

## DEVELOPMENT CONSENT AUTHORITY

### KATHERINE DIVISION

### MINUTES

MEETING No. 155 – WEDNESDAY 8 MARCH 2017

BLUE ROOM  
1<sup>ST</sup> FLOOR GOVERNMENT CENTRE  
5 FIRST STREET  
KATHERINE

**MEMBERS PRESENT** Denis Burke (Chairman) and Alan Sprigg (both via videoconference), Donald Higgins, Peter Gazey and Allan Domaschenz

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Dawn Parkes (via teleconference) and Julie Bennett (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** None present

Meeting opened at 9.45 am and closed at 9.55 am

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

**ITEM 1** CLEARING OF NATIVE VEGETATION  
**PA2017/0017** NT PORTION 3067 (2635) FLORINA ROAD, FLORINA  
**APPLICANT** BILBA ENTERPRISES PTY LTD

Scott and Allyson Riggs (land owners) and Helen Groves (on behalf of Bilba Enterprises Pty Ltd) attended the meeting.

**RESOLVED**  
**19/17**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop NT Portion 3067 (2635) Florina Road, Florina for the purpose of clearing of native vegetation, subject to the following conditions.

#### **CONDITION 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 and must be generally in accordance with the plans submitted with the application but modified to show the permitted clearing to exclude native vegetation (with the exception of required firebreaks):
  - i. along the length of the southern boundary of the lot to a minimum width of 50 metres (measured from the lot boundary); and
  - ii. along a length of approximately 550 m of the eastern boundary of the lot (adjoining paddock 6 and 8) to a minimum width of 25 metres (measured from the lot boundary).

#### **GENERAL CONDITIONS**

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 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. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Transport and Civil Services Division,

Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

**NOTES:**

1. 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 Department of Environment and Natural Resources.
2. A permit to burn is required from the Regional Fire Control Officer, Department of Environment and Natural Resources, 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*.

**REASON 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 application is generally compliant with all relevant requirements of the NT Planning Scheme, however the application has not demonstrated consideration of how the proposal contributes to avoiding habitat fragmentation and impact on wildlife corridors and the Land Clearing Guidelines. The imposition of conditions in relation to retention of native vegetation along the southern and eastern boundary will further improve the development's compliance with the NT Planning Scheme with regard to Clause 10.2 (Clearing of Native Vegetation in Zones H, A, RR, RL, R, CP, CN, RD and WM and on Unzoned Land) and Clause 10.3 (Clearing of Native Vegetation – Performance Criteria).

2. Pursuant to section 51(h) of the *Planning Act*, the consent authority must take into consideration the merits of the proposed development as demonstrated in the application.

The clearing of native vegetation to facilitate expansion of hay and pasture production will contribute to supporting the NT cattle industry.

3. Pursuant to section 51(j) of the *Planning Act* the 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.

The land is predominantly flat to gently undulating with deep, well-drained Kandosol soils and has medium to high capability for agriculture. There is a soil erosion risk associated with the clearing of native vegetation proposal due to a combination of soil, slope and length of clearing proposed. The application is amended to retain native vegetation

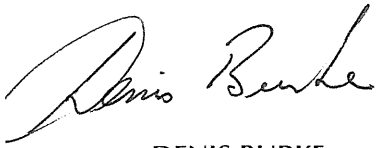
along the southern and eastern boundary to mitigate off site impacts and also reduce erosion of erodible soils.

4. Pursuant to section 51(r) of the *Planning Act* the consent authority must take into account any potential impact on natural, social, cultural or heritage values.

Retaining native vegetation provides for habitat retention and landscape connectivity and supports the movement of wildlife to reduce the risk of localised extinction. The site has a total area of 41.93 ha and by retaining areas of native vegetation along boundaries fragmentation of the landscape can be minimised. To demonstrate connectivity for wildlife movement the application has been altered by the retention of native vegetation along the southern and eastern boundaries.

**ACTION:** Notice of Consent and Development Permit

**RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING**



**DENIS BURKE**  
Chairman

10 /3/17