



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 146 – FRIDAY 25 NOVEMBER 2011

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

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

APOLOGIES: Michael Bowman and Mary Walshe

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

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 1.15 pm and closed at 2.00 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 **CHANGES TO LAYOUT AND BUILDING AREA, REDUCE CLEARING &**
PA2011/0633 **CONSTRUCTION AREAS & INCREASE SETBACKS**
 SECTION 4225 (498) TAYLOR ROAD HUNDRED OF BAGOT
APPLICANT **MASTERPLAN**

DAS tabled a submission in response to the amended plans from Noel Padgham and 65 pages of amended plans from the applicant.

Mr Brad Cunnington (Masterplan) and Mr Rodney Williams (Department of Justice) attended.

RESOLVED That, pursuant to section 57(3) of the *Planning Act*, the Development Consent
171/11 Authority consent to the application to vary Development Permit number DP11/0764
 for the purpose of varying condition 5 and the endorsed drawings, in accordance
 with 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) An individual masterplan for each of the precincts with no reference to future developments; and
 - (b) Plan notations restricting the height of any lighting poles.
2. Prior to the commencement of clearing in the "Stage 1 Vegetation Clearance Area" as shown on the vegetation clearance plan) an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport (Natural Resources Management Division). All works relating to this permit are to be undertaken in accordance with the ESCP to the satisfaction of the consent authority.
3. Prior to the commencement of clearing outside of the "Stage 1 Vegetation Clearance Area" as shown on the vegetation clearance plan) an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport (Natural Resources Management Division). All works relating to this

permit are to be undertaken in accordance with the ESCP to the satisfaction of the consent authority.

4. Prior to the commencement of construction works (including site preparation) for the waste water treatment system a Land Capability Assessment is to be undertaken to the satisfaction of the consent authority on the advice of the Department of Health and Families and the Department of Natural Resources, Environment , the Arts and Sports. This must include but is not limited to the identification that subject area of the site is suitable for accommodating the proposed system.

GENERAL CONDITIONS

5. The works carried out under this permit shall be in accordance with drawings numbered 2011/0633-1A to 2011/0633-11A endorsed as forming part of this permit.
6. Before the development starts, amended landscaping plans 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 generally be in accordance with the landscape concept plan submitted with the application, except that the plan must show the correct layout of the development as shown on the masterplan details.
7. The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
8. Before the occupation of the development an Environmental Management Plan shall be submitted to the satisfaction of the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sports.
9. Before the occupation of the development starts the water retention facility shown on the endorsed plans and referred in the application must be completed to the satisfaction of the consent authority.
10. Before the use or occupation of the development starts, the areas 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.
11. 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.
 12. Before the occupation of the development starts, a preliminary site investigation in accordance with the National Environment Protection (assessment of Site Contamination) Measure to determine if the site is suitable for the proposed use of part of the site for agriculture and /or horticulture for human consumption is to be prepared and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport.
 13. Before the occupation of the development starts, an amended Water Monitoring Plan is to be prepared and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport. All monitoring identified in the Water Monitoring Plan are to be implemented.
 14. Before the occupation of the development starts, a Property Fire Management Plan is to be prepared and approved by the consent authority on the advice of the Department of Natural Resources, Environment, the Arts and Sport and Northern Territory Fire and Rescue Service. The plan is to address the location of firebreaks in relation to poorly drained areas of the site.
 15. Before the occupation of the development starts, firebreaks in accordance with the Property Fire Management Plan shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services.
 16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply and electricity to the land shown on the endorsed plan in accordance with the authorities requirements and relevant legislation at the time.
 17. An approved effluent disposal system to the requirements of the Department of Health and Families and the Department of Natural Resources, Environment, the Arts and Sport and to the satisfaction of the consent authority must be installed prior to the commencement of the use and all waste must be disposed of within the curtilage of the property.
 18. 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.
 19. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of Litchfield Council and/or the Department of Lands and Planning as the case may be to

the satisfaction of the consent authority and all approved works constructed at the owner's expense.

20. 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.
21. 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.
22. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land or nearby land to the satisfaction of the consent authority.
23. 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.
24. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council and/or the Department of Lands and Planning, drains or to any watercourse.
25. The clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as "Permitted Clearing". All remaining native vegetation is to be maintained to the satisfaction of the consent authority.
26. The permit holder must ensure that the clearing operator has a copy of the permit, including the endorsed drawing, at all times during the clearing operation.
27. Before the vegetation removal starts, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing 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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. A permit to burn is required from the Regional Fire Control Officer, Department of Natural Resources, Environment, the Arts and Sport, prior to the ignition of any felled vegetation on the property. Fire prevention measures are to be implemented in accordance with the requirements of the Bushfires Act.

3. 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.
4. 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 Natural Resources, Environment, The Arts and Sport.
5. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Conservation Act. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Conservation Services of the Department of Natural Resources, Environment, The Arts and Sport.
6. The development and use hereby permitted should 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 and National Food Safety Standards.
7. 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 Natural Resources Management Division, Department of Natural Resources, Environment, the Arts and Sport.
8. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

ACTION: Variation to Development Permit

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



PETER MCQUEEN
Chairman

28 /11/11