BERRIMAH FARM
Application to Create Superlots
Development Application to Subdivide
Sec. 4195, Sec. 4989, Por. 1168 and Por. 1238,
Hundred of Bagot to Create 3 Superlots.

June 2015
Version 1.2
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1 Background

1.1 Introduction

Land use planning for the future development of the Darwin Region in a more sustainable and compact urban form has identified a number of major sites for infill development. As part of the implementation of this strategy, the Government is releasing land at Berrimah Farm for a mixed use residential and commercial development. This project also includes the retention of an area of the existing on-site research facilities with objectives for this to develop into a broader research, education and science facility for northern Australia. The site is recognised as providing an opportunity to create a landmark development in a strategically located area of Darwin. The subject site, ‘Berrimah Farm’, for the purpose of this application, is approximately 175 ha made up of 4 separate land parcels and is only partially developed, refer Attachment A.

This application seeks a development permit for the amalgamation and subdivision of the subject land into three lots to facilitate the development objectives for the site. This will provide for the retention of a portion of the current facilities as Government land and administrative and management process associated with the future development of the remainder of the site by the successful tenderer for comprehensive master planning and development.

The Darwin Regional Land Use Plan 2014 (DRLUP) identifies the site as suitable for a residential infill development and designates it as a Secondary Activity Centre. This potential is also confirmed through the designation of the site as Zone FD (Future Development) and the introduction of the Berrimah Farm Area Plan and Planning Principles under the NT Planning Scheme.

The site has a number of advantages for a mixed use urban infill project including:

- located relatively central to other primary commercial centres – Palmerston (9 km), Darwin (11 km) and Casuarina (10km);
- proximity to employment and education opportunities outside the site with locational advantages in achieving a high level of education and employment self-sufficiency within the site;
- located with high level access to major transport routes – Stuart Highway, Tiger Brennan Drive, Vanderlin Drive, McMillans Road and the East Arm transport hub;
- favourable aspect for future development due to the elevation and slope of the site;
- unique potential to develop a master planned community of significant scale within an existing urban fabric; and
- heritage elements and ongoing research use that may provide potential themes for areas of the development and focus for a mixed use education and science precinct.

The history of the subject land includes early military use and then development and use as the Berrimah Research Farm, which has been located on the site for approximately 60 years. This facility has undertaken research for agriculture, horticulture and cattle breeding practices. The site generally includes a central cluster of buildings, surrounded by broad acre farming land. The low intensity of development of much of the site does not however currently reflect its locational value within the developed Greater Darwin urban area. The research facility does however have a recognised ongoing function and this subdivision will allow for the continuation and potential expansion of this and release of the remaining generally undeveloped land for more intensive use.
The land release project to facilitate development of the site is being managed by the Department of Lands Planning and Environment (DLPE) on behalf of the Government. This involves the selection of a successful tenderer who will be responsible for the comprehensive planning and development of the land consistent with requirements of the NT Government.

Specifically this application proposes to create the following three lots:

- **Lot A**, approximately 5.9 ha in area encompassing the core of the existing Berrimah Farm Research facility.
- **Lot B**, approximately 13.4 ha in area central to the site for future development in accordance with the Berrimah Farm Area Plan, upon vacation by the NT Government.
- **Lot C**, approximately 155.3 ha in area being the balance of the site for future development in accordance with the Berrimah Farm Area Plan.

Lots A and B will be provided legal access via a Right of Way from Makagon Road, until the construction of formal road access as part of the overall development. Existing services to the site will be protected by proposed and existing easements and the development agreement ensuring an uninterrupted supply of services throughout the development period.

This application consists of a site and development description, Statement of Effect and associated subdivision plans.

### 1.2 Site and locality description

The Site is approximately 175 hectares in area, bound by the Stuart Highway to the north, Tiger Brennan Drive to the south, Berrimah industrial area to the west and the Darwin Correctional Centre to the east and is located approximately 13 kilometres east of the Darwin city centre.

The application includes the following land parcels:

1. Section 4195, Hundred of Bagot: 38.07 ha.
2. Portion 1168, Hundred of Bagot: 132.7 ha.
3. Portion 1238, Hundred of Bagot: 1.32 ha.
4. Portion 4989, Hundred of Bagot: 3.27 ha.

The subject site is subject to a number of easements as follows:

- **Sec. 4195.**
  - Electricity Supply easements on the northern boundary adjoining Stuart Highway (< 2.2 m wide) and eastern boundary (30m wide).
  - Drainage easement from Stuart Highway boundary to connect into the drainage line on the southern boundary (10m wide).
  - Water supply (15m wide) and Electronic communications easements (3m wide) on the western boundary and through the north western portion of the site.

Existing easements will not be impacted by this application.

- **Por. 1168**
  - Power, water, sewer and communications services are provided between Makagon Road and the existing facilities.
  - New easements are proposed over Area C to protect existing infrastructure and ensure access to the site.
All lots are owned by the Northern Territory Government and are within Zone FD (Future Development) under the NT Planning Scheme. The site is also subject to the Berrimah Farm Area Plan and Planning Principles under the Planning Scheme. The position of all existing lots is shown on Attachment B.

The extent of existing development on the site is shown on Attachment B. This generally consists of a central core of buildings and facilities within Por. 1168 and Por.1238, being the existing research facility. This is surrounded by managed grazing land and open space / drainage areas. The existing development has access to both Stuart Highway through Sec. 4195 and to Makagon Road. At the Pruen Road frontage the site adjoins Sec. 4972, which is developed for a communications tower and is not included in the application area.

The southern section of the Site has a gentle slope towards the south-western corner with views towards the city and harbour from the more elevated parts of the site. The topography consists of flat to undulating low hills with 0-2% gradients to the north and 5-15% gradients in the south west corner. Outside developed grazing areas vegetation on the site is characterised by predominantly low to open eucalypt woodlands and broad lowland plains with associated vegetation. Soil type includes minor lithosols and shallow gravelly massive earths.

The site is separated by the Stuart Highway at the northern boundary from land developed for a range of small lot rural purposes, within Zone R, and a developed community living area, within Zone CP. Land immediately to the east is primarily within Zone CP and developed as the Darwin Corrections Centre, with an area within Zone OR, and developed as Robbie Robins Reserve on the Stuart Highway frontage. To the west the site is bound by the developed Berrimah industrial estate which is within Zone GI and Zone LI. To the south the site is separated from Zone U and Zone DV by the developed Tiger Brennan Drive corridor, which is within Zone PM. The alignment of the south west corner of Por. 1168 reflects land requirements for the future Berrimah Road / Tiger Brennan Drive interchange. This land is also within Zone PM and within the Tiger Brennan Drive reserve area.

The site is well buffered from any surrounding sensitive land uses with existing zoning generally reflecting the current low impact industrial, institutional and low density nature of development in the area.

1.3 Description of development

This application proposes the amalgamation and subdivision of the subject land to create 3 lots as shown on Attachment C. In respect to proposed lots B and C the proposal is a ‘super lot’ application for the administrative purpose of the establishment of legal land parcels for planning, development and subsequent subdivision. Proposed lot A encompasses existing Department of Primary Industries and Fisheries research facilities and is to be retained by the NT Government.

The application proposes the creation of the following Lots:

- **Lot A**, approximately 5.9 ha in area, within Zone FD, encompassing the core of the existing Berrimah Farm Research Facility to be retained by the Government as a Department of Primary Industries and Fisheries facility.

- **Lot B**, approximately 13.4 ha in area, within Zone FD, encompassing the balance of existing facilities to be retained. Following the transition of DPIF to a new facility, the
parcel will be combined with Lot C for detailed planning and development in accordance with the Berrimah Farm Area Plan.

- **Lot C**, approximately 155.3 ha in area, within **Zone FD**. This proposed lot will form the super lot for detailed planning and development in accordance with the Berrimah Farm Area Plan. All existing easements will be carried forward, and new easements will be established over existing infrastructure.

As an interim position pending the construction of subdivision roads within the development area lots A and B will be provided legal access via a Right of Way from Makagon Road. This ROW is proposed to cover the existing constructed and landscaped access from Makagon road to the research facility. The ROW is proposed at approximately 20m wide at its termination at Lot B and 30m wide at its intersection with Makagon Road. This access will remain in place to service Lot A until such time as subdivision roads internal to the development are created and provide legal road access to the facility.

All proposed lots will continue to be serviced via existing infrastructure arrangements pending the replacement and/or realignment of these in conjunction with the comprehensive redevelopment of the area. Existing easements will therefore not be impacted by this application and will remain in place pending the establishment of subdivision roads within the development and/or alternative service alignments and associated easements as may be required to service the eventual development.

New easements are proposed over Area C to protect existing power, water, sewer and communications infrastructure. Given that each of the proposed lots have available services and constructed access it is not intended or considered required that any further construction works are undertaken as part of this application.

Current service provision to proposed lots A and B is adequate. Any changes to the future servicing of these lots is best developed in conjunction with master planning for servicing of the whole site.
2 Statement of Effect

2.1 Section 46(3)(a) – Compliance with the Planning Scheme.

The proposed subdivision will create three lots to facilitate the land transfer and contractual matters associated with the subsequent planning and development of the Berrimah Farm Activity Centre and the retention of an operating Berrimah Farm research facility. This will facilitate development consistent with the designation of the site as Zone FD and the Berrimah Farm Area Plan and Planning Principles applicable to the land under the NTPS.

Clause 4.2 of the NTPS sets out the planning principles and framework for future development of the Darwin Region. This sets out that expansion of the area should be orderly and appropriate and consistent with area plans and relevant land use frameworks. It is noted that the DRLUP was exhibited as a proposed Planning Scheme amendment between 18 November 2014 and 16 January 2015, and while no determination has been made consideration must be given to the proposal under Section 51(b)(ii). The proposal seeks to provide the primary strategic framework to guide development of the region.

The DRLUP – Structure Plan identifies the site as Urban and Peri-Urban and specifically as a site for infill residential development. The Berrimah Farm locality is also identified as a suitable location for a Secondary Activity Centre.

This application sets up the administrative parcels necessary to facilitate future detailed planning and development of proposed Lots B and C. This subsequent development will need to comply with any applicable Area Plan and associated planning principles and requirements of the NT Planning Scheme.

Part 3, clause 5.26 of the NT Planning Scheme sets out the purpose of Zone FD an interim zone intended for future rezoning and development in accord with an Area Plan. This clause also provides that subdivision is not to prejudice the ultimate subdivision, development or future use of the land. The proposed subdivision is designed to establish the necessary ‘super lot’ land parcels to facilitate subsequent detailed planning and development in conjunction with the retention of the existing developed research precinct. As such the application is considered to be entirely consistent with the purpose of the zone.

Part 5, sets out a number of matters that require consideration in the subdivision of the land. The Table to Clause 11.1.1 provides a general minimum lot size of 50 ha for land with Zone FD. Notwithstanding this, Clause 11.1.2 provides guidance on the subdivision of land within Zone FD into residential lot sizes down to a minimum lot size of 450 m². Clause 11.1.3 further provides that land within Zone FD may be subdivided consistent with its intended future use and an Area Plan applicable to the land. It also provides that the consent authority may permit the subdivision of the land into any size consistent with the ultimate intended zoning. The provisions of Zone FD provide the flexibility for the approval of the subdivision of the land as is proposed, which is consistent with the Berrimah Farm Area Plan and its intended future use and development.

Further clauses of Part 5 of the scheme provide guidance on the detailed subdivision of residential zoned land that are not applicable to this proposal.
Part 7 ‘Transport and Infrastructure’ sets out a number of matters applicable to land adjacent to a main road or a designated road as is applicable to the subject site. Clause 13.2 sets out that access from land to main roads shall not prejudice traffic safety. This application does not propose any change to access arrangements associated with the land to either Stuart Highway or Tiger Brennan Drive. The existing primary access to the site from Makagon Road is proposed to be retained in a Right of Way and will continue to provide the primary access to the site pending future development and subdivision. Detailed planning of future access to main roads from the site will occur as part of the overall development planning for the site, prior to further re-subdivision and be undertaken in conjunction with the responsible authority.

Part 8 ‘Area Plans’ of the scheme provides that the interpretation of the scheme and determinations are to be consistent with an applicable Area Plan and planning principles. Clause 14.1.4 provides the Berrimah Farm Area Plan and planning principles. The area covered by the Area Plan is consistent with the site the subject of this application. The principles and Area Plan provide guidance for the more detailed development of the land to create a mixed use Secondary Activity Centre. Of note with respect to this application is that the principles specifically provide for the creation of a multi-user research precinct. Proposed Lot A, which provides for the retention of the existing research facility will provide the focus and core for the further development of the site consistent with this objective. Specific design parameters of this principle are associated with the provision of an aesthetic and compatible outlook from the precinct and retention of the character of existing vegetation. These will not be prejudiced by the creation of proposed Lot A.

As this application will facilitate the creation of Lot A and two super lots, in Lots B and C, for subsequent planning and development as a mixed use activity centre, the proposal is consistent with the requirements of Part 8 of the scheme.

2.2 Section 46(3)(b) – Interim development control order.
There are no Interim Development Control Orders applicable to this site.

2.3 Section 46(3)(c) - Public environmental report or an environmental impact statement.
An Notice of Intent (NOI) for the site was submitted by DLPE for mixed use residential, commercial and community uses as proposed by the Berrimah Farm Area Plan. The NTEPA determined that is was not able to make a decision as to whether it should be assessed under the Environmental Assessment Act and that an NOI should be resubmitted by the successful proponent based on its master plan for the site.

2.4 Section 46(3)(d) – Merits of the proposed development.
The proposed amalgamation / subdivision will result in the creation of 3 new lots at the site from the four existing lots. This is designed to facilitate the retention of an operating research facility on the site, Lot A, in addition to the creation of Lots B and C as super lots for administrative and contractual reasons to provide for subsequent planning and development of the site as a secondary activity centre.

The development of the Berrimah Farm Area plan and planning principles was subject to extensive research and consultation with interested parties and the community with the
view to the establishment of necessary planning guidance to achieve the following development objectives:

- a tropical urban hub that promotes economy, exchange and interaction beyond office hours;
- a site that leverages its exposure and connectivity as the centre of gravity in the region;
- facilities that support high quality education and research, and promote a culture of knowledge sharing and the exploration of ideas within the community;
- integration of a Research Precinct within the urban fabric, which will emerge as the pre-eminent provider of science based research in northern Australia;
- a diversity of housing to meet the needs of the full spectrum of the population;
- amenities that make Berrimah Farm a desirable place to live, socialise, learn, relax and trade; and
- purposefully created spaces that exemplify great architecture and urban design.

This application will facilitate the necessary land transfer and contractual arrangements to allow for ongoing planning and development that will provide the framework for these development objectives to be achieved. As such the application is considered to have significant merit and is an important component in the achievement of an important development outcome for the future growth of the Greater Darwin Urban Area.

2.5 Section 46(3)(e) – Land suitability and effect on other land.

A general description of the site and the locality is at Section 1.2. As this application is administrative in nature and neither further development of the site or a change in land use will be facilitated in itself by this application, a general overview only of land suitability is provided below. It should however be noted that these matters have been dealt with in more detail in the development of the Berrimah Farm Area Plan and the recent rezoning to Zone FD. This rezoning of the site in itself confirms the suitability of the site for the intended eventual use as set out on the Berrimah Farm Area Plan, which will be facilitated by this application. It is also confirmed that detailed land capability and suitability assessment will be part of the preparation of detailed subdivision and land use plans in reflecting the general scheme requirements and the primary requirement of the Area Plan to effectively manage concentrated stormwater.

In respect to any effect on other land, as identified in Section 1.2, the site is well buffered from any surrounding sensitive land uses and given that this application will not result in any changes to the physical conditions for surrounding land it is submitted that it will not affect other land.

Environmental assessment of the site has been undertaken which has included detailed contamination assessment. 120 hectares of the 168 hectare site has received certification by an Auditor that it is fit from a contamination perspective to be developed for a mixed use residential purpose.

Specific remediation action plans will be required to facilitate future development over minor areas of the site. These plans will need to be prepared to reflect the outcomes of future detailed site planning and the requirements for approval of relevant authorities.

An Authority Certificate from the Aboriginal Areas Protection Authority has also been granted to the Northern Territory Government for the Site.
2.5.1 Land Units

The Greater Darwin Area map identifies land units within the proposed Site as follows and as shown below:

**Rises**

- 1c: Short steep slopes and rises; gradient 5 – 15%; shallow gravelly lithosols: Eucalypt Woodland.

- 2b2: Gentle sideslopes; gradient 2 – 5%; shallow gravelly massive earths, minor lithosols: Eucalypt Low Open Woodland to Open Woodland.

**Plains**

- 3b: Flat to gently undulating upland surface; gradient 0 – 2.5%; moderately deep yellow massive earths, minor red massive earths: Eucalypt Woodland to Open Forest.

- 3d: Flat to gently undulating upland surface; gradient 1 – 3%; shallow gravelly lithosols: Eucalypt Open Woodland, minor Woodland.

- 4c: Gentle lower slopes; gradient 0.5 – 1.5%; wet-season water table; hardsetting deep mottled yellow massive earths: Mixed species Open Forest, minor Woodland

- 6b: Broad lowland plains; gradient <1.5%; shallow to moderately deep siliceous sands: Grevillea/Melaleuca Tall Shrubland to Low Open Woodland, minor Open Woodland.

The 1:50,000 Remnant Vegetation of the Darwin Municipality (map sheet 5073-2) does not identify any remnant community types on Site. However Eoscience NT mapped four different vegetation communities within the 175 ha survey area comprising modified grassland, mixed species woodland, Pandanus and remnant bushland (Greencap Nov
The site also contained occurrences of the species Armstrong’s Cycads which are noted as worthy of protection where possible in open space areas.

The Darwin Area 10,000 Year Storm Surge Inundation for 2100 map identifies that the Site is situated above the Extreme Storm Surge Zone (10,000 Year ARI) and is not otherwise impacted by any known storm surge or riverine flooding effect.

2.6 Section 46(3)(f) – Public facilities / public open space

As this application is for the purpose of creating 3 administrative lots to facilitate future detailed planning and development the provision of public facilities and open space does not form part of the application. Any future planning of the site will be required to address all the requirements of the Planning Scheme and Area Plan which will include consideration of the requirements of public facilities and services. The Berrimah Farm Area Plan and planning principles for the site are clear that a high level of public amenity and resource will be required to be provided.

2.7 Section 46(3)(g) – Provision of public utilities or infrastructure.

As the site is located in proximity to existing developed urban areas it has general access to mains services. This application will not in itself result in any requirement for an increase in capacity of these services. This will be necessary for subsequent residential development of the site and service planning will form an important component of the planning of the overall development following transfer of the super lots to the successful tenderer as will be facilitate by this application.

Preliminary infrastructure planning has been undertaken for the site by Aurecon (March, 2015) for the NT Government and this demonstrates the suitability of the site for residential and mixed commercial use in terms of available services and sets out headworks required to be undertaken to facilitate efficient infrastructure provision.

2.8 Section 46(3)(h) – Impact on amenity.

The proposed subdivision is not expected to have any impact to the amenity of surrounding areas as no physical development or land use changes are proposed.

2.9 Section 46(3)(j) – The public interest.

There will be no detriment to the public interest as a result of the subdivision. The site is currently only partially developed and the release and subsequent development that will be facilitated by this proposal, a secondary activity centre, will provide additional residential and employment options to existing and future residents of Darwin. The development of the site will also provide for the accommodation of some of the projected future population growth in an area with proximity to existing facilities and services and will contribute to the development of a more compact and sustainable urban form for Darwin.

2.10 Section 46(3)(k) – Compliance with the Building Act.

There are a number of existing buildings on the site that are in proximity to the boundaries of Lots A and B. A building certification is attached demonstrating that, provided the external walls and columns of nearby buildings are located three metres or more from the proposed boundaries, the buildings on the proposed lots will not cease to comply with the requirements of the Building Act.
The northern boundary of proposed Lot B aligns with the southern surveyed boundary of Lot 4195. While it is the intent to use these existing survey points, the southern boundary was not able to be located during the inspection of buildings. Therefore, instruction to the surveying team will be to ensure at least a three metre separation from the external walls and columns of nearby buildings, with particular attention to be paid to the buildings near the northern boundary of Lot B.
3 Conclusion

The proposed amalgamation / subdivision will result in the creation of three lots to provide the administrative and tenure arrangements for the future development of the site in accordance with the Berrimah Farm Area Plan as recently introduced to the NTPS. Proposed Lot A will provide for the retention by the NT Government of the Berrimah Farm research facility. Proposed Lots B and C are to be created as super lots for subsequent detailed planning and development in accordance with the Berrimah Farm Area Plan. Lot B is required to be separated from Lot C to facilitate the staged transition of the DPIF to a new facility prior to transfer to the development proponent.

The proposal has significant merit and is a step toward the establishment of a new and alternative growth front for the Darwin region that will provide increased opportunity for residents, contribute to competition in the residential market and provides an opportunity for the development of a more sustainable form of mixed use urban development.

The proposal is consistent with the objectives of Zone FD and the Berrimah Farm Area Plan and planning principles. The detail of the proposal is also consistent with the requirements of the NTPS and there is nothing in the planning scheme that would prevent this proposal being approved. It is submitted that the application has merit and warrants approval to facilitate the continued planning and subsequent development of Berrimah Farm.
Attachment A – Locality Plan and Zoning, Berrimah Farm
Attachment B – Existing Lots and Development
Attachment B - Existing Lots and Development

Map Center: 130° 55' 52.3" E, 12° 26' 39.8" S

Datum: GDA 1994

Data for information purposes only - accuracy not guaranteed

N.T. Land Information System Copyright Northern Territory of Australia
6 July 2015

Dept. of Lands Planning and Environment
PO Box 1680
DARWIN NT 0801

Attention: Rick Burgess

RE: Proposed subdivision of Berrimah Farm.

Dear Rick,

A review of the proposed subdivision of Portion 1168, Portion 1238, Section 4195 and Section 4989 Hundred of Bagot, to create 3 Lots (A, B & C) as shown on Proposed Subdivision Plan (copy attached) dated 27th March 2015, has been undertaken by a Building Certifier of Irwinconsult Pty Ltd to verify what impact, if any, the proposed subdivision will have in respect to compliance with the Building Act.

We advise that as a result of the subdivision, the existing buildings on proposed Lots A, B and C will not cease to comply with the Building Act with respect to setbacks from property boundaries, provided the external walls and columns of nearby buildings are located 3m or more from the proposed boundaries. However the carport located adjacent to the proposed north boundary of Lot B is permitted to be within the 3m setback on the basis it is an open class 10a structure.

Should you have any queries please do not hesitate to contact our office on 8980 5900.

Regards,

Richard Williams
Senior Building Certifier (18235BU)
Irwinconsult Pty Ltd
6 July 2015

Dept. of Lands Planning and Environment
PO Box 1680
DARWIN NT 0801

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Should you have any queries please do not hesitate to contact our office on 8980 5900.

Regards,

Richard Williams
Senior Building Certifier (18235BU)
Irwinconsult Pty Ltd
To whom it may concern,

The Department of Primary Industries and Fisheries give consent for the Land Release Unit, Department of Lands, Planning and the Environment to lodge a development application to subdivide Sec. 4195, Sec. 4989, Pot. 1168 and Por. 1238 Hundred of Bagot to create three super lots.

This letter is no indication of support for the application, and does not preclude submitting comments during any exhibition period.

Yours sincerely,

[Signature]

Ian Curnow
Deputy Chief Executive -DPIF

15 July 2015