



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 136 – FRIDAY 27 MAY 2011

**WHITEWOOD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

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

APOLOGIES: Nil

OFFICERS PRESENT: Mone Coats-Ross (Acting Secretary), Maree Domelow and Tom Cannon (Development Assessment Services)

COUNCIL REPRESENTATIVE:

Meeting opened at 9.45 am and closed at 10.00 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 1 LOT
PA2011/0238 SECTION 5555 (625) GIRRAWEEEN ROAD, HUNDRED OF BAGOT
APPLICANT DEPARTMENT OF LANDS AND PLANNING

RESOLVED That pursuant to Section 53(a) of the *Planning Act*, the Development Consent Authority const to the application to subdivide Section 5555 (625) Girraween Road, Koolpinyah, Hundred of Bagot for the purpose of creating one lot subject to the following conditions:

CONDITIONS

1. Works carried out under this permit shall be in accordance with the endorsed plan numbered 2011/0238/01.
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. All existing and proposed easements and sites for existing and required utility services and road widening 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
4. Before the issue of title and pursuant to section 55 of the *Planning Act* and division 5 of the *Land Titles Act*, a restrictive covenant shall be lodged with the Registrar-General for notation on the title of the lot shown on the endorsed drawing. The restrictive covenant shall state that:

Development activity within 600 metres of Power and Water (PWC) bore RN7071 is restricted in order to protect the integrity of the groundwater in the area that is used as a source for the public water supply. The following activities require the consent of the Power and Water Corporation – agisting any (including domestic) livestock, land clearing, storage or use of pesticides, herbicides, fuels or any other substance that may pose a contamination risk to the public water supply. No effluent storage, treatment or disposal systems shall be located within 400 metres of bore RN7071. Any proposed effluent storage, treatment or disposal systems located outside of the 400m but within 600m of bore RN7071 requires the prior approval of the Power and Water Corporation. Standard septic systems are prohibited.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration any planning scheme that applies to the land to which the application relates.

The application complies with the relevant provisions of the NT Planning Scheme and is consistent with the intention of the SL6 zoning as the subdivision will facilitate the future development of the Girraween Local Service Centre.

2. Pursuant to section 51(j) of the *Planning Act*, the Development Consent Authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated, the requirement 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 subject site is located within Power and Water's water supply management area. In response to the request of the Power and Water Corporation, a restrictive covenant is to be attached to the title for the proposed lot to protect the integrity of the ground water in the area which contributes to the reticulated water supply.

ACTION

Notice of Consent and Development Application

**ITEM 2
PA2011/0204**

**ADDITIONS TO AN EXISTING ANIMAL BOARDING FACILITY AND
CARETAKER'S RESIDENCE**

APPLICANT

**LOT 48 (25) FRANCESCA CIRCUIT HUNDRED OF STRANGWAYS
N.G. LAHRING & W.C. LAHRING**

Applicant Wilf Lahring attended the meeting and tabled further documents

RESOLVED

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 48 (25) Francesca Circuit, Virginia for the purpose of additions to an existing animal boarding facility and caretakers residence subject to receipt of the following additional information:

- A site plan identifying the 1/100 year flood level and seepage/ drainage lines and contour lines.
- Plans, including cross sections of the proposed soil mounds, the location and design of which should be endorsed by an appropriately qualified acoustic engineer and demonstrate consistency with the recommendation in the report numbered BGMA 110105, as submitted by the applicant.
- The provision of a landscaping plan, which is to include a planting schedule specifying plant species, quantities, pot sizes and size at maturity for all plants to be provided on site.
- Fencing details.

- A schematic plan to demonstrate how stormwater will be collected on the site and discharged to Council's stormwater drainage system, to the requirements of Litchfield City Council.
- A traffic impact assessment prepared by a suitably qualified traffic engineer addressing:
 - (a) The impact on the adjoining road network;
 - (b) The road network's ability to accommodate the development; and
 - (c) The ability of the existing carparking and accessways on the site to accommodate the development.

REASONS FOR THE DECISION

Pursuant to section 46 (4) (b) of the *Planning Act* the Development Consent Authority requests the additional information as the authority must take into account the potential impacts on the existing and future amenity of the area in which the land is situated.

ACTION

Advice to Applicant

**ITEM 3
PA2011/0157
APPLICANT**

**CLEARING OF NATIVE VEGETATION
SECTION 4231 (210) MULGARA ROAD, HUNDRED OF STRANGWAYS
VAN BE NGUYEN**

Applicants Van Be Nguyen, Thi Thu Ba Nguyen and Kim Nguyen attended the meeting.

RESOLVED

That pursuant to Section 46(4)(b) of the *Planning Act* the Development Consent Authority defer the application to clear native vegetation on Section 4231 (210) Mulgara Road, Berry Springs, Hundred of Strangways subject to the provision of the following additional information:-

- a) Mapping of the soil types and vegetation;
- b) Demonstration that there is an adequate water supply for the intended use;
- c) Methods and timing of clearing and erosion control; and
- d) A farm plan including timeframes and/or staging for clearing and planting, details of disposal of cleared materials, details of treatment to soils and land surface for preparation for planting, intended crop species, anticipated number of plants intended for installation, anticipated volumes of water required, types of pesticides/insecticides/herbicides and/or fertiliser intended for use, anticipated volumes and timing for application, and provision and details of native vegetation buffers intended to mitigate spray-drift to adjacent parcels.

REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(a) of the *Planning Act* the Development Consent Authority must take into account any planning scheme that applies to the subject land;

The applicant has failed to provide sufficient information in support of the application to allow for an assessment of the application against Clauses 10.2 (Clearing of Native Vegetation in Zone... R...) and 10.3 (Clearing of Native Vegetation –Performance Criteria)

2. Pursuant to section 51(j) of the *Planning Act* the Development Consent Authority must 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;

NRETAS have expressed concern about the capability of the land to accommodate the clearing due to a lack of information in relation to soil and vegetation types on the site, water supply, specific details of the intended future use and erosion and sediment control measures to be employed during and following the proposed clearing.

ACTION

Advice to Applicant

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



PETER MCQUEEN
Chairman

30/5/11