

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 40

EXCEPTIONAL DEVELOPMENT PERMIT

EDP24/0005

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

N.T. Portion 03164
50 Lansdowne Road Lansdowne

APPROVED PURPOSE

To use and develop the land for the purpose of Rooming Accommodation (Workers Village) and ancillary amenities including kitchen/dining and indoor/outdoor recreational areas for up to 256 people, primarily to facilitate ongoing construction activities at RAAF Base Tindal for a temporary period of seven (7) years, in accordance with the attached schedule of conditions and the endorsed plans.

BASE PERIOD OF THE PERMIT

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 an application is made in the approved form before the permit expires.

RIGHT OF APPEAL

There is no right of appeal against a determination by the Minister in relation to the grant or variation of an Exceptional Development Permit.



JOEL FRANCIS BOWDEN
Minister for Infrastructure, Planning and Logistics

26 / 3 /2024

EXCEPTIONAL DEVELOPMENT PERMIT

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SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works, an Operational Traffic Management Plan (OTMP) shall be provided to the satisfaction of the consent authority. The OTMP shall demonstrate how workers will be transported to and from the Tindal Base with a view to utilising only buses as far as practicable, in order to minimise the potential impacts on the surrounding road networks. The OTMP will inform the need for additional bus parking spaces and any wider internal access ways (to accommodate bus movement) to be shown on the endorsed drawings as required via Condition 3 below.
2. Prior to the endorsement of plans and prior to commencement of works a Traffic Impact Assessment (TIA) shall be prepared to the satisfaction of the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics (DIPL). The TIA shall take into consideration that after a maximum of 12 months there shall be no vehicular access to/from Lansdowne Road. The TIA shall address the appropriateness of the construction of this access (and the standard to which this access shall be constructed) having regard to ensuring the ongoing safe and efficient operation of the Stuart Highway. If deemed appropriate by DIPL following review of the TIA, the plans shall be amended to include vehicular access to/from the Stuart Highway. The need for amended plans is addressed further via Condition 3 below.
3. Prior to the endorsement of plans and prior to commencement of works, 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:
 - provision of 62 on site carparking spaces;
 - provision of bus parking spaces and widening of internal access ways to accommodate buses as required by the OTMP under Condition 1 above; and
 - changes to the plan required by the advice of DIPL in relation to access to the Stuart Highway under Condition 2 above; and
 - a landscaping plan for the carparking areas and other areas of the site to be cleared of native vegetation, serving to both minimise dust and provide an appropriate level of amenity for future occupants of the development.
4. Prior to the commencement of works (including site preparation) an Operational Environmental Management Plan (OEMP) is to be submitted and approved by the consent authority demonstrating (to the satisfaction of the consent authority) measures to retain and improve the native vegetation buffer areas in the event of fire damage or any other event leading to a reduction in screening landscaping.

When approved the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed OEMP.

5. Prior to the endorsement of plans and prior to commencement of works, a statement demonstrating the appropriateness of the qualifications of the author of the report "Assessment of potential groundwater pumping at 50 Lansdowne Road, Lansdowne to induce movement of PFAS contamination from RAAF Tindal Air Base" prepared by Australian Groundwater Consult, shall be provided to the satisfaction of the consent authority.
6. Prior to the endorsement of plans and prior to commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Katherine Town Council's and/or DIPL's stormwater drainage systems, shall be submitted to and approved by the Katherine Town Council and /or DIPL to the satisfaction of the consent authority. The plan shall include details of site levels and stormwater drainage connection point/s. The plan shall also indicate how stormwater will be collected on the site and disposed of to the stormwater drainage systems.
7. Prior to the endorsement of plans and prior to the commencement of works confirmation from a suitably qualified engineer demonstrating the ability of the land to accommodate the treated waste water flows on site, to the satisfaction of the consent authority.

GENERAL CONDITIONS

8. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
9. As determined necessary via Condition 2 above, vehicular access to/from the Stuart Highway shall be completed within 12 months of an Occupancy Permit being granted for the development to the requirements of DIPL, to the satisfaction of the consent authority. Post this 12 month period, there shall be no vehicular access to/from Lansdowne Road. Access to/from Lansdowne Road shall be gated and locked and no vehicular access shall be permitted for the duration of the development.
10. Until such time as access to the Stuart Highway has been constructed, all access shall be from Lansdowne Road to the requirements of the Katherine Town Council to the satisfaction of the consent authority.
11. Engineering design and specifications for the proposed and affected roads, (including any necessary improvements), are to be to the technical requirements of the Katherine Town Council and /or DIPL to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
12. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Katherine Town Council and/or DIPL, to the satisfaction of the consent authority.
13. The owner of the land must enter into agreements with the relevant authorities for the provision of drainage, and connection to the electricity networks to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

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. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat or suitably dust suppressed (gravel of similar) and maintained;
 - (d) drained; and
 - (e) line marked;to the satisfaction of the consent authority.
16. The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their visitors/clients.
17. Before the use or 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.
18. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
19. Where unfenced, the Stuart Highway Road frontage is to be appropriately fenced in accordance with DIPL standards and requirements to the satisfaction to the consent authority.
20. Storage for waste disposal bins and removal of waste from the site is to be provided and undertaken to the requirements of the Katherine Town Council to the satisfaction of the consent authority.
21. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - (d) presence of vermin.
22. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose to the satisfaction of the consent authority.
23. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
24. The clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as "Permitted Clearing" (i.e. where buildings/structures, open space areas and access ways are proposed to be located). All remaining native vegetation is to be maintained to the satisfaction of the consent authority.
25. Before the use commences/occupation of the development, 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 Environment, Parks and Water Security / Northern Territory Fire and Rescue Services).

26. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. Information resources are available on the IECA website www.austieca.com.au and the Department of Environment, Parks and Water Security ESCP Standard Requirements 2019 and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.
27. The new on-site wastewater management system is to be installed in accordance with all applicable legislation for wastewater management in the Northern Territory, to the satisfaction of the consent authority.
28. The use of the land for the purpose of Rooming Accommodation (Workers Village) and ancillary amenities including kitchen/dining and indoor/outdoor recreational areas for up to 256 people, primarily to facilitate ongoing construction activities at RAAF Base Tindal must cease seven years (7) from the date that an occupancy permit has been issued. All the development and structures, including the access to the Stuart Highway (if confirmed appropriate by DIPL as set out in Conditions 2 and 3 of this permit), but excluding the existing dwelling and its ancillary structures, are to be removed from the land and replaced with native vegetation within 12 months of the date that the use ceases, to the satisfaction of the consent authority.
29. Resolve with the Environmental Health Division of the Department of Health, any and all rectification and remediation works required associated with the removal of the waste water treatment systems on site and undertake such works to the requirements of the Department of Health within 12 months of the date that the use ceases, to the satisfaction of the consent authority.
30. No vehicles associated with or providing a service to the development shall at any time be parked within the adjoining or nearby road reserve.

NOTES

1. The Power and Water Corporation advises that the 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 on-site and/or surrounding infrastructure.
2. 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 <http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines>. 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.

3. A permit to burn is required from the Regional Fire Control Officer, Department of Environment, Parks and Water Security, 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 Management Act 2016*.
4. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works. Due to provisions in the National Construction Code (NCC), the subject lots may need to be consolidated before a building permit can be issued.
5. 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. General duties described in Division 1 of the WM Act include the requirement for owners or occupiers of land 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. Gamba grass, chinee apple and neem are subject to statutory weed management plans. Management obligations outlined in these plans are legally binding on all owners or occupiers of land. Management requirements and copies of the statutory weed management plans are available at <https://nt.gov.au/environment/weeds/weed-management-planning>. Information regarding weed management is available at the NTG website: <https://nt.gov.au/environment/weeds>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.
6. 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 phone Heritage Branch of the Department of Territory Families, Housing and Communities. The Heritage Branch recommends that an archaeological survey and cultural heritage management plan be undertaken.
7. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the *Northern Territory Aboriginal Sacred Sites Act 1989*. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
8. The development and use hereby permitted must be in accordance with all Northern Territory legislation including (but not limited to) the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004*.
9. A permit may be required to undertake works within the road reserve and fees may be applicable.



JOEL FRANCIS BOWDEN

Minister for Infrastructure, Planning and Logistics

26 / 3 / 2024