

DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 165 – WEDNESDAY 12 DECEMBER 2012

**CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE
ALICE SPRINGS**

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

APOLOGIES: John McBride

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

COUNCIL REPRESENTATIVE : Greg Buxton

Meeting opened at 9:45 am and closed at 10.45 am

THE MINUTES OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

**ITEM 1 DEVELOPMENT – LOT 9134, 7 WHITTAKER STREET, TOWN OF ALICE SPRINGS
SHOWROOM WITH ANCILLARY WAREHOUSE AND OFFICE AREAS
WHITTAKER STREET NOMINEES PTY LTD**

Mr Stuart Chalmers of Zone A Pty Ltd and Chris Neck (Director, Whittaker Street Nominees Pty Ltd) attended the meeting.

**RESOLVED
0106/12**

That, the Development Consent Authority vary the requirements of Clause 2.4 (Zone SA3), Clause 6.5.1 (Parking Requirements) and Clause 6.5.3 (Parking Layout) of the Northern Territory 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 9134, 7 Whittaker Street, Town of Alice Springs for the purpose of a showroom with ancillary warehouse and office areas, subject to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit. The use and development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
2. 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.
3. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.
4. 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 to indicate each car space and all access lanes; and
 - f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.
5. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors / clients.

6. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
7. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.
8. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land).
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 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.
11. 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.
12. 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.
13. 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. 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.
2. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from the Department of Land Resource Management.
3. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
4. 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.

5. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
6. 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.

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 purpose of specific use Zone SA3 which is to 'facilitate use and development of the land for a range of commercial uses while ensuring a level of visual amenity appropriate to the location'. Furthermore, the proposed development is considered to be of a scale and character compatible with uses and development nearby.
2. A reduction of the car parking requirements specified by Clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme is supported under Clause 6.5.2 (Reduction in Parking Requirements) in recognition of:
 - The calculated shortfall is primarily attributed to the "showroom" component of the building which, in the absence of any guidance within the Specific Use zone provision, has been assessed as "showroom sales".
 - The provisions of Zone SA3 imply that the any proposed change of use or alterations to the site will require consent.
 - Availability of on street car parking spaces and public transport facilities within the vicinity of the site;
 - Provision of additional car parking bays may compromise the functionality of the car parking area and adversely affect the visual amenity of the site.
 - The Development Consent Authority, being satisfied that adequate car parking will be provided, considers it appropriate to grant the required variation (shortfall of two spaces).
3. A variation to Clause 6.5.3 (Parking Layout) and Clause SA3(3) of the NT Planning Scheme is granted for less than 15% of the site area to be landscaped and a reduced landscaping buffer between the property boundary and the buildings and car parking areas as the landscaping once established is expected to satisfactorily respond to the relevant objectives of the NT Planning Scheme as:
 - a) the proposed landscaping is expected to meet the purpose of lessening the visual impact of the car parking area; and
 - b) the proposed landscaping is compatible in quality, percentage of site

coverage and expected effect to that provided within established developments within the 'Western Area' and land zoned SA3.

4. Pursuant to section 51(j) of the *Planning Act*, the consent authority is required to consider the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development. The physical characteristics of the land are considered suitable for the proposed development and the design has been assessed as complying with the majority of controls contained within Zone SA3 (Specific Use).
5. Pursuant to section 51(n) of the *Planning Act*, the Development Consent Authority is required to consider the potential impact on the existing and future amenity of the area in which the land is situated. The building design is consistent with the site coverage, height, setbacks, colours, car parking layout and landscaping provision of existing developments along Whittaker Street. Any future development or change of use of the land will be subject to the consent of the consent authority.
6. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION: Notice of Consent and Development Permit

**ITEM 2 DEVELOPMENT – LOT 7394, 25 GAP ROAD, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
ALTERATIONS AND ADDITIONS TO MEDICAL CLINIC INCLUDING CHANGE OF USE FROM OFFICE AREAS TO CONSULTING ROOMS AND REFURBISHMENT OF BATHROOM
ZONE A PTY LTD**

Mr Stuart Chalmers (Zone A Pty Ltd) attended the meeting.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking
0107/12 Requirements) of the Northern Territory 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 7394, 25 Gap Road, Suburb of The Gap, Town of Alice Springs for the purpose of alterations and additions to an existing medical clinic including two additional consultation rooms and refurbishment of a bathroom, 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) the carport which covers car parking bays 5-18 (this is to be shown on the site plan); and
- (b) northern and western elevations of the consultation rooms, indicating building heights, positions of external doors and windows and details of external finishes.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit. The use and development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
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. 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 to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

5. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors / clients.
6. 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/development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time. 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. 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.

2. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
3. 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.

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 purpose of Zone TC (Tourist Commercial) which is to 'provide for uses or development servicing tourism, including commercial and residential activities'. Furthermore, the proposed works will be carried out within the footprint of an existing building and the potential impact on the existing and future amenity of the locality on account of the proposal is expected to be negligible.
2. A reduction of the car parking requirements specified by Clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme is supported under Clause 6.5.2 (Reduction in Parking Requirements) in recognition of:
 - availability of on street car parking spaces and public transport services within the vicinity of the site.
 - provision of additional car parking bays may compromise the functionality of the car parking area and adversely affect the visual amenity of the site.
 - the courtesy bus service operated by the Central Australian Aboriginal Congress which collects many of the clients who utilise the health services on the site. A designated passenger set down area is located at the front of the medical clinic.
 - The Development Consent Authority, being satisfied that adequate car parking will be provided, considers it appropriate to grant the required variation (shortfall of 8 additional spaces).
3. Pursuant to section 51(p) of the *Planning Act*, in considering a development application, the Development Consent Authority is required to take into account the public interest. The proposed development will improve the quality and efficiency of health care services provided by the medical clinic.
4. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION: Notice of Consent and Development Permit

**ITEM 3 VARIATION TO DEVELOPMENT – LOT 9349, 116 STEGAR ROAD, SUBURB OF ROSS,
TOWN OF ALICE SPRINGS
DEVELOP STAGE 1 (91 LOTS) IN 4 SUB-STAGES AND AMENDMENTS TO APPROVED
SUBDIVISION LAYOUT
AUSTRALIAN PROPERTY PROJECTS PTY LTD**

Mr Ken Patterson (from Australian Property Projects Pty Ltd) attended the meeting.

RESOLVED That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority
0108/12 consent to the application to vary Condition 1 of Development Permit DP06/0596 for the
purpose of a allowing the subdivision to be completed in stages and alterations to
boundaries of allotments and roads.

In all other aspects, Development Permit DP07/0525 remains unchanged.

CONDITIONS PRECEDENT

1.
 - (a) Prior to works commencing, the developer must submit a detailed design of a reticulated sewerage system to the satisfaction of the Development Consent Authority, on advice from Power and Water Corporation and the Department of Health.

OR

- (b) Prior to works commencing, the developer must submit a detailed land capability analysis (including soil testing) supporting lot sizes on the basis of adequate on-site effluent disposal, to the satisfaction of the Development Consent Authority, on advice from the Department of Land Resource Management, and the Department of Health.

The Development Consent Authority has a preference for a reticulated effluent disposal system.

2. Prior to works commencing, the developer must submit a detailed design of a storm water drainage system (for the site). A stormwater drainage system for the site shall be implemented to the requirements of the Alice Springs Town Council, at no cost to the Council. This condition is to the satisfaction of the Development Consent Authority on advice from the Alice Springs Town Council.
3. Prior to works commencing, the developer must submit evidence in writing that Council has approved the vesting of that land proposed to be made public land. Any vesting of land shall be at no cost to Council or the Department of Lands, Planning and the Environment. This condition is to the satisfaction of the Development Consent Authority on advice from the Alice Springs Town Council.
4. Prior to works commencing, the developer must submit evidence in writing that appropriate road access to the site from Stegar Road has been obtained. This condition is to the satisfaction of the Development Consent Authority on advice from Lhere Artepe and Department of Transport.

5. Prior to works commencing, the developer must submit evidence in writing or a detailed plan demonstrating that no proposed rural living allotment is within the extent of a registered sacred site. This condition is to the satisfaction of the Development Consent Authority on advice from the Aboriginal Areas Protection Authority.
6. Prior to works commencing, the developer must submit a detailed design of a post-subdivision management plan and structure to ensure that any privately managed open space, utility or infrastructure is appropriately implemented and managed. This condition is to the satisfaction of the Development Consent Authority, on advice from Alice Springs Town Council, the Power and Water Corporation, the Department of Health, Aboriginal Areas Protection Authority, Lhere Artepe Aboriginal Corporation and Central Land Council, as appropriate.
7. Prior to works commencing, the developer must submit a detailed design for roads including the upgrading of Stegar Road and a stormwater drainage system for the development including affected areas outside of the development site to the satisfaction of the Authority. This condition is to the satisfaction of the Development Consent Authority on advice from the Alice Springs Town Council and the Department of Transport.
8. Prior to works commencing, the developer must submit a detailed fire management plan. This condition is to the satisfaction of the Development Consent Authority on advice from the Northern Territory Fire and Rescue Service.

GENERAL CONDITIONS

9. The subdivision carried out under this permit shall be in accordance with the drawings numbered PA2006/0990/1D and PA2006/0990/2D, endorsed as forming part of this permit.
10. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
11. The cost of all subdivision works shall be borne by the developer. This shall include the cost of any necessary relocation of any service and it shall be the responsibility of the applicant to ascertain the location of all services that may be affected by the subdivision works.
12. A road and stormwater drainage system for the allotment including associated access roads and downstream stormwater drainage systems shall be provided and maintained to the requirements of the Authority, on advice from Alice Springs Town Council, at no cost to Council.
13. Street lighting shall be installed and maintained, as a minimum, to all intersections and changes of direction on all roads to the satisfaction of the Development Consent Authority, on advice of the Alice Springs Town Council, at no cost to Council.
14. No works shall occur within the registered sacred site 5650-50 as detailed on Authority Certificate C2006/001, to the satisfaction of the Development Consent Authority, on advice from Aboriginal Areas Protection Authority.

15. Any easements or reserves required for the purposes of electricity, sewers, water supply, stormwater drainage, roads, telecommunications, or for any other purpose, shall be made available free of cost to the Northern Territory of Australia, the Commonwealth of Australia and the Alice Springs Town Council.
16. The developer shall, before title to any subdivided lot is issued, execute and register in the Land Titles office a grant of all easements in gross and reserves in a form which complies with the provisions of the Land Title Act as are required for the provision of telephone, water reticulation, electricity reticulation, sewage disposal and stormwater drainage. Such grants shall be made at no cost to the authority involved. Where any such authority does not require any easements and reserves the applicant shall supply to the Department of Lands, Planning and the Environment, evidence from that authority to that effect.
17. Any proposed work within the Ross Highway road reserve shall be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Chief Executive, Department of Transport. Drawings must be submitted to the Regional Manager Transport for approval, and no works are to commence prior to approval. The developer or their contractor is required to obtain a Permit to "Work Within a Road Reserve", from the Manager Civil Construction Agency (2nd Floor Greatorex Building, Parsons Street, Alice Springs), prior to the commencement of any road work within the Ross Highway road reserve.
18. All reticulated power within the subdivision shall be underground. This does not include the existing overhead high voltage (HV) line. This condition is to the satisfaction of the Consent Authority. Electrical reticulation to the development shall be provided to the requirements and satisfaction of the Power and Water Corporation (PAWC), at no cost to that Corporation.
19. Water reticulation to the development shall be provided to the requirements and satisfaction of the Power and Water Corporation (PAWC), at no cost to that Corporation.
20. Any works, required by the Power and Water Corporation (PAWC) to upgrade, extend or augment existing PAWC infrastructure (including off-site works), shall be undertaken by the developer, to the satisfaction of PAWC at no cost to that Corporation.
21. Firebreaks along boundaries (or at appropriate locations) and works required to ensure access to such firebreaks (for fire fighting) shall be provided to the requirements and satisfaction of the Northern Territory Fire and Rescue Services, at no cost to that authority. Firebreaks must be a minimum of 4 metres wide.
22. Fencing shall be implemented (as part of the subdivision), to the satisfaction of the Development Consent Authority in accordance with a plan and details submitted to and approved by the Authority or a delegate of the Authority as part of this permit. As a minimum, the fencing plan should detail fencing proposed:
 - on the common boundary between the proposed lots, such that the boundary is clearly demarcated; and
 - on the boundary between the Ross Highway and the subject land, such

that no vehicle access between the Highway and the subject site is possible.

23. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
24. 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.

NOTES:

1. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.
2. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
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. All new roads are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 89955333 or placenames.dpi@nt.gov.au. Further information can be found at <http://www.placenames.nt.gov.au>."

ACTION: Variation to Development Permit

**ITEM 4 DEVELOPMENT – LOT 7734, 12 RAILWAY TERRACE, TOWN OF ALICE SPRINGS
LIGHT INDUSTRY IN A THREE STOREY BUILDING (SHED)
GREGORY TAYLOR**

Gregory Taylor and Stuart Chalmers (on behalf of the applicant) and submitters Jose Petrick, Dominic Pecorari, Trevor Shiell, Lorraine Braham, Alex Nelson, Lynne Barnes, John Spencer, Maya Cifali, Margaret Borger and Dave Leonard attended the meeting.

Greg Taylor tabled a petition in support of the application, a letter from neighbour at 10 Railway Terrace and a letter from the Heritage Minister containing development approval. Development Assessment Services had been provided with copies of all the above documents on 11 December 2012.

**RESOLVED
0109/12**

That the pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 7734, 12 Railway Terrace, Alice Springs for the purpose of light industry in 3 storey building (shed) to require the application to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. Documented clarification/confirmation of: the nature of the proposed development and use; and the likely visual presentation of the building to the adjoining streets in the context of the established development of the site and adjoining properties, including, through:
 - a) identification of the proposed use/s of different areas on the site and within the proposed building;
 - b) clarification as to the proposed cladding/external finishes (including proposed colours and materials) to the roof and all external walls; and
 - c) the provision of perspective drawings indicating how the proposed building may be expected to present visually, to the adjoining streets.

2. Documentation from the Heritage Division of the Department of Lands, Planning and the Environment:
 - a) demonstrating that the proposed development, as altered (i.e. in relation to the application that was publicly exhibited) by the applicant in response to prerequisite 1 (above) and proposed for further consideration by the Development Consent Authority, is supported in terms of the Heritage Act, as it relates to Lot 7734 (12) Railway Terrace, Town of Alice Springs; or
 - b) (if the applicant is unable to obtain such documentation of support in terms of the Heritage Act) documentation from the Heritage Division of the Department of Lands, Planning and the Environment:
 - i. clarifying the current status (in terms of the Heritage Act) of the letter of approval and associated documentation relating to Lot 7734 Railway Terrace and provided to the owner of the subject land by the former Minister for Natural Resources, Environment and Heritage; and
 - ii. confirming the Heritage Division's position in relation to the proposed development, as altered (i.e. in relation to the application that was publicly exhibited) by the applicant and proposed for further consideration by the Development Consent Authority.

In addition, the Development Consent Authority encourages the applicant to consider providing any additional documentation that may assist in interpretation of the proposed building works under the Heritage Act and the Planning Act respectively. This could, for example, include details/further details in relation to proposed finished floor levels with reference to the Australian Height Datum; and proposed landscaping.

REASONS FOR THE DECISION

1. The application (including car parking requirements) has been assessed on the basis that all floor area will be available for light industry use. Since lodging the application, the applicant has advised/indicated that:
 - a) the business is a mobile locksmith;
 - b) the light industry use will be limited to a part of the ground floor (probably less than 36m²);
 - c) the basement and mezzanine floors and the remainder of the ground floor will be used for personal storage and recreation purposes related to the single dwelling use;
 - d) he is the sole person in the business and has no intention of employing any other person to work in the business;
 - e) he has only 1 vehicle for the business;
 - f) he has no intention of advertising where the business is operated from;
 - g) a transportable building and transport containers presently located on the site are predominantly used for storage of personal effects, with some very limited storage related to the locksmith business;
 - h) he intends removing the transportable building and transport containers from the site, once the shed is constructed, and storing effects from the structures in the shed;
 - i) he has no objection to providing clarification regarding the nature of the business; and
 - j) he recognises that clarification of the status of a previous heritage approval relating to the land may assist the Development Consent Authority in any further decision in relation to the application.

2. Under Clause 4.1 (f) of the NT Planning Scheme, the administration of the Planning Scheme is to "assist in the conservation of areas and sites of environmental, cultural or heritage value as identified by Government". Noting:
 - a) Clause 4.1(f) of the Planning Scheme;
 - b) Section 51 (r) of the Planning Act;
 - c) that the former Minister for Heritage recently approved a similar development;
 - d) that the Heritage Branch of the Department of Lands, Planning and the Environment has advised that it does not support the proposed development; and
 - e) that the proposed development may be expected to have some impact on heritage values and/or perceived heritage values relating to Lot 7734 as well as Lot 7733, Lot 7735 and Lot 9308 respectively

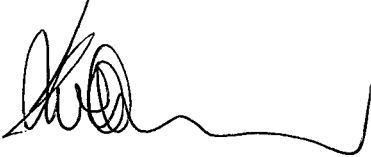
the Development Consent Authority considers it appropriate to provide the applicant with an opportunity to demonstrate that the proposed development, as altered (i.e. in relation to the application that was publicly exhibited) by the applicant and proposed for further consideration by the Development Consent Authority is supported in terms of the *Heritage Act*, as it relates to Lot 7734 (12) Railway Terrace, Town of Alice Springs.

3. The Development Consent Authority anticipates being able to support an appropriately conditioned approval of the application as altered if it is satisfied that the development will not conflict with Clause 4.1(f) of the NT Planning Scheme.

ACTION:

Advice to Applicant

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



PETER McQUEEN
Chairman

19/12/2012