



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 162 – FRIDAY 12 APRIL 2013

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Peter McQueen (Chairman), Richard Luxton, Keith Aitken and Allan McKay

APOLOGIES: Michael Bowman

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

COUNCIL REPRESENTATIVE:

Meeting opened at 10.00 am and closed at 1.00 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 **CLEARING OF NATIVE VEGETATION**
PA2013/0107 **SECTION 2641 (287) LEONINO ROAD, HUNDRED OF CAVENAGH**
APPLICANT **SHARA HUREN & NEIL MAIDENS**

Ms Shara Huren and Mr Neil Maidens (landowners) attended.

RESOLVED That, pursuant to section 53(a) of the *Planning Act*, the Development Consent
120/13 Authority consent to the application to develop Section 2641 (287) Leonino Road,
Hundred of Cavenagh for the purpose of clearing of native vegetation, subject to the
following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2013/0107/01 endorsed as forming part of this permit.
2. 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 including buffers is to be maintained to the satisfaction of the consent authority.
3. 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.
4. 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.
5. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
6. No additional clearing is to occur on this property except for the purpose of fire break maintenance.
7. Works associated with this Permit are only to be undertaken during the period of 1 May - 31 September.

NOTES:

1. 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 Land Resource Management.

2. A permit to burn is required from the Regional Fire Control Officer, Department of Land Resource Management, 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. 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 Lands, Planning and the Environment.

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 proposal complies with the relevant clauses of the Northern Territory Planning Scheme and is consistent with the intent and objectives of the Litchfield Planning Concepts and Land Use Objectives. The inclusion of conditions relating to the timing of works and erosion and sediment control measures will minimise any environmental impacts that could potentially result from the clearing.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into consideration 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.

The site is relatively flat and is not subject to poor soil drainage. The site is considered to be unconstrained and is capable of supporting the proposed clearing. Works have been restricted to the period between 1 May to 31 September to minimise the risk of erosion and sedimentation resulting from rainfall events.

ACTION: Notice of Consent and Development permit

ITEM 2
PA2013/0088
APPLICANT

2 X 3 BEDROOM MULTIPLE DWELLINGS IN A SINGLE STOREY BUILDING
SECTION 6565 (14) GRICE STREET, HUNDRED OF BAGOT
RAW DESIGNS

The applicant did not attend.

RESOLVED
121/13

That, the Development Consent Authority vary the requirements of Clause 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings Over 4 Storeys in Height) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 6565 (14) Grice Crescent, Hundred of Bagot for the purpose of 2

x 3 bedroom multiple dwellings in a single building, subject to the following conditions:

GENERAL CONDITION

1. The works carried out under this permit shall be in accordance with the drawings numbered 2013/0088/01 to 2013/0088/04 inclusive endorsed as forming part of this permit.
2. 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.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. 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,
5. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) collect stormwater and discharge it to the drainage network; and
 - (c) undertake reinstatement works;
all to the technical requirements of and at no cost to the Litchfield Council, to the satisfaction of the consent authority.
6. 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.

NOTES:

1. This permit will expire if one of the following circumstances applies:
2. The development and use is/are not started within two years of the date of this permit; or the development is not completed within four years of the date of this permit.
3. The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
4. A "Permit to Work Within a Road Reserve" may be required from the Litchfield Council before commencement of any work within the road reserve.
5. 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.

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 proposed multiple unit development is appropriate for the MD (Multiple Dwelling) zone. The intent of the zone is to create a range of housing options.

The proposal generally complies with all applicable clauses. The variation sought to clause 7.3.1 for buildings longer than 18m is considered to be acceptable as the intent of the clause has been upheld as the bulk of the development is within a reasonable distance to affected boundaries.

ACTION: Notice of Consent and Development permit

ITEM 3
PA2012/0718
APPLICANT

SUBDIVISION TO CREATE 11 LOTS
SECTION 3323 (395) STUART HIGHWAY, HUNDRED OF BAGOT
ELTON CONSULTING

Mr Martin Klopper (Elton Consulting) and Mr Mark Bowler (Developer) and Smoky attended.

Submitter:- Mr Gerry Wood sent his apology.

RESOLVED
122/13

That, the Development Consent Authority vary the requirements of Clause 11.1.1 (Minimum Lot Size and Requirements) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to subdivide Section 3323 (395) Stuart Highway, Hundred of Bagot, to create 12 lots subject to 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 on the advice of the Litchfield Council. 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) integration of the proposed east/west road to adjoining development
2. Prior to the commencement of works (including site preparation), the applicant must demonstrate that agreement has been reached with the Road Network Division, Department of Transport in accordance with their requirements

detailed in correspondence reference DDLP2011/2618-02, to the satisfaction of the consent authority on the advice of the Department of Transport.

3. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), is to be developed by a suitably qualified or experienced professional in erosion and sediment control planning to ensure that sediment laden run off does not leave the site during both the construction and operational phases, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority. (The IECA Best Practice Erosion and Sediment Control Booklet s 2008 can be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Additional information regarding the erosion and sediment control and an ESCP content is also available on the DLRM web site <http://lrm.nt.gov.au/soil/managemnet>.)
4. Prior to the commencement of works, evidence of a written agreement for the development and ongoing operation/maintenance of an approved effluent disposal system to the requirements of the Department of Health and the Power and Water Corporation is to be provided to the satisfaction of the consent authority. This system, when endorsed, must be installed concurrently with the subdivision development and all waste must be disposed of within the cartilage of the property. The design of the waste water treatment system must not involve the use of effluent treatment ponds and must not result in any impact on the amenity of the locality through the generation of odours. The sewerage reticulation in road reserves and easements within the subdivision development shall be constructed to the requirements of the Power and Water Corporation.

GENERAL CONDITIONS

5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. All the proposed commercial lots shall be connected to the waste water treatment system.
7. 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.
8. 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.
9. Prior to the issue of titles the east/west collector road is to be constructed to the requirements of the Litchfield Council.
10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, waste water treatment, drainage, and

electricity facilities, and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

11. 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 the Litchfield Council and/or the Department of Lands, Planning and the Environment to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
12. Before 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/Northern Territory Fire and Rescue Services.
13. Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to advise the future owners of the land on the potential for changes to the access arrangements to the lots approved as a part of this subdivision. The wording for the notice must be submitted to and approved by the consent authority on the advice of the Road Network Division. Evidence of lodgement on the parent parcel shall be provided 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. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
3. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council and/or the Department of Lands, Planning and the Environment) before commencement of any work within the road reserve.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's 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

REASONS FOR THE DECISION

1. Pursuant to Section 51(a) of the *Planning Act* the consent authority must take into account any Planning Scheme that applies to the land.

The ten lots to be created within the commercial zoned part of the land satisfy the requirements of the scheme and are suitable for the intended purpose. The lots are to be connected to a waste water treatment system that has been approved by the Department of Health.

A variation to the minimum lot size for lots in land zoned RL (Rural Living) is supported as the proposed lot is to provide for a waste water treatment facility that is to service the lots being created as well as future development on the land.

The request for amended plans detailing how the proposed road network integrates with existing development responds to the Litchfield Planning Concepts and Land Use Objectives, which is a policy reference document to the Scheme, and seeks to co-ordinate and integrate development.

2. Pursuant to Section 51(j) of the *Planning Act* the consent authority must take into account the capability of the land to support the proposed development and the effect of the development on this on the land and on other land, the physical characteristics of which may be affected by the development.

No land capability constraints have been identified that would affect the development of the 10 lots within the commercial zone. The Department of Land Resource Management has requested that an erosion and sediment control plan be provided and a condition is attached to the permit to reflect this. The Department of Health have approved a waste water treatment facility to service the lots being proposed.

3. Pursuant to Section 51 (m) of the *Planning Act* the consent authority must take into account the public utilities and infrastructure provided in the area in which the land is situated, the requirements for 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 for that purpose.

The Road Network Division, Department of Transport have indicated their support for the development subject to a number of requirements being satisfied. Specifically Road Networks Division have requested that conditions be placed on the permit that advise future land owners that access arrangements to the land may change in the future. With the support of the applicant a caution notice is to be registered on all titles identifying the possible changes. All road works are to be to the requirements of either the Road Network Division or the Litchfield Council.

**ITEM 4
PA2012/0994
APPLICANT**

**UNIT TITLE SCHEME SUBDIVISION TO CREATE NINE LOTS
UNITS 2675 & UNIT 2679 (199) DORIS ROAD, HUNDRED OF CAVENAGH
VEKTA PTY LTD**

Mr Gregg Hestelow (Vekta Pty Ltd), Mr Doug Barden (owner) and Mr Peter Harrison (Above Capricorn Technologies) attended.

**RESOLVED
123/13**

Pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consents to the application to develop Unit 2675 (Apt 1) and Unit 2679 (Common Property) (199) Doris Road, Hundred of Cavenagh for the purpose of a unit title scheme subdivision to create nine units, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation works) the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of the Department of Health that the existing effluent disposal system is of sufficient capacity to cope with the projected increased loading and an 'as constructed' sewerage infrastructure site plan.
2. Prior to the commencement of works (including site preparation works), the owner is to provide a sewerage infrastructure development plan, including engineers certification of the proposed upgraded reticulation system and effluent disposal area, to the satisfaction of the consent authority upon the advice of the Department of Health.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the drawings numbered 2012/0994/1 and 2012/0994/2 endorsed as forming part of this permit.
4. Prior to new titles being issued for the units shown on the endorsed drawings, a Scheme Statement meeting the requirements of the Unit Titles Scheme Act (as confirmed by the Land Titles Office) shall be submitted to the satisfaction of the consent authority, and endorsed as forming part of this permit.
5. 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.
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 developer must enter into agreements with the relevant authorities for the provision of drainage, telecommunications, sewerage and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

8. Site plan and specifications of any potable water reticulation from the existing bore to the new subdivision is to be provided to the requirements of the Department of Health to the satisfaction of the consent authority.
9. Firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT (Department of Land Resource Management).
10. Soil erosion and dust control measures must be employed throughout the construction stage of the development 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. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
3. Future landowners will be responsible for the treatment of their own water supplies, including maintaining tanks and chlorinating the water transported from any community bore.

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 proposal is consistent with the requirements of Clause 11.1.4 (Subdivision for the Purposes of a Unit Title Scheme) of the NT Planning Scheme and is unlikely to have any detrimental environmental effect on the land or result in a loss of amenity within the locality.

- 2 Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development.

The application has been developed to enable the current lake facilities to continue to effectively operate through shared ownership. The development is existing and the use of the site will not change.

A Scheme Statement is required to be submitted for endorsement by the DCA prior to new titles being issued in order to ensure that the scheme statement is

The Department of Land Resource Management advised that lots 3-21 contain 1ha of unconstrained land. Verification is required from the applicant on the extent and location of unconstrained land on lots 1 and 2.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into consideration the capability of the land to support the proposed development.

The authority considers that the land exhibits a number of physical constraints affecting its development potential. Specifically the land is steeply sloped in parts and boundary lines are proposed over land with slopes in excess of 20%. New access arrangements propose to create new boundary lines through Priority Environmental Management areas and drainage areas. The application has not demonstrated, to the satisfaction of the authority, that the impact of the proposed subdivision minimises the impact of the subdivision on the natural values of the land.

Alternately, the applicant is encouraged by the authority to consider amending the subdivision layout to better reflect physical land capability constraints and to minimize impacts on the PEM areas by collocating the proposed access road with the existing lot boundary and fire access trail between the two existing parcels.

ITEM 6
PA2006/0766
APPLICANT

SUBDIVISION TO CREATE 43 LOTS
SECTION 4574 (655) REDCLIFFE ROAD, HUNDRED OF STRANGWAYS
EARL JAMES & ASSOCIATES

Mr Keith Schulze (Earl James & Associates) and Mr Laurence Ah Toy (owner) attended.

RESOLVED
125/13

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 4574 (655) Redcliffe Road, Hundred of Strangways for the purpose of a subdivision to create 43 lots, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works 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 Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and 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 the 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 system.

3. Prior to the commencement of works, a traffic assessment must be undertaken on the advice of the Litchfield Council and to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings numbered 2006_0766_01 and 2006_0766_02 endorsed as forming part of this permit.
5. Engineering design and specifications for the proposed and affected roads, street lighting, 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. 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.
7. 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.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, electricity facilities and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. Before the issue of titles, firebreaks shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT (Department of Land Resource Management).
10. Before the issue of titles the applicant is to ensure that a water monitoring bore is installed on the site on the advice of the Department of Land Resource Management to the satisfaction of the consent authority. Easements as required are to be provided to ensure access to the bore is available.
11. Before the issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on proposed lots indicated on the endorsed drawing. The Caution Notice is to state that: "*There may not be a potable supply of groundwater available on this lot. Land owners are advised to arrange for sampling and analysis of groundwater 3-6 months after installation of any bore on this lot*". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority. Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

12. Before the issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on proposed lots 1 and 36 indicated on the endorsed drawing. The Caution Notice is to state that: "*There may be limited options for the placement of standard septic on this lot*". Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority. Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the development 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. A "Permit to Work Within a Road Reserve" may be required from Litchfield Council before commencement of any work within the road reserve.
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 Land Resource Management.
4. 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.
5. The extension of the power supply from the reticulated service to future development on lots 40 and 42 may result in significant costs to a future land owner.
6. You are advised to contact the relevant service provider prior to construction works to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
7. All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>.
8. 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 Lands, Planning and the Environment.

9. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

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.

This application predominantly complies with the NT Planning Scheme. The Department of Land Resource Management advised that each lot contains 1ha of unconstrained land.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must take into account the capability of the land to support the proposed development.

The Department of Land Resource Management have not raised any concerns regarding the capability of the land to support the development on the information provided. The water resources division of the Department has requested that a monitoring bore be established on the land as there is a risk of the bores not producing water that meets the standards of the Australian Drinking Water Guidelines. It is recommended by the Department that future land owners test the water quality between 3-6 months after the bore has been established to determine water quality. A caution notice on the title of all lots will advise future land owners of this concern. Alternative water supplies can be provided through on site collection.

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 requirements for public facilities and services to be connected to the land and the requirements, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

The Litchfield Council have requested that a traffic impact assessment and a stormwater drainage design be prepared to satisfy their requirements. Conditions have been attached to the permit that require the applicants to provide details to the Council addressing these matters prior to works commencing.

ITEM 7
PA2013/0050

**TEMPORARY WORKERS ACCOMMODATION FOR 36 PERSONS IN 6 X 3
BEDROOM SINGLE STOREY BUILDINGS, ANCILLARY TO THE PRIMARY
PURPOSE OF THE LAND
SECTIONS 1606, 1611 & 1688 (230, 255 & 405) ALPHATONIA ROAD, HUNDRED
OF GUY**

APPLICANT

MARVOE MANAGEMENT PTY LTD

Mr Ian Baker attended on behalf of Marvoe Management.

**RESOLVED
126/13**

Pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consents to the application to develop Sections 1606, 1611 & 1688 (230, 255 & 405) Alphatonia Road, Hundred of Guy for the purpose of temporary workers accommodation for 36 persons in 6 x 3 bedroom buildings (1 single storey building and 5 two storey buildings), ancillary to the primary purpose of the land, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works the owner is to provide documentary evidence regarding an appropriate waste water treatment system to the satisfaction of the consent authority upon the advice of the Department of Health.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the drawings numbered 2013/0050/1 through 2013/0050/11 inclusive, endorsed as forming part of this permit.
3. 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.
4. The developer must enter into agreements with the relevant authorities for the provision of drainage, telecommunications, sewerage and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Bushfires NT (Department of Land Resource Management).
6. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
7. The accommodation is only to be occupied by workers engaged to work on Sections 1606, 1611 and 1688 Hundred of Guy.
8. The accommodation is only to be occupied from 25 March to 7 November each year.
9. 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.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority.

11. 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.
12. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council, the satisfaction of the consent authority,
13. The owner shall:
 - a) Removed disused vehicle and/or pedestrian crossovers;
 - b) Collect stormwater and discharge it to the drainage network; and
 - c) Undertake reinstatement worksAll to the technical requirements of and at no cost to Litchfield Council, 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. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
3. 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.
4. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from the Department of Land Resource Management.
5. A groundwater extraction license is required under the *Water Act* for any bore equipped to supply over 15 litres per second. For advice on water extraction licenses please contact the Water Management branch of the Department of Land Resource Management.

REASONS FOR THE RECOMMENDATION

- 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.

There are a number of development provisions of the Northern Territory Planning Scheme that are relevant to the proposal despite 'workers accommodation' being an undefined use. The proposal is generally compliant with the provisions for car parking, dwelling height and density, landscaping and building design.

The proposed development is considered to be ancillary to the primary use of the land (horticulture) as the accommodation facility is being provided only for those employees who work on the subject land. Additionally, the buildings will only be occupied during the melon season of April to October.

- 2 Pursuant to section 51(j) of the Planning Act, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development.

No land capability issues have been identified in association with the site. The application states that the land is relatively flat, has previously been cleared, and is not subject to seasonal waterlogging or inundation.

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



PETER MCQUEEN
Chairman

17 /4/13