



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 143 – FRIDAY 30 SEPTEMBER 2011

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman, Keith Aitken, Richard Luxton and Lissa Herrmann)

APOLOGIES: Mary Walshe and Michael Bowman

OFFICERS PRESENT: Margaret Macintyre (Secretary), Hanna Stevenson and Michael O'Neill
(Development Assessment Services)

COUNCIL REPRESENTATIVE: John Delany (Director, Planning & Works)

Meeting opened at 9.30 am and closed at 10.15 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 6 LOTS**
PA2011/0014 **SECTION 4775 (20) ROGERS ROAD & SECTION 4779 (27) WILLIAMS RD,**
 HUNDRED OF BAGOT
APPLICANT **THE SUNNERS FAMILY TRUST NO. 2**

Mr Neil Sunners attended and tabled a response to the DAS report and further information.

RESOLVED
121/11

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to subdivide Sections 4775 and 4779, (20) Rogers Road and (27) Williams Road, Girraween, Hundred of Bagot for the purpose of creating six lots in two stages 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:

- Advice from Power and Water Corporation, the Department of Natural Resources, Environment, the Arts and Sport and the Department of Health confirming that effluent disposal on proposed Lots 3, 4, 5 and 6 can be adequately addressed, and will not have a detrimental impact upon the Howard East Aquifer.

REASONS FOR THE DECISION

1. Power and Water Corporation and the Department of Health do not support the proposal as the installation of wastewater treatment systems within 400 metres of production bore RN6231 represents a high contamination risk to the Howard East Aquifer and therefore the public water supply. As such, confirmation is required that effluent disposal can be adequately dealt with and it will not have a detrimental impact on the Howard East Aquifer.
2. Power and Water Corporation has engaged a consultant to carry out a contamination risk assessment for the site in terms of the proposed installation of wastewater treatment systems within the 400 metre exclusion zone around production bore RN6231. It is recommended that the applicant await the outcome of this risk assessment.

ACTION: Advice to Applicant

RESOLVED
122/11

That the authority write to Power and Water Corporation requesting a copy of the report titled – Review of potential for domestic septage contamination of groundwater in the Darwin Rural Area March 2003 undertaken by Australian Groundwater Technologies Pty Ltd (PWC Reference #D2006/100038) and requesting a timely response (within one month) from Power and Water Corporation in respect to the confirmation that effluent disposal on proposed Lots 3, 4, 5 and 6 of the subject subdivision is to the requirements of Power and Water Corporation.

ACTION: Advice to Applicant & letter to PWC

ITEM 2
PA2011/0552
APPLICANT

EXTENSION TO EXISTING HOTEL
SECTION 3446 (280) WHITEWOOD ROAD, HUNDRED OF BAGOT
NT PUBCO PTY LTD

Mr Matt Dowling (Lessee of the hotel) attended.

RESOLVED
123/11

That, the Development Consent Authority varies 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 Section 3446 (280) Whitewood Road, Hundred of Bagot for the purpose of extensions to an existing hotel, subject to the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with drawings numbered 2011/0552/1 to 2011/0552/7 inclusive, 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. 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.
4. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
5. 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is 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. 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.
3. The development and use hereby permitted must be designed, constructed, registered and operate in accordance with the Building Code of Australia, the NT Public Health Act and Regulations, the NT Food Act, National Food Safety Standards.

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 reduction of car parking requirements as specified by clause 6.5.1 (Parking Requirements) to 96 bays is determined in accordance with clause 6.5.2 (Reduction in Parking Requirements) of the Northern Territory Planning Scheme for the extensions to an existing Tavern as:
 - it is considered that the proposed extensions to the Tavern would be beneficial as it would allow the Tavern to provide designated places for smokers thus making the Tavern compliant with Smoking Regulations;
 - It is noted that sufficient car parking is considered to be available in the locality.
 - the site is on a public transport route; and
 - due to the open sided nature of the extensions the extensions will provide additional surveillance to the shopping centre and car parking areas after business hours and on weekends.

ACTION: Notice of Consent and Development Permit

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



PETER MCQUEEN
Chairman

30/9/11