

DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 159 – WEDNESDAY 13 JUNE 2012

**CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE**

MEMBERS PRESENT: Peter McQueen, John McBride, David Koch, Geoff Booth and Brendan Heenan

APOLOGIES: Nil

OFFICERS PRESENT: Peter Somerville, Ben Taylor, Fraser Cormack and Kirra Morgan

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 9:50 am and closed at 10:30 am

**ITEM 1 DEVELOPMENT – LOT 10014, SUBURB OF MT JOHNS, TOWN OF ALICE SPRINGS
4 X 3 BEDROOM SINGLE STOREY MULTIPLE DWELLINGS
TECGOLD PTY LTD (MATHEW WRIGHT)**

Applicant Mr Mathew Wright attended.

**RESOLVED
43/12**

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout), Clause 7.3 (Building Setbacks of Residential Buildings) and Clause 7.6 (Communal Open Space) of the NT Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, alter the proposed development and consent to the proposed development as altered to develop Lot 10014, Suburb of Mount Johns, Town of Alice Springs for the purpose of multiple dwellings (4 x 3 bedroom multiple dwellings in 2 x 1 storey buildings), subject to the following conditions:

CONDITION PRECEDENT

1. 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 two copies must be provided. The plans must be generally in accordance with the plans prepared by Design Ink that were publicly exhibited but modified to show:
 - a) landscaping details and materials (metal privacy screens are envisaged) to screen the bedroom windows (bedroom 3 of each dwelling) which face the internal driveway.
 - b) details of surface finishes of private open space areas (areas that are not already identified for planting or paved);
 - c) provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority and due regard must be given to the objectives and design criteria contained in Clause 6.12 (landscaping) and Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

3. 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.
4. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
5. Before the use or occupation of the development starts, the areas 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;
 - d) drained;
 - e) line marked (or suitably delineated) to indicate each car parking bay; and;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
6. 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 the public street.
7. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to internal fences or landscaped areas.
8. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Alice Springs Town Council, to the satisfaction of the consent authority.
9. Storm water is to be collected and contained within the site or discharged into the drainage network to the technical standards of and at no cost to Alice Springs Town Council to the satisfaction of the consent authority.
10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
11. Before the use/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.
12. 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.

NOTES:

1. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council before commencement of any work within the road reserve.
2. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentsouth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
4. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS Noise guidelines for development sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) to provide for a range of housing options. Furthermore, the proposed development is considered to be of a scale, character and architectural style compatible with the streetscape and surrounding development in the Mount Johns locality.
2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for a car parking area to be located less than 3m from a street frontage is considered satisfactory in this instance as the proposed design and species of landscaping selected will ensure that all car parking bays and driveway areas are useable, functional, convenient and screened from the street in accordance with the intent of the clause.
3. Variations to Clause 7.3 (Building Setbacks of Residential Buildings) of the

NT Planning Scheme is supported as, upon completion of landscaping and fencing, the variations required, in the context of the overall development of the site are not considered to result in any adverse impact on the existing and future amenity of the locality. It is considered justified from a design point of view to allow the building line of the proposed dwellings and car parking areas to align with that of the existing multiple dwellings in the street in order to create a uniform front building line and any adverse impact upon the amenity of neighbouring properties on account of the reduced setbacks is considered unlikely and the design is considered consistent with the objectives of Clause 7.3.

4. A variation to Clause 7.6 (Communal Open Space) of the NT Planning Scheme is supported in this instance as:
 - each multiple dwelling is provided with suitable areas of private open space; and
 - the site is located within convenient walking distance to established and proposed areas of public open space within the Mount Johns locality which include high quality passive and active recreation areas.
5. Pursuant to section 51(h) of the Planning Act the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of additional residential accommodation.
6. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.
7. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION:

DAS to prepare a Notice of Consent and Development Permit

ITEM 2

**DEVELOPMENT – LOTS 902, 903, 910 AND 911 – 113 & 119 TODD STREET AND 21 & 22 LEICHHARDT TERRACE, TOWN OF ALICE SPRINGS
CONVERSION OF EXISTING SERVICED APARTMENTS TO MULTIPLE DWELLINGS AND ADDITION OF 18 X 1 BEDROOM MULTIPLE DWELLINGS TO AN EXISTING MIXED USE DEVELOPMENT.
ETHAN PROPERTY GROUP (ASHLEY FENN)**

Applicant Mr Ashley Fenn (Ethan Property Group) attended.
Mr Greg Boaz (land owner) attended.

**RESOLVED
0044/12**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority (the Authority) defers consideration of the application to develop Lot 902 and Lot 903 Todd Street and Lot 910 and Lot 911 Leichhardt Terrace, Town of Alice Springs for the purpose of shop, restaurant and multiple dwellings (including retention of 32 existing dwellings and the construction of eighteen (18) additional dwellings) to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper

consideration of the application:

1. Detailed drawings (dimensioned, annotated and at a recognised scale) and supporting documentation, including the following:
 - a) A whole of site plan clearly and accurately detailing the following additional information:
 - i. Existing and proposed easements, substations and services;
 - ii. existing and proposed fencing (including gates);
 - iii. car parking and driveway layouts (including details of proposed surface treatment);
 - iv. loading bays (if any);
 - v. vehicle (and if appropriate pedestrian) access to the site;
 - vi. landscaping (including types of planting and surface treatments of unplanted areas);
 - vii. garbage bin storage areas (and enclosures if proposed);
 - viii. the areas dedicated for private or communal open space, amenities (e.g. laundries, clothes drying areas and common facilities); and
 - ix. any facilities / design features for persons with a disability (i.e.: access ramp/s, parking bay/s, design features of dwellings).
 - b) floor plans for the proposal showing the location and layout of dwellings and all other areas of buildings on site that are not used as dwellings; and
 - c) all elevations of buildings, indicating finished floor levels (with reference to the Australian Height Datum), existing and finished ground levels and external finishes.
 - d) Sufficient cross-sections and longitudinal sections to show the relationship between structures and their respective heights. Existing and proposed site levels and finished floor levels for all dwellings and demonstrating such detail as relative heights of internal and external fencing, dwelling floor and window levels, driveways and parking areas are expected to be shown.
2. The Authority encourages the applicant to further consider the following matters prior to finalising supplementary documentation:
 - a) issues raised by service authorities in their technical comments made in response to the publicly exhibited application;
 - b) responses to all relevant development provisions contained in Part 4 of the NT Planning Scheme and the purpose of each provision;
 - c) how the design and construction of proposed new dwellings responds to the site's flood liability;
 - d) location and design of gates to the Leichhardt Terrace frontage of the site that are suitably designed and setback up to 6 metres from the Leichhardt Terrace road carriageway;
 - e) a driveway and parking area layout/design that links the whole site and allows for vehicles to conveniently egress the site via Todd Street in the event that the Leichhardt Terrace frontage becomes inaccessible due to flooding of the Todd River;
 - f) the capacity of proposed car parking and loading bay provision to satisfactorily meet the likely needs of the development (commercial and

- residential uses of the site);
- g) opportunities for optimising the level of amenity offered to future residents;
- h) potential impacts on occupants of adjoining properties;
- i) landscaping details;
- j) (with respect to any variations sought to a requirement of the NT Planning Scheme) explanation of any special circumstances which the applicant considers:
 - i. relevant to the proposed development; and
 - ii. a reasonable basis for the Development Consent Authority to consider granting the variation; and
- k) consolidation of Lots 902, 903, 910 and 911, Town of Alice Springs into a single lot.

REASONS FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority "may require the applicant to provide it with the additional information that it considers necessary in order to enable the proper consideration of the application".
2. The Development Consent Authority noting that:
 - a) the plans and documentation provided with the application and in a subsequent submission to the Authority, do not provide sufficient detail to properly assess the proposed development in terms of compliance with the NT Planning Scheme;
 - b) that the proposed development requires variations to a number of provisions of the NT Planning Scheme, and that a proper assessment of the variations required could be provided, subject to the receipt of satisfactorily detailed plans and documentation; and
 - c) that the proposed development design and associated documentation (including supplementary documentation and a revised site plan submitted by the applicant), requires variations to; 'and/or' does not demonstrate due regard 'and/or' a satisfactory response) to:
 - Clause 6.5.1 (Parking Requirements)
 - Clause 6.5.2 (Reduction in Parking Requirements)
 - Clause 6.5.3 (Parking Layout)
 - Clause 6.6 (Loading Bays)
 - Clause 7.5 (Private Open Space)
 - Clause 6.14 (Land Subject to Flooding and Storm Surge)
 - Clause 7.1.1 (Residential Dwelling Density Limitations)
 - Clause 7.3 (Building Setbacks of Residential Buildings)
 - Clause 7.5 (Private Open Space)
 - Clause 7.6 (Communal Open Space)
 - Clause 7.8 (Building Design for Multiple Dwellings); and
 - Clause 8.2 (Commercial and other Development in Zone...TC..) of the NT Planning Scheme, respectively; and
2. recognising that revised plans and documentation may be provided that demonstrate a satisfactory design response in terms of the Planning Scheme and other relevant heads of consideration under section 51 of the *Planning*

Act; and

3. noting that the calculated requirement for car parking spaces for the existing shop and restaurant development, in conjunction with the proposed restaurant (alfresco dining area) is 13 car parking spaces, based on calculations detailed in the Technical Assessments provided to the applicant by the Department of Lands and Planning; and
4. considers it appropriate to provide the applicant the opportunity to review the proposal and revise the application documentation and design details in response to issues raised in the reports on the application and associated technical assessments.

ACTION: DAS advise applicant of deferral and details of further information requested.

ITEM 3

**DEVELOPMENT – LOT 2105, 6 WALKER ST, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
DEMOUNTABLE STRUCTURE (ADDITION TO SINGLE DWELLING)
APATI HORNER**

The Applicant did not attend the meeting.

**RESOLVED
0045/12**

That, pursuant to section 53(b) of the Planning Act, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 2105 (6) Walker Street, Suburb of The Gap, Town of Alice Springs, for the purpose of demountable structures (extensions to single dwelling), subject to the following conditions:

CONDITION PRECEDENT:

1. 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) greater architectural embellishment to the demountable or screen planting along the northern boundary that demonstrates that it will enhance the appearance of the structure in accordance with Clause 6.8 (Demountable Structures) of the Northern Territory Planning Scheme.

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. 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.

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. Storm water for works associated with this permit is to be collected and contained within the site or discharged into the drainage network to the technical standards of and at no cost to the Alice Springs Town Council, to the satisfaction of the consent authority.
5. The demountable structure must not be used as a "dependant unit" without further consent.

NOTES:

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentsouth@powerwater.com.au) and Power Network Engineering Section (powerconnections@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.
3. Lot 2105 (6) Walker Street, Town of Alice Springs is within a Designated Flood Area (DFA) and may be subject to inundation in a 1% AEP flood event (i.e. 1 in 100 year flood). Any modifications to the demountable structure such that it becomes entirely self-contained and no longer an extension to the existing single dwelling, are likely to require the further consent of the consent authority. The developer should also take into account the requirements of Clause 6.14 (Land Subject to Flooding and Storm Surge) of the Northern Territory Planning Scheme for any such alterations to the demountable.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the Planning Act, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The development is consistent with the form of development reasonably expected within Zone SD (Single Dwelling) of the Northern Territory

Planning Scheme.

The proposal is generally consistent with the primary purpose of Clause 6.8 (Demountable Structures) of the Scheme as:

- The development complies with the required building setbacks for demountable structures including providing side and rear setbacks of at least 1.5m;
 - The proposal includes existing and additional landscaping around the site to aid in lessening any visual impact that may be caused by the new structure;
 - The demountable is considered to be visually consistent with adjoining and nearby development; and
 - The requirement for the developer to submit amended plans showing additional landscaping or architectural embellishments to the demountable ensures further compliance with this clause that requires these features to enhance the visual appearance of demountables and ensure consistency with other nearby development.
3. Pursuant to section 51(n) of the Planning Act, the Development Consent Authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The proposal is considered to generally comply with the requirements of the Northern Territory Planning Scheme which are designed to ensure no loss of amenity to the subject site and surrounding land. Together with the level of compliance provided, the requirement for the developer to submit amended plans showing additional landscaping or architectural embellishment to the demountable is expected to further ensure visual consistency with the existing dwelling and surrounding properties, but also limit any adverse impacts on the existing and future amenity of the area.
4. Pursuant to section 51(h) of the Planning Act, the Development Consent Authority must take into account the merits of the proposal. The proposed development will maximise the use of this land by providing further residential options for the existing single dwelling and making best use of existing infrastructure and services.

ACTION: DAS to prepare a Notice of Consent and Development Permit

ITEM 4

**DEVELOPMENT – LOT 2398, 47 PRIEST STREET, SUBURB OF CICCONE,
TOWN OF ALICE SPRINGS
SELF STORAGE FACILITY (WAREHOUSE) - 2 STAGE DEVELOPMENT
COMPRISING A TOTAL OF 31 STORAGE BAYS.
SAMUEL CHUN-LINN**

Applicant Mr Samuel Chun-Linn attended.

**RESOLVED
0046/12**

That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 2398, 47 Priest Street, Suburb of Ciccone, Town of Alice Springs for the purpose of a warehouse (31 self storage units) to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

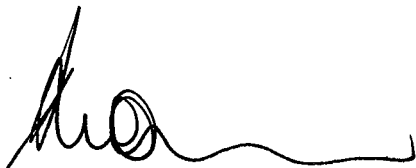
1. Amended plans at a legible scale, showing the following information:
 - a) The area of Lot 2398 and boundary dimensions consistent with survey plan A314;
 - b) The relationship of the vehicle access points to the site and the existing and proposed kerb crossings and power poles located in the Priest Street road reserve.
 - c) All proposed buildings on site and their distances from surveyed lot boundaries;
 - d) The location of water and electricity meter arrangements and sewer access points
 - e) Vehicle access points, parking and driveway areas (compliant with the objectives of Clause 6.5.3 of the NT Planning Scheme). Vehicle turning areas and loading bay/s (locations and dimensions)
 - f) Details of proposed landscaping and fencing including types of planting (locations and descriptions) and heights and materials of fencing and gates.

REASON FOR THE DECISION

Pursuant to section 46(4)(b) of the NT Planning Act, the consent authority "may require the applicant to provide it with the additional information that it considers necessary in order to enable the proper consideration of the application".

ACTION: DAS advise applicant of deferral and details of further information requested.

RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING



PETER McQUEEN
CHAIRMAN

21 /6 /2012

