

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP23/0027

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Section 07349
Section 07658
Section 07659
Section 07660,
Hundred of Bagot
MAKAGON RD, BERRIMAH
14 JULIUS ST, BERRIMAH
18 JULIUS ST, BERRIMAH
22 JULIUS ST, BERRIMAH

APPROVED PURPOSE

To use and develop the land for the purpose of subdivision to create 21 lots including two public open space lots, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR) 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

14 February 2023

DEVELOPMENT PERMIT

DP23/0027

Note that for the purpose of this permit:

- a) any reference to the Land Development Unit means that the Division of the Department of Infrastructure, Planning and Logistics (DIPL), and any reference to the Transport and Civil Services means that the Division of the Department of Infrastructure, Planning and Logistics (DIPL).
- b) Transport and Civil Services Division (TCS) of DIPL is the relevant service authority for road reserves and associated road pavement, stormwater drainage, street lighting vehicular access, pedestrian/cycle paths, verge landscaping and streetscape.
- c) Land Development Unit (LDU) of DIPL is the relevant service authority for open space and stormwater drainage external to the road reserve and any infrastructure external to the road reserve on surrounding networks

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site stormwater drainage schematic plan demonstrating the on site collection of stormwater and its discharge into the local stormwater drainage system shall be submitted to and approved by the LDU and/or TCS as the case may be, to the satisfaction of the consent authority. The plan shall indicate how stormwater will be collected on site and discharged to the relevant authorities' drainage system.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to provide written confirmation from the Power Networks division of the Power and Water Corporation that anticipated substation loads for the subdivision (Stage 3D) comply with the current approved High Voltage Master Plan for Northcrest subdivision, to the satisfaction of the consent authority
3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), written confirmation is required from the LDU and/or TCS as the case may be that the following updated reports or approvals have been provided, to the satisfaction of the consent authority:
 - (a) Traffic Impact Assessment report identifying identify the traffic generation and traffic operation impact of the proposed land use zone based on the highest density use which the new zoning could possibly generate. The report must also identify upgrades likely to be required to accommodate the additional road traffic. The TIA report shall also identify impacts of the rezoning on public transport facilities, pedestrian and cycle facilities.
 - (b) Accesses to the development site as a result of Traffic Impact Assessment report;
 - (c) Feasibility stage traffic safety audit;
 - (d) Master plans to show revisions previously approved in development permits or otherwise agreed to:
 - i. Road hierarchy and road cross sections;
 - ii. Pedestrian and cycle routes; and
 - iii. Parks and public open space
4. Prior to the commencement of construction works for the following components:

- (a) roads;
- (b) stormwater drainage;
- (c) street lighting;
- (d) vehicular accesses;
- (e) pedestrian/cycle paths;
- (f) landscaping;
- (g) establishment irrigation;
- (h) park areas; and
- (i) streetscaping;

the Developer shall submit detailed design documentation (engineering design, design report and specifications) for all such proposed works and achieve Permission to Use from the TCS and/or LDU. All designs that relate to future TCS and/ or LDU infrastructure and residential subdivision open space under the NT Planning Scheme are to be in accordance with the 'Berrimah Farm Subdivision Guidelines', to the satisfaction of the TCS and/or LDU and must be prepared and certified by suitably qualified persons.

5. Prior to the commencement of works, a Construction Traffic Management Plan (detailing 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) is to be submitted and approved by the TCS, to the satisfaction of the consent authority.
6. Prior to the commencement of works, the applicant is to prepare a dilapidation report covering existing infrastructure condition within the road reserve to the requirements of the TCS, to the satisfaction of the consent authority.
7. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment, Parks and Water Security Erosion and Sediment Control Plan (ESCP) procedures as updated (see note 4). The ESCP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP must be submitted for acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to Development Assessment Services via email: das.ntg@nt.gov.au.

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. All works relating to this permit must be undertaken in accordance with the accepted Type 2 Erosion and Sediment Control Plan (ESCP) to the requirements of the consent authority. Should the endorsed Type 2 Erosion and Sediment Control Plan (ESCP) need to be amended, the revised ESCP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to Development Assessment Services via email: das.ntg@nt.gov.au.
10. All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. 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. For further

information refer to Note 4 below. At completion of works, written clearance must be provided by a CPESC regarding satisfactory implementation of temporary and permanent erosion and sediment control measures and site stabilisation, and provided to the satisfaction of the consent authority.

11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, electricity and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

Please refer to Notations on this permit numbered 1 to 3 for further information.

12. 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.
13. 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
14. 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.
15. Stormwater drainage shall be appropriately discharged into a local or trunk stormwater system to the standards and approval of the TCS and/or LDU as the case may be, to the satisfaction of the consent authority.
16. Pond B is to be upgraded, as detailed in the Northcrest 3D Engineering Assessment Stormwater report, to the requirements of the LDU to the satisfaction of the consent authority.
17. All works are to be constructed in accordance with the design documentation provided with 'Permission to Use' by the LDU and/or TCSD, excepting as varied with the approval of the LDU and/or TCSD.
18. All works associated with parks and open space areas are to be constructed in accordance with the design documents, provided with 'Permission to use' by the LDU. All works are to be certified by suitably qualified person to the requirements of the LDU to the satisfaction of the consent authority.
19. All proposed work (including the provision of services) within, or impacting upon existing and proposed NT Government controlled road reserves, shall be designed, supervised and certified on completion by a practicing and registered Civil Engineer, and shall be in accordance with the 'Berrimah Farm Subdivision Guidelines'. Design documents must be submitted to the Director Corridor Management, Transport and Civil Services Division for Road Agency Approval, irrespective of approvals granted by other Authorities e.g. Power & Water Corporation. No works within, or impacting upon road reserves controlled or to be controlled by the NT Government are to commence prior to gaining Road Agency Approval.
20. Any new or upgraded intersection and all new collector and local roads are subject to Road Safety Audits in accordance with the Transport and Civil Services Division Policy "Road Safety Audits".

21. Upon completion of any works within or impacting upon existing or proposed road reserves, the road reserves shall be rehabilitated to the standards and requirements of the TCS and returned to the condition as documented in the dilapidation report. Dryland grassing shall be established on the existing or proposed road reserves inside the Northcrest subdivision verge(s) fronting the development and shall be undertaken to the Department's standards and requirements.
22. The installation or relocation of any services or service connections within the site on completed works requires, in addition to service authority approvals, the approval of the LDU and/or TCSD.
23. 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. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@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 on site and/or surrounding infrastructure.
2. 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.
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 thenbn/ 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/ buildersdesigners.html
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 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](https://nt.gov.au/environment/soil%20land%20vegetation). For further advice, contact the Development Coordination Branch: (08) 8999 4446.
5. Department of Environment, Parks and Water Security Erosion and Sediment Control Plan (ESCP) procedures as updated available at [https://depws.nt.gov.au/rangelands/technical notes and factsheets/landmanagement technical notes and fact sheets](https://depws.nt.gov.au/rangelands/technical%20notes%20and%20factsheets/landmanagement%20technical%20notes%20and%20fact%20sheets).

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 89955354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
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. 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 89364070 to determine if the proposed works are subject to the Act.
9. The technical design and construction standards of the works are as provided within the Berrimah Farm Subdivision Guidelines dated 31/3/2012 incorporated into the Development Agreement or where this document is silent, the HTG Subdivision Guidelines are to apply.
10. No temporary access for construction purposes shall be permitted from the Julius Street road reserve without approval. Construction and delivery vehicles shall not be parked on the Julius Street road reserve.
- 11 A "Permit to Work Within a Road Reserve" may be required from the Transport Civil Services Division of the Department of Infrastructure, Planning and Logistics before commencement of any work within the road reserve.
12. Street lighting shall be provided including lighting of traffic management treatments, external works, parks, walkways, footpaths and shared paths and other public areas of the proposed subdivision. The lighting is to be in accordance with the current version of AS/NZS 1158 Lighting for roads and public spaces (all parts) and the department's technical specifications
13. 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. Should you require further weed management advice contact the weed management branch by phone on (08) 8999 4567 or by email to weedinfo@nt.gov.au