant to section 55 of the *Planning Act 1999*, the consent authority may impose on a development the conditions it thinks fit and specifies in the development permit, including a provision for the permit to lapse on a specified date.

A request for amended plans via a condition precedent intends to clarify that Section 4617 has approval to be used for the purpose of a private airstrip with 12 hangars, 4 single dwellings, a workshop and a clubhouse, until 20 April 2028. The additional 5 hangars approved under this permit will result in a total of 17 hangars.

Provided the proposed use is allowed for a limited timeframe to correspond to the existing development permit, DP16/0088, and does not lead to the permanent establishment of aviation activities; the proposal is not considered likely to prejudice the future use or development of the land.

FOR: 3

AGAINST: 0

ABSTAIN: 0

ACTION:

Notice of Consent and Development Permit

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

SUZANNE PHILIP
Chair

14 June 2022