

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP18/0409

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

APPROVED PURPOSE

To use and develop the land for the purpose of a subdivision to create 513 lots in two stages, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) of the Northern Territory Planning Scheme.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.

DAWN PARKES
Delegate
Development Consent Authority

30 November 2018

DEVELOPMENT PERMIT

DP18/0409

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing:
 - (a) A 7m carriageway included within the 15m local road reserve, to the requirements of the City of Darwin.
 - (b) The removal of the lake, or otherwise the written consent of the City of Darwin and Medical Entomology, Department of Health for this feature.
 - (c) The minor boundary changes submitted during assessment of the application.The above is to be completed to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to develop and commence implementation of a monitoring program to quantify impacts on shorebirds. The program is to be developed on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements of the City of Darwin.

The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:

 - communicating anticipated impacts of construction to stakeholders;
 - the reporting of, and responding to complaints; and
 - identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate, on the advice of the Environment division, Department of Environment and Natural Resources. The Plan must demonstrate compliance with NT EPA Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages.The above is to be completed to the satisfaction of the consent authority.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the design and specifications of the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system or another location shall be submitted to and approved by the City of Darwin, Medical Entomology, Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.

The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains to the conservation reserve must be fitted with concrete low flow inverts that terminate at a free draining tidal area.

Access to, and maintenance of the discharge drains in the Casuarina Coastal Reserve must be clarified and accepted by the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health.

5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan is to be prepared and must be generally in accordance with the landscape concept submitted with the application but modified as follows:
 - (a) The plan is to address landscaping details for all proposed road reserves and public areas, to the approval of the City of Darwin.
 - (b) The plan is to include, and confirm the location of the 50m open wind buffer to the western edge of the monsoon forest boundary (or the edge of the escarpment if this is closer). The 50m open wind buffer is to comprise tall-growing, long-lived, hardy native trees, with a mature tree crown coverage of approximately 10% only, on the advice of Medical Entomology, Department of Health.
 - (c) The plan is to include the location and design of trails through the conservation area, to the approval of the Park Development division, Department of Commission.
 - (d) The plan is to demonstrate that mature trees in the Casuarina Coastal Reserve have been preserved, on the advice of the Aboriginal Areas Protection Authority.The above is to be completed to the satisfaction of the consent authority.
6. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority of the advice of the Rangelands division, Department of Environment and Natural Resources. The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases of the development. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the NTG website: <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP should be emailed for assessment to: developmentassessment.denr@nt.gov.au.
7. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Darwin to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.
8. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), traffic management details including amendments to the proposed road configurations to meet the relevant subdivision and development guidelines are to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
9. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.
10. Prior to the commencement of works, a proposed zoning plan must be submitted to and approved by the consent authority. The zoning plan must be consistent with the description given in the application.

GENERAL CONDITIONS

- 11.The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
- 12.The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
- 13.The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- 14.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.
- 15.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.
- 16.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.
- 17.The monitoring program to quantify impacts on shorebirds is to be implemented on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority. The results and annual updates from the program must be made publically available.
- 18.The Construction and Environmental Management Plan is to be implemented on the advice of the City of Darwin, and the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority. The Plan is also to remain publically available for the duration of construction.
- 19.Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner's expense. Any street and reserve lighting directly visible from the beach is also to be provided on the advice of the Environment division, Department of Environment and Natural Resources, with regards to demonstrating details of how the Western Australian Guideline for Protecting Marine Turtles from Light Impacts (WA EPA, 2010) have been incorporated.
- 20.Before the use commences the owner must, in accordance with Part 6 of the Planning Act, pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan.
- 21.Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, the Medical Entomology division of the Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.

- 22.The applicant is to demonstrate all discharge drains, including the end of point of the drains in the Casuarina Coastal Reserve, include suitable access to allow for maintenance on the advice of the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health, to the satisfaction of the consent authority.
- 23.The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of Medical Entomology, Department of Health, the Park Development division, Department of Tourism and Culture, and the Aboriginal Areas Protection Authority, to the satisfaction of the consent authority.
- 24.All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of the Rangelands division, Department of Environment and Natural Resources.
- 25.Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (*Mesembriomys gouldii gouldii*) is to be completed, on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
- 26.A qualified person, under section 68 of the Waste Management and Pollution Control Act, must provide certification that the site is suitable for the intended use on the advice of the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
- 27.The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, to the requirements of the Environment division, Department of Environment and Natural Resources.
- 28.Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

NOTES

1. Consent is required for any changes to the approved staging of the subdivision and the applicant should contact Development Assessment Services on (08) 8999 6046 for more information.
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 one 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. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires

you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>

4. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority'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.
5. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.
6. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
7. All new roads, including alterations and extensions to existing 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 08 8995 5333 or place.names@nt.gov.au
8. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
9. 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 Rangelands division, Department of Environment and Natural Resources.