

DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 132 – FRIDAY 11 FEBRUARY 2011

WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS

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

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary) Steven Kubasiewicz and Maree Domelow (Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 9.45 am and closed at 12.30 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 **UNIT PLAN SUBDIVISION TO CREATE 4 UNITS INCLUDING VACANT UNITS**
PA2010/1257 **SECTION 2650, BERRY SPRINGS, HUNDRED OF CAVENAGH**
APPLICANT **VEKTA PTY LTD**

Mr Gregg Hestelow (Vekta Pty Ltd) and Mr Doug Barden (Owner) attended.

RESOLVED
18/11

That pursuant to section 46(4)(b) of the *Planning Act* the Development Consent Authority defer consideration of the application for unit plan subdivision of Section 2650, Berry Springs, Hundred of Cavenagh for the purpose of creating four units including vacant units to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application.

- That the applicant must provide details on the location of existing bores and proposed bores. Only one bore should be provided to service the development on common land.
- A statement from a registered building certifier that the proposed unit lot boundaries will not result in any non-compliance of existing buildings with the requirements of the Building Act.
- A statement from a suitably qualified person as to the structural integrity of the existing dam and walls and its suitability to support the intended uses within the proposed lots.

REASONS FOR THE DECISION

1. The consent Authority must, pursuant to Section 51(a) of the Planning Act, take into account the planning scheme that applies to the land.

Clause 11.1.4 requires consideration of the requirements for common infrastructure including internal roads and water supply and must not consent to a subdivision unless that infrastructure is within common property or vested in the relevant service authority. The applicant is required to demonstrate compliance with this requirement by identifying the location of existing bores on the land and the location of the proposed bore to service the existing and future development on the land.

2. The consent Authority must, pursuant to Section 51(q) of the Planning Act, take into consideration, for a proposed subdivision of land on which a building is or will be sited, whether the building complies or will comply, with any requirements prescribed by regulation in relation to the building.

The subject land contains a number of existing structures for which a compliance certificate is required to demonstrate compliance with the Building Act for those structures.

3. The consent Authority may, pursuant to Section 51(t) of the Planning Act, take into account the other matters that it thinks fit.

The Authority requests the applicant to demonstrate that the dam and walls of the lake are structurally sound.

ACTION: Advice to Applicant

ITEM 2
PA2009/1671

VARIATION OF DP10/0358 TO ALLOW THE ESCP TO DEVELOP ON A STAGE BY STAGE BASIS
SECTION 5224 (35) OAKLEY ROAD, SECTIONS 3112, 3113, 3114 & 3115 (329, 330, 328, & 326) BEDDINGTON ROAD & SECTIONS 3124, 4740, 3125, 3126, 3127 & 3128 (71, 72, 75, 77, 76 & 74) HONEYSUCKLE ROAD, HUNDRED OF STRANGWAYS

APPLICANT

AUSTRALIA NEW ZEALAND RESOURCES CORPORATION PTY LTD

DAS tabled a response to Litchfield Council and NRETAS comments from Mr Ben Chrisp dated 4 February 2011 and a conceptual drainage plan.

Mr Graham Chrisp and Mr Jason Chrisp (Australia New Zealand Resources Corporation Pty Ltd) attended and tabled the current staging plan and a drainage conceptual plan.

RESOLVED
19/11

That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority consent to the application to vary Development Permit number DP10/0358 for the purpose of varying condition 2 to allow for the staging of the ESCP and associated stormwater plans for each stage of the development.

REASON FOR THE DECISION

The proposed variation will not impact on the Authorities ability to ensure that an appropriate Erosion Sediment Control Plan and provisions for stormwater management occur for each stage and for the entire subdivision.

ACTION: Variation to Development Permit

ITEM 3
PA2010/1387

SUBDIVISION TO CREATE 83 LOTS
SECTIONS 4540, 4541 & 4542 (425, 435 & 445) & LOTS 6, 7 & 13 (415, 405 & 455) STUART HIGHWAY, HUNDRED OF BAGOT

APPLICANT

GWEO INVESTMENTS PTY LTD AS TRUSTEE FOR THE EVEN LYNNE FAMILY TRUST

DAS tabled an amended report that included details of the additional information requested from the applicant (previously circulated to the applicant).

Ms Popi Papazoglou (Lawyer), Mr Even Lynne and Mr Bernie O'Connell (Gwleo Investments), Mr Hans Vos, Mr Kevin Dodd (Earl James & Associates), Mr Simon Byrne (Byrne Design & Drafting-civil engineers), Mr Thomas Riley and Ms Natasha Baker (EcOz Environmental Services) attended.

Mr O'Connell tabled suggested pre conditions:- two for Power and Water and one for the Department of Health.

~~Mr John Pudney (Manager, Planning & Infrastructure, Water Services PWC), Mr Joshua Cufley (Environmental Health Officer, Department of Health), Mr Russell Anderson (Chief Executive Officer, Litchfield Council) and Mr Bill Cumberland (Natural Resources, Environment, The Arts and Sport) attended.~~

**RESOLVED
20/11**

That pursuant to section 46(4)(b) of the *Planning Act* the Development Consent Authority defer consideration of the application to subdivide Sections 4540, 4541 & 4542 (425, 435 & 445) and Lots 6, 7 & 13 (415, 405 & 455) Stuart Highway, Hundred of Bagot for the purpose of creating eighty-three (83) lots to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application.

- The applicant is required to prepare a Traffic Impact Assessment (TIA), in accordance with the requirements of the Roads Network Division of the Department of Lands and Planning in their response dated 19 January 2011. The TIA must also include details on the design and management of the internal road network of the subdivision including details on road widths, compatibility of those road widths for service vehicles and expected adjoining land uses, on street carparking, cycle paths and pedestrian networks. This report is to be prepared by a suitably qualified traffic engineer and should be prepared in consultation with the Road Network Division and the Litchfield Council.
- The applicant is required to provide to the Authority documentation and plans detailing the intended development of Lot 6, currently zoned PS (Public Open Space). The information requested must include the following:-

A plan detailing the intended development of lot 6 including any buffer zones, landscaping, the extent of existing vegetation that is to be retained, indicative stormwater and effluent outlet infrastructure. Documentation must detail how this space is to be used in a manner consistent with the zones primary purpose to provide public areas for recreational activity.
- The applicant is required to provide to the Authority relevant plans detailing the extent and depth of fill to the development site, including any details of any batters proposed to stabilise the fill. The applicant must demonstrate the suitability of the filled land for its intended use.
- The applicant is required to provide to the Authority documentation and plans detailing the intended design of the wastewater treatment facility. The information requested must include the following:-

Details on the intended design of the waste water treatment facility, particularly in reference to the storage and disposal of waste materials for the facility in the form of treated waste water and other sludge/solid waste and the location and size of any wastewater treatment ponds or other methods to be used in the treatment of wastewater.

REASONS FOR DECISION

1. The consent Authority must, pursuant to Section 51(a) of the Planning Act, take into account the planning scheme that applies to the land.

Clause 11.2 2 (Infrastructure and Community Facilities in Residential Subdivisions) requires consideration of the traffic management by the authority. In accordance with the advice from the Department of Lands and Planning the proposal is likely to impact on traffic movement in the locality. A traffic impact assessment and a traffic management plan prepared by a suitably qualified engineer will provide the authority with advice on the impact of this development.

2. The consent Authority must, pursuant to section 51(j) of the *Planning Act*, 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.

Portions of the development site are affected by poorly drained soils. The requirements to detail the extent of fill will demonstrate to the authority whether the land affected by poor drainage has been suitably filled to accommodate the proposed development.


Lot 6 is located within zone PS (Public Open Space) on land that is seasonally inundated and is to be used for stormwater collection and for the disposal of treated waste water. The applicant should demonstrate to the authority how the development of this land is to be consistent with the existing zoning and the extent of development proposed for this lot.

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

The location of the proposed effluent treatment facility on Lot 7 has the potential to impact on the future residential amenity enjoyed by future residential development from odours in the treatment process and the disposal of wastewaters to the public open space of Lot 6.

ACTION: Advice to Applicant

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



PETER MCQUEEN
Chairman

17/2/11