

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP2026/0049

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Section 05544
Hundred of Strangways
2658 STUART HWY, LIVINGSTONE

APPROVED PURPOSE

To use and develop the land for the purpose of a subdivision to create 105 lots, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 6.4.3 (Infrastructure for Subdivision in Zones LI GI and DV) of the Northern Territory Planning Scheme 2020.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.

SUZANNE PHILIP

Delegate

Development Consent Authority

03 September 2026

DEVELOPMENT PERMIT

DP2026/0049

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to provide evidence that water servicing will be made available to each of the lots, to the requirements of the Power and Water Corporation and/or Water Resources of the Department of Lands, Planning and Environment, to the satisfaction of the consent authority.

Please refer to note 1 for further information.

2. 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 must be generally in accordance with the plans submitted with the application but modified to show:
 - a. A 25 metre three chord truncation shall be provided to the property boundaries at each corner of the intersection of the proposed subdivision road with the Stuart Highway, to the requirements of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure.
 - b. Any other changes required as a result of other conditions precedent on this permit.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a stormwater management plan demonstrating the on-site collection of stormwater and its discharge offsite, shall be submitted to, and approved by Litchfield Council, Crown Land Estate of the Department of Lands, Planning and Environment, and Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority. The plan shall clarify the ownership of stormwater drainage infrastructure and include hydraulic capacity assessments of the receiving open unlined drains and any downstream associated structures for the proposed post-development during 5% and 1% annual event probability (AEP) flows, demonstrating that water levels and velocities are not intensified downstream. The Plan should also demonstrate how stormwater quality objectives will be achieved in downstream environments, including identification and sizing of suitable treatment measures (at source and/or end-of-line) for the relevant design events and pollutant loads.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer. The report must detail the subdivision's traffic generation, trip distribution, traffic operation impact, the nature and timing of impacts, and recommend measures required to accommodate and/or mitigate the traffic impacts of the subdivision, including construction traffic. Any proposed new intersection with Stuart Highway and the relocation of the impacted property accesses identified by the report shall be carried out by the developer in consultation with the affected parties, at the developer's cost.

All road sections and/or intersections where traffic generated by the subdivision increases the existing traffic, existing proportion of heavy vehicle traffic or equivalent standard axles (ESAs) by 5% or more, must be included in the assessment. The impacts of the subdivision on public transport facilities, pedestrian and cycle facilities shall also be considered. Swept path diagrams for the design vehicle shall be provided with the detail design drawings submitted for road agency approval to demonstrate the suitability of any intersection design geometry.

The report shall be prepared to the requirements of Litchfield Council and Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.

5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), it must be demonstrated by a site and soil evaluation report and associated plan completed by an appropriately qualified site and soil evaluator, that an on-site wastewater management system complying with the requirements of the Code of Practice for Wastewater Management can be installed for each lot.
6. Prior to the endorsement of plans, 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 submitted to and approved by Litchfield Council, to the satisfaction of the consent authority.
7. Prior to the commencement of works (including site preparation), the applicant is to prepare a site construction management plan (SCMP) to the requirements of Litchfield Council and Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority. The SCMP should specifically all appropriate site management measures, including construction access, proposed haulage routes, vehicle types, protection of existing assets, protection of public access and a risk assessment.
8. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the Stuart Highway road reserves to the requirements of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
9. Prior to the commencement of works (including site preparation), a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Lands, Planning and Environment (DLPE) ESCP Procedures. The ESCP must be certified by a suitably qualified and experienced professional and must be submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

Please refer to notes 2, 3 and 4 for further information.

10. Prior to the commencement of works (including site preparation), the applicant is to prepare an unexpected finds protocol to the requirements of the Heritage Branch of the Department of Lands, Planning and Environment, to the satisfaction of the consent authority.

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 permit will expire if one of the following circumstances applies:
- a. The development is not substantially commenced within two years of the date of the permit;
or
 - b. The development is not completed within 10 years of the date of the permit.
- 13.The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, and electricity and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- Please refer to notes 5, 6 and 7 for further information.
- 14.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.
- 15.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.
- 16.Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense. Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.
- 17.The proposed cul-de-sac terminating at the site's southern boundary must be fenced to prevent unauthorised connections through to Section 5543 Hundred of Strangways, in accordance with Litchfield Council standards and requirements, to the satisfaction of the consent authority.
- 18.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.
- 19A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan.
- 20All works recommended by the traffic impact assessment are to be completed to the requirements of Litchfield Council and Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
- 21.Prior to finalisation of engineering design and specifications for the proposed and affected roads, a road safety audit shall be prepared by a suitability certified traffic auditor to the satisfaction of Litchfield Council and Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
- 22.The proposed new intersection with Stuart Highway shall be designed and constructed to include protected turn lanes to meet current standards in accordance with the Austroads 'Guide to Traffic Management', 'Guide to Road Design', relevant Australian Standards and the requirements of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure. The geometry of the intersection shall be suitable for the expected levels of traffic impact and accommodate the turning paths of all vehicles utilising the intersection. Street lighting shall be provided at the

intersection in accordance with the current version of AS/NZS 1158 Lighting for roads and public spaces (all parts) and DLI's technical specifications.

23. Where unfenced, the Stuart Highway frontage is to be appropriately fenced in accordance with the Transport and Civil Infrastructure of the Department of Logistics and Infrastructure's standards and requirements to deter unauthorised vehicular and/or pedestrian movement, to the satisfaction of the consent authority. Gates are not to be provided in the Stuart Highway fencing.
24. The existing accesses, where made redundant, shall be scarified, and the verge and fencing reinstated in accordance with the standards and requirements of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
25. Upon completion of any works within or impacting upon the Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure, to the satisfaction of the consent authority.
26. 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.
27. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. The use of shaker screens/rubble pads to remove loose material from trucks prior to entering the road network is a requirement. Where tracked material on the road pavement becomes a potential safety issue, the developer will be obliged to sweep and clean material off the road.
28. Before issue of titles and pursuant to section 34 of the Land Title Act 2000, 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 state: 'A reticulated sewerage service is not available to the lot. As such, an on-site sewage system will be required with separation distances in accordance with the Northern Territory Code of practice for Wastewater Management (as amended)'. Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

NOTES

1. A groundwater extraction licence may be required under the Water Act 1992 for any bore used for purposes other than rural stock and domestic water supply. For advice on water extraction licences please contact the Water Licensing and Regulation Branch of the Department of Lands, Planning and Environment.
2. The DLPE ESCP Procedures factsheet is available at: <https://environment.nt.gov.au/rangelands/technical-notes-and-fact-sheets/landmanagement-technical-notes-and-fact-sheets>.
3. A suitably qualified and experienced professional in erosion and sediment control as defined by the International Erosion Control Association (IECA) Australasia at <https://www.austieca.com.au/rsp-esc/suitably-qualified-professional>.

4. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and Land Management Factsheets available at <https://nt.gov.au/environment/soiland-vegetation>. For further advice, contact the Development Coordination Branch: (08) 8999 4446.
5. The Power and Water Corporation advises that the Water and Sewer Services Development Section (developer.concierge@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@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 onsite and/or surrounding infrastructure.
6. All proposed and affected infrastructure are to be designed and constructed at the owner's expense in accordance with the requirements of the Northern Territory Subdivision Development Guidelines (Dated May 2025).
7. 7. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind.
8. 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/newdevelopments/builders-designers.html>.
9. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* 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) 8936 4070 to determine if the proposed works are subject to the Act.
10. Litchfield Council's current Fees and Charges may apply to the certain conditions. Additional information can be found at www.litchfield.nt.gov.au.
11. A Works Permit is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
12. Litchfield Council advise that as the development is proposed within an industrial zone (General Industry), the NT Subdivision and Development Guidelines requirement is for Category A (Set 1) infrastructure. Litchfield Council refers to the NT Subdivision and Development Guidelines for all references and standards unless expressly advised otherwise.
13. The developer, its contractor or service provider is required to obtain a 'Permit to Work within the NTG Road Reserves' prior to the commencement of any works within the Stuart Highway road reserve.

14. The installation of any services or service connections within the Stuart Highway road reserve are subject to Transport and Civil Infrastructure of the Department of Logistics and Infrastructure approval. All service-related works are to be contained within the appropriate nominal service corridor (refer standard drawing CS-3001).
15. All proposed work (including the provision or connection of services) within, or impacting upon the Stuart Highway road reserve shall be designed, supervised and certified on completion by a practising and registered civil engineer, and shall be in accordance with the standards and specifications of Transport and Civil Infrastructure of the Department of Logistics and Infrastructure. Design documents must be submitted to TCI for road agency approval, irrespective of approvals granted by other authorities, e.g. Power & Water Corporation (PWC). No works within, or impacting upon the NTG road reserves are to commence prior to gaining road agency approval. Note that a development permit issued under the *Planning Act 1999* is not an approval for access onto a Territory Road. Approval for access to be taken from, or constructed within the NTG controlled road reserve rests solely with TCI, DLI as the approving road authority.
16. All landscaping and setback requirements under the Northern Territory Planning Scheme shall be contained within the development area boundaries. Any landscaping proposed by the developer additional to planning requirements and within the Stuart Highway road reserve shall be to the standards and approval of TCI, DLI.
17. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
- a. So as not to create sun or headlight reflection to motorists; and
 - b. Be located entirely (including foundations and aerially) within the subject lot.
18. Advertising signage, either permanent or temporary, e.g. 'A' frame, vehicle or trailer mounted shall not be erected or located within the Stuart Highway road reserve.
19. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.
20. All landscaping and setback requirements under the Northern Territory Planning Scheme shall be contained within the Lot boundaries. Any landscaping proposed by the developer additional to planning requirements and within the Stuart Highway road reserve shall be to the standards and approval of TCI, DLI.
21. All land in the Northern Territory is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Section 9 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection. Information regarding weed management is available on the Department of Lands, Planning and Environment (DLPE) website: <https://nt.gov.au/environment/weeds>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

22. There are statutory obligations under the *Waste Management and Pollution Control Act 1998* (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at <https://ntepa.nt.gov.au/publications-and-advice/environmental-management>. The Act, administered by the Northern Territory Environment Protection Authority, is separate to and not reduced or affected in any way by other legislation administered by other Departments or Authorities. The Environment Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be non-compliance with the Act.
23. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Act 2011*. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please contact the Heritage Branch of the Department of Lands, Planning and Environment.
24. The Heritage Branch advises that the site is located within close proximity of the former Livingstone Military Airfield, which was in use during the Second World War. There is a risk that unexploded ordnance (UXO) may still be present within the subdivision footprint. Please find further details at the following website: <https://uxomap.defence.gov.au/>.
25. There should be no discharge of stormwater into adjoining land held under Crown Lease Term by the Australasia Railway Corporation without its approval.
26. Any new on-site wastewater management system is to be installed in accordance with the Code of Practice for Wastewater Management.
27. Reticulated sewerage service is not available to the lot. As such, an on-site sewage system will be required with separation distances in accordance with the Northern Territory Code of Practice for Wastewater Management (as amended) from the adjoining open stormwater drainage channels.