



7 October 2020

Development Assessment Services  
Department of Infrastructure, Planning and Logistics  
GPO Box 1680  
Darwin NT 0801

**RE: Letter of Comment Development Application**

**PA2020/0297**

**Portion 2850 (155) Secrett Road, Knuckey Lagoon, Hundred of Bagot  
Dwelling-Independent Exceeding 80m<sup>2</sup> in Floor Area**

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Thank you for the Development Application referred to this office on 18/09/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

**Council wishes to lodge the following submission under Section 49 of the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:**

- a) The proposed independent unit is not in keeping with the size requirements noted in the NT Planning Scheme, which defines an independent unit as being an ancillary dwelling, where ancillary is in turn defined as being auxiliary and subordinate to the primary use. An independent unit of 134m<sup>2</sup> is quite a substantial dwelling that cannot in any way be considered subordinate to another use on the subject site, in particular when it appears to be similar in size to the existing dwelling on the subject site. The intent of the allowance of a dwelling-independent is not to create a multiple dwelling use on a site that is not of adequate size in the subject zone to be expectant of that type of use. Council does not support the proliferation of dual occupancy across all rural zones under the guise of dwelling-independents when these newly proposed units are larger than a typical new house.
- b) The cumulative addition of new units of the proposed size have significant impacts upon Council's aging road infrastructure and lead to additional unexpected expenditure by Council when roads fail sooner than expected due to the additional unplanned use by the additional units. This is in conflict with the purpose of Clause 5.4.13 where the dwelling is not to adversely affect the local road network. Should

dwellings of this type be permitted on lots of such size in Zone RL (Rural Living), it will result in adverse effects upon Council's local road network.

- c) Further, the proposed floor area of the home based business exceeds the minimum required allowance without a permit. Council requests clarification from DAS as to the publicly advertisement requirements for this use.

**Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:**

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

**Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:**

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

**Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:**

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at [www.litchfield.nt.gov.au](http://www.litchfield.nt.gov.au).
- b) 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.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under the NT Government's Interim Development Control Order 29.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Hasan Karatas  
Development Engineer