ITEM 3

DEVELOPMENT CONSENT AUTHORITY
ALICE SPRINGS DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: 3 MEETING DATE: 9 September 2020 FILE: PA2020/0219

APPLICATION: subdivision to create 92 lots in 2 stages
APPLICANT/CONTACT: MasterPlan NT (Joe Sheridan)
LAND OWNER: Crown land
BENEFICIARY: Land Development Corporation (on behalf of the NTG)
LOCATION: Part NT Portions 7652 and 7655 (155) Colonel Rose Drive, Suburb of Kilgariff, Alice Springs (locality plans at Bookmark A)
ZONE: FD (Future Development)
AREA: 447ha (NT Portion 7652) and 3.41ha (NT Portion 7655)

ASSESSMENT SYNOPSIS

This report concludes that the Authority should vary the requirements of Clause 6.5.1 (Subdivision in Zone FD) and Clause 6.2.4 Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR) of the NT Planning Scheme 2020 and alter and consent to the application subject to conditions precedent and standard conditions on a development permit.

PROPOSAL

The application is for “Stage 2” of the Kilgariff Estate to create 87 lots (refer Bookmark B1). The subdivision area is located south of “Stages 1(a)&(b)” and at the end of Welton Parade. Vehicle access to the subdivision will be via Colonel Rose Drive and Welton Parade.

Subsequent to comment provided by service authorities the applicant responded with an updated zoning plan and building envelope diagram (refer Bookmark B2).

The application was originally lodged and advertised as a ‘subdivision to create 87 lots in 2 stages’ Comments received from Survey Land Records (DIPL) – Bookmark E3, have identified that there are 92 parcels shown on the drawing, including:
- 87 residential lots;
- 1 public open space lot (neighbourhood park); and
- 4 drainage reserve lots.

The drainage / public open space corridors running along the Stuart Highway and Colonel Rose Drive are intended to be incorporated into the road reserves or the residual parcel (NT Portion 7652).

REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

Unless otherwise specified by the Planning Act 1999 (the Act) and Planning Regulations 2000 or the provisions of Parts 1 and 6 of the NT Planning Scheme 2020 the subdivision and consolidation of land requires consent. In accordance with Clause 1.8.1(c)(i) of the NTPS 2020 subdivision of land is ‘Impact Assessable’.
The exercise of discretion by the consent authority that applies is clause 1.10(4) of the NTPS 2020.

**AMENDMENTS TO PLANNING ACT 1999 AND NT PLANNING SCHEME**

An amendment to the Act came into effect on 31 July 2020. The amendments include transitional provisions in section 214(1) which states - any application or proposal that was not determined before the commencement is to proceed and be determined:
(a) in accordance with this Act applicable at the time the determination is made; and
(b) in relation to the elements of the planning scheme applicable at the time the determination is made.

Subsequent to the subject application being submitted, the Northern Territory Planning Scheme 2007 (NTPS 2007) was repealed and the Northern Territory Planning Scheme 2020 (NTPS 2020) took effect on 31 July 2020.

It is noted that at the time the application was submitted (16 July 2020), the NTPS 2007 was in effect, and was addressed by the applicant in the Statement of Effect.

Because the application was not heard before the commencement of the amendment to the Act, and to satisfy the requirements of Section 51, the application is required to be assessed against NTPS 2020. This assessment has been undertaken by Development Assessment Services (DAS) having regard to the applicant’s Statement of Effect and how this relates to the current provisions of NTPS 2020 and amended Act.

The proposal have been assessed against the requirements of the Act (as at 31 July 2020) and the requirements of the NTPS 2020 (as at 31 July 2020).

**BACKGROUND**

The subject site had been used for horticultural research and grazing since the 1950s and is located entirely within the former Arid Zone Research Institute (Department of Primary Industry and Resources) paddocks. In March 2012, the land was rezoned to FD (Future Development) and the Kilgariff Area Plan was introduced into the NT Planning Scheme. The Area Plan was subsequently amended in 2019.

The combined “site” area of NT Portions 7652 and 7655 is 450.41ha and the proposed subdivision will cover an approximate land area of 11.55ha. Development Permit DP13/0865 was issued on 18 December 2013 for the purpose of a subdivision to create 33 lots in Stage 1(a) and 47 lots in Stage 1(b), a neighbourhood park (Ruffino Park) was constructed at NT Portion 7746 (1 Welton Parade) in 2018.

Some preparatory clearing and earthworks have been undertaken in the vicinity of Stage 2 (visible on satellite images) including the perimeter trunk drain adjacent to Stuart Highway and Colonel Rose Drive.

The current application proposes the subdivision of parts of the remnant parcel (NT Portions 7652 & 7655) to create Stages 2(a)& 2(b) (Figure 1 and Figure 2).

The surrounding zoning regime includes:
- **LR (Low Density Residential)** and **LMR (Low-Medium Density Residential)** lots within the “Stage 1” Kilgariff subdivision to the north.
- **CP (Community Purpose)** – Desert Knowledge Precinct (Lot 9398), AZRI (Lot 9399) and CSIRO (Lot 9191) further to the north.
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- unzoned Commonwealth of Australia owned land on the southern side of Colonel Rose Drive;
- FD (Future Development) zoned land to the west (part of the residual parcel – NT Portion 7652);
- RL (Rural Living) zoned allotments (Heffernan Road locality) to the east and part of NT Portion 7652 is zoned R (Rural).

Figure 1 – Subject Site and proposed Stage 2 subject area

Figure 2 – proposed Kilgariff Estate “Stage 2” subdivision plan
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PUBLIC EXHIBITION

The application was advertised in the NT News on 17 July 2020 and placed on public exhibition for a period of two weeks. 2 public submissions (Bookmark D) were received under section 49(1) of the Planning Act 1999.

THIRD PARTY APPEAL RIGHTS

There is no right of appeal by a third party under section 117 of the Planning Act 1999 in respect of this determination as pursuant to Part 4 of the Planning Regulations 2000 section 14(2) states that there is no right of review if the determination relates to the subdivision or consolidation of land.

MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT 1999)

Pursuant to Section 51(1) of the Planning Act 1999, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

(a) any planning scheme that applies to the land to which the application relates

On 31 July 2020, the NTPS 2020 was adopted and came into force. Section 214 of the Act states that any application is to be determined in accordance with the planning scheme applicable at the time.

Under section 51(3) when considering a development application under subsection 51(1), the consent authority must apply the relevant considerations to only those components of the development that triggered the requirement for consent under the planning scheme.

In accordance with Clause 1.8.1(c)(i) of the NTPS 2020 subdivision of land is ‘Impact Assessable’ and requires consent.

Sub-clause 4 of Clause 1.10 (Exercise of Discretion by the Consent Authority) of the NTPS 2020 specifies -

In considering an application for consent for a use or development identified as Impact Assessable, the consent authority must take into account all of the following:

(a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
(b) any Overlays and associated requirements in Part 3 that apply to the land;
(c) the guidance provided by the relevant zone purpose and outcomes in Part 4; and
(d) any component of the Strategic Framework relevant to the land as set out in Part 2.

A Technical Assessment is at Bookmark C providing an analysis of how the application responds to all the relevant clauses of the NT Planning Scheme 2020. Further discussion is provided below on a number of specific matters within the following clauses:

Part 2 – Strategic Framework

Alice Springs Regional Land Use Plan (ASRLUP)

Kilgariff is identified as an “urban” area for continued staged “greenfield” development.
The proposed ‘Stage 2’ subdivision is consistent with the key objectives outlined in the ASRLUP in terms of connections to reticulated services, being unconstrained by natural hazards and facilitating additional housing supply.

In the time since the ASRLUP was introduced to the Scheme (2016) the Kilgariff Area Plan has been updated (May 2019) to include the guidance provided within the Plan.

*Kilgariff Area Plan (May 2019)*

The 2019 amendments to the Kilgariff Area Plan updates to the intended residential, road and storm water drainage layouts and intended future locations of public transport links, commercial and community purpose zoned land. A more detailed concept plan for ‘Kilgariff West’ forms part of the Kilgariff Area Plan.

In respect to residential subdivisions, the Area Plan principles seek to promote communities that are compact, accessible, walkable neighbourhoods that are safe and foster a sense of community and local identity. According to the clause, this can be achieved through a mix of housing types and lot sizes, a network of local and neighbourhood parks that cater for a range of activities but are also cost effective to maintain.

The application proposes a fairly low density subdivision with a mix of LR lot sizes ranging from 550m² to 989m². The applicant has confirmed the intended zoning will be primarily Zone LR although 10 of the proposed lots will be within Zone LMR (Low-Medium Density Residential) ranging in lot size from 908.3m² to 1640.26m².

The subdivision design for Stage 2 includes one designated parcel (Lot 1002) to be developed as a neighbourhood park, drainage reserves will also be partially landscaped and available as informal public open space for passive recreational use.

The Land Development Unit (DIPL) and Alice Springs Town Council have acknowledged the presence of the public open space lot and confirms that details of its design (i.e.: lighting, street furniture, landscaping) will need to be to the requirements of the Council.

Council have also requested details be provided of public open space and recreation areas that will be provided in further development/stages of Kilgariff, in order to enable consideration of the public open space lots ongoing maintenance costs for the Council.

**Part 3 - Overlays**

The Land Subject to Flooding (LSF) Overlay within Part 3 applies to part of the site/land (eastern half of NT Portion 7652), however it is not relevant to the assessment of this proposal as the subdivision area is not within an identified Defined Flood Area (liable inundation in a 1% AEP flood event).

**Part 4 – Zoning**

*Clause 4.27 (Zone FD – Future Development)*

The purpose of Zone FD is to *identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes.*

The following “Zone Outcomes” for Zone FD are relevant to the subdivision.
1. Subdivision and development responds to the Strategic Framework, and does not compromise existing or planned or future development or infrastructure through its location and operation.
2. Subdivision and development demonstrates that it does not prejudice the intended ultimate subdivision and future development.
3. Subdivision and development demonstrates that infrastructure can be provided and funded in accordance with an approved plan for infrastructure and will be to a standard that satisfies the requirements of the responsible service authority.
4. Subdivision design is informed by land suitability assessment to confirm the land is able to support the intended future development.

The proposed design of the “Stage 2” follows the strategic guidance contained in the Alice Springs Regional Land Use Plan and Kilgariff Area Plan. The road layout and drainage infrastructure is consistent with the Kilgariff West Concept Plan and is not expected to inhibit the implementation of future development as outlined in the Area Plan.

Service authorities have confirmed that reticulated services (water supply, electricity, sewer and telecommunications) can be connected to the Stage 2 subdivision. The Power and Water Corporation have requested a “master services plan” for the entire Kilgariff development be submitted (to PAWC) for review/approval. Comments received from the Alice Springs Town Council and DIPL Land Development Unit have also requested a “subdivision masterplan” including proposed location of future assets and connecting infrastructure (storm water drainage and roads) be approved by Council prior to the construction of the subdivision.

A land suitability assessment was not included with the development application, however, such assessments were undertaken prior to the land being rezoned and Area Plans introduced to the Planning Scheme.

Part 6 – Subdivision Requirements

Clause 6.5.1 (Subdivision in Zone FD)

The purpose of this clause is to provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future development of the land envisaged in the strategic framework.

The land that is the subject of this subdivision application is entirely within Zone FD (Future Development).

The updated drawing (Bookmark B2) provided by the applicant shows:
- 10 x Zone LMR (Low-Medium Density Residential) lots;
- “public open space” (neighbourhood park) and drainage reserves will be zoned PS (Public Open Space)
- remainder of residential lots will be zoned LR (Low Density Residential)

Residential lot sizes will range from 550m² to 1640m². The public open space and drainage reserve lots will range from 350m² to 4015.1m² (neighbourhood park).

Sub-clause 3 of Clause 6.5.1 specifies that the minimum lot size for land zoned FD is 50ha, however sub-clause 4 provides that subdivision may create lots consistent with the intended future zoning if it:
(a) complies with the relevant subdivision requirements of the intended future zone;
(b) is generally in accordance with an area plan or other relevant component of the strategic framework; and
(c) services are, or can be, made available to that land.
Relevant subdivision requirements (performance criteria) for the intended future zones are:

- Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
- Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single)
- Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
- Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

These aspects are discussed further under the relevant headings below, with the exception of the requirement for 10% of the “subdivision area” to be “public open space” the application has been assessed that the subdivision will be able to comply with all performance criteria (subject to compliance with service authority requirements).

The proposed subdivision is consistent with the guidance provided in the:

- Alice Springs Regional Land Use Plan 2016
- Kilgariff Area Plan (which includes the Kilgariff West Concept Plan)

Reticulated electricity, water supply, sewerage services will be connected to the new lots. Telecommunications (NBN) services are also available. PAWC & ASTC and the DIPL Land Development Unit have requested a services “master plan” be submitted for consideration / approval prior to works commencing. This is also discussed under Clause 4.27 (above).

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

The purpose of this clause is to ensure that subdivision of land for urban residential purposes creates lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

The subdivision area is a Greenfield site and the Kilgariff Area Plan identifies “Kilgariff West” for compact urban growth:

- section 2 – Kilgariff will be structured around compact neighbourhoods that are safe, efficient and adaptable.
  
  viii: Development density is consistent with targets shown on concept plans so as to achieve compact walkable neighbourhoods.

- section 5.2 – promote neighbourhoods that are compact, safe and walkable.

The subdivision area is currently zoned FD, LR and LMR zoning will apply to the new residential lots.

Table A to Clause 6.2.1 specifies the following minimum lot sizes:

- Average of 600m² and no smaller than 450m² for Zone LR (Low-Density Residential) in greenfield areas identified for compact urban growth in the strategic framework
- 300m² for Zone LMR (Low-Medium Density Residential)

Land zoned PS (Public Open Space) is not mentioned in “Table A” and there is no performance criteria listed in Part 6 of the NT Planning Scheme 2020.

Lot sizes will comply with Clause 6.2.1 as:

- Average lot size of the 78 x LR zoned lots is 804.95m²
- 32 lots will be less than 800m²
- Smallest LR zoned lot is 550m² (Lot 87)
- Smallest LMR zoned lot will be 908.3m² (Lot 22)
- Average lot size of the 10 x LMR zoned lots will be 1169.8m²
The subdivision site is currently zoned FD and Clause 6.5.1 of the NTPS 2020 is relevant to the assessment of the application.

The subdivision is expected to comply with the other performance criteria outlined in sub-clauses 6 to 12 of Clause 6.2.1 –
- Reticulated electricity, water, sewerage and telecommunications services will be connected
- There are no battle-axe lots
- Building envelope requirements for:
  - lots smaller than 600m² are discussed under Clause 6.2.2;
  - the Zone LR lots are expected to comply, building envelope plans were not provided for the allotments. Post subdivision development of these lots will be regulated by the performance criteria contained in Part 5 of the NT Planning Scheme 2020

Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single)

The purpose of this clause is to ensure the subdivision of land to lots of less than 600m² will allow residential development that minimises impact on amenity and the functionality of the street infrastructure.

Eight (8) of the proposed LR zoned lots will be less than 600m² in area (Lots 80 to 87 within “Stage 2(a)”). Lots 80 to 86 have areas of 594.4m² to 597.7m², whilst Lot 87 is 550m².

All lots will have frontage to only one road (extension to Welton Parade) and (front) boundary widths greater than 13m.

The Development Application included diagrams for Lots 82 to 87 referencing building envelope, private open space and driveway requirements outlined in the 2007 NT Planning Scheme. The site layout of all lots (under 600m²) is expected to comply with the dimensions specified in sub-clause 4 of Clause 6.2.2.

It is recommended that the following standard condition be included with any permit issued:

Before the issue of titles, the developer is to provide written confirmation (in the form of updated plans or drawings referencing the NT Planning Scheme 2020) demonstrating that all lots less than 600m² for Dwellings-Single allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer or stormwater infrastructure) which demonstrates a 3.5 metre driveway can be located on each lot to ensure that the each lot’s street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

The updated drawings will ensure:
- the details for proposed lots 80 and 81 are provided;
- service authority infrastructure is taken into consideration; and
- the drawings are correctly referencing Zone LR and the performance criteria contained in the NT Planning Scheme 2020.

Clause 6.2.4 Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

The purpose of this clause is to ensure that subdivision of land for residential purposes is appropriately integrated with infrastructure, community services and facilities.

The requirements of this Clause 6.2.4 are:
2. Provide a high level of internal accessibility and external connections for pedestrian, cycle and vehicle movements.
3. Provide links to schools, commercial facilities and public transport services.
4. Provide traffic management to restrain vehicle speed, deter through traffic and create safe conditions for all road users.
5. Incorporate street networks capable of accommodating safe and convenient bus routes with stops within a 400m radius of a majority of dwellings.
6. Provide for connection to reticulated services.
7. Provide a minimum of 10% of the subdivision area as public open space which:
   (a) ensures the majority of dwellings are within 400m walking distance of a neighbourhood park;
   (b) incorporates recreational open space in larger units available for active leisure pursuits;
   (c) is unencumbered by drains and has sufficient flat area for informal recreation; and
   (d) is designed to provide a safe environment for users by allowing clear views of the open space from surrounding dwellings or passing vehicles.

The proposed subdivision design generally achieves the minimum standards required including that all residential lots are within 400m from the neighbourhood park within Stage 2 and the application confirms it is the developers’ intent to connect each lot to reticulated services. There are no schools, commercial facilities or public bus routes established within the Kilgariff subdivision, it is envisaged that the Stage 2 lots will be within the desired 400m distance to bus stops once constructed at later stages.

The NT Planning Scheme 2020 definition of “public open space” is - outdoor spaces that are generally accessible to the community and provide for a range of sport, recreation, cultural, entertainment or leisure pursuits.

“Stage 2A” of the subdivision will include a 4015.1m² area of “public open space” (neighbourhood park on Lot 1002) which equates to 3.47% of the ‘subdivision area’ of Stages 2A & 2B. The neighbourhood park is considered to be fully compliant with the criteria contained in sub-clauses 7(a) to 7(d).

It should also be noted that drainage reserves within the subdivision area (which will also be zoned Public Open Space) total 6991.4m², if this were included in the calculations, 9.52% of the subdivision area (for Stage 2) would be public open space.

Sub-clause 1 of Clause 6.2.4 specifies - the Development Consent Authority may consent to a subdivision that is not in accordance with sub-clauses 2-7, only if it is satisfied the subdivision is consistent with the purpose of this clause.

The development application is for ‘Stage 2’ of the much larger Kilgariff suburb/estate. This application generally accords with the Kilgariff Area Plan.

The application notes that overall public open space requirement will comply once the later subdivision stages of the Kilgariff Estate are completed (this includes a major ‘linear’ park intended along St Mary’s Creek).

(b) any proposed amendments to such a planning scheme:
   (i) that have been or are on exhibition under Part 2, Division 3;
   (ii) in respect of which a decision has not been made under Part 2, Division 5; and
   (iii) that are relevant to the development proposed in the development application

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect this proposal.
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(c) an interim development control order, if any, in respect of the land to which the application relates

There are no interim development control orders relevant to the site.

(d) an environment protection objective defined in section 4(1) of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates


The application includes correspondence from the NTEPA (dated 18/01/2013) noting that a Notice of Intent (NOI) for the development of the Kilgariff suburb was submitted in 2012 with the outcome that no further environmental assessment was required.

Comments received from the Department of Environment and Natural Resources (Bookmark H) in response to the development application did not identify any concerns specific to the subdivision proposed but have requested that any permit issued include an advisory note identifying the land owner and proponents ‘General Environmental Duty’ requirements listed under section 12 of the Waste Management and Pollution Control Act 1998.

(e) any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application

Two public submissions (Bookmark D) were received during the exhibition period under Section 49 of the Planning Act 1999 with respect to the proposal. The applicant has provided a response (Bookmark B2) to matters raised in submissions.

The submissions are summarised as follows:

<table>
<thead>
<tr>
<th>Submitter</th>
<th>Matter/s Raised</th>
<th>DAS DIPL comment</th>
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<tbody>
<tr>
<td>1. Erwin Chlanda</td>
<td>Is interested in the progress of the Development Application</td>
<td>- Noted. Mr Chlanda has been invited to attend the DCA meeting and will be advised of any decisions made.</td>
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<tr>
<td>NT Portion 1891,</td>
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<td>Petrick Rd, Connellan</td>
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<td>2. Megan Deans</td>
<td>Queries:</td>
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<td>4 Cramer Street,</td>
<td>- why the lots are smaller</td>
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<tr>
<td>Kilgariff</td>
<td>- if there will be public housing within the subdivision</td>
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<td></td>
<td>- whether there will be shade within the playground</td>
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No local authority submissions were received. Technical comments from the Alice Springs Town Council are discussed under section 51(m) below.
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(f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally

There are no relevant matters that the Minister has directed the Authority to consider that impacts on the proposed subdivision.

(h) the merits of the proposed development as demonstrated in the application

The proposal:

- Will make a contribution to the achievement of the NT Government objectives aimed at increasing stock and diversity of housing, improving housing affordability, choice and access to housing;
- Is generally consistent with the 2019 updates to the Kilgariff Area Plan and other elements of the NT Planning Scheme 2020;
- Includes local road connections that will contribute to the planned road network to link Stage 2 with Stage 1, Colonel Rose Drive and the planned community purpose area (in future stages); and
- Will contribute to the development of a neighbourhood that is consistent with Stage 1 Kilgariff and will provide a very high standard of amenity for its residents in terms of public infrastructure and subdivision design.

(j) 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 land is level with no significant land capability constraints. The Department of Environment and Natural Resources (DENR) has identified a soil erosion (and dust) hazard and recommended that an Erosion and Sediment Control Plan (ESCP) be developed by a suitably qualified and experienced professional in erosion and sediment control planning and is submitted to and approved by the consent authority on the advice of DENR.

The Alice Springs Town Council and the Department of Infrastructure, Planning and Logistics have requested further detail with regards to storm water drainage arrangements for the subdivision and that appropriate conditions be included on any permit issued.

Therefore, provided that:

- An ESCP is prepared and suitably implemented;
- Stormwater flows and the associated sediment displacement and erosion is effectively controlled during construction; and
- subject to compliance with service authority requirements;

the site is considered capable of accommodating the proposed subdivision without any significant adverse impact on surrounding land.

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer

Ruffino Park (located at 1 Welton Parade in Stage 1 of Kilgariff) was constructed in 2018. There are no other existing areas of public open space or community facilities in the immediate vicinity of the site.

Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR) of the NTPS 2020 requires residential subdivisions to be provided with a minimum of 10% of the ‘subdivision area’ as ‘public open space’. The application proposes a 4015m² neighbourhood park together with landscaped drainage reserves.
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It is expected that, upon completion of future stages as shown on the Kilgariff Area Plan, the Kilgariff locality will achieve in excess of 10% of the site as public open space, as required by the Scheme and to the requirements of the Alice Springs Town Council.

Council’s comment notes that it has requested 2 irrigated playing fields of 2ha each to be identified within the (whole of Kilgariff) subdivision along with sporting infrastructure such as 4 x change rooms, medical room, umpires’ room, club house, public toilets, fields lit to 750LUX, shade structures, car park, portable grandstands etc. Identifying this within the masterplan with appropriate zoning is required to eliminate any doubt of the intended oval use within the community.

The application was referred to the following agencies for comment. The applicant has provided a response (Bookmark B2) to the matters raised.

Department of Infrastructure, Planning and Logistics (DIPL) – Bookmark E

Land Development – Lands and Planning Division (LPD) – Bookmark E1

The Lands and Planning Division (LPD):
- Is in the process of transferring Stage 1 of Kilgariff to Council, however, DIPL is currently the asset owner and is interested in assuring Stage 2 works do not adversely impact on Stage 1 infrastructure and residents;
- Advises it is the agency responsible to the control of the remnant development areas of “Kilgariff West” (as labelled on the Kilgariff Area Plan that forms part of the NT Planning Scheme) that will remain after the completion of “Stage 2” works. DIPL has an interest in ensuring works to Stage 2 do not adversely impact the future development of the area in accordance with the Kilgariff Area Plan and in accordance with the Kilgariff Subdivision Masterplan (March 2020) for roads, drainage and services; and
- Has requested conditions precedent and general conditions be included on any development permit issued to address its requirements regarding storm water drainage, protection of infrastructure on NTG land, construction access, works that may impact on Stage 1 of Kilgariff.

Transport & Civil Services Division (TCSD) - Bookmark E2

Stuart Highway is an NT Government controlled road reserve. TCSD have advised of no objections in principle to the proposed subdivison and have requested conditions be included on any permit issued addressing:
- Preparation of a Traffic Impact Report (TIR) with respect to the construction phase of the project, the developments impact on the surrounding road network through increased traffic, public transport and footpath/bicycle path network;
- A permit to work within a road reserve needs to be obtained prior to any works being carried out on or impacting the NT Government road reserve/s;
- Local roads are to be vested to the Alice Springs Town Council;
- Boundary fencing to the Stuart Highway is required to be maintained in accordance with the Department’s standards;
- Clearing of the subdivision site must not impact on the surrounding storm water drainage network.
SLR identified that:

- The application was advertised as proposing 87 lots being created, however, 92 parcels of land are shown on the submitted subdivision drawing:
  - 87 x residential lots
  - 5 x open space or drainage reserve lots;
  - remnant parcel (NT Portion 7652); and
- Proposed roads will need to be allocated names by the Place Names Unit and this will also allow for street addressing to be allocated. It is the developers’ responsibility to apply for street names.

It is recommended that any permit issued refer to the correct technical description of the subdivision and include standard conditions and advisory notes with respect to street addressing and place names.

Alice Springs Town Council - Bookmark F

Council has identified the following matters and requested conditions be included on any permit issued:

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<thead>
<tr>
<th>Alice Springs Town Council comment / requirement</th>
<th>DAS DIPL comment</th>
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<tbody>
<tr>
<td>This application is for Stage 2 of the Kilgariff Estate Subdivision along the corner of Colonel Rose Drive and Stuart Highway with a potential to impact services to allotments using access via Colonel Rose Drive</td>
<td>Council and DIPL (Transport) have both requested via conditions to be included on a Development Permit Traffic Study's be prepared.</td>
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<td>It is likely that the development of Stage 2 of the Kilgariff Estate will result in increased use of the Colonel Rose Drive / Stuart Highway intersection, triggering the need to provide an intersection of greater standard (in accordance with Austroads Guidelines).</td>
<td>Noted.</td>
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<td>Since the construction of the previous stages (1A and 1B) a number of concerns raised with the previous developers and the principal regarding the infrastructure proposed for handover to Council have been acknowledged by Department of Infrastructure Planning and Logistics (DIPL). Due to the identification of existing site constraints and potential future serviceability issues from the constructed infrastructure, negotiations are underway between Alice Springs Town Council (ASTC) and DIPL to permit an acceptable handover of the subdivision assets.</td>
<td>Noted.</td>
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<td>The NT Uniform Subdivision Guidelines including the regional specific variations adopted by ASTC, has been accepted as the guiding document. However, it is important that ASTC is involved for sign-off of Hold and Witness Points at the required stages during the construction of this subdivision.</td>
<td>Noted.</td>
</tr>
<tr>
<td>The Kilgariff Masterplan is currently under negotiation between ASTC and DIPL.</td>
<td>This will refer to further staged development as identified in the Kilgariff Area Plan.</td>
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<td>A site-specific Stormwater Management Plan must be prepared and certified through an appropriately qualified Civil Engineer and submitted to Council for assessment and endorsement. The Stormwater Management Plan (SMP) must demonstrate that the proposed infrastructure complies with the relevant Australian Standards and the Northern Territory Government Subdivision Guidelines (incorporating the ASTC amendments). Specifically, the following requirements should be demonstrated:</td>
<td>This can be addressed via conditions on a Development Permit.</td>
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  - Design Minor Storm to be 0.2EY, Design Major Storm to be the 1% AEP, with IFD data obtained for the site-specific location.
  - All stormwater calculations are to be undertaken utilizing DRAINS software, applying the ARR 2019 design procedures. |
- Flow widths in road carriageways to be kept to a maximum of 2.5m during the minor storm event, with a maximum Depth x Velocity of 0.4.
- Flows upstream of an intersection to the local collector road shall be collected and directed to an underground system. There shall be no flow across the intersection.
- Runoff during the Major Storm event is to be kept within the road and drainage reserves. The SMP shall demonstrate that all allotments will be immune from inundation during the Major storm event and that a safe vehicle egress for all allotments is available in accordance with ASTC requirements.
- Minimum pipe size shall be 375mm RCP.

Prior to acceptance of underground assets such as stormwater pits and pipes, a complete CCTV inspection demonstrating the integrity of the system is required to the satisfaction of ASTC.

This can be addressed via conditions on a Development Permit.

All public roads and corresponding infrastructure within the road reserve in the new subdivision intended to be vested to Council, must be designed and constructed to the current requirements specified in the Northern Territory Subdivision Guidelines (incorporating ASTC amendments); to the satisfaction of Director Technical Services, Alice Springs Town Council. Prior to construction or modification, the proposed design must be endorsed by Council, to facilitate a smooth handover process.

This can be addressed via conditions on a Development Permit.

 Appropriately spaced street lighting should be provided to Council requirements and lighting provided to the latest Power and Water Authority requirements across the length of the street, the intersections and at the street ends. Lighting should be at P4 level or better, to support CPTED principles. As a minimum, all street lights must be connected and powered by the mains power network.

This can be addressed via conditions on a Development Permit.

All open drains and corresponding assets such as stone pitched drains, culverts etc., within the new subdivision must be designed as per specifications in the Northern Territory Government Subdivision Guidelines (incorporating ASTC amendments); to the satisfaction of Director Technical Services, Alice Springs Town Council. Prior to construction or modification, the proposed design must be endorsed by Council, to facilitate a smooth handover process.

This can be addressed via conditions on a Development Permit. The DIPL Land Development Unit have also identified requirements in this regard.

This site will contribute significant stormwater runoff to the existing Colonel Rose Drive floodway located downstream of this site. As per numerous discussions between the developer and ASTC, this floodway is to be upgraded to ensure regular runoff events are conveyed underneath the road to safeguard the design life of the road surface and ensure the level of service for the resident of Connellan is maintained. The upgrade of this floodway shall form a part of the infrastructure required as part of the development of this stage of the estate. Detailed engineering drawings and associated calculations for this infrastructure shall be provided to ASTC for review and acceptance prior to the construction of the subdivision.

This can be addressed via conditions on a Development Permit. The Power and Water Corporation and DIPL Land Development Unit have also identified requirements in this regard.

The Subdivision Masterplan including proposed location of future assets and connecting infrastructure must be endorsed and approved by ASTC prior to the construction of the subdivision.

This can be addressed via conditions on a Development Permit. The Power and Water Corporation and DIPL Land Development Unit have also identified requirements in this regard.

All parks and open spaces within the new subdivisions shall be designed as per the specifications in the Northern Territory Government Subdivision Guidelines to the satisfaction of Director Technical Services, Alice Springs Town Council.

This can be addressed via conditions on a Development Permit.

All kerb crossovers and driveways from the site boundary to the public street shall be subject to the approval of the Alice Springs Town Council.

This can be addressed via conditions on a Development Permit.
and shall be provided to the requirements and satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to the Council.

Sight lines shall be provided at the junction between the means of ingress and egress to the site and any public roads and fencing constructed to comply with Subdivision Guidelines to the satisfaction of the Director Technical Services, Alice Springs Town Council. No fence, hedge or tree exceeding 0.6 metres in height shall be planted in front of the sight line.

A Traffic Report and Impact Statement prepared by a suitably experienced and qualified Traffic Engineer (with traffic volumes considered for the fully developed Kilgariff Estate) shall be provided to address:
- Impact of the development on the existing Colonel Rose Drive
- The appropriate intersection design for the access to the site from Colonel Rose Drive
- The warrant for an upgrade to the existing intersection of Colonel Rose Drive and Stuart Highway.

A full suite of civil engineering drawings shall be provided to ASTC for engineering approval. Works shall not start on site until ASTC has provided endorsement of the appropriate engineering drawings.

The applicant must demonstrate how CPTED principles can be achieved for the proposed drainage reserve (lot 1000) and the micro reserve (lot 1001).

During the current negotiations between DIPL and ASTC, Council has requested 2 irrigated playing fields of 2 Ha each to be identified within the subdivision along with sporting infrastructure such as 4 x change rooms, medical room, umpires' room, club house, public toilets, fields lit to 750LUX, shade structures, car park, portable grandstands etc. Identifying this within the masterplan with appropriate zoning is required to eliminate any doubt of the intended oval use within the community.

Prior to handover of the subdivision all construction documentation, approvals and clearances must be provided to council including relevant technical information such as:
- Compaction Test Results (pavements, fill within road reserve, trench backfill)
- Evidence of Proof Roll inspections at all pavement layers
- Material test sheets for all pavement materials
- Asphalt thickness survey
- Stormwater CCTV
- As-constructed survey
- Evidence of acceptance of infrastructure from PWC, NBN Co
- Certification from a Chartered Engineer confirming the works have been constructed to relevant Australian Standards and Guidelines.

This can be addressed via conditions on a Development Permit

Council and DIPL (Transport) have both requested via conditions to be included on a Development Permit Traffic Study's be prepared.

This can be addressed via conditions on a Development Permit

This will relate to future stages of the Kilgariff subdivision.

This can be addressed via conditions on a Development Permit

Power and Water Corporation - Bookmark G

The Corporation notes that electricity, water and sewer services are available to the subdivision area and advises of no objections in principle to the proposed subdivision, subject to technical requirements being complied with. Specific comment was provided as follows:

Electricity – Bookmark G1
- Underground electricity reticulation to lots within the subdivision will be required;
- The developer shall engage an electrical engineering consultant to prepare electrical design drawings in consultation with the Power and Water Corporation; and
- Electricity easements for substations/pillars will be required – designs/locations will be established when electrical design approval is submitted by the developers consultant to the PAWC for consideration and approval.
Water and Sewerage -
- a “master Services Plan” for the entire Kilgariff development is to be submitted to PAWC for review/approval;
- Separate water and sewerage services shall be provided to the new lots;
- Water and sewer mains shall be located on public land;
- Easements may be required for water and sewerage infrastructure;
- The lots in the north west corner of Stage 2 and the storm water drain may prohibit future expansion of the sewer pump station (on NT Portion 7651). Overflow capacity for sewerage storage should be included within Stage 2 works; and
- Water main (for recycled water) should continue down Welton Parade.

PAWC did not raise any issues that cannot be addressed through the standard conditions that are contained in the recommendation below.

Department of Environment and Natural Resources (DENR) – Bookmark H
DENR noted that preparatory earthworks have already been undertaken for some parts of “Stage 2” including clearing of native vegetation for drainage works. The site is located within the declared erosion hazard area and the subdivision works represent a high erosion risk for wind generated dust.

DENR have requested:
- Conditions relating to reparation and implementation of an Erosion and Sediment Control Plan (ESCP) for the construction phase of the development;
- advisory notes regarding:
  - General Environmental Duty obligations under the Waste Management and Pollution Control Act 1998;
  - preparation and implementation of an Environmental Management Plan for the construction phase of the development;
  - statutory obligations for the developer to prevent the spread of declared weeds; and
  - minimising dust and noise nuisance caused during the construction phase; be included on any development permit issued.

Department of Health – Bookmark I
The Medical Entomology branch of the Department of Health has recommended that measures be taken to mitigate potential for mosquito breeding in storm water drainage sediment ponds both during the construction phase and future maintenance.

No development permit conditions have been requested, however an advisory note could be included regarding the Medical Entomology branch being available to provide advice regarding design of storm water structures and temporary mosquito control during the construction phase.

NT Fire & Rescue Service – Bookmark J
The NT Fire and Rescue Service has advised of no objections to the application but has noted that pursuant to section 3 of the Fire and Emergency Regulations, firebreak(s) will be required for the remnant parcel of land. This can be addressed via a standard condition on a permit.

Department of Primary Industry and Resources – Bookmark K
There are no petroleum titles or current mineral titles on the subject site or adjacent land.
Heritage Branch (Department of Tourism & Culture) – Bookmark L

The Heritage Branch have advised it has no specific comments with respect to the “Stage 2” subdivision other than to note that a clearance was provided for the Kilgariff project as part of Notice of Intent response and this was included with the material that forms part of the development application.

NBN Co
Comments from NBN Co were not received during the exhibition period, however any comments NBN Co may have had are addressed within the recommendation (standard conditions) below.

\((n)\) the potential impact on the existing and future amenity of the area in which the land is situated

The overall Kilgariff estate is currently being developed and the amenity of the area is being established. The relevant Area Plan, zoning provisions and the application all seek to promote the best amenity outcomes for the future residents of the suburb.

The part of the site for Stage 2 works is within Zone FD and subject to the Kilgariff Area Plan (referenced in Part 2 of the NTPS 2020). The subdivision layout is generally in accordance with the Area Plan and is not considered to prejudice the future development of later stages. “Stage 2”, as proposed in this application, is consistent with what is identified residential development on the Kilgariff West Concept Plan suggesting that development of this stage is reasonably expected and of a consistent design and layout.

Conditions and advisory notes on any permit issued can address matters identified by service authorities (erosion and sediment control, minimisation of potential nuisance caused by dust, construction noise, vehicle access etc).

For these reasons, the proposal is unlikely to negatively impact the existing and future amenity of the area.

\((p)\) the public interest, including (if relevant) how the following matters are provided for in the application:

(i) community safety through crime prevention principles in design;
(ii) water safety;
(iii) access for persons with disabilities

Community safety can be addressed through individual house designs through appropriate design selection and promotion of passive surveillance of roads and public open space areas. The subdivision design is not considered to present any design issues that might prevent this from occurring.

Water safety and access for persons with disabilities will also be addressed at the individual lot development/design stages through compliance with other applicable legislation.

\((q)\) for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)

The application confirms that there are no existing buildings or other developments on the site that would require consideration under this section. Construction works (on buildings) are unlikely to occur until “Part 5” has been issued for the subdivision.
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(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

No natural, social, cultural or heritage values on the site of “Stage 2” works (western end of NT Portion 7652) or in the immediate surrounding area were identified as part of this assessment.

An advisory note can be included on any permit issued, recommending the developer obtain an Authority Certificate from the Aboriginal Areas Protection Authority with respect to sacred sites considerations.

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992

The subject site is located within the Alice Springs Water Control District, and beneficial uses have been declared (Bookmark M) with respect to Section 73 of the Water Act 1992. It is the responsibility of the land owner to ensure that land use does not result in a contravention of the Water Act 1992. DENR comment has not indicated any issues in relation to the Water Act 1992.

(t) other matters it thinks fit

No other matters are raised for consideration by the consent authority.

Section 51(2) of the Planning Act 1999

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:

(a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or
(b) if the NT EPA has determined that an environmental impact assessment is required – an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or
(c) the Environment Protection Act 2019 otherwise permits the making of the decision.

Comments received from DENR note that the application does not require referral for consideration under the Environment Protection Act 2019. The development application also included a letter from the Northern Territory Environment Protection Authority (NTEPA) dated 18/01/2013, advising that the Kilgariff residential development did not require assessment under the former Environmental Assessment Act.

RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Subdivision in Zone FD) and Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR) of the NT Planning Scheme 2020, and pursuant to section 53(b) of the Planning Act 1999, alter the proposed development and consent to the proposed development as altered to develop part NT Portions 7652 & 7655, 155 Colonel Rose Drive, Suburb of Kilgariff, Alice Springs for the purpose of subdivision to create 92 lots in 2 stages (Kilgariff Stages 2(a) & 2(b)) and residual parcel, subject to the following conditions:
CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Traffic Impact Assessment report in accordance with the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development is to be prepared by a suitably qualified traffic engineer. The report must also address the:
   - matters raised in technical comments received from the:
     - Alice Springs Town Council (dated 29/07/2020);
     - Transport and Civil Services Division (dated 29/07/2020) and Land Development Unit of the Lands and Planning Division (dated 06/08/2020) of the Department of Infrastructure, Planning and Logistics; and
   - guidance contained in the Kilgariff Area Plan (May 2019) and Clause 6.2.4 of the NT Planning Scheme and identifying any necessary upgrades to the surrounding street network/s to the requirements of the:
     - Alice Springs Town Council; and;
     - Transport and Civil Services Division and Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics to the satisfaction of the consent authority.

2. 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 the Alice Springs Town Council and NT Government stormwater drainage system/s (as the case may be) shall be submitted to and endorsed by the Alice Springs Town Council and Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority. The plan shall include details of site levels and the Council’s and NT Government stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council’s and NT Government system or an alternate approved connection.

3. Prior to the commencement of works (including site preparation), Engineering drawings and design details for the proposed interface and alignment of:
   - Welton Parade and the connection to the road within the northern end of Stage 2A Kilgariff (between proposed Lots 1000 and 1001); and
   - Colonel Rose Drive and the southern vehicle entrance to Stage 2B, Kilgariff, is to be submitted to and approved by the Alice Springs Town Council and the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics, with all approved works constructed at the applicants expense to the requirements of the Alice Springs Town Council and the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the Alice Springs Town Council and the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.

5. Prior to the commencement of works (including site preparation) a water, sewer and electricity infrastructure masterplan for the entire Kilgariff (Stage 2) development is to be submitted to and approved by the Power and Water Corporation, to the satisfaction of the consent authority.
6. Prior to the commencement of works (including site preparation) a storm water drainage, road reserve(s) masterplan for the entire Kilgariff (Stage 2) development is to be submitted to and approved by the Alice Springs Town Council and the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

7. Prior to the commencement of works, a Type 2A Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment and Natural Resources ESCP Standard Requirements 2019 available at https://nt.gov.au/environment/soil-land-vegetation. The ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP should be submitted for assessment and acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to the Department of Environment and Natural Resources via email: DevelopmentAssessment.DENR@nt.gov.au

8. 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 must be generally in accordance with the plans publicly exhibited with the application (and amended drawing "GG:1869-Z1-3A" supplied on 04/09/2020) but modified to show:
   (a) any changes made to the drawing/s resulting from the matters identified in Conditions Precedent 1, 2, 3, 4, 5, 6 and 7 of this Development Permit;

GENERAL CONDITIONS

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

5. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

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

7. 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.

8. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

9. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of Alice Springs Town Council and Department of Infrastructure, Planning and Logistics (Transport and Civil Services Division and Land Development Unit of the Lands and Planning Division) as the case may be to the satisfaction of the consent authority and all approved works constructed at the owner’s expense.

10. 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.
11. All works recommended by the Traffic Impact Assessment are to be completed to the requirements of the Alice Springs Town Council, Transport and Civil Services Division and Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

12. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Alice Springs Town Council, to the satisfaction of the consent authority.

13. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Alice Springs Town Council and/or Department of Infrastructure, Planning and Logistics (as the case may be) to the satisfaction of the consent authority.

14. The owner shall:
(a) remove disused vehicle and/or pedestrian crossovers;
(b) provide footpaths/cycleways;
(c) collect stormwater and discharge it to the drainage network; and
(d) undertake reinstatement works;
(e) all to the technical requirements of and at no cost to the , Alice Springs Town Council and/or Department of Infrastructure, Planning and Logistics (as the case may be), to the satisfaction of the consent authority.

15. Where unfenced, the;
- Stuart Highway road frontage is to be appropriately fenced in accordance with Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics standards and requirements; and
- Colonel Rose Drive road frontage is to be appropriately fenced in accordance with Alice Springs Town Council’s standards and requirements, to the satisfaction to the consent authority.

16. Any proposed works (including the provision or connection of services) within, or impacting upon the:
- Colonel Rose Drive road reserve shall be in accordance with the standards and specifications of the Alice Springs Town Council;
- road reserves within “Stage 1” Kilgariff and the residual parcels (NT Portion 7652 & 7655) including trunk drains, shall be in accordance with the standards and specifications of the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics; and
- Stuart Highway road reserve shall be in accordance with the standards and specifications of the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics. Design documents must be submitted to the Director Corridor Management, Transport and Civil Services Division for Road Agency Approval.

No works are to commence prior to approval and receipt of the necessary “Permit to Work Within a Road Reserve” from each agency.

17. No temporary access for construction purposes shall be permitted from the Stuart Highway road reserve. Construction and delivery vehicles shall not be parked on the Stuart Highway road reserve.

18. Upon completion of any works within or impacting upon the:
- Colonel Rose Drive road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Alice Springs Town Council;
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- Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics; and
- local roads within Stage 1 Kilgariff and residual parcels (NT Portions 7652 and NT Portion 7655), the road reserve(s) / land shall be rehabilitated to the standards and requirements of the Land Development Unit (of the Lands and Planning Division) of the Department of Infrastructure, Planning and Logistics.

19. Before the issue of titles, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Services.

20. Before the issue of titles, the developer is to provide written confirmation (in the form of updated plans or drawings referencing the NT Planning Scheme 2020) demonstrating that all lots less than 600m² for Dwellings-Single allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer or stormwater infrastructure) which demonstrates a 3.5 metre driveway can be located on each lot to ensure that the each lot’s street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

21. Before the issue of titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for “dwellings-single” allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer or stormwater infrastructure) which demonstrates a 3.5 metre driveway can be located on each lot to ensure that the each lot’s street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

22. All works relating to this permit must be undertaken in accordance with the endorsed Type 2A Erosion and Sediment Control Plan (ESCP) to the requirements of the consent authority. Should the endorsed Type 2A Erosion and Sediment Control Plan (ESCP) need to be amended, the revised ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CEPSC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to Development Assessment Services via email: das.ntg@nt.gov.au.

23. All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. For further information refer to ‘NOTE: 1’ (below). At completion of works, clearance should be sought from the Department of Environment and Natural Resources regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. To arrange a clearance site inspection, email the Land Development Coordination Branch at: DevelopmentAssessment.DENR@nt.gov.au.

NOTES:

1. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and the Department of Environment and Natural Resources ESCP Standard Requirements 2019 and Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.
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2. NT Portions 7652 & 7655 are located within the Alice Springs Erosion Hazard Area as declared under the Soil Conservation and Land Utilisation Act 1969. The landholder must not undertake activities that will cause or exacerbate erosion associated with wind or water and must manage groundcover to ensure effective dust control. For further information, contact the Land Development Coordination Branch: (08) 89994446.

3. This permit does not endorse or provide preliminary support or approval for the concept road layout (beyond the “Stage 2” subdivision area boundaries) submitted with the application.

4. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

5. All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act 1967. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or place.names@nt.gov.au. Further information can be found at www.placenames.nt.gov.au

6. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Northern Territory Aboriginal Sacred Sites Act 1989. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

7. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 2005 must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

8. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

9. There are statutory obligations under the Weeds Management Act 2001 to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Environment and Natural Resources.

10. A “Permit to Work Within a Road Reserve” may be required from Alice Springs Town Council and the Department of Infrastructure, Planning and Logistics before commencement of any work within the road reserves.

11. The developer is recommended to implement necessary measures to ensure mosquito breeding does not occur during the construction phase of the development. The Medical Entomology Branch (ph: 08 89228901) of the Department of Health can provide technical advice regarding this.

12. The Department of Environment and Natural Resources advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites in the Northern Territory. 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.
13. The Lands and Planning Division of the Department of Infrastructure, Planning and Logistics will not approve construction access through the existing residential area of Kilgariff (Stages 1(a)&(b), while those roads are under Lands and Planning Division control.

14. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory Building Act 1993 before commencing any demolition or construction works.

15. This permit will expire if one of the following circumstances applies:
   (a) the development and use is/are not started within two years of the date of this permit; or
   (b) the development is not completed within four years of the date of this permit.

   The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

16. There are statutory obligations under the Waste Management and Pollution Control Act 1998 (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at http://ntepa.ntg.gov.au/waste-pollution/guidelines/guidelines.

   The proponent is advised to take notice of the SCHEDULE OF ENVIRONMENTAL CONSIDERATIONS provided by DENR (attached to its correspondence dated 06/08/2020).

   The Act, administered by the Northern Territory Environment Protection Authority, is separate to and not reduced or affected in any way by other legislation administered by other Departments or Authorities. The Environment Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be non-compliance with the Act.

**REASONS FOR THE RECOMMENDATION**

1. An amendment to the Planning Act 1999 came into effect on 31 July 2020. The amendments include transitional provisions in section 214(1) of the Act which states - any application or proposal that was not determined before the commencement is to proceed and be determined:
   (a) in accordance with this Act applicable at the time the determination is made; and
   (b) in relation to the elements of the planning scheme applicable at the time the determination is made.

   Subsequent to the subject application being submitted (lodged on 16 July 2020), the Northern Territory Planning Scheme 2007 (NTPS 2007) was repealed and the Northern Territory Planning Scheme 2020 (NTPS 2020) took effect on 31 July 2020.

   It is noted that at the time the application was submitted, the NTPS 2007 was in effect, and was addressed by the applicant in the Statement of Effect.

   Because the application was not heard before the commencement of the amendment to the Act, and to satisfy the requirements of Section 51, the application is required to be assessed against NTPS 2020. This assessment has been undertaken by Development Assessment Services (DAS) having regard to the applicant’s Statement of Effect and how this relates to the current provisions of NTPS 2020 and amended Act.
The application has been assessed against the requirements of the Act (as at 31 July 2020) and the requirements of the NTPS 2020 (as at 31 July 2020).

2. Pursuant to section 51(a) of the Planning Act 1999, in considering a development application, the Development Consent Authority must take into account the planning scheme that applies to the land to which the application relates.

The NT Planning Scheme 2020 applies to the land and subdivision of land requires consent pursuant to Clause 1.8 (When Development Consent is Required) and Part 6 (Subdivision and Consolidation Requirements). It is identified as Impact Assessable under Clause 1.8(1)(c)(ii), and therefore the strategic framework (Part 2 of the Scheme, including the Alice Springs Regional Land Use Plan 2016 and the Kilgariff Area Plan (May 2019) which are relevant to this application), zone purpose and outcomes of:

- Clause 4.27 – Zone FD (Future Development);
- Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR);
- Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single);
- Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR);
- Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR);
- Clause 6.5.1 (Subdivision in Zone FD)

need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR) and Clause 6.5.1 (Subdivision in Zone FD).

3. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), subclause 5 of the NT Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:

(a) The purpose and administration clauses of the requirement; and
(b) The considerations listed under Clause 1.10(3) or 1.10(4).

The proposal for “Stage 2” of the Kilgariff Estate has been found not to be in accordance with Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR), because less than 10% of the “subdivision area” will be “public open space” (as defined in the NTPS 2020).

It is considered that a variation to this clause is appropriate in this instance because the proposal is consistent with the purpose of Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR) in that the subdivision of the land is consistent with the Kilgariff Area Plan and Stage 2 will be able to be integrated with infrastructure, community services and facilities that will be constructed for future stages of the Kilgariff Estate. The proposed “neighbourhood park” will comply with the design criteria contained in Clause 6.2.4 and its dimensions and features are considered to be adequate for the subdivision.

The application for “Stage 2” of the Kilgariff Estate proposes lot sizes less than the 50ha minimum specified in sub-clause 3 of Clause 6.5.1 (Subdivision in Zone FD).

As provided for in sub-clauses 1 and 4 of Clause 6.5.1, the criteria listed in sub-clauses (a) to (c) have been assessed and it is considered that a variation to this clause is appropriate in this instance because:
ITEM 3

(a) The proposal is consistent with the purpose of Clause 6.5.1 (Subdivision in Zone FD) in that the subdivision of the land is consistent with the Kilgariff Area Plan;
(b) The considerations listed under Clause 1.10(4) and Clause 6.5.1 have been given regard to and it has been found that the proposal will be able to comply with all relevant requirements of the NT Planning Scheme 2020, except for sub-clause 7 of Clause 6.2.4, as identified above.

4. Pursuant to section 51(e) of the Planning Act 1999, in considering a development application, the Development Consent Authority must take into account any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application. The matters raised in the two submissions have been noted by the consent authority. The development is consistent with the purpose of Zone FD (Future Development) and the objectives of the Kilgariff Area Plan that form part of the NT Planning Scheme 2020.

5. Pursuant to section 51(j) of the Planning Act 1999, in considering a development application the Development Consent Authority must take into account 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. Subject to storm water drainage, erosion control and vehicle access arrangements to the subdivision being addressed, the physical characteristics of the land are considered suitable for the proposed subdivision and subsequent development and the subdivision area is outside the 1% AEP Defined Flood Area.

6. Pursuant to section 51(m) of the Planning Act 1999, in considering a development application the Development Consent Authority must take into account the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities or infrastructure to be provided by the developer for that purpose. The conditions of approval are intended to assist in ensuring:
   - service authority interests are duly recognised in terms of storm water drainage and telecommunications, vehicle access, electricity, sewerage and water services that apply to the subdivision of the land;
   - the NT Planning Scheme 2020 subdivision performance criteria relating to the provision of services/infrastructure will be complied with.

7. Pursuant to section 51(n) of the Planning Act 1999, in considering a development application 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 subdivision (as altered and approved) is considered to be appropriate for the zoning, site and locality and subject to the receipt of amended drawings, compliance with conditions of approval, expected to fulfil the objectives of the scheme.

REPORT PREPARED BY DEVELOPMENT ASSESSMENT SERVICES

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AUTHORISED: __________________________

MANAGER PLANNING AND DEVELOPMENT - SOUTHERN REGION
KILGARIFF STAGE 2

Subdivision to Create 87 Lots in Two (2) Stages
Part NT Portion 7652 and Part NT Portion 7655, Kilgariff, NT
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1.0 INTRODUCTION
1.0 INTRODUCTION

MasterPlan have been engaged by the Land Development Corporation to prepare, lodge and manage a development application for the subdivision of Kilgariff Stage 2.

The subject site is Part NT Portion 7652 and Part NT Portion 7655, directly south of Kilgariff Stage 1. The total combined area of the site is approximately 116,208 square metres. Kilgariff Stage 2 will comprise:

- 77 single dwelling residential lots;
- 10 multiple dwelling residential lots;
- A 4,015 square metre central park;
- Extension to the existing Kilgariff Stage 1 road network; and
- An extensive pedestrian and cycling network that incorporates the open drainage reserves.

The subject land is located within Zone FD (Future Development) of the Northern Territory Planning Scheme (NTPS) and is identified as future residential land in the corresponding Kilgariff Area Plan. Pursuant to Section 44(b) of the Northern Territory Planning Act 1999, the subdivision of land requires consent.

In preparing this Statement of Effect, MasterPlan has examined the relevant documentation, inspected the subject land and locality, and considered the most relevant provisions of the NT Planning Act 1999, the NTPS, the Alice Springs Regional Land Use Plan, the Compact Urban Growth Policy and the Kilgariff Area Plan.

Included in this application are the Statement of Effect (contained herein) with the following attachments:

- Attachment A: Site Plan.
- Attachment B: Location and Zoning Plan.
- Attachment C: Development Permit DP13/0865.
- Attachment D: Subdivision Plan.
- Attachment F: Landscape Architectural concepts prepared by CLOUSTON Associates.
- Attachment G: Notice of Intent Determination Letter by NT EPA.
2.0 SITE AND LOCALITY
2.0 SITE AND LOCALITY

2.1 Description of Site

The subject site is within NT Portion 7652 and NT Portion 7655. The site is currently vacant Crown land subject to a Development Agreement between the Department of Infrastructure, Planning and Logistics (DIPL) and the Land Development Corporation (LDC). Part NT Portion 7652 comprises predominantly vacant, undeveloped land except in relation to established drainage infrastructure on the periphery of the subject site. The site will form Stage 2 of Kilgariff with clear connections to the existing Stage 1 residential subdivision to the north, subject to planning consent.

The broader NT Portion 7652 is 447 hectares and within Zone FD (Future Development) and R (Rural) of the NTPS. The broader NT Portion 7655 is 3.41 hectares and within Zone FD (Future Development) and SD (Single Dwelling Residential). The subject site is located to the south of Kilgariff Stage 1. All land subject to residential development as part of this proposal is within Zone FD.

Site photos are provided at Figures 1 – 3 below. A Site Plan provided at Attachment A.
### 2.2 Description of Locality

The subject site is located approximately eight (8.0) kilometres south of the Alice Springs CBD on the southern side of the MacDonnell Ranges directly adjacent the Stuart Highway. Stage 1 of the Kilgariff subdivision is fully developed and these parcels have now been formalised with separate titles and lot numbers. All lots have been sold. While land in the immediate locality is largely undeveloped, to the east lies St Mary’s Creek, which is subject to seasonal waterflows and eventually meets the Todd River. To the north, is a range of community facilities including a cemetery, Yirara College and the Alice Springs Turf Club. To the west and south of the subject site, notable developments include the Alice Springs Inland Dragway and the Alice Springs Airport.

A Locality and Zoning Plan is provided at Attachment B.

### 2.3 Planning History

Stage 1 of Kilgariff was approved through Development Permit DP13/0865 which was issued on 18 December 2013 for the purpose of a staged subdivision to create 33 Lots in Stage 1(a) and 47 Lots in Stage 1(b).

In determining to grant approval for the subdivision, the Alice Springs Division of the Development Consent Authority noted:

> “The lot areas proposed are considered appropriate in the context of the Kilgariff Area Plan and intended (post subdivision) zoning of the land. The proposal is generally consistent with Clause 14.4.7 (Kilgariff Area Plan) and all other NTPS objectives that apply to subdivision of Zone FD land”.

A copy of the development permit and notice of consent are provided at Attachment C.
3.0 SITE CONSIDERATIONS
3.0 SITE CONSIDERATIONS

3.1 Easements and Covenants

The Administrative Interests for NT Portion 7652 and NT Portion 7655 state that there are no easements or covenants impacting the Stage 2 subdivision area.

3.2 Service and Infrastructure

The services and infrastructure information below has been informed by the Kilgariff Subdivision Masterplan 2019 prepared by Jacobs Engineering for the Department of Infrastructure, Planning and Logistics (DIPL), and consultation with service authorities including Power and Water Corporation (PWC), and Alice Springs Town Council (ASTC).

The drainage and road infrastructure design will be based on the draft ‘NT Subdivision Development Guidelines’ prepared by DIPL or the ‘Alice Springs Town Council Guidelines’ as agreed with ASTC. While ASTC are the responsible authority for the majority of local roads and stormwater infrastructure in the Alice Springs region, the ownership and maintenance of these assets in Kilgariff Stage 1 currently remains under the care and control of DIPL.

The proponent will continue to liaise with the relevant service authorities through detailed design to ensure servicing and infrastructure requirements are adequately addressed.

3.2.1 Power

Reticulated power is provided in Stage 1 and supported by multiple substations. A similar arrangement is expected for Stage 2. Further assessment and discussions with the PWC are anticipated to ensure its requirements are addressed.

3.2.2 Water

The water supply to Kilgariff is currently provided off the Alice Springs water reticulation network fed from a booster pump station at the Roe Creek Borefield. The single water main down Welton Parade will be extended to service Stage 2A and Stage 2B and reticulated. Further assessment and discussions with PWC are anticipated to ensure its requirements are addressed.

3.2.3 Sewage

The proposed subdivision will be serviced and drained via gravity reticulation to the existing pump station north-west of the subject site. In accordance with PWC’s requirements, a buffer of over 40 metres is provided from the proposed lot boundaries to the wet well. Infrastructure that relates to individual lots will be installed. Similarly, to the above, further assessment and discussions with PWC are anticipated to ensure its requirements are addressed.

3.2.4 Recycled Water

Infrastructure for a recycled water supply to Kilgariff was constructed in Stage 1 and will be extended throughout Stage 2. Although a policy on recycled water is yet to be developed, the pipework will be installed for potential irrigation supply to the public open space and be extended for connection for future stages.

3.2.5 Drainage

The terrain falls north to south at an average of about 0.3 percent and is essentially flat east to west. One of the biggest issues faced by the developers is limiting the amount of imported fill brought onto the site. Therefore, where possible, a solution that balances cut and fill within the site is desirable. Appropriate erosion and sediment control measures will be implemented throughout the construction phase, to the requirements of the relevant service authority.

All stormwater runoff from within the site will discharge to the perimeter swales that borders the western and southern extents of the development. Additional internal swales have been incorporated into the design to minimise the fill requirements on the site.

3.2.6 Roads

The road design will be informed by the draft ‘NT Subdivision Development Guidelines’. Welton Parade is the main connector road and incorporates a road reserve of 20.0 metres. Internal roads for local traffic are 17.0 metres wide.
4.0 PROJECT DETAILS
4.0 PROJECT DETAILS

4.1 Overview
MasterPlan have worked with the client and design team to create a subdivision that meets the project objectives with sound design rationale.

4.2 Vision and Objectives
Kilgariff Stage 2 will deliver a mix of housing built upon the principles of innovation, diversity, sustainability and a sense of community, whilst being responsive to key market considerations and pursuant to the Kilgariff Area Plan (KAP). Key development objectives include:

- 01 - A mix of affordable and attractive housing options appropriate for the Alice market, and in line with the intent of the Kilgariff Area Plan.
- 02 - Promoting sustainability through maximising climatically appropriate development.
- 03 - Connection with the landscape.
- 04 - Building a safe and connected community.

The key outcomes of the Kilgariff Stage 2 are:

**O1 - A mix of attractive and affordable housing options appropriate for the market**

- O1.1 - A lot mix responding to the emerging needs of the local community. Promoting a diversity of products:
  - o traditional single dwelling lots (760-950 square metres).
  - o smaller lot product (550 square metres-600 square metres).
  - o multiple dwelling product (>300 square metres).
- O1.2 – Ability to accommodate a number of local household segments – single parent with children, couples with children, couples without children.
- O1.3 - Maintains an average SD lot size of 807 square metres comparative to 815 square metres in Stage 1 (single dwellings only) thus appropriately respecting the amenity expected within the Kilgariff Area Plan.
- O1.4 - Smaller lot product introduced as a small percentage in strategic locations within Stage 2.

**O2 - Promoting sustainability through climatically appropriate development**

- O2.1 - Local climate considered through the subdivision layout – increased proportion of north/south promoting street address and appropriate solar exposure.
- O2.2 - Public realm landscaping to be considerate of the local climate and development feasibility.

**O3 - Connection with landscape**

- O3.1 - East-west roads promoting views out of the development toward the existing landscape. Views into the development from the Stuart Highway are also promoted, whilst maintaining an appropriate buffer to mitigate noise impacts.
- O3.2 - Combining public open space and drainage features. Capitalise on underutilised drainage corridors, promoting passive recreation and providing amenity within the suburb.
- O3.3 - Drainage areas to recognise the importance of local water infiltration.
- O3.4 - Public realm design which promotes infiltration of water. Water retention promotes recharge of the underlying aquifer.
- O3.5 - Robust public realm landscaping focusing on providing a utility for shading and wayfinding.

**O4 - Building a safe and connected community**

- O4.1 - Integrate local streets with open space to create a cohesive network of natural areas for connectedness, recreation and amenity.
- O4.2 - Promoting walking and cycling through connections for active transport and passive recreation.
- O4.3 - Centrally located, convenient and accessible public open space.
- O4.4 - A development underpinned by the principles of Crime Prevention through Environmental Design.

This vision, objectives and outcomes combined with the importance of achieving LDC’s preferred lot mix and land use percentage targets have informed the design process. Of critical importance, is also the lot mix which has been informed by LDC’s knowledge of Kilgariff Stage 1 sales and research into the Alice Springs market. The design therefore combines the key objectives with the desired lot mix.

4.3 Design Process

On 12 May 2020, a project design workshop was held with MasterPlan, CLOUSTON Associates, Susan Dugdale and Associates (SDA) and Jacobs. The workshop provided an opportunity for the design team to articulate a realistic, workable concept design capable of satisfying LDC’s objectives as outlined above. The exercise sought to refine the previous concept prepared by DPL rather than incorporate wholesale changes. Design elements such as lot size, lot orientation, the road network, drainage, public open space and the pedestrian network were all considered and refined.
On 15 May 2020, two (2) design options were presented to LDC by the design team. The rationale for both options were underpinned by re-orienting the lots and road network to prioritise north/south oriented parcels. Justification for this design decision is detailed in Section 4.4.1 of this report.

Following on from the design phase, the concept layout was finalised and presented to the relevant service authorities in Alice Springs to inform discussions. The design has incorporated this feedback and has been finalised accordingly. A copy of the Subdivision Plan is provided at Attachment D.

4.4 Design Rationale

The design rationale has been underpinned by LDC’s primary objectives of creating a residential area that is affordable, sustainable and provides a high level of amenity. The design elements and directions are outlined in detail below.

4.4.1 Lot Layout

With a focus on sustainability, lot orientation was an important consideration in the design. Advice was sought from SDA, design team architects for local insight on how correct lot orientation in the region can promote sustainability.

With consideration to the above, the proposed layout provides a design with lots predominantly oriented north-south. The rationale provided by SDA is complemented with dwelling assessments and smaller lot analysis. Importantly, the analysis indicates that smaller lot frontages can promote sustainable outcomes by increasing shading to adjacent dwellings and improve dwelling siting to address the street. This improves passive surveillance while still encouraging breeze flow through the urban landscape. It is noted the building envelope requirements of the NTPS restrict the ability to provide smaller frontages on lots over 600 square metres, and the proposal therefore provides larger frontages for these lots.

In summary, it was determined that east-west oriented streets and north-south oriented lots provided the best outcome in the locality. Both the north and south aspect avoid direct sun exposure and allow for simple passive solar control.

This design rationale from SDA is provided as part of the report at Attachment E.

4.4.2 Public Open Space

As the landscape architects for the project, CLOUSTON has sought to embody the unique landscapes within the Alice Springs region and utilise landscape treatments that promote sustainable design outcomes. The CLOUSTON vision for the subdivision is to provide landscape and a public realm that responds to the environment of Central Australia. It will recognise the local site characteristics, builds on the natural qualities of the setting and recognises the important role of native vegetation and shady trees to create a welcoming community.

This landscape design prepared by CLOUSTON is provided as part of the report at Attachment F.

4.4.3 Central Park

The main public open space (POS) area within Stage 2 is centrally located. It is incorporated within the Stage 2A area and will therefore be provided to early residents of the area. The park has been strategically located adjacent to the drainage reserve which, for the majority of the year, will add to the overall POS within the subdivision.

The park is aligned with Welton Parade to create passive surveillance and wayfinding in the area. The alignment will also enhance pedestrian connectivity through the area and create an interesting perspective down the parade. Furthermore, the alignment will eliminate the potential for headlight spill from vehicles travelling down the parade.

As the landscape architects for the project, CLOUSTON have provided their vision for the park as:

“centrally located and convenient. It represents a generous area of land that can cater for a diverse range of play for all ages and abilities. In addition to the basic requirements of paths, shade and seating, additional facilities that will complement the existing and future needs of a growing community”.

The central park concept plan (provided at Attachment F) shows the provision of landscaping, furniture, playground and exercise equipment to promote practical and intergenerational use of the public open space.

4.4.4 Pedestrian Network

An extensive pedestrian network has been designed to provide connectivity throughout the site. It is noted that the pedestrian network will be refined by CLOUSTON as they develop their landscape design for the suburb. Their vision for the pedestrian link is as follows:

The shared paths will link the streets with the open space and drainage corridors providing ready access for all residents. Extensive tree planting and views along the roads link with the surrounding landscape and proposed open space/drainage areas.

Importantly, this subdivision layout will allow CLOUSTON to incorporate their landscaping vision for the site by using ample road verge widths thus ensuring functional connections to the main POS area and to both existing and future stages. For the landscape architectural concepts prepared by CLOUSTON see Attachment F.

4.4.5 Drainage

The proposed subdivision layout respects the drainage strategy outlined in the Kilgariff Area Plan but offers minor improvements, noted above.

By way of comparison, the revised layout removes two of the drainage corridors on the southern edge of the site. The drainage slivers are not a desired design outcome as they provide safety and entrapment hazards.

Drainage will also be integrated as part of the public open space network. This is supported by CLOUSTON’s vision and observations below:
“Under the planning scheme and ASTC Development Guidelines, drainage areas are not considered open space. The approach for Kilgariff is to integrate drainage corridors with appropriate landscaping to improve passive recreational opportunities.

The drainage areas are important soaks for harvesting and promoting the infiltration of water. Establishing planting within the drainage reserves will reduce evaporation and further enhance infiltration while preventing erosion. This in turn supports a more diverse and vigorous planting community. Mimicking the native species mixes found in inland plant communities will provide a cover of grass and flowering species as the understory to larger shrub and tree species to be used for shade and amenity or screening to the Stuart Highway. The enhanced shade and vegetation support birds and wildlife populations and provides an excellent outlook for residents.

The shared pathway network that extends through the streets and parks into the drainage reserves integrates these areas as part of the open space network and can create incidental meeting places at important nodes.”

4.4.6 Road Reserves

Road reserve widths are 17 metres wide with Welton Parade being 20 metres. The 17 metre road reserves will provide for 8 metres of road verge (4 metres on each side) to accommodate an extensive pedestrian and pedestrian and cycling network, street trees and landscaping, and underground services. The additional width afforded to Welton parade will provide for large street trees and a path network on each side of the street.

4.4.7 Lot Mix

The proposed subdivision provides a total of 87 residential lots in Stage 2A and 2B. Lot sizes and configurations have been informed by the preferred lot mix provided by LDC and are summarised in the table below.

<table>
<thead>
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<th>Lot Mix</th>
<th>500-599m²</th>
<th>600-699m²</th>
<th>700-799m²</th>
<th>800-899m²</th>
<th>900-999m²</th>
<th>1000-1499m²</th>
<th>1500-1999m²</th>
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<tr>
<td>Stage 2 (%)</td>
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<td>0%</td>
<td>27.6%</td>
<td>47.1%</td>
<td>6.9%</td>
<td>8.1%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Stage 2 (#)</td>
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<td>0</td>
<td>24</td>
<td>41</td>
<td>6</td>
<td>7</td>
<td>1</td>
</tr>
</tbody>
</table>

4.5 Summary of Design Process

The subdivision design provides a lot layout that considers the overarching objectives of the project, the desired lot mix and incorporates sound planning and architectural principles. The statutory planning considerations are addressed below in Section 5 of this report.
5.0 PLANNING CONTROLS
5.0 PLANNING CONTROLS

5.1 Section 46(3) of the Northern Territory Planning Act

Pursuant to Section 44(b) of the Northern Territory Planning Act 1999, the subdivision of land requires a development permit. Section 46(3) of the Act outlines the requirements for a development application.

5.2 46(3)(a) – Compliance with the NT Planning Scheme

The following provisions of the NTPS are relevant to the proposal.

5.2.1 Clause 2.5 – Exercise of Discretion by the Consent Authority

Sub-clause 2.5(4) states the consent authority may consent to the development of land that does not meet the standards set out in Parts 4 of 5 if it is satisfied that special circumstances justify consent.

In the decision handed down in the case of Phelps v Development Consent Authority & Ors (2009), Justice Kelly ratifies the requirements of special circumstances in the context of the Planning Scheme as circumstances that are “unusual, exceptional, out of the ordinary and not to be expected”. Justice Kelly also ratified that the consideration of special circumstances must be a “holistic approach”, to consider each case on its merits, and to “be alert to the fact that circumstances which by themselves might not be ‘special’ can, in combination with other circumstances, create a situation which overall gives rise to special circumstances”.

This application requests a variation to the public open space requirements of Clause 11.2.2 (Infrastructure and Community Facilities in Residential Subdivision). Justification outlining appropriate special circumstances is provided in the report below.

5.2.2 Clause 2.7 - Reference to Policy

The interpretation of this Planning Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in those documents appearing in Part 8 or Schedule 2 and ensure that a use or development or proposed use or development is consistent with them.

Where there is an inconsistency between any applicable policy and this Planning Scheme, the provisions of the Planning Scheme will prevail.

The following documents referenced in Schedule 2 to Clause 2.7 of the NTPS are considered relevant to the proposal.

5.2.3 The Alice Springs Regional Land Use Plan (ASRLUP)

The ASRLUP is a policy document which establishes an overarching regional framework for the development of Alice Springs. It establishes Kilgariff as a greenfield development site for a future residential subdivision and a local activity centre.

It is noted that ASRLUP provides a guide for the potential lot (dwelling) yield for Kilgariff as 1,800 lots. Despite the ambiguity of the reference to lots but including dwellings in brackets, future development in Kilgariff should remain cognisant of these high-level aspirations.

Stage 1 is developed with 80 lots of which there are five (5) Zone MD (multiple dwelling) lots. Two of these larger MD lots have been developed with four (4) individual units thus providing a total of eight (8) multiple dwellings. The other three lots provide the potential for up to 10 multiple dwellings, subject to planning consent. This equates to a total of approximately 98 dwellings in Stage 1.

The proposed layout in Stage 2 provides 77 single dwelling residential lots and 10 Zone MD lots. If the MD lots are developed to the extent permissible under the NTPS and subject to consent being granted, this provides the potential for a total of approximately 116 dwellings. With respect to the ASRLUP, the combined potential dwellings across Stages 1 and 2 equate to approximately 216 dwellings which is 12 percent of the total forecast Kilgariff dwelling supply. Key to the suburb of Kilgariff is the establishment of a residential catchment that can sustain the commercial centres identified for future development.

It should be noted that the Stage 2 area is larger than the Stage 1 footprint thus giving rise to a natural increase in potential dwelling yield. The Kilgariff Area Plan also provides a guide for the dwelling yield aspirations per hectare proximate to the areas nominated for commercial activity. The proposed layout does not prejudice these densities as only 10 dwellings per hectare are proposed across Stages 2A and 2B. This continues the natural transition in density from where it is encouraged to be highest proximate to the commercial areas, to the periphery of the suburb adjacent Colonel Rose Drive.

Notwithstanding the ASRLUP is a guide only, the proposed subdivision layout does not undermine the intended regional land use structure or the Kilgariff Area Plan (discussed below).

5.2.4 Compact Urban Growth Policy 2015

The CUGP applies to higher density residential proposals in urban brownfield and greenfield localities. The policy functions as a guide to inform the appropriateness of delivering higher density residential land uses, as well as informing the development of Area Plans to ensure the efficient use of land. The policy contains objectives that express high-level aspirations and key performance indicators that provide a check list upon which to measure compliance.

The KAP has been designed with consideration of the CUGP. The proposal therefore responds to the principles of this policy by virtue of its compliance with the KAP (discussed below).
The proposed subdivision provides for a low-density residential neighbourhood with an approximate density of 10 dwellings per hectare. This is consistent with the zoning transition noted in the CUGP in which the proposal would fall within areas 2 (between 1 and 2.5 dwellings per hectare) and 3 (12-15 dwellings per hectare) – refer figure 3 on page 8 of CUGP. Importantly, development either side of the proposed subdivision area would still be able to be developed in a pattern consistent with these density guidelines.

The proposal also provides 8 (eight) lots pursuant to Clause 11.1.2 (Lots intended for Zone SD in Greenfield areas). The 8 (eight) lots are all marginally under 600 square metres and located in the north-eastern portion of the subject site with frontage to Welton Parade. Importantly, these lots are within the area identified for increased density as per the Kilgariff West Concept Plan contained within the KAP. The prescribed density for land identified by the Kilgariff West Concept Plan is ‘at least 10 dwellings per hectare’ with no upper threshold or limit provided. While the lots could conceivably be smaller, LCD has sought to provide a product that is not significantly dissimilar to the existing residential character in Stage 1 and the broader Alice Springs locality.

For context, a total of 10 Zone MD lots are also proposed with all focused along the main transport corridor between Stages 1 and 2 that is Welton Parade. The discussion of the CUGP principles is therefore centred on the proposed small lot product and the lots intended for multiple dwelling development.

Accessibility

The objective is to allow for higher density residential proposals that are within a comfortable walking distance of and activity centre and a public transport route. The key performance indicators are:

1. is the proposal within 400 metres walking distance of the following:
   a. an activity centre;
   b. frequent public transport;

The KAP identifies the future commercial centre of Kilgariff along Harris Avenue and encourages a residential density of at least 18 dwellings per hectare proximate to this area. While a specific public transport node is not identified in the KAP, the transition zone intent is communicated by virtue of the prescribed dwelling aspiration of at least 10 dwellings per hectare’ identified by the orange dashed line in the Kilgariff West Concept Plan (see figure 6 below). Although the CUGP seeks to encourage densities along transport corridors and that are within 400 metres of an activity centre with minimal change outside this radius, the proposed Stage 2 layout focuses densities along Welton Parade to maximise the efficient use of land and achieve compliance with the CUGP. It is acknowledged that Harris Avenue is identified as a ‘main road supporting public transport, pedestrians and cyclists’; however, so too is Welton Parade which extends through Stage 1 and Stage 2 to the centre of the future village of Kilgariff East. This road has been designed with an appropriate width to accommodate future public transport as per the KAP.

Further to this, Stage 1 of Kilgariff focuses densities along Welton Parade despite being outside the area nominated for a minimum dwelling per hectare threshold. In accordance with CUGP principles, the continuation of multiple dwelling development is consistent with the existing development pattern in Stage 1. It also respects the key aspiration of the CUGP which is to encourage the efficient use of land.

With regard to accessibility and transport, the smaller single dwelling and multiple dwelling lots have been located to the north of the site along Welton Parade to promote walkability and to allow convenient access to the primary active transport corridor and future activity centre. Conversely, the location of the smaller single dwelling lot product is also consistent with Kilgariff West Concept Plan which was developed in accordance with the CUGP principles so naturally the aspirations of each are achieved.

c. public open space; and

The subject lots are all located within 400 metres of the large central park. Lots identified for multiple dwelling development are also proximate to the public open space to maximise the opportunity for recreational activities.

d. schools and other education / community facilities?

There are currently no education / community facilities provided in Kilgariff at present however, a large ‘community purpose’ site is identified to the east of the subdivision area. The proposed pedestrian networks throughout Stage 2 also provide clear and logical connections to this area.

2. Do local walking and cycling routes allow for direct, quick and safe access to public transport, commercial and community facilities?

The pedestrian linkages throughout Stage 2 encourage direct, safe and convenient access to both the main transport corridor which is Welton Parade and also the central park.
Neighbourhood Character

The objective is to encourage higher density residential proposals that positively respond to the established neighbourhood character, integrate positively with neighbouring lower density localities, positively contribute to the values of neighbourhood heritage sites, and are consistent with the current or future envisaged pattern of urban development within the locality. The key performance indicators are:

1. Will the proposal positively contribute to the neighbourhood character by:
   a. providing development outcomes consistent with the existing building height and building type in the neighbourhood, or a building height and building type envisaged by an Area Plan or Policy within the NT Planning Scheme;

   The proposed subdivision has been designed in accordance with the KAP, as outlined in Section 5.2.5 of this report. Through compliant lot designs, all proposed residential lots will be capable of providing for single and multiple dwellings without seeking variations to the performance criteria of the NT Planning Scheme.

   b. improving the neighbourhood aesthetic through landscaped setbacks and/or active frontages; and

   The KAP identifies the conceptual layouts for the pedestrian/cycle network. While there is a slight re-alignment of shared pathway in the proposed subdivision layout, the proposal improves the neighbourhood aesthetic. This is achieved by the generous public open space area, a shared pedestrian/cycleway along Welton Parade as well as increased pedestrian pathways on all proposed roads to promote pedestrian activity.

   c. ensuring that heritage places are not dominated or diminished in appearance?

   There are no identified heritage places within the site. Natural features and vegetation valued for their cultural, species, habitat, stature or natural amenity in the area have been highlighted in the KAP and are not impacted by this proposal.

2. Is the proposal continuing an existing town planning zoning sequence or is it consistent with a future development vision outlined by an Area Plan or Policy within the NT Planning Scheme?

   The proposed subdivision has been designed in accordance with the KAP and the relevant NT Planning Scheme provisions (discussed below).

3. Is the proposal providing a transition in density, height, bulk and massing where lower density localities are adjacent or adjoining?

   Lot sizes within the proposed subdivision generally transition, with smaller lots and a large MD lot to the north of the site towards the activity centre and primary transport corridor, and larger single dwelling lots to the south of the site. The lot pattern decreases in density towards the periphery of the subject site.

Traffic Management

The objective is to ensure that higher density residential proposals do not cause a detrimental impact on vehicle movement. The key performance indicators are:

1. Can the existing road network support the proposed density increase (i.e. is it likely that the development will result in road intersection failure)?

   The proposal provides a new road network that includes standard 17-metre road reserves, with the exception of the primary transport corridor which is 20 metres in width. The proponent will continue to work with the responsible road authorities throughout the detailed design phase to ensure the efficacy and safety of the local traffic network.

2. Is the road reservation adjoining the proposal wide enough to cater for on street car parking and vehicle movement? Higher density residential development is not encouraged:
   a. in cul-de-sacs; and

   There are no cul-de-sacs included as part of the proposal.

   b. on road reserves less than 17 metres in width for lower and medium density developments; or

   All road reserves are a minimum 17 metres in width.

   c. on road reserves less than 20 metres in width for high densities.

   There are no high-density developments lots proposed. Lots identified for medium density dwelling development are all located along Welton Parade which is 20 metres wide. Importantly, lots identified for medium density dwelling development on other roads which are 17 metres in width are also proportioned to allow for compliant development.

Service Infrastructure

The objective is to ensure that higher density residential proposals do not cause a detrimental impact on the operation of essential power, water, sewage and stormwater infrastructure.

1. Have the relevant service authorities indicated that power, water, sewage and stormwater infrastructure:
   a. currently exists to adequately cater for the increase in density; or
   b. will be provided to a level that will support the envisaged change in population?

Consultation with PWC, DIPL and ASTC has occurred. Reticulated services will be provided within the road reserves to each residential lot. Stormwater will be managed by ensuring all lots drain towards the road network and then onto the open drainage which has been designed in accordance with the Kilgariff West Drainage Framework Plan outlined in the KAP.
2. Is reticulated sewerage infrastructure available within the locality? Higher density residential proposals are only encouraged where reticulated sewerage services are available.

Reticulated sewage will be provided to each new residential lot.

Constrained Land

The objective is to discourage higher density residential proposals in localities that are affected by noise, public health or public safety constraints. The key performance indicators are:

1. Is the proposal affected by any constraint where higher residential densities are discouraged?

   For example, higher densities are discouraged on land affected by the following constraints:
   
   a. Australian Noise Exposure Forecast Contours relating to aircraft noise;
   b. Primary or Secondary Storm Surge Areas;
   c. odour buffers relating to sewerage infrastructure;
   d. biting insects in greenfield developments; and
   e. riverine flooding in greenfield development.

The Stage 2 area is not affected by any identified constraints detailed above.

2. Is the proposal in accordance with the airport building height limitations applied by:

   a. Defence (Area Controls) Regulations 1989;
   b. Airports (Protection of Airspace) Regulations 1996: Obstacle Limitation Surface; and

The Stage 2 subdivision layout is consistent with the KAP which does not identify any building height limitations or specifically discuss the abovementioned regulations.

Social Infrastructure

The objective is to ensure that higher density residential proposals respond appropriately to the social infrastructure needs of a locality. The key performance indicators are:

1. Where a proposal involves a land area greater than 1 hectare, is the social infrastructure (i.e. park facilities, community centres etc.) of an adequate standard to cater for the estimated increase in population? Or, will further embellishment, planning for or the provision of new facilities be required?

2. Whilst not expressly required through the provisions of the Area Plan, Kilgariff Stage 2 includes a large 4,015 square metre park and integrated drainage and active pedestrian network to deliver amenity to the residents of Stage 2 by ensuring all residents have walkable access to public open space. The park is centrally located and conveniently accessible. It represents a generous area of land that can cater for a diverse range of play for all ages and abilities. In addition to the basic requirements of paths, shade and seating, additional facilities that will complement the existing and future needs of a growing community are envisioned for the park.

3. Will the redevelopment of a site designated for community purposes result in an unacceptable impact on the provision of social infrastructure in a locality?

The subject site is Zoned FD (Future Development) and the proposed subdivision has been designed in accordance with the KAP.
5.2.5 Kilgariff Area Plan

The purpose of the Kilgariff Area Plan (KAP) is to guide urban development in Kilgariff, consistent with the regional objectives. The Area Plan provides guidance for decision making on future changes in land use and development outcomes.

The vision for Kilgariff is to promote housing diversity, affordability and good connections to Alice Springs. The aspirations for the plan also seek to encourage the use of renewable energy sources through built form which includes passive solar design, PV generation and solar hot water. Walkability is also a key aspiration.

The Area Plan establishes the following principles for the development of Kilgariff.

1. Minimise detrimental impacts of development on the landscape and natural environment.

Land use and drainage design has been integrated with adequate open space buffers and drainage reserves to enable maintenance of pre-development natural flows in the St Mary’s Creek riparian corridor. The network of roads, urban drainage and open space respond to landform, soil capability and the natural drainage system, and natural ground cover will be preserved where possible.

Natural features and vegetation valued for their cultural, species, habitat, stature or natural amenity have been retained where possible. Existing native vegetation within the proposed development site and public infrastructure areas will only be cleared concurrent with development need.

2. Create an active and supported residential environment.

The proposal integrates streets with open space and drainage corridors to create an integrated network of natural areas for recreation and amenity. The paths will link the streets with the open space and drainage corridors providing ready access for all residents. All proposed lots are afforded by adequate flood protection.

The park is centrally located and convenient. It represents a generous area of land that can cater for a diverse range of play for all ages and abilities. In addition to the basic requirements of paths, shade and seating, additional facilities that will complement the existing and future needs of a growing community will be resolved. Development density is consistent with targets shown on the concept plan and a mix of lot sizes is provided to support a variety of built forms and housing types. The lot mix is provided in Section 4.3 of this report and demonstrates a range of lot sizes between 595 and 1,822 square metres.

The Locality and Land Use Plan (Figure 5) and Kilgariff West Concept Plan (Figure 6) details a portion of the site required to provide no less than 10 dwellings per hectare.
The Locality and Land Use Plan (Figure 5) and Kilgariff West Concept Plan (Figure 6) details a portion of the site required to provide no less than 10 dwellings per hectare.

**Building a Resilient Community**

It is noted that the proposed subdivision is not within the neighbourhood centre as identified in the Locality and Land Use Plan at Figure 5. That notwithstanding, the subdivision does not undermine future commercial or community purpose sites and maximises opportunities for safe access via public and active transport corridors. Retained natural areas and public open space will be accessible to residents, promote passive surveillance opportunities and encourage community use.

3. Facilitate the orderly future development of Kilgariff East and Kilgariff South

The proposed subdivision is not within Kilgariff East or South and will not jeopardize the future development of these areas. The Kilgariff West Concept Plan (KWCP) is provided within the Area Plan to guide the development of Kilgariff West – see Figure 6 below.

It seeks to “create a first neighbourhood that exemplifies the residential opportunities of the site”. The objectives of the KWCP are:

5.1 Development of a well serviced community that provides a high level of residential amenity and safety through urban design.

The proposed land use and movement networks are reasonably consistent with that identified on the Kilgariff West Concept Plan. The subdivision provides residential lots and an active pedestrian and cycling network. Amenity has been a key focus in the design of Kilgariff Stage 2. The design rationale is provided in Section 4.3 of this report.

5.2 Promote neighbourhoods that are compact, safe and walkable.

The residential density is not less than that required by the KWCP, as described under principle 2 of the Area Plan. Although not identified in the KWCP, the development of a local park within Stage 2A is also provided and aligned with Welton Parade to increase the passive surveillance and safety of the area. The pedestrian network provides safe connections throughout the site and connections to existing and future stages.

5.3 Assist community development through provision of adequate community land.

Land identified for community purpose use has not been affected.
5.4 Retain the cultural and landscape value of natural features and significant native vegetation.

Significant trees identified on the Kilgariff West Concept Plan within open space areas are protected from development. The provision of a linear open space reserve adjoining St Mary’s Creek has not been altered and there are no significant trees identified on the plan within Stage 2.

5.5 Build a strong community through developing a sense of place in the landscape.

The landscape design embodies the Central Australian environment. It will recognise the local site characteristics, build on the natural qualities of the setting and recognises the important role of native vegetation and shady trees to create a welcoming community.

5.6 Urban development that is protected from flooding without altering the natural drainage regime of the broader landscape.

The subdivision provides a framework of surface drainage that uses linear open space as drainage paths and avoids any modification of St Mary’s Creek. Stormwater runoff is conveyed on the surface to drainage swales. Minor changes were made to the drainage lines outlined in the Concept Plan and Kilgariff West Drainage Framework Plan. Notably the proposed subdivision removes two of the southern drainage corridors, which create an undesirable design outcome as they provide safety and entrapment hazards. Insight from project engineers confirmed that the proposed change will have no detriment to the overall drainage scheme.

5.2.6 Clause 2.8 – Reference to Guidelines

1. Applications for a use or development must demonstrate consideration of and the consent authority must have regard to any guidelines applicable to the use or development appearing in Schedule 3 and ensure that a use or development or proposed use or development is consistent with them.

2. Where there is an inconsistency between any applicable guideline and this Planning Scheme, the provisions of the Planning Scheme will prevail.

Schedule 3 to Clause 2.8 of the NTPS references the Community Safety Design Guidelines.

5.2.7 Community Safety and Design Guidelines 2010 (CSDG)

The CSDG advocates and encourages urban environments in the Northern Territory that are safe and feel safe. It is intended to be a guide that can be used by applicants as part of the design process, and as an assessment tool when the Consent Authority considers development applications. The proposal has been assessed against the core design principles outlined in the guidelines.

Surveillance

The proposed subdivision provides surveillance of the internal streets, internal drainage areas and public open space. The alignment of the park with Welton Parade will provide additional surveillance to the park itself and the southern drainage sliver. Surveillance of external drainage areas along the Stuart Highway will also be assisted by the road layout.

Sightlines

Sightlines are provided down Welton Parade, the park and southern drainage sliver. The streets are generally straight and provide for easy navigation. Lots are also positioned to encourage dwellings to address the street.

Lighting

Street lighting details have not yet been confirmed and guidance from the relevant service authority will be sought as part of the detailed design phase.

Way Finding

As outlined in Section 4.3 of this report, landscaping along Welton Parade will be provided through the subdivision to delineate streets, provide character and improve way finding.

Movement Predictors and Entrapment Locations

Hazardous and entrapment locations have been minimised as part of the design; however, represent a departure from the drainage provisions of the Kilgariff West Concept Plan. These guidelines support the proposed design solution.

5.2.8 Clause 5.7 – Zone FD (Future Development)

1. Zone FD is an interim zone identifying an area that is intended for future rezoning and development in accordance with an Area Plan (where applicable) and its purpose is to:
   a) limit uses and development within the zone to a level that will not prejudice the future development; and
   b) provide for development in accordance with the Area Plan (where applicable) once services are (or can be) made available to the land.

2. Subdivision is not to prejudice the intended ultimate subdivision and future use or development of the land.

The subject site is within Zone FD (Future Development). As stated above, this is an interim zone that is intended for future rezoning and development in accordance with the Area Plan. The proposal accords with the KAP, as outlined in Section 5.2.4 of this report.
The ultimate intended zoning of the land will be Zone SD (Single Dwelling Residential), Zone MD (Multiple Dwelling Residential) and Zone PS (Public Open Space) of the NT Planning Scheme. Areas identified for single dwellings, multiple dwellings and public open space are identified on the Subdivision Plan at Attachment D.

5.2.9 Clause 11.1.1 – Minimum Lot Size and Requirements

1. The purpose of this clause is to ensure that unzoned land and lots in Zones SD, MD, MR, HR, RR, RL, R, L, GI, DV, FD, RD, H, WM and T will be of a size capable of accommodating potential future uses.

2. Land to which this clause applies should be subdivided in accordance with the minimum lot size and requirements specified in the table to this clause.

The subject site is within Zone FD (Future Development) in a greenfield area for which the minimum lot size is 50 hectares. Noting that the land is identified for residential purposes by relevant policy documents and the proposal contained herein is designed to facilitate such an outcome, it is not viewed as a strict non-compliance with the Table to Clause 11.1.1. It is, however, noted that this table prescribes the minimum lot size within Zone SD (Single Dwelling Residential) as 800 square metres and Zone MD (Multiple Dwelling Residential) as 300 square metres.

For context and pursuant to sub-clause 11.1.1(3), the consent authority may permit up to a 5.0 percent variation to the prescribed lot size for land in Zone SD. This equates to a minimum lot size of 760 square metres for existing land within Zone SD. It is noted that Stage 1 of Kilgariff includes lots less than 800 square metres and indeed some that are also less than 760 square metres. In relation to Stage 2A, the intended lots for single dwellings are all above 760 square metres except in relation to the 8 (eight) lots in the north-east corner of the site – discussed below. Stage 2B contains no lots less than 760 square metres.

As the subject site is currently within Zone FD (Future Development) in a greenfield area, lot sizes and requirements are therefore assessed under Clauses 11.1.2 and 11.1.3.

In summary, the minimum lot size requirement prescribed by this clause for Zone SD land is predominantly concerned with existing single dwelling residential areas. Accordingly, discussion for the subdivision of land within Zone FD (Future Development) is discussed below.

5.2.10 Clause 11.1.2 – Lots Intended for Greenfield Areas

1. The purpose of this clause is to provide for a range of lot sizes no less than 450m² for single dwellings intended for Zone SD in greenfield areas.

2. Lots created by subdivision in accordance with this clause must be within greenfield areas identified for compact urban growth by a map, plan, design or diagram and associated planning principles forming part of the Planning Scheme.

The ASRLUP establishes Kilgariff as a greenfield development site for a future local activity centre, which is supported by the KAP. An assessment of the proposal against the CUGP is provided at Section 5.2.5 of this report.

3. Lots created by subdivision in accordance with this clause shall have an area of no less than 450m².

There are no proposed residential lots less than 450 square metres. The lot mix is provided at Table 1 in Section 4.4.7 of this report.

4. Lots created by subdivision in accordance with this clause must have a minimum average lot size of 600m².

The average residential lot size over the proposed subdivision is approximately 847 square metres overall. If applied to the lots intended for Zone SD, the average lot size is approximately 805 square metres.

5.2.11 Clause 11.1.3 – Subdivision of Land Zones FD

1. The purpose of this clause is to provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future use or development of the land.

2. The purpose of this clause is to provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future use or development of the land.

3. Despite anything to the contrary in this Planning Scheme, the consent authority may permit subdivision into lots of a size and configuration consistent with the intended ultimate zoning of the land.

The subject site is within Zone FD (Future Development) and is proposed to be subdivided in accordance with the KAP, as demonstrated in Section 5.2.4 of this report. The majority of lots provided throughout the subdivision comply with the minimum lot size and requirements of Clause 11.1.1 such that the future zoning normalisation process from FD (Future Development) to the appropriate residential zone will not be inhibited.

5.2.12 Clause 11.2.1 – Site Characteristics in Residential Subdivision

1. The purpose of this clause is to ensure residential subdivisions respond to the physical characteristics of the land.

2. Residential subdivision design should:
   a. avoid the development of land of excessive slope, unstable or otherwise unsuitable soils (e.g. seasonally waterlogged) and natural drainage lines;

The terrain falls north to south at an average about 0.3 percent and is essentially flat east to west. All stormwater runoff from with the site will discharge to the perimeter swales that borders the west and southern extents of the development and a central swale.
Additional internal swales have been incorporated into the subdivision design to enable minimum road grades to be met, whilst limiting the fill requirements on the site.

b. ensure, by site selection or site grading, that areas intended for lots less than 600m² do not slope in excess of 2%, such that the need for on-site stormwater structures, retaining walls and the like is minimised;

The proposal includes 8 (eight) lots, less than 600 square metres. These lots will be flat and have a slope of less than two (2) percent.

c. retain and protect significant natural and cultural features;

Drainage design has been integrated with adequate open space buffers and drainage reserves to protect St Mary’s Creek. The network of roads, urban drainage and open space respond to landform, soil capability and the natural drainage system, and natural ground cover is preserved where possible. Native vegetation within the proposed development site and public infrastructure areas will only be cleared concurrent with development need.

d. avoid development of land affected by a 1% AEP flood or storm surge event; and

The site is not within a storm surge or flood area.

e. retain and protect natural drainage lines and any distinctive landform features or stands of natural vegetation and incorporate them into public open space.

Drainage design has been integrated with adequate open space buffers and drainage reserves to protect St Mary’s Creek. Native vegetation within the proposed development site and public infrastructure areas will only be cleared concurrent with development need.

f. provide traffic management to restrain vehicle speed, deter through traffic and create safe conditions for all road users;

The proposed subdivision provides a road hierarchy consistent with that outlined in the Kilgariff Area Plan. A round-about is provided at the four-way intersection along Welton Parade to calm traffic along the main arterial corridor. Traffic management requirements will be detailed through consultation with the relevant authority.

d. incorporate street networks capable of accommodating safe and convenient bus routes with stops within a 400m radius of a majority of dwellings;

The Kilgariff Area Plan identifies Welton Parade as the primary active transport corridor supporting public transport, pedestrians and cycle paths. The main road then diverts east towards and into Kilgariff East. The proposal provides a 20-metre road reserve along this corridor, capable of supporting a public transport network, and within 400 metres of all proposed lots.

e. provide for connection to reticulated services;

Reticulated services will be provided to each residential lot.

f. provide a minimum of 10% of the subdivision area as public open space which:

i. ensures the majority of dwellings are within 400m walking distance of a neighbourhood park;

ii. incorporates recreational open space in larger units available for active leisure pursuits;

iii. is unencumbered by drains and has sufficient flat area for informal recreation; and

iv. is designed to provide a safe environment for users by allowing clear views of the open space from surrounding dwellings or passing vehicles.

The proposal provides a large central park of approximately 4015 square metres in area, included in Stage 2A. This represents approximately four (4) percent of the total subdivision area. The park represents a generous area of land that can cater for a diverse range of play for all ages and abilities. In addition to the basic requirements of paths, shade and seating, additional facilities that will complement the existing and future needs of a growing community.

The park is within 400 metres of all lots and is approximately 53 metres wide and 15 metres long and will provide for a large variety of active and recreational activities. The park has also been aligned with Welton Parade to improve passive surveillance for vehicles heading south on Welton parade and wayfinding in the locality. The alignment will also improve pedestrian connectivity through the area and create an interesting perspective down the parade. Furthermore, the alignment will mitigate the potential for headlight spill to impact residential properties from vehicles travelling down the parade.

The proposed subdivision also includes a 10 metre wide landscaped pedestrian connection through to future stages of Kilgariff. This area represents an additional 350 square metres of public open space in the development.
Notwithstanding the above, the proposal does not provide a minimum of 10 percent of the subdivision as public open space. As variation to this aspect of the clause is therefore sought. The following applies:

- The proposal is part of a larger, master planned development which provides public open space within each stage of the development that will become available to all surrounding residents. The KAP identifies that future stages of the Kilgariff Estate will provide generous areas of public, particularly along St Mary’s Creek.
- The broader KAP identifies public open space areas. Developers of future stages in Kilgariff will be required to address the KAP in any future proposal therefore providing a mechanism to ensure that adequate public open space is provided throughout the suburb.
- The proposed central park is not denoted on the Area Plan, and the proposal therefore provides public open space beyond that anticipated for the area.
- The KAP also calls for open space incorporating drainage features. Internal drainage areas as well as the western drainage corridor will be integrated into the public open space network, in accordance with the landscape architecture concepts at Attachment F.
- Expanding on the point above, the central park concept plan incorporates the adjacent drainage area as part of the public open space. This increases the public open space area to approximately 5,455 square metres, representing approximately 7.4% of the Stage 2A area and 4.7% of the entire Stage 2 area.
- The proposal provides a generous, central park within walking distance of all proposed lots. The park will be over 4000 square metres and of a regular and practical shape and provide for a range of recreational activities. The provision of the central park will be included in Stage 2A of the development thus providing immediate benefit and amenity to residents.

Pursuant to Clause 2.5(4) the consent authority may consent to the development of land that does not meet the standards set out in Parts 4 of 5 if it is satisfied that special circumstances justify consent. Given the circumstances and rationale outlined above, a variation to the public open space requirements is considered appropriate.

5.2.14 Clause 11.2.3 – Lot Size and Configuration in Residential Subdivision

1. The purpose of this clause is to ensure residential subdivisions contain lots of a size, configuration and orientation suitable for residential purposes.
2. Residential subdivision design should provide that:
   a. lots have sufficient area and appropriate dimensions to provide for the proposed density of developments including dwellings, vehicle access, parking and ancillary buildings;
   b. lots conform with the building envelope requirements in the table to this clause;

Table to Clause 11.2.3 sets out the following relevant building envelope requirements.

<table>
<thead>
<tr>
<th>Range of Lot Size</th>
<th>Building Envelope Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>450 square metres to 599 square metres</td>
<td>8.0 metres x 15.0 metres</td>
</tr>
<tr>
<td>600 square metres and greater</td>
<td>17.0 metres x 17.0 metres</td>
</tr>
</tbody>
</table>

The building envelope requirements are exclusive of any boundary setback or service authority easement. It is noted that all proposed lots will be unencumbered, with services being contained within the road reserve. All lots comply with the building envelope requirements.

c. there are no Battle-axe lots;

d. lots are oriented to allow dwellings to take advantage of environmental conditions such as prevailing breezes and sunlight;

Lots are predominantly oriented on the north-south axis to maximise environmental conditions. This is discussed further in the design rationale at Section 4.3 of this report and at the Susan Dugdale and Associates report at Attachment E.

e. lots are connected to reticulated services;

All residential lots will be connected to reticulated services.

f. potential land use conflicts are minimised by taking account of the visual and acoustic privacy of residents; and

g. where there are lots for medium and higher density residential development, those lots are:
   i. distributed in small groups serviced by public transport;
   ii. in close proximity to public open space and with adequate access to community facilities and services; and
   iii. not located in a cul-de-sac.

Eleven multiple dwelling lots are provided as part of the proposal. Seven of these lots are located on Welton Parade, the primary transport corridor, and six are located adjacent to the central park.
5.2.15 Clause 11.2.4 – Lots less than 600m² for Single Dwellings

The purpose of this clause is to provide for the subdivision of land to accommodate single dwellings on lots of less than 600m² in a manner that has regard for vehicle access, on-site parking and street frontage.

The proposed subdivision includes eight (8) lots with an area less than 600 square metres and street frontages that exceed the minimum frontage of 13 metres. All infrastructure services required for each lot can be accommodated without impacting on the built form performance criteria for residential buildings. Diagrams which show how these lots can accommodate compliant dwellings are included at Attachment E.

5.2.16 Draft NT Planning Scheme 2020

On 6 March 2020, a Planning Scheme Amendment (PSA) was exhibited to repeal the entirety of the Northern Territory Planning Scheme 2007 (the current NTPS) and replace with a new NT Planning Scheme 2020 (the draft NTPS 2020). The PSA forms part of a larger planning reform agenda which commenced in 2017.

It is anticipated that the subdivision application will be submitted before the proposed NTPS 2020 has been introduced. That notwithstanding, Section 51(b) of the Northern Territory Planning Act 1999 requires the consent authority take into consideration any proposed planning scheme amendment. The proposed subdivision of Kilgariff Stage 2 should therefore show consideration to the proposed planning scheme.

The draft NTPS 2020 renames Zone SD (Single Dwelling Residential) with Zone LR (Low Density Residential) and Zone MD (Multiple Dwelling Residential) with Zone LMR (Low-Medium Density Residential).

The draft NTPS 2020 also removes the requirement for the provision of special circumstances when seeking a variation to the requirements of a clause (excluding carparking and other requirements which have their own test) and replaces it with an administration subclause which outlining the circumstances in which a variation can be accepted.

The requirement for a residential subdivision to provide 10 percent of the area as public open space remains unchanged, however, the administration subclause allows the consent authority to permit a variation to this requirement if the subdivision is in accordance with the purpose of the clause.

The purpose of the Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR) is to ensure that subdivision of land for residential purposes is appropriately integrated with infrastructure, community services and facilities. The proposal provides land uses in accordance with the KAP. The primary active transport corridor has been retained, a generous central park has been included and an extensive pedestrian and cycling network will be provided, thereby meeting the clause purpose.

The Draft NTPS 2020 also creates a planning policy hierarchy. In accordance with Clause 1.7 (Operation of the Planning Scheme), where there is an inconsistency within the Scheme, the strategic framework (in this case, the KAP) is to guide the interpretation of all part. The provision of 10 percent public open space within the Kilgariff Stage 2 boundaries is inconsistent with the KAP which details the areas in which public open space should be provided. The KAP calls for open space predominantly around St Mary’s river, which is not part of the subdivision area.

The KAP also calls for open space around the southern and western drainage areas, which the proposal provides for. In addition, the proposal includes a central park which is not identified in the KAP, thus exceeding the level of public open space expected in the area.

5.3 46(3) (b) – Interim Development Control Order

There are no Interim Development Control Orders currently applying to the site.

5.4 46(3) (c) – Public Environmental Report/Environmental Impact Statement

Preliminary discussions with the Department of Environment and Natural Resources (DENR) regarding the environmental obligations and impacts of the development have been undertaken. Assessment under the Environmental Assessment Act 1982 will not be required as determined in the Notice of Intend response letter from the NT EPA at Attachment G.

5.5 46(3) (d) – Merits of Proposed Development

Stage 1 of the Kilgariff Estate has sold out, proving there is a demand for affordable housing land in Alice Springs. The proposed Stage 2 subdivision will provide an additional 87 residential lots to the market and creating an estimated 200 local jobs from the subdivision construction and house building activity.

In developing the vision for Stage 2, a market study was undertaken by LDC. Key findings in that study include:

- A steady decline in traditional family households (couples with children) over the last two decades, with the slack being picked up in the non-traditional households. This trend indicates an underlying shift in demand from large to moderate size lots.

- From an affordability perspective, affordable price points vary significantly across different household segments. Whilst the $550,000 house and land package in Stage 1 is accessible for the couples with children, it is significantly beyond the means of non-traditional families. Accordingly, proposing diversity in land sizes (and therefore dwelling product) available is a robust strategy to provide opportunities for these segments to access residential land. The below table demonstrates this trend. The cost of various house and land packages (based on Alice Springs data) are contrasted against demographic sub-segments within the Alice Springs market (adopting a reasonable set of financing and affordability assumptions).
Further evidence of affordability and the shifting demand can be seen in Kilgariff Stage 1 where the build out (internal living) area averages at 20 percent of the lot size (ranged between 14 percent to 25 percent). Simply put the concentration of large lots forces buyers to make concessions in the liveable area to gain access to Kilgariff. Promoting the introduction of more affordable products will work towards improving this metric.

The development of Kilgariff Stage 2 will provide affordable, sustainable, and high amenity residential land options for the residents of Alice Springs, whilst being considerate of the planning principles which underpin the development of Kilgariff.

### 46(3) (e) - Subject Land, Suitability for Development and Impact on Locality

For a description of the subject land and locality, refer Sections 3.0 and 4.0 of this report. The subject land is identified for residential subdivision in the Kilgariff Area Plan, which deemed the land suitable for development. The Area Plan also outlines the environmental considerations, importantly drainage, which the proposal accords with. An assessment of the proposal against the Area Plan is at Section 5.2.4 of this report.

Appropriate preliminary engineering studies have been undertaken to ensure the proposed land and services will be able to support the proposed development. The proposal is an extension of the existing Kilgariff Stage 1 subdivision.

### 46(3) (f) – Available Public Facilities/Open Space

The single park in Stage 2 is centrally located and convenient. It represents a generous area of land that can cater for a diverse range of play for all ages and abilities. In addition to the basic requirements of paths, shade and seating, additional facilities that will complement the existing and future needs of a growing community will be resolved as the design progresses, in consultation with the relevant authority.

### 46(3) (g) – Available Public Utilities/Infrastructure

For discussion on the infrastructure requirement please refer to the Section 3.2 of this report.

### 46(3) (h) – Impact on Amenity

The proposed subdivision will have a positive impact on the amenity of the area, including the residents of Kilgariff Stage 1. The extension of Welton Parade and the transport corridor through the site will further improve the demand for public and active transport in the area, and the provision of a large central park and extensive pedestrian network as part of Stage 2A will further improve the public domain.

### 46(3) (i) – Benefit/Detriment to Public Interest

The proposal will be of benefit to the public interest through the delivery of affordable, sustainability and amenity driven land to the Alice Springs housing market. Local jobs and economic activity will also be provided throughout the development and construction stage of the subdivision.

### 46(3)(k) – Subdivision and compliance with the Building Act

There are no existing buildings on the subject site.

### 46(3)(l) – Scheme Land

No Scheme land is affected by this development proposal.
6.0 CONCLUSION
6.0 CONCLUSION

Kilgariff Stage 2 will provide 87 affordable, sustainable and high amenity residential lots to the Alice Springs market. A comprehensive concept design phase has ensured sound town planning, architectural and landscape design principles are incorporated into the subdivision. The proposal provides strategically located densities, a large central park and integrated public open space, drainage and pedestrian network.

The proposed subdivision accords with the applicable policy and guidelines, including the Alice Springs Regional Land Use Plan, Kilgariff Area Plan, Compact Urban Growth Policy and Community Safety and Design Guidelines.

Whilst the proposal is generally in accordance with the provisions of the Northern Territory Planning Scheme, a non-compliance with the public open space requirements exists. Pursuant to Clause 2.5(4) the consent authority may consent to the development of land that does not meet the standards set out in Parts 4 of 5 if it is satisfied that special circumstances justify consent.

A variation to the requirement of Clause 11.2.2 (Infrastructure and Community Facilities in Residential Subdivision) to provide 10 percent of the subdivision area as public open space is sought, with the following justification:

- The proposal is part of a larger, master planned development which provides public open space within each stage of the development that will become available to all surrounding residents. The KAP identifies that future stages of the Kilgariff Estate will provide generous areas of public, particularly along St Mary’s Creek.

- The broader KAP identifies public open space areas. Developers of future stages in Kilgariff will be required to address the KAP in any future proposal thus providing a mechanism to ensure that adequate public open space is provided throughout the suburb.

- The proposed central park is not denoted on the Area Plan, and the proposal therefore provides public open space beyond that anticipated for the area.

- The KAP also calls for open space incorporating drainage features. Internal drainage areas as well as the western drainage corridor will be integrated into the public open space network, in accordance with the landscape architecture concepts at Attachment F.

- Expanding on the point above, the central park concept plan incorporates the adjacent drainage area as part of the public open space. This increases the public open space area to approximately 5,455 square metres, representing approximately 7.4% of the Stage 2A area and 4.7% of the entire Stage 2 area.

- The proposal provides a generous, central park within walking distance of all proposed lots. The park will be over 4000 square metres and of a regular and practical shape and provide for a range of recreational activities. The provision of the central park will be included in Stage 2A.

Further to the justification provided, the variation is also supported by the Draft Planning Scheme 2020. Pursuant to Section 51(b) of the Northern Territory Planning Act 1999, the consent authority is required to take into consideration any proposed planning scheme amendment. Whilst the proposal still presents a non-compliance in the Draft NTPS 2020, the non-compliance can be supported through achievement of the clause purpose statement.

For the reason detailed herein, the proposal has considerable merit. All statutory planning requirements have been addressed including discussion of the relevant planning policies. Accordingly, the authority's positive consideration is sought.
NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT
DP13/0865

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

N.T. Portion 07234
NT Portion
STUART HWY, KILGARIFF

APPROVED PURPOSE

To use and develop the land for the purpose of subdivision to create a staged subdivision to create 33 lots in stage 1(a) by the Land Development Corporation and 47 lots in stage 1(b) and residual parcel, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 11.1.1 (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.

PETER SOMERVILLE
Delegate
Development Consent Authority

18/12/2013
SCHEDULE OF CONDITIONS

1. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.

2. The works carried out under this permit shall be in accordance with the drawings numbered PA13/0896/01, PA13/0896/02, PA13/0896/03, PA13/0896/04, PA13/0896/05, PA13/0896/06, PA13/0896/07, PA13/0896/08, PA13/0896/09, PA13/0896/10, PA13/0896/11 and PA13/0896/12 endorsed as forming part of this permit.

3. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

5. 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.

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

7. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of the Department of Lands, Planning and The Environment to the satisfaction of the consent authority and all approved works constructed at the owner’s expense.

NOTES

1. A “Permit to Work Within a Road Reserve” may be required from the Department of Transport before commencement of any work within the Stuart Highway road reserve.

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. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the subdivision are available from Department of Land Resource Management.
4. 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.

5. The Environment Protection Authority of the Department of Lands, Planning and The Environment advises that construction work should be conducted in accordance with the Authority's 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.

6. 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.

7. 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."
Development Consent Authority
Northern Territory
PO Box 2130
ALICE SPRINGS NT 0871

Telephone No: (08) 8951 9245
Facsimile No: (08) 8951 9222

In reply please quote: PA2013/0896

Land Development Corporation
GPO Box 353
DARWIN NT 0801

Attention: Mr Ken Hawkins

Dear Mr Hawkins

NOTICE OF CONSENT (SECTION 53B OF THE PLANNING ACT)
NT PORTION 7234, STUART HIGHWAY, SUBURB OF KILGARIFF, ALICE SPRINGS

The Development Consent Authority has determined, in accordance with section 53(a) of the Planning Act, to grant consent to the proposal to use and develop the abovementioned land for the purpose of a staged subdivision to create 33 lots in stage 1(a) by the Land Development Corporation and 47 lots in stage 1(b) and residual parcel, subject to the conditions specified on the attached Development Permit DP13/0865.

Reasons for the Determination

1. Pursuant to section 51(a) of the Planning Act, in considering a development application, the consent authority must take into account the planning scheme that applies to the land to which the application relates.
   - A variation to the minimum lot size of 50 hectares for FD (Future Development) zoned land, required by Clause 11.1.1 (Minimum Lot Sizes) of the NT Planning Scheme, is considered appropriate as the proposed lots will be connected to reticulated electricity and water services and service authorities have not identified any land capability constraints.
   - The lot areas proposed are considered appropriate in the context of the Kilgariff Area Plan and intended (post subdivision) zoning of the land. The proposal is generally consistent with Clause 14.4.7 (Kilgariff Area Plan) and all other NT Planning Scheme objectives that apply to subdivision of FD (Future Development) zoned land.

2. Pursuant to section 51(m) of the Planning Act, the consent authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities to be provided to the developer for that purpose.
   - The Power and Water Corporation has identified that reticulated electricity, water and sewer services are available to the site, however the parent parcel (NT Portion 7234) is not connected to these services. Conditions attached to the Development Permit will duly recognise the interests of service authorities in terms of reticulated services.
The Department of Lands, Planning and the Environment has advised that the internal roads and drains of Stages 1(a) and 1(b) of Kilgariff will be the responsibility of the Department.

3. The application was publicly exhibited in accordance with the requirements of the Planning Act and Planning Regulations, no adverse public or service authority submissions were received.

Right of Appeal

Applicants are advised that a right of appeal to the Appeals Tribunal exists under Part 9 of the Planning Act. An appeal under section 114 against a determination of a development application must be made within 28 days of the service of this notice.

The Registrar of the Appeals Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: The Registrar, Appeals Tribunal, GPO Box 1281, DARWIN NT 0801 or Office of the Coroner, Level 3 Nichols Place, Cnr Bennett & Cavenagh Sts (Telephone: 08 8999 5001 or Facsimile 08 8999 5005).

There is no right of appeal by a third party under section 117 of the Planning Act in respect of this determination as section 117(4) of the Act and regulation 14 of the Planning Regulations apply to the application.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8951 9245.

Yours sincerely

PETER SOMERVILLE
Delegate
Development Consent Authority

18/12/2013

Attachment

CC: Alice Springs Town Council
    Via Email: astc@astc.nt.gov.au

    Power and Water Corporation
    Via Email: RMUAlliceSprings.PAWA@powerwater.com.au

    Department of Land Resource Management
    Via Email: Kate.Rogers@nt.gov.au

Notice of Consent – NT Portion 7234, Stuart Highway, Suburb of Kilgariff
East-west streets and north-south streets provide different opportunities and disadvantages for the development of individual dwellings and the suburbs they occupy.

When considering passive environmental performance, a cursory assessment suggests that north-south streets provide east-west oriented lots, which must be better as they encourage east-west house forms. It is commonly accepted that free-standing east-west building forms have superior passive environmental performance in the central Australian region.

However there are a number of other factors at play that mean this cursory assessment is not enough to conclude immediately that east-west lots deliver the best result. These other factors include people’s desire to have houses that face the street, they like indoor living spaces to connect to outdoor living spaces, and they like to have a private backyard with space for a pool, BBQ, children’s play, pets, vegetable garden, washing line, and other outdoor activities. In addition there are factors affecting the quality of suburban life beyond individual dwelling design such as community safety, and the aggregate effect of houses built on adjoining lots.

The ultimate assessment of the best lot orientation is what actually gets built, so rather than attempting to examine these complex factors from a theoretical base, these notes examine what has actually been developed in Alice Springs over recent decades by looking at a few dozen dwellings in the suburbs of:

- Araluen
- New East Side
- Larapinta
- Kilgariff Stage 1 (KS1)

As KS1 is most relevant to the development of Kilgariff Stages 2A and 2B, several houses in KS1 have been examined in more detail and assessed under the NCC Glazing calculator. In addition to passive environmental performance, several other important attributes have been considered when assessing the recent development in KS1. These attributes are partly addressed in the NT Planning Scheme and include:

- Passive environmental performance - solar
- Community Safety Design – particularly connection to the street
- Connection of outdoor and indoor living spaces
- Ancillary buildings – their location on the lot and effect on the dwelling
- Solar access to living spaces (good in winter, problematic in summer)
Central Australia is typified by very hot dry summers, cold dry winters, and mild shoulder seasons. There is typically a wide diurnal variation in temperature. Humid wet conditions occur at various times of year but are not typically regular or extended.

The long hot summers and cool winters combined with Alice Springs’ latitude make passive solar control easily achievable by adhering to the following parameters:

- **The best aspect** in Alice Springs is north – easy to set up passive solar control for summer and winter. Good to have maximum glazing/outlook on this facade.

- **The second best aspect** is south – avoids the direct sun exposure of east and west, but misses out on sun in winter. Glazing here is OK and can avoid late afternoon summer sun with simple passive controls.

- **The third aspect** is east – gets direct summer sun from a low angle in the morning but is shaded in the afternoon. Can have glazing but need full sun control.

- **The fourth and least desirable aspect** is west – gets direct summer sun from a low angle in the afternoon at the hottest time of day. Best to avoid any glazing on this aspect.

Winds and air movement in central Australia are a factor to consider in dwelling design, however cross ventilation is good to have but not as important in central Australia as it is in the top end.

- However it is good to design a house to enable cross ventilation when the temperature has dropped after a hot day, and the house has heated up in the late afternoon. The best cooling breezes come from the south and south-east.

- Occasionally central Australia gets unwelcome north winds in summer that are typically hot and dusty. The best solution for this is to close a house to entry of outside air.

Wide diurnal variations in temperature mean that it is more important to trap air inside the house: when the days are hot, the house can be closed in the morning to trap the cool air for the day. When the days are cold, the house can be closed up in the morning so the heat gained from the sun through glazing is trapped inside the house. This also means it is better to have a compact house plan rather than an attenuated one as in the top end – the less perimeter wall the better.

In the middle of summer it is unpleasantly hot day and night, so the only solution is to close up the house and use air conditioning, however good passive orientation will reduce the amount of AC required.
ASSESSMENT OF EXISTING HOUSES IN 4 SUBURBS

Google Earth images of the some established suburbs in Alice Springs have been reviewed on the following pages. They are approximately ordered from oldest to newest suburb.

Note that north is at the top of the photo/page in all instances.

No 1 Araluen

Most of the houses on all streets are long in the east/west axis (good), but those addressing north/south streets have lawns and pools on either their east or west sides (not good). Any of these that have space to the north or south have used it for carports, which is a waste of the best available aspects.
No 2 New East Side

Houses on the east/west streets have pretty good orientation, those on the north/south streets typically do not, with the wide aspect of the houses facing almost due east or west.

No 3 Larapinta

The curved streets show the great extent to which dwellings are developed to face their front street boundary regardless of any consideration for passive solar design.
No 4 Kilgariff Stage 1

Kilgariff Stage 1 is useful to examine as the dwellings have greater site coverage than the examples above (whether due to smaller lots or larger houses has not been investigated) and it could be expected that Kilgariff Stage 2 will continue this trend.

Dwellings on north-south orientated lots are long in the north-south axis which is not desirable, but they do have aspects and presumably glazing to the north and south - to the street and their back yards - which is desirable. Another factor to consider is that although they have long facades facing east and west, these are shaded by their neighbours due to the density of the development.

Dwellings on the east-west orientated lots are long in the east-west axis which is desirable, but they have aspects and presumably glazing to the east and west - to the street and their back yards - which is exposes these houses to the two worst aspects for this climate. If they do not have glazing to the east and west then they are not connecting indoor living spaces to back yards, and are not contributing to community safety by providing ‘eyes on the street’.

A number of the houses on east-west orientated lots have ‘built out’ their north and south aspects with carports and sheds.
DETAILED ASSESSMENT OF KILGARIFF STAGE 1 DEVELOPMENT

The attached drawings and assessments provide a comparison in the performance of the dwellings on the north-south lots Vs dwellings on the east-west lots. The house plans are from actual examples of constructed dwellings, but shown without internal walls to protect privacy.

The assessment factors have been weighted as follows:
1. Passive Environmental Performance – Solar – 50%
2. Community Safety Design – particularly connection to the street – 10%
3. Connection Of Outdoor And Indoor Living Spaces – 20%
4. Ancillary Buildings – their location on the lot and effect on the dwelling – 10%
5. Solar Access To Living Spaces (good in winter, problematic in summer) – 10%

Factor No 1 Passive Environmental Performance has been assessed by applying the glazing calculator for use with Part 3.12.2, BCA Vol 2 (housing) 2009. The assessment here applies a comparative scale to the performance of the dwellings, where the best performance receives 50/50, and the lowest performance receives a 0/50 score.

The last factor above, Solar Access to Living Spaces, is important but has been given a lower weighting as the effect of solar access has also been taken into account in the first factor, Passive Environmental Performance. Solar Access To Living Spaces is focused on the provision of natural light into the dwelling without adding significantly to heat loads.

A summary of the assessments is as follows:

<table>
<thead>
<tr>
<th>LOT CONFIGURATION</th>
<th>HOUSE</th>
<th>TOTAL SCORE/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>North-south</td>
<td>A</td>
<td>83</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>79</td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>78</td>
</tr>
<tr>
<td>East-west</td>
<td>A</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>21</td>
</tr>
</tbody>
</table>

- Houses on north-south lots have an average score of 80/100
- Houses on east-west lots have an average score of 37/100

AFFECT OF LOT SIZE ON PASSIVE ENVIRONMENTAL PERFORMANCE - SOLAR

The lots in KS1 are large relative to typical newer suburban lots in Alice Springs. Smaller lot sizes will bring an additional factor into play, whereby the dwellings start to affect each other’s solar access. This has a different result on north-south orientated lots compared to east-west orientated lots as shown on the attached drawing, and as follows:

- Dwellings on north-south orientated lots shade each other from the east and west while maintaining solar access from the north.
- Dwellings on east-west orientated lots shade each other from the north while maintaining solar exposure from the east and west.

This effect should be considered when smaller lots are introduced into later stages of the Kilgariff subdivision.
CONCLUSION

These notes demonstrate that in Alice Springs, existing development on lots where either the north or south boundary is the street frontage provide greater amenity than lots where either the east or west boundary is the street frontage. This can be appreciated from a general aerial view of existing suburbs in the town, and has been demonstrated through a detailed analysis of development in Kilgariff Stage 1.

Therefore it can be concluded that streets that run east-west provides dwellings with greater amenity than on streets that run north-south.

It is important to note that this conclusion has been based on current market forces operating within the existing planning regime, when applied to existing subdivisions. A vastly different result may be possible when any of these factors are changed, for example if different lot sizes are provided to the market, planning rules are changed to elicit more climatic-responsive outcomes for dwellings or more community-sensitive suburbs, or dwellings are designed by professionals with a more informed understanding of central Australia’s climatic conditions.
NORTH SOUTH LOTS  HOUSE A

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>ASSESSMENT</th>
<th>SCORE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GLAZING ASSESSMENT</td>
<td>PASSED</td>
<td>40/50</td>
</tr>
<tr>
<td>COMMUNITY SAFETY</td>
<td>REASONABLE PASSIVE OVERSIGHT OF STREET FOR COMMUNITY SAFETY (FROM SECONDARY LIVING AREA ONLY)</td>
<td>8/10</td>
</tr>
<tr>
<td>INDOOR / OUTDOOR CONNECTION</td>
<td>MORE THAN 50% OF GARDEN VISIBLE FROM LIVING AREAS</td>
<td>18/20</td>
</tr>
<tr>
<td>LOCATION OF ANCILLARY SPACES</td>
<td>GARAGE ON WEST SHADERS HOUSE</td>
<td>10/10</td>
</tr>
<tr>
<td>LIVING SPACES SOLAR ACCESS SUMMER / WINTER</td>
<td>SECONDARY LIVING AREA ONLY NORTH WINDOW PROVIDES SOLAR ACCESS IN WINTER, ALL LIVING AREAS SHADED IN SUMMER</td>
<td>7/10</td>
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</table>

TOTAL 83/100

NORTH SOUTH LOTS  HOUSE B

<table>
<thead>
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<th>ELEMENT</th>
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<tbody>
<tr>
<td>GLAZING ASSESSMENT</td>
<td>PASSED</td>
<td>50/50</td>
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<tr>
<td>COMMUNITY SAFETY</td>
<td>NO PASSIVE OVERSIGHT OF STREET</td>
<td>0/10</td>
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<tr>
<td>INDOOR / OUTDOOR CONNECTION</td>
<td>LIVING ROOM WINDOWS FACE SOUTH AND EAST MEANING VIEWS AND DAYLIGHT MEANING VIEWS ARE SHARED TO EAST NO WINTER SOLAR ACCESS</td>
<td>16/20</td>
</tr>
<tr>
<td>LOCATION OF ANCILLARY SPACES</td>
<td>CARPORT ON EAST SHADERS HOUSE</td>
<td>8/10</td>
</tr>
<tr>
<td>LIVING SPACES SOLAR ACCESS SUMMER / WINTER</td>
<td>LIVING ROOM WINDOWS FACE SOUTH AND EAST MEANING VIEWS AND DAYLIGHT MEANING VIEWS ARE SHARED TO EAST NO WINTER SOLAR ACCESS</td>
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TOTAL 79/100

NORTH SOUTH LOTS  HOUSE C

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<tbody>
<tr>
<td>GLAZING ASSESSMENT</td>
<td>PASSED</td>
<td>50/50</td>
</tr>
<tr>
<td>COMMUNITY SAFETY</td>
<td>GOOD PASSIVE OVERSIGHT OF STREET FOR COMMUNITY SAFETY</td>
<td>10/10</td>
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<tr>
<td>INDOOR / OUTDOOR CONNECTION</td>
<td>MORE THAN 50% OF GARDEN VISIBLE FROM LIVING AREAS</td>
<td>16/20</td>
</tr>
<tr>
<td>LOCATION OF ANCILLARY SPACES</td>
<td>CARPORT &amp; GARAGE ON WEST OF LOT PROVIDE SHADE TO HOUSE</td>
<td>10/10</td>
</tr>
<tr>
<td>LIVING SPACES SOLAR ACCESS SUMMER / WINTER</td>
<td>LIVING ROOM NORTH WINDOW SOLAR ACCESS IN WINTER / SHADED IN SUMMER</td>
<td>10/10</td>
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TOTAL 78/100

DO NOT SCALE - IF REQUIRED DIMENSIONS ARE NOT SHOWN REFER TO ARCHITECT

Land Development Corp  Kilgariff Stage 2
Northern Territory Government
<table>
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<tr>
<th>ELEMENT</th>
<th>ASSESSMENT</th>
<th>SCORE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GLAZING ASSESSMENT</td>
<td>FAILED SOLAR GAIN COMPONENT</td>
<td>0/50</td>
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<tr>
<td>COMMUNITY SAFETY</td>
<td>NO PASSIVE OVERSIGHT OF STREET</td>
<td>0/10</td>
</tr>
<tr>
<td>INDOOR / OUTDOOR CONNECTION</td>
<td>50% OF GARDEN VISIBLE FROM LIVING AREAS (HOWEVER WEST FACING CONNECTION WILL BE PROBLEMATIC IN SUMMER)</td>
<td>16/20</td>
</tr>
<tr>
<td>LOCATION OF ANCILLARY STRUCTURES</td>
<td>CARPORT ON NORTH SIDE OF HOUSE</td>
<td>0/10</td>
</tr>
<tr>
<td>LIVING SPACES SOLAR ACCESS</td>
<td>WINTER SOLAR ACCESS FOR KITCHEN ONLY. NORTH-SOUTH WINDOWS ALLOW FOR INDIRECT SUNLIGHT TO LIVING AREAS WHEN BLINDS CLOSED AGAINST WESTERN SOLAR GAIN</td>
<td>5/10</td>
</tr>
<tr>
<td></td>
<td>SUMMER / WINTER</td>
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</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>21/100</td>
</tr>
</tbody>
</table>

**NOTE:** SHADING IS 12 NOON IN MID WINTER DEMONSTRATES WINTER SOLAR ACCESS.

**DO NOT SCALE - IF REQUIRED DIMENSIONS ARE NOT SHOWN REFER TO ARCHITECT**
### GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

**Climate zone:** 3  
**Building name/description:** North South Lot House A

<table>
<thead>
<tr>
<th>Storey</th>
<th>Floor Construct'n</th>
<th>Area of Floor</th>
<th>Air Movement</th>
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**Note:** Air Movement level must be separately verified

- **Glazing area:** 24.6m² (13% of area of floor Type A)

**Number of rows preferred in table below:** 17 (as currently displayed)

### GLAZING ELEMENTS, ORIENTATION, SIZE and PERFORMANCE CHARACTERISTICS

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### SHADING

- **Conductance:** PASSED
- **Solar heat gain:** PASSED

### CALCULATED OUTCOMES - OK (if inputs are valid)

**CALCULATION DATA**

- **Element share of % of allowance used**
- **Element share of % of SHGC x E x area**

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GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

Climate zone | Building name/description
---|---
3 | North South Lot House B

Storey | Floor Construction | Type A | Type B
---|---|---|---
1 | Area of Floor | 145m² | |

Air Movement | |
---|---
S | Note: Air Movement level must be separately verified

Glazing area | 23.4m² .......... (16% of area of floor Type A)

Number of rows preferred in table below | 12 (as currently displayed)

### GLAZING ELEMENTS, ORIENTATION, SIZE and PERFORMANCE CHARACTERISTICS

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<th>Performance</th>
<th>P &amp; H or device</th>
<th>Exposure</th>
<th>Size</th>
<th>U x area</th>
<th>SHGC x E x area</th>
<th>Element share of % of allowance used</th>
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GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

Climate zone | Building name/description
---|---
3 | North South Lot House C

Storey | Floor Construction | Type A | Type B
---|---|---|---
1 | | |

Area of Floor | 142m²

Air Movement | S

Note: Air Movement level must be separately verified

Glazing area 31.7m² (22% of area of floor Type A)

Number of rows preferred in table below 11 (as currently displayed)

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<thead>
<tr>
<th>Glazing element</th>
<th>Orientation</th>
<th>Size</th>
<th>Performance</th>
<th>P&amp;H or device</th>
<th>Exposure</th>
<th>Size</th>
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<th>Solar heat gain - PASSED</th>
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## GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

### CONSTANTS

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<th>Type A</th>
<th>Type B</th>
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### ALLOWANCES

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<td>( C_{SHGC} ) ( \times ) Area</td>
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### Climate zone

- **3**
  - **East West Lot House A**

### Storey

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### Note: Air Movement level must be separately verified

Glazing area 32.9m² (18% of area of floor Type A)

Number of rows preferred in table below: **17** (as currently displayed)

### GLAZING ELEMENTS, ORIENTATION, SIZE and PERFORMANCE CHARACTERISTICS

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<th>ID</th>
<th>Description (optional)</th>
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<th>Width (m)</th>
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<th>( SHGC ) (NFRC)</th>
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<th>H (m)</th>
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### SHADING

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### CALCULATION DATA

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<th>SHGC ( \times ) E x area</th>
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### CALCULATED OUTCOMES - OK (if inputs are valid)

If inputs (including air movement levels) are valid

---

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## GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

**Climate zone**: Building name/description

<table>
<thead>
<tr>
<th>CONSTANTS</th>
<th>Type A</th>
<th>Type B</th>
</tr>
</thead>
<tbody>
<tr>
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**Area of Floor**

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**Glazing area**

- 25.2m²

Note: Air Movement level must be separately verified

**Storey**

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**Allowances**

- Cu x Area: 206.4
- CSHGC x Area: 12.9

**Calculation Data**

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<th>Height (m)</th>
<th>Width (m)</th>
<th>Area (m²)</th>
<th>Total U-Value (NFRC)</th>
<th>SHGC (NFRC)</th>
<th>P (m)</th>
<th>H (m)</th>
<th>P/H E factor</th>
<th>Conductance - PASSED</th>
<th>Solar heat - FAILED</th>
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**Calculations Outcomes**

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GLAZING CALCULATOR FOR USE WITH PART 3.12.2, BCA VOLUME TWO (HOUSING)

<table>
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<tr>
<th>Climate zone</th>
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Glazing area 33.5m² (24% of area of floor Type A)

Number of rows preferred in table below: 17 (as currently displayed)

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SOLAR ANALYSIS FOR THE IMPACT OF THEORETICAL SMALLER LOTS ON MUTUAL SHADING / SOLAR ACCESS

1. Solar Diagram 8AM WINTER (WARM SUN DESIRABLE)

   - Primarily rear facing living areas have little solar access.
   - Neighbours over shadow each other to negative effect.

2. Solar Diagram 530PM SUMMER (HOT SUN UNDESIRABLE)

   - Houses and fences are providing beneficial mutual shade from hot and undesirable Western Sun.
   - North windows from living rooms to street are shaded.

DO NOT SCALE - IF REQUIRED DIMENSIONS ARE NOT SHOWN REFER TO ARCHITECT

Development Application (as publicly exhibited)
DESIGN RATIONALE
The multi-generational nature of the park encourages activity and community interaction by providing for many age groups and users. From movie nights on the lawn, kicking the footy, exercising, walking, picnics, playing in the sand or gliding down the flying fox the park is designed to bring community together and create lasting connections between users.

Using the furniture suite and materials from Stage 1 the park continues the design language through the development to deliver consistent quality open spaces.

A central activity area promotes intergenerational use within the park offering a range of facilities to the community which will be determined in consultation with the relevant authorities. Opportunities for grouped exercise equipment for adults and teens, play elements that cater to young and older children complimentary to stage 1 equipment encourage all ages to be physically active and build social connections across generations.

The shade shelter is surrounded by varied seating opportunities designed to act as an informal town square a mix of formal seating and boulders encourages incidental meetings between all users of the park.

A large central grass area provides a flexible space for gatherings, sport and recreation. Multi-function goals are proposed along the southern edge.

The development drainage network has a direct connection and is designed to be an extension of the parkland itself offering natural outlooks from within and looking into the park. The ‘creek bed’ outlined below meanders around the park and links to the drainage channel where large trees and a low native understory provide habitat and stabilisation to the area.

The creek bed offers a nature play experiences and contextual link to St Mary’s Creek.

LANDSCAPE ARCHITECTS • URBAN DESIGNERS • LANDSCAPE PLANNERS
KILGARIFF ESTATE STAGE 2 • ALICE SPRINGS NT

Client:
Welton Parade Street Trees

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height (m)</th>
<th>Width (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eucalyptus intertexta</td>
<td>Bastard Coolibah</td>
<td>6-18</td>
<td>5-12</td>
</tr>
<tr>
<td>Acacia coriacea</td>
<td>Dogwood</td>
<td>3-10</td>
<td>3-5</td>
</tr>
<tr>
<td>Hakea divaricata</td>
<td>Fork-leaf Corkwood</td>
<td>4-7</td>
<td>2-4</td>
</tr>
<tr>
<td>Hakea lorea ssp. Lorea</td>
<td>Long-leaf Corkwood</td>
<td>3-8</td>
<td>3-4</td>
</tr>
</tbody>
</table>

Street Tree Notes

Tree species for Welton Parade are mixed to encourage biodiversity and create a resilient urban tree canopy. The multiple yet thematic street tree species selections for the parade creates a unique character for residents and reinforces wayfinding principles.
Drainage Area Notes

Under the planning scheme and ASTC Development Guidelines, drainage areas are not considered open space. The approach for Kilgariff is to integrate drainage corridors with appropriate landscaping to improve passive recreational opportunities. The drainage areas are important soaks for harvesting and promoting the infiltration of water. Establishing planting within the drainage reserves will reduce evaporation and further enhance infiltration while preventing erosion. This in turn supports a more diverse and vigorous planting community. Mimicking the native species mixes found in inland plant communities will provide a cover of grass and flowering species as the understory to larger shrub and tree species to be used for shade and amenity or screening to the Stuart Highway. The enhanced shade and vegetation support birds and wildlife populations and provides an excellent outlook for residents.

The shared pathway network that extends through the streets and parks into the drainage reserves integrates these areas as part of the open space network and can create incidental meeting places at important nodes.

Drainage Reserve Tree species

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia salicina</td>
<td>Cooba</td>
<td>4-12m</td>
<td>4-6m</td>
</tr>
<tr>
<td>Corymbia aparrerinja</td>
<td>Ghost Gum</td>
<td>10-18m</td>
<td>8-15m</td>
</tr>
<tr>
<td>Eucalyptus gillenii</td>
<td>Mallee Red Gum</td>
<td>3-7m</td>
<td>2-6m</td>
</tr>
<tr>
<td>Eucalyptus camaldulensis</td>
<td>River Red Gum</td>
<td>20+m</td>
<td>20+m</td>
</tr>
<tr>
<td>Eucalyptus lucens</td>
<td>Shiny-leaved Mallee</td>
<td>1-3m</td>
<td>1-3m</td>
</tr>
<tr>
<td>Eucalyptus victrix</td>
<td>Smooth barked coolbah</td>
<td>4-8m</td>
<td>2-4m</td>
</tr>
</tbody>
</table>

Species will be mixed as shown through the plan images.
Connectivity

The pedestrian and cycle network is designed to connect through existing Stage 1 of Kilgariff to the new development linking to playgrounds, parks to the wider network along the Stuart Highway. The network facilitates and encourages safe and convenient pedestrian and cycle movement throughout the suburb.

Paths are designed in accordance with the Alice Springs Town Council Standards using typical road cross sections.

- 3m Wide Shared Cycle and Pedestrian path
- 1.5m Wide Pedestrian path
### Street Tree species

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia coriacea</td>
<td>Dogwood</td>
<td>3-10m</td>
<td>3-5m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Weeping Myall</td>
<td>4-7m</td>
<td>4-6m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Black Gidgee</td>
<td>4-10m</td>
<td>2-4m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>White Wood</td>
<td>4-10m</td>
<td>4-6m</td>
</tr>
<tr>
<td>Brachychiton populneus</td>
<td>Desert Kurrajong</td>
<td>4-8m</td>
<td>2-4m</td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>&quot;Kings Park Special&quot;</td>
<td>Bottlebrush</td>
<td>2-8m</td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>Weeping Bottlebrush</td>
<td>3-12m</td>
<td>3-6m</td>
</tr>
<tr>
<td>Eucalyptus coolibah</td>
<td>Coolibah</td>
<td>6-15m</td>
<td>5-12m</td>
</tr>
<tr>
<td>Eucalyptus intertexta</td>
<td>Bastard Coolibah</td>
<td>6-18m</td>
<td>5-12m</td>
</tr>
<tr>
<td>Eucalyptus thozetiana</td>
<td>Thoonie's Bux</td>
<td>7-20m</td>
<td>4-10m</td>
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<tr>
<td>Hakea diversifolia</td>
<td>Fork-leafed Coolibah</td>
<td>6-7m</td>
<td>2-4m</td>
</tr>
<tr>
<td>Hakea loesia</td>
<td>Long-leaf Coolibah</td>
<td>3-8m</td>
<td>3-6m</td>
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### Drainage Reserve Tree species

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia salicina</td>
<td>Native Willow</td>
<td>4-10m</td>
<td>4-6m</td>
</tr>
<tr>
<td>Corymbia aparrerinja</td>
<td>Ghost Gum</td>
<td>10-18m</td>
<td>8-15m</td>
</tr>
<tr>
<td>Eucalyptus gignoni</td>
<td>Malaleuca Red Gum</td>
<td>3-7m</td>
<td>2-4m</td>
</tr>
<tr>
<td>Eucalyptus caldandens</td>
<td>River Red Gum</td>
<td>20m</td>
<td>20m</td>
</tr>
<tr>
<td>Eucalyptus lucens</td>
<td>Shiny-leaved Malaleuca</td>
<td>1-3m</td>
<td>1-3m</td>
</tr>
<tr>
<td>Eucalyptus victoria</td>
<td>Smooth barked coolibah</td>
<td>4-8m</td>
<td>2-4m</td>
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### Shrubs

<table>
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<th>Botanical Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia dealbata</td>
<td>Des Nelson Wattle</td>
<td>4-5m</td>
<td>2-3m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Candelabra Wattle</td>
<td>2-8m</td>
<td>3-4m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Umbrella Wattle</td>
<td>3-4m</td>
<td>2-3m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Witchetty Bush</td>
<td>2-5m</td>
<td>2-4m</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Colony wattle</td>
<td>2-6m</td>
<td>2-4m</td>
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<tr>
<td>Callistemon Little John</td>
<td>Bottlebrush</td>
<td>1m</td>
<td>1m</td>
</tr>
<tr>
<td>Callistemon Captain Cook</td>
<td>Bottlebrush</td>
<td>1.5-2m</td>
<td>1.5-2m</td>
</tr>
<tr>
<td>Callistemon pinciflorus</td>
<td>Desert Bottlebrush</td>
<td>2-6m</td>
<td>1.5-4m</td>
</tr>
<tr>
<td>Dodonea viscosa</td>
<td>Sticky Hop bush</td>
<td>1-3m</td>
<td>1.5m</td>
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<tr>
<td>Enchylaena tomentosa</td>
<td>Ruby Salt bush</td>
<td>1m</td>
<td>1m</td>
</tr>
<tr>
<td>Eremophila hygrophana</td>
<td>Blue emu bush</td>
<td>1m</td>
<td>1m</td>
</tr>
<tr>
<td>Eremophila christophori</td>
<td>Dolomite fuchsia bush</td>
<td>2.5m</td>
<td>2m</td>
</tr>
<tr>
<td>Eremophila glabra Bev Rice</td>
<td>-</td>
<td>1.5m</td>
<td>1.5m</td>
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<tr>
<td>Eremophila obovata</td>
<td>-</td>
<td>0.75-1m</td>
<td>1m</td>
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<tr>
<td>Melaleuca bracteata</td>
<td>Black Tea-tree</td>
<td>2-7m</td>
<td>2-5m</td>
</tr>
<tr>
<td>Melaleuca globularis</td>
<td>Inland Tea-tree</td>
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<td>3-5m</td>
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<tr>
<td>Myrroporum acuminatum</td>
<td>Bobtail</td>
<td>2.5m</td>
<td>2.5m</td>
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<tr>
<td>Senna artemisiodes</td>
<td>-</td>
<td>0.7-3m</td>
<td>0.7-3m</td>
</tr>
<tr>
<td>Senna sturtii</td>
<td>-</td>
<td>0.6-2m</td>
<td>0.6-2m</td>
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### Grasses and Groundcovers

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cymbopogon ambiguus</td>
<td>Lemon-scented Grass</td>
<td>0.6-1m</td>
<td>0.6m</td>
</tr>
<tr>
<td>Enteropogon acicularis</td>
<td>Curly windmill grass</td>
<td>0.4m</td>
<td>0.4m</td>
</tr>
<tr>
<td>Bulnesia aurea</td>
<td>Silky browntop</td>
<td>1m</td>
<td>0.8m</td>
</tr>
<tr>
<td>Eremaea avenacea</td>
<td>Oat grass</td>
<td>0.5m</td>
<td>0.5m</td>
</tr>
<tr>
<td>Maireana scleropetra</td>
<td>Blue bush</td>
<td>0.6m</td>
<td>0.6m</td>
</tr>
<tr>
<td>Peltopus exaltatus</td>
<td>Nulla nulla</td>
<td>0.5m</td>
<td>0.5m</td>
</tr>
<tr>
<td>Solanum centrale</td>
<td>Australian Desert Raisin</td>
<td>0.5m</td>
<td>0.5m</td>
</tr>
<tr>
<td>Solanum ellipticum</td>
<td>Bush Potato</td>
<td>0.5m</td>
<td>1m</td>
</tr>
<tr>
<td>Themeda triandra</td>
<td>Kangaroo Grass</td>
<td>0.5-1m</td>
<td>0.4m</td>
</tr>
</tbody>
</table>

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**KILGARIFF ESTATE STAGE 2 • ALICE SPRINGS NT**

**PLANT SPECIES**

**Growing Conditions:**

**Soil:** Well-drained, loamy sand

**Light:** Full sun

**Water:** Self-sufficient in dry conditions

**Climate:** Arid

**Hardiness:** Zone 9

**Description:**

- **Hakea diversifolia (Fork-leafed Coolibah)**: A flowering shrub with forked leaves and pink flowers. Ideal for banks and slopes.
- **Corymbia aparrerinja (Ghost Gum)**: A large, majestic tree with large clusters of white flowers. Suitable for large spaces.
- **Eucalyptus camaldulensis (River Red Gum)**: A tall, evergreen tree with red-brown trunk and white flowers. Good for wind breaks.
- **Acacia dealbata (Des Nelson Wattle)**: A fast-growing tree with white flowers in spring. Ideal for hedging.
- **Callistemon viminalis (Weeping Bottlebrush)**: A compact shrub with bottlebrush flowers. Excellent for smaller landscapes.
- **Melaleuca bracteata (Black Tea-tree)**: A hardy shrub with glossy leaves and white flowers. Great for coastal areas.
- **Enchylaena tomentosa (Ruby Salt bush)**: A drought-resistant shrub with decorative leaves and white flowers.
- **Eremophila hygrophana (Blue emu bush)**: A low-growing shrub with blue flowers. Suitable for dry areas.
- **Themeda triandra (Kangaroo Grass)**: A hardy, low-maintenance grass with blue flowers.

**Note:** Plant selection is subject to ongoing review for best performance and adaptability to the local environment.
Build on the strong visual character of Kilgariff West emphasizing the site's natural qualities, culture and history.

Landscape materials, park and street furniture are to be selected to match the existing within the park and streetscapes. These hard elements provide a unifying character for the development.

Materials should reflect the character and aesthetics of the desert environment and be hardy to outdoor climatic conditions, vandalism and long term usage. Ease of maintenance and replacement is to be carefully considered and vandal / stain resistant coatings are to be applied where required to aid cleaning programs.
Dear Mr Gardner

RE: SUPPLEMENT TO NOTICE OF INTENT – KILGARIFF RESIDENTIAL
DEVELOPMENT – ALICE SPRINGS

Reference is made to the Supplement to your Notice of Intent (NOI) submitted to the Environment Protection Authority on 26 October 2012 for assessment under the Environmental Assessment Act.

As delegate under the Environmental Assessment Act, I am of the opinion that the Kilgariff Residential Development does not require formal assessment and, subject to clause 14A of the Environmental Assessment Administrative Procedures, this assessment is at an end.

The supplement contained sufficient information to conduct an assessment of the risks to the environment and in general, adequately addressed the issues identified in the original NOI. However, the supplement indicated that a new boundary is proposed for the northwest corner of the development area, which has raised a number of new issues. These should be addressed through further consultation with the Department of Primary Industries and Fisheries. A copy of the comments received from NT Government stakeholders is provided at Attachment A and includes a number of recommendations that should be implemented to ensure further management and mitigation of risks.

If you have any queries in relation to this advice, please do not hesitate to contact Gemma Gooley on telephone (08) 8951 9233 or via email eia.ntepa@nt.gov.au

Yours sincerely

BILL FREELAND
Chair
Northern Territory Environment Protection Authority

January 2013
Attachment A

Department of Primary Industry and Fisheries

The new boundary of the proposed development area (shown in figure 1 of the report – AEC Environmental Pty Ltd, 5068/NOI/Sup01) exceeds the boundaries agreed by DPIF and infringes on the balance of the AZRI site. This expanded footprint may affect the design of infrastructure and may increase the potential impacts to landscape and natural environment and AZRI Operations.

Part of the AZRI site is currently used for the Alice Springs Water Reuse Scheme, comprising the soil aquifer treatment (SAT) basins, water storage in a palaeochannel and extraction and reuse in horticultural enterprises on the AZRI site. Provision of recycled water to Kilgariff for non potable outdoor uses is proposed. This will utilise infrastructure that is already in place, however potential impacts of the expansion of the Scheme requires consideration as it may have impacts on the Kilgariff development given the close proximity to the SAT basin and pipeline. It is recommended that a suitable monitoring program be developed to indicate whether any adverse environmental impacts arise from the proposed water sensitive urban design (WSUD) strategy for Kilgariff.

There are potential land use conflicts between the use of land for horticulture on the AZRI site and future residential development east of St Mary’s Creek, with possible impacts on amenity for future residents of the Kilgariff subdivision. Buffer zones must be incorporated that are of appropriate scale and design to mitigate impacts.

The risk of soil disturbance is recognised in the report, with mitigation measures outlined in the Erosion and Sediment Control Plan. However, given the proximity of the expanded boundary to the DPIF plant industry trial sites, the suppression of dust is considered high priority as it may impact on research trials and farm management operations. This should be dealt with during the construction phase through active suppression (maintaining surface moisture) and other techniques. Appendix J: Revised Qualitative Risk Assessment does not adequately consider the impacts on AZRI operations.

Department of Health – Medical Entomology

Urban stormwater drains in Alice Springs have the potential to become mosquito breeding sites due to low flows from developed areas. These problems are generally related to catchments where irrigation and water use are relatively high (e.g. schools, sports ovals, shopping centres and industrial areas). To prevent the creation of mosquito breeding sites, it is considered important to prevent low flow ponding in all WSUD and stormwater structures by implementing an appropriately funded and managed routine inspection and maintenance program. This is particularly relevant if recycled water is overused and is allowed to pond as it can promote productive mosquito breeding. Therefore, the inspection and maintenance program should inspect for ponding, weed growth and silt accumulation and rectify any potential issues. The planning process should identify the responsible authority for inspecting and maintaining stormwater and WSUD infrastructure.

Stormwater discharge drains into St Mary’s Creek should have appropriate erosion prevention structures and these discharge drains should also be included in the inspection and maintenance program.

Medical Entomology should be nominated as an authority for review and sign off on the design of all stormwater drains and WSUD infrastructure in terms of preventing the creation of mosquito habitat.

Appendix 4 of the WSUD strategy – Stormwater Management device sketches indicate areas of temporary ponding will be created after rainfall events. This design may be appropriate for areas with high infiltration rates, but may not be suitable in areas with lower...
infiltration rates. Such drains should be included in the inspection and maintenance program.

A mosquito management plan should be developed for Kilgariff. This document should outline all maintenance measures required to prevent the creation of mosquito breeding in WSUD structures, stormwater drains and discharge sites. The final owner of each stormwater drain or WSUD infrastructure as well as indicative funding requirements for an inspection and maintenance program should also be identified in the plan. Other details that should be incorporated into the plan include temporary mosquito control measures in the event that extended ponding and mosquito breeding is located. The plan should be developed in liaison with Medical Entomology, Environmental Health and the final handover authority.

Department of Land Resource Management

The Water Resources Division have not identified any major water management issues in this supplementary application, as a large portion of the potable water for this development will be supplied by Power and Water Corporation. However, the Department notes the Water Sensitive Urban Design (WSUD) submitted as part of this application does not include performance indicators which would strengthen the quality of the WSUD.

It is recommended that prior to the commencement of works an Erosion and Sediment Control Plan (ESCP) be developed to the satisfaction of the Development Consent Authority upon advice of the Department of Land Resource Management.

No additional flora and fauna issues have been identified as part of this application. Given this, it is recommended the comments previously submitted for the original NOI apply to this submission.

The proponent is reminded of its obligations under the Weeds Management Act which states that the owner and occupier of land must – (a) take all reasonable measures to prevent the land being infested with a declared weed; (b) take all reasonable measures to prevent a declared weed or potential weed on the land spreading to other land. It is recommended that prior to commencement of this works, any machinery, equipment, vehicles and any materials such as fill being brought on site is clean of weeds and or weed seeds.

Department of Lands, Planning and the Environment - Heritage Branch

- Archaeological and heritage surveys have been conducted for this project. There are no nominated, proposed or declared heritage places located within the project area.
- A number of archaeological sites (isolated stone artefacts) were located within the project area and an application to disturb them was submitted in February 2011.
- Permission to disturb the sites via relocation was granted in March 2011.

Heritage Branch considers that there are no further archaeological or heritage issues associated with this NOI.
Bookmark B1
Development Application
(as publicly exhibited)
4 September 2020

Development Assessment Services
Department of Infrastructure, Planning & Logistics
PO Box 2130
ALICE SPRINGS NT 0871

Via email: Peter.Somerville@nt.gov.au

Attention: Peter Somerville

Dear Peter

**RE: RESPONSE TO PUBLIC SUBMISSIONS, SERVICE AUTHORITY COMMENTS AND TECHNICAL ASSESSMENT**

PA2020/0219 – Subdivision to Create 87 Lots in 2 Stages
155 Colonel Rose Drive, Kilgariff (Part NT Portions 7652 and 7655)

Please find enclosed a response to the public submissions, service authority comments and technical assessment in relation to the abovementioned application.

It is acknowledged that a new planning system comprising the Northern Territory Planning Scheme (NTPS) 2020, in conjunction with amendments to the Planning Act 1999 and the Planning Regulations 2000 was introduced on 31 July 2020, following the lodgement of this application.

Whilst the NTPS 2020 invokes changes to the assessment category, discretion by the consent authority and hierarchy of planning policy relevant to the application, the subdivision requirements remain largely unchanged.

We trust that the information contained herein will assist authorities in completing the statutory assessment process.

Please do not hesitate to contact me should you require any clarification on the matters discussed in this correspondence.

Yours sincerely

Joseph Sheridan
MasterPlan NT

[Company Logo]
PA2020/0219 - RESPONSE TO PUBLIC SUBMISSIONS, SERVICE AUTHORITY COMMENTS AND TECHNICAL ASSESSMENT

The following has been prepared in response to the public submissions, service authority comments and technical assessment provided for development application PA2020/0219 for the purpose of subdivision to create 87 lots in 2 stages.

PUBLIC SUBMISSIONS

Two public submissions were received during the public exhibition period. A summary of these submissions and response is provided below.

Megan Deans – 17 July 2020

“why are the blocks smaller? is there going to be public housing out there, I hope not. is there going to be shade on the playground as there’s none on the first one thanks”

Response

The proposed subdivision includes the provision of residential lots between 550 square metres and 1,640 square metres. All lots are considered capable of accommodating single and multiple dwelling developments. While 32 lots are less than the traditional 800 square metres in established residential suburbs, only eight (8) of these lots are less than 760 square metres. These eight (8) lots are also in accordance with the Compact Urban Growth Policy. Lot sizes are underpinned by the objectives of the development in providing a mix of affordable and attractive housing options appropriate for Alice Springs. All residential lots comply with the lot size and configuration provisions of the NTPS 2020 and the Compact Urban Growth Policy.

The proposal does not include the provision of public housing.

The design of the proposed public open space area is outlined in the Landscape Architecture Concepts, provided as part of the Development Application at Attachment F. The concepts show the use of shade shelter and shade trees in the playground area.

Erwin Chlanda – 29 July 2020

“I am interested in the progress of this application”

Noted.
SERVICE AUTHORITY COMMENTS

Service authority comments were received by Alice Springs Town Council, the Land Development Unit, the Transport and Civil Services Division, the Power and Water Corporation, the Department of Primary Industry and Resources, Land Survey Records, Medical Entomology, the Heritage Branch and NT Fire and Rescue Services. A summary of these comments and responses are provided below.

Alice Springs Town Council (ASTC)

ASTC provided comments in relation to:

- The provision of a Stormwater Management Plan.
- Requirements for the acceptance of roads, stormwater assets, public open space and associated infrastructure, including compliance with the NT Subdivision Guidelines.
- Upgrading of the Colonel Road Drive floodway.
- Providing a Traffic Report and Impact Statement.
- Demonstrating how CPTED principles can be achieved for the proposed drainage reserves.
- A request for two (2) irrigated playing fields. Identifying this within the Master Plan with appropriate zoning is required to eliminate any doubt of the intended oval use within the community.

Response

ASTC’s comments and requirements are noted. LDC has formally discussed the issues raised and will continue to liaise with ASTC as the development progresses.

It is noted that the requests relating to matters for consideration within the overall Kilgariff West Master Plan is not directly related to the subject subdivision and will be negotiated by the respective parties outside of this planning process.

With regard to CPTED principles, the lots are adjacent to the primary drainage reserve that runs parallel to the Stuart Highway thus promoting passive surveillance opportunities. A 1.5-metre-wide pedestrian footpath which extends throughout Stages 2A and 2B also ensures that passive surveillance opportunities are indirectly supported by increased pedestrian activity.

Land Development Unit (LDU)

LDU provided comments in relation to:

- Stormwater and pedestrian/cycle path works being consistent with Kilgariff Subdivision Master Plan (Jacobs 2020) and variances not adversely impacting on the development.
- Drainage being consistent with the Kilgariff West Drainage Framework Plan of the KAP.
• Providing a Stormwater Management Plan.
• Providing detailed design documentation for any works that interface with or impact on Kilgariff Stage 1.

Response

LDU’s comments and requirements are noted. LDC has formally discussed the issues raised and will continue to liaise with LDU as the development progresses.

Transport and Civil Services Division (TCSD)

TCSD provided comments in relation to:
• The provision of a Traffic Impact Report is required to confirm vehicle safety where the subdivision interfaces with the Stuart Highway.
• Roads being vested to ASTC. NTG will not accept any new distributor, collector or local roads in the area.
• The provision of a Construction Traffic Management Plan.
• Standard fencing, stormwater drainage and ‘works within the SH road reserve’ comments.

Comments

TCSD’s comments and requirements are noted. LDC will continue to liaise with TCSD to ensure its infrastructure and road network safety aspirations are not compromised.

Power and Water Corporation (PWC)

PWC (Electricity) provided standard comments in relation to the provision of reticulated power to each lot.

PWC (Water and Sewage) provided standard comments in regard to the provision of reticulated water and sewage to each lot. PWC have also requested that the recycled water main will continue down Welton Parade and that the sewer pump station ensures a buffer distance of 40 metres to the nearest boundaries, and is expected to require an upgrade to overflow storage capacity in conjunction with the development of Stage 2B.

Response

PWC’s comments and requirements are noted. LDC has discussed the issues raised and will continue to liaise with PWC (Electricity and Water and Sewage) to ensure proposed infrastructure development is in line with its requirements.

Department of Environment and Natural Resources (DENR)

DENR provided comments in relation to the provision of an Erosion and Sediment Control Plan (ESCP), as well as standard fill, noise, dust, weed and environmental comments.
DENR's comments and requirements are noted. LDC will continue to liaise with DENR to ensure that matters it is responsible for are adequately addressed.

**Medical Entomology (ME).**

ME recommends that stormwater detention and infiltration structures are designed to only pond water for less than five (5) days, and that there is a potential for mosquito breeding sites to be created during the construction phase. ME provided no comments relating to development permit conditions.

**Response**

ME's comments and requirements are noted and will be implemented during the detailed design construction phases. LDC will continue to liaise with ME to ensure that matters it is responsible for are adequately addressed.

**Land Survey Records (LSR)**

LSR noted that the subdivision stated 87 new parcels are to be created, however, there are 92 new parcels shown on the subdivision plan. It also advised that new roads would need to be officially named by the Place Names Unit. Once the roads have been named and opened as roads, LSR will be able to assign street addressing to the development on data allocation.

**Response**

The application is for a subdivision to create 87 new residential parcels. The five (5) additional lots identified by LSR are for drainage and public open space. LSR's comments are noted.

**NT Fire and Rescue Services (NTFRS)**

NTFRS advised that fire breaks as per Part 3 of the NT Fire and Emergency Regulations should be maintained up to the new subdivision boundary lines.

**Response**

NTFRS's comments and requirements are noted.

**Department of Primary Industry and Resources (DPIR)**

DPIR advised it has no comments for the applications.

**The Heritage Branch (Heritage)**

Heritage advised it has no comments for the application.
TECHNICAL ASSESSMENT

The technical assessment was by provided by DAS on 2 September 2020 and provides a preliminary assessment of the proposal against the new NTPS 2020. Whilst the technical assessment does not identify any non-compliances, it does outline areas in which clarification may be sought by the consent authority. A summary and response to these points is provided below.

- The drawings do not identify the intended future zoning as references in the NTPS 2020.

Response

It is acknowledged that a zoning plan is now a requirement of the NTPS 2020. Accordingly, a plan is provided at Attachment 1.

- Easements are not shown on provided building envelope plans.

Response

Trunk infrastructure is designed and located within the road reserve. All lots accord with the relevant NTPS 2020 requirements in terms of size and building envelopes. Site specific infrastructure services can therefore be accommodated on individual lots without impacting on the built form performance criteria in the new NTPS 2020 for residential buildings.

- Building envelope plans were not provided to demonstrate lots 600 square metres and greater could accommodate the minimum building envelope requirement of 17 metres x 17 metres.

Response

All lots over 600 square metres have a frontage of at least 20 metres (excluding Lot 30 which has a 19-metre frontage) and a depth of at least 30 metres, thereby complying with the minimum building envelope requirements. It is noted that the provision of a building envelope plan for lots over 600 square metres of an irregular shape may assist in determining compliance. A plan demonstrating a suitable building envelope for lots identified where there may be uncertainty has therefore been included (see Attachment 2).
ATTACHMENT 1
ATTACHMENT 2
## Technical Assessment of Proposed Development Against Relevant Provisions of the Northern Territory Planning Scheme

**Application No:** PA2020/0219

**Lot number:** NT Portions 7652 & 7655, 155 Colonel Rose Drive, Suburb of Kilgariff

**Town/Hundred:** Alice Springs

**Zone:** FD (Future Development)

**Site Area:**
- 3.41ha (NT Portion 7655)
- 447ha (NT Portion 7652)

**Proposal:** Subdivision to create 87 lots in 2 stages

**Date assessment finalised:** 7 September 2020

Subdivision of land requires consent under the *Planning Act 1999* (section 44 refers) and Northern Territory Planning Scheme 2020 (Clause 6.1 refers).

### Part 1. - Guidance

Pursuant to sub-clause 1(c) of Clause 1.8 of the NT Planning Scheme the proposed subdivision is Impact Assessable and is subject to Part 6 (Subdivision and Consolidation Requirements) of the Scheme.

#### 1.10 – Exercise of Discretion by the Consent Authority

Sub-clause 4 of Clause 1.10 specifies:

*In considering an application for a use or development identified as Impact Assessable the Development Consent Authority must take into account all of the following:*

1. any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
2. any Overlays and associated requirements in Part 3 that apply to the land;
3. the guidance provided by the relevant zone purpose and outcomes in Part 4; and
4. any component of the Strategic Framework relevant to the land as set out in Part 2

Sub-clause 5 of Clause 1.10 specifies:

*The consent authority may consent to a proposed use or development that is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to: (a) the purpose and administration clauses of the requirement; and (b) the considerations listed under Clause 1.10(3) or 1.10(4).*

### 2.3 Strategic Framework – Strategic Land Use Plans

The following is relevant to the subject site.
Alice Springs Regional Land Use Plan (2016):
Kilgariff is identified as an “urban” area for continued staged “greenfield” development.

Environment and Heritage Objectives
There are no declared heritage places or recorded sacred sites within the area to be developed.

Land Suitability Objectives
- Suitability of the land for residential development was considered prior to the area being rezoned to Zone FD (Future Development) in 2012 [link to PDF]
- The subject site is located within a "declared Erosion Hazard Area" [link to PDF]

Natural Resource Management Objectives
- The subdivision will be connected to reticulated water, sewerage and electricity services
- The area of the subject site to be developed / subdivided (as part of this Development Application) is not identified on current mapping as liable to inundation in a 1% AEP flood event

Development Structure Objectives
The application identifies that the subdivision design and lot sizes facilitates land use and infrastructure efficiencies and there will ultimately be provision of a range of housing options that facilitate housing choice and affordability.

Urban Residential Objectives
Kilgariff is a “greenfield” urban area is zoned FD and the Area Plan supports the subdivision proposed.

COMPLIES
<table>
<thead>
<tr>
<th>Kilgariff Area Plan (May 2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Context</strong></td>
</tr>
<tr>
<td>The Alice Springs Regional Land Use Plan 2016 provides a vision for the future development of Alice Springs based on its regional geography and history. The Plan’s Key Residential Objectives include catering for population growth with infill and greenfield development in a range of dwelling types. The Kilgariff area, north of Colonel Rose Drive is identified as ‘Urban’ and as a major greenfield site providing a significant source of residential land. Also recognised is the need to address the site’s conservation values in future planning and development. This Area Plan outlines how urban development can proceed at the Kilgariff site consistent with the regional objectives and provides guidance for decision making on future changes in land use and development outcomes.</td>
</tr>
<tr>
<td><strong>DAS DIPL comment on compliance</strong></td>
</tr>
<tr>
<td>Noted.</td>
</tr>
</tbody>
</table>

| **Purpose** |
| The Area Plan will guide the development of the Kilgariff urban area through a land use structure for the whole of Kilgariff and more detailed concept plans, initially for Kilgariff West and later for Kilgariff East and South. Development in accordance with the Area Plan will provide for the physical and social development of a resilient community while protecting the significant cultural and landscape features of the natural environment. This includes protection of the St Mary’s Creek landscape which is the primary contributor to the natural character and amenity of the site. |
| **The Development Application seeks consent for the subdivision of part of the Kilgariff West locality and will not impact on St Mary’s Creek.** |

| **Vision Statement** |
| A community where housing diversity, affordability and good connections to Alice Springs town centre and the broader region are provided within an environment that reflects the unique character of Alice Springs. The natural features of the site are emphasised and Kilgariff strives for high urban efficiency and liveability. Kilgariff will rely more on renewable energy sources through built form that includes passive solar design, PV generation and solar hot water. There will be less impact on natural resources through efficient use of water and sensitivity to the existing landscape character and arid climate. Kilgariff will be structured around walkable neighbourhoods that tread carefully on the natural landscape. Community development will be assisted by locating housing, work opportunities, education, recreation, shops and community facilities in close proximity. This will also support public transport, walking and cycling, and help reduce car dependency. |
| **The proposal is for a residential subdivision which will have linkages to the established road and bicycle networks in the locality. Public transport will eventually be available to the subdivision.** |

<p>| <strong>Plan Structure</strong> |
| This Area Plan includes a Kilgariff Locality and Land Use Plan, a Kilgariff West Concept Plan, planning principles, objectives and acceptable responses. The Locality and Land Use Plan illustrates the broad access and land use structure, and primary landscape protection areas across the Kilgariff development area. A structure for Kilgariff East is suggested but, in due course, this Area Plan will need to include more detailed concept plans for Kilgariff East and then for Kilgariff South, which is Commonwealth land subject to the Alice Springs Airport Master Plan. The Kilgariff West plan illustrates, in more detail, land use changes proposed for the first suburb consistent with the vision expressed for Kilgariff. This concept plan and associated planning principles establish a number of specific design parameters to ensure that the overall flood protection and drainage of the development will work in an integrated and landscape sensitive manner. The objectives are actions that will achieve the outcome described by the planning principle. Acceptable responses are standards or measures which will contribute to the objective. Alternate responses that will achieve an equal or higher standard and will not compromise other outcomes may also be considered. |
| <strong>The subject site is in the Kilgariff West locality</strong> |</p>
<table>
<thead>
<tr>
<th>PLANNING PRINCIPLES</th>
<th>DAS DIPL comment on compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Minimise detrimental impacts of development on the landscape and natural environment.</strong></td>
<td></td>
</tr>
<tr>
<td>St Mary’s Creek and associated native vegetation provide a key contribution to the natural and cultural character of the area. Protection of these values within the confines of a very flat landform, natural stormwater flows and fragile soils will require care. A network of linear open space must be allocated so that drainage options are not constrained and adequate flood protection is achieved.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective</th>
<th>Acceptable Land Use and Development Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.1 Maintain the acid zone hydrology of St Mary’s Creek and associated natural drainage features.</strong></td>
<td></td>
</tr>
<tr>
<td>i. Land use and drainage design are integrated with adequate open space buffers and drainage reserves to enable maintenance of pre-development natural flows in the St Mary’s Creek riparian corridor.</td>
<td></td>
</tr>
<tr>
<td>ii. A network of roads, urban drainage and open space that responds to landform, soil capability and the natural drainage system.</td>
<td></td>
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<tr>
<td>iii. Natural ground cover is preserved wherever possible and disturbance of land not directly required for development is avoided.</td>
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<tr>
<td>iv. Drainage channel erosion is avoided by designing to minimise the magnitude and duration of sediment transporting stormwater flows.</td>
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<tr>
<td>v. Sediment movement and erosion during construction is controlled.</td>
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</tbody>
</table>

The proposed subdivision area (Stage 2A and Stage 2B) is the western side of Kilgariff (not in the vicinity of St Mary’s Creek ie: ~800m to the east). Some storm water drainage headwork’s are already in place (from Stage 1).

An Erosion and Sediment Control Plan will be in place during civil works associated with the subdivision.

Parts of the site have already been cleared.

Comments have been received from service authorities regarding these matters (DENR, DIPL LDU, ASTC etc)

| **1.2 Minimise adverse impacts on natural stormwater drainage flows and water quality.** |
| i. The pre-development hydrological regime is maintained, including the provision of locally suitable detention and infiltration measures. |
| ii. Adequate private open space provided for stormwater infiltration. |
| iii. Australian best practice standards are applied to water quality modelling of stormwater runoff into the natural drainage system. |

| **1.3 Retain the cultural and landscape value of natural features and established vegetation.** |
| i. Natural features and vegetation valued for their cultural, species, habitat, stature or natural amenity are identified and retained. |
| ii. Natural features and vegetation are integrated into open space, widened road reserves and drainage corridors wherever possible. |
| iii. Identified native vegetation is protected during construction. |
| iv. Native vegetation within development sites or public infrastructure areas are only cleared concurrent with development need. |

Comments have been received from service authorities regarding some these matters (DENR, DIPL LDU, ASTC etc).

There is no significant vegetation / landforms within the subject site (where subdivision works will occur for Stage 2).
2. Create an active and supported residential environment

Kilgariff will be structured around compact neighbourhoods that are safe, efficient, and adaptable. Housing will be diverse and climate responsive. Higher residential densities shall be located in areas of high amenity close to neighbourhood centres and public transport stops.

The identified main roads will support public and active transport, and the local road network will be interconnected, rather than a hierarchical, to distribute traffic through the locality. The road network will support pedestrians, cyclists and those dependent on public transport.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Acceptable land use and development response</th>
</tr>
</thead>
</table>
| 2.1 Promote neighbourhoods that are compact, safe and walkable | i. Neighbourhood centres are located to maximise commercial potential and opportunities for direct access via active transport networks.  
ii. An interconnected road network supports accessibility and mode choice, and provides for safe and convenient walking and cycling.  
iii. Neighbourhood centres are directly connected by roads designed to support efficient public and active transport.  
iv. Road reserves are wide enough for drainage, service infrastructure and street trees that will provide shade and visual amenity.  
v. The pedestrian network provides direct access to public open space.  
vi. Linear open space and drainage networks are developed with recreation pathways connected to the overall pedestrian network.  
vii. Lots adjacent to recreation areas and main thoroughfares comply with Community Safety Design Guidelines to support passive surveillance.  
viii. Development density is consistent with targets shown on concept plans so as to achieve compact walkable neighbourhoods. |
| 2.2 Neighbourhood centres are community focused. | i. Neighbourhood centres accommodate commercial activities with a focus on local community needs and local employment.  
ii. Community services are provided in for neighbourhood centres.  
iii. Local parks, usable open spaces and local meeting places are provided in conjunction with residential development. |
| 2.3 Provide housing choice that meets community needs. | i. A mix of lot sizes is provided to support a variety of built forms and housing types, including small lot single dwellings.  
ii. Medium density housing, including accommodation for aged persons and people requiring assistance, is located close to a neighbourhood centre, public transport, open space and other areas of high amenity. |
| 2.4 Urban development that is protected from flooding. | i. Infrastructure and drainage design provides a minimum of 1% AEP protection from inundation and stormwater flooding. Refer to planning principle 4.6 for stormwater management in Kilgariff West. |

This proposed subdivision (Stage 2) does not include any commercial or community purpose land. Areas of Public Open Space (neighbourhood park) will be included. Proposed road design is considered to be consistent with this clause.

The proposed subdivision (Stage 2) does not include any commercial or community purpose land. Areas of Public Open Space (neighbourhood park) will be included.

The proposed allotments will predominantly be for “dwelling-single” development (zoned LR).

The subdivision area (Stage 2) is not identified as flood liable (1% AEP flood event).

3. Building a Resilient Community

Development in Kilgariff shall be responsive to the social needs of the community, including the timely and coordinated delivery of human services and community facilities. Planning and development shall identify and provide opportunities to tell the natural, cultural and heritage stories of the site reinforcing a sense of place and assisting to build a strong community.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Acceptable land use and development response</th>
</tr>
</thead>
</table>

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 1.10 provides for the Consent Authority to exercise discretion in making a decision on a development in particular circumstances.
### 3.1 Development of a robust and resilient community

- Neighbourhood centres are designed to provide active public space that assists social inclusion and local commercial endeavours.
- Additional passive urban spaces are located for casual community interaction and to reflect the Kilgariff sense of place.
- Urban spaces provide public art opportunities that interpret Kilgariff and the surrounding landscape.
- Community facilities are designed to cater for a variety of uses and be adaptable to changing neighbourhood requirements over time.

### 3.2 Assist community development through provision of adequate community land

- Community purpose sites are provided where shown in this Area Plan or in alternate locations that better maximise opportunities for safe access via public and active transport corridors.
- Sufficient community purpose land is provided to allow relocation of community and local recreation areas for Kilgariff.
- Active recreation facilities for all ages are provided on a staged basis consistent with the ongoing assessment of needs.

### 3.3 Build a strong community through developing a sense of place

- Retained natural areas are accessible to residents, enjoy passive surveillance and are managed to promote community use.
- The character of the local landscape is integrated into developed areas through species selection and land management.

Stage 2 subdivision works will not impact on St Mary’s Creek

### 4. Facilitate the orderly future development of Kilgariff East and Kilgariff South

<table>
<thead>
<tr>
<th>Objective</th>
<th>Acceptable land use and development response</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Timely preparation of planning concepts and principles for the future development of Kilgariff East and Kilgariff South.</td>
<td>i. A detailed concept plan with planning principles is amended into this Area Plan before any development in Kilgariff East or South. ii. The planning concept and principles respond to the context, purpose and vision of this Area Plan, and are consistent with the land use structure of the Kilgariff Locality and Land Use Plan.</td>
</tr>
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</table>

### 5. Create a first neighbourhood that exemplifies the residential opportunity of the site

Kilgariff West will provide a residential community that is supported by an active neighbourhood centre which delivers a range of lifestyle opportunities that build on and reinforce the local sense of place and character.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Acceptable land use and development response</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1 Development of a well serviced community that provides a high level of residential amenity and safety through urban design.</td>
<td>i. Land use and movement networks are consistent with the land use allocation as identified on the Kilgariff West Concept Plan. ii. Indirect vehicular access is provided to sites on Harris Avenue and main roads where active interfaces are desired. iii. Commercial land uses in the neighbourhood centre provide an active interface to the public domain; primarily Harris Avenue.</td>
</tr>
<tr>
<td>5.2 Promote neighbourhoods that are compact, safe and walkable.</td>
<td>i. The residential density is not less than that required by the Kilgariff West Concept Plan.</td>
</tr>
</tbody>
</table>

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This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 1.10 provides for the Consent Authority to exercise discretion in making a decision on a development in particular circumstances.
### 2.3 Strategic Framework - Strategic Planning Policies

The following is relevant to the subject site.

**Compact Urban Growth Policy**

**Policy Application**

The **Compact Urban Growth Policy** applies to *higher density* residential proposals in urban brownfield and greenfield localities throughout the Northern Territory. This Policy will be used to assess the appropriateness of delivering higher density residential land uses. This Policy will also be used to guide the development of Area Plans, Rezonings and Exceptional Development Applications where higher density residential land uses are proposed.

**DAS DIPL comment:**

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<tbody>
<tr>
<td>ii. Developed local parks are provided in conjunction with the neighbourhood centre and located on identified pedestrian links.</td>
<td>A neighbourhood park (public open space) will be included within Stage 2 works. No &quot;neighbourhood centre&quot; has yet been developed.</td>
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<tr>
<td>5.3 Assist community development through provision of adequate community land.</td>
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<tr>
<td>i. Community purpose sites consistent with the Kilgariff West Concept Plan are provided.</td>
<td>No &quot;neighbourhood centre&quot; has yet been developed. There will be no community purpose areas (land zoned CP) within Stage 2</td>
</tr>
<tr>
<td>ii. Development of the neighbourhood centre is supported by community purpose sites and uses allocated within designated commercial / community mixed use areas.</td>
<td></td>
</tr>
<tr>
<td>5.4 Retain the cultural and landscape value of natural features and significant native vegetation.</td>
<td>The development area for Stage 2:</td>
</tr>
<tr>
<td>i. Significant trees identified on the Kilgariff West Concept Plan within open space areas are protected from development.</td>
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<tr>
<td>ii. Significant trees located within residential development areas are retained within lots or widened road reserve where practical.</td>
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</tr>
<tr>
<td>iii. The provision of a linear open space reserve adjoining St Mary’s Creek is generally consistent with the Kilgariff West Concept Plan.</td>
<td>The development area for “Stage 2” is not in the vicinity of St Mary’s Creek and does not include a neighbourhood centre. The application includes a “park landscape concept plan” prepared by Clouston Associates.</td>
</tr>
<tr>
<td>5.5 Build a strong community through developing a sense of place in the landscape.</td>
<td>The development area for Stage 2:</td>
</tr>
<tr>
<td>i. A developed district park facility is provided that connects the neighbourhood centre to the St Mary’s Creek landscape system and recreation pathway.</td>
<td></td>
</tr>
<tr>
<td>ii. Street and park landscaping is consistent with Kilgariff Residential Estate Landscape and Urban Design Principles Report: Clouston D11_0068 R01 D.</td>
<td></td>
</tr>
<tr>
<td>5.6 Urban development that is protected from flooding without altering the natural drainage regime of the broader landscape.</td>
<td>Complies</td>
</tr>
<tr>
<td>i. A framework of surface drainage that uses linear open space as drainage paths and avoids any modification of St Mary’s Creek.</td>
<td></td>
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<tr>
<td>ii. Stormwater runoff is conveyed on the surface to drainage swales.</td>
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<tr>
<td>iii. Stormwater is conveyed by storm drains across intersections.</td>
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</tr>
<tr>
<td>iv. Where surface drainage is impossible, shallow pits and culvertures employed to convey stormwater to the surface drainage framework.</td>
<td></td>
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<tr>
<td>v. Site drainage levels are consistent with the “Revised Stormwater Drainage Master Plan”, Appendix C to “Kilgariff Stormwater Drainage Extension Design Basis Report”; Jacobs May 2018.</td>
<td></td>
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<tr>
<td>vi. An internal drainage plan is provided that is consistent with the attached Kilgariff West Drainage Framework Plan.</td>
<td></td>
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</tbody>
</table>
Kilgariff is a Greenfield site, however the Policy defines ‘Higher Density Residential’ as - Usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m² of site area or less).

The proposed zoning of lots within Stage 2 Kilgariff will allow for a maximum building height of 8.5m (two storeys). No lots will be smaller than ~550m². Residential zones will be LR and LMR.

COMPLIES

3. Overlays

3.6 – LSF – Land Subject to Flooding

Purpose
Identify areas with a known risk of inundation from riverine flooding and ensure that development in these areas demonstrates adequate measure to minimise the associated risk to people, damage to property and costs to the general community.

DAS DIPL comment:
Part of the site (NT Portion 7652) subject to this Development Application is within a Defined Flood Area, however, this will be a remnant parcel – development of the flood liable areas of NT Portion 7652 will be subject to separate application/s at a later date. Lots for the “Stage 2” subdivision will be located to the west of the flood liable area:

Administration

1. Land subject to this Overlay is to be used or developed only with consent.
DAS DIPL comment - development of the flood liable area/s of NT Portion 7652 will be subject to separate application/s at a later date. The subject Development Application is seeking consent to subdivide.

2. This clause does not apply to:
   (a) outbuildings and extensions to existing dwellings; and
   (b) extensions to existing commercial or industrial buildings; which, but for this Overlay, would not require consent;

3. In this Overlay:
   (a) “flood level” means the water level associated with a 1.0% AEP flood event or where that level cannot be determined, the level determined by the Controller of Water Resources within the meaning of the Water Act 1992;
   (b) “AEP” means Annual Exceedance Probability, which is the likelihood, in percentage terms, of a flood of a given size occurring in a specified area in any one year;
   (c) “DFE” means Defined Flood Event, which:
      i. in an area subject to a floodplain management plan that defines a flood event, is as specified in that plan; or
      ii. if there is no floodplain management plan that defines a flood event for an area, is the 1% AEP flood event;
   (d) “DFA” means Defined Flood Area, which is the area that is inundated by the DFE as defined on mapping produced by the NT Government;

4. The consent authority may consent to a use or development that is not in accordance with sub-clause 5 only if it is satisfied that the application demonstrates that there is no increased risk to people and property including adjoining property, or increased cost to the community.

Requirements

5. In a DFA:
   (a) the storage or disposal of environmentally hazardous industrial material and the development of fuel depots should be avoided;
   (b) the minimum floor level of habitable rooms should be 300mm above the flood level for the site; and
   (c) the use of fill to achieve required floor levels should be avoided.

DAS DIPL comment – no works / development will occur on the flood liable area of NT Portion 7652.

NOT APPLICABLE TO “Stage 2” SUBDIVISION

4.27 Zone FD – Future Development

Zone Purpose
Identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes.

DAS DIPL comment -
• the land was rezoned to Zone FD in 2012: https://nt.gov.au/__data/assets/pdf_file/0007/205963/amendment-212.pdf
• The "Kilgariff Area Plan" was updated in May 2019, the proposed subdivision works will occur within the "Kilgariff West" locality
• aside from civil works associated with the subdivision, no "development" is likely to occur until titles have been issued and the lots are rezoned to LR, LMR etc

Zone Outcomes

1. Subdivision and development responds to the Strategic Framework, and does not compromise existing or planned future development or infrastructure through its location and operation.

DAS DIPL comment –
• The proposed subdivision is consistent with the relevant parts of the Kilgariff West Concept Plan

2. Subdivision and development demonstrates that it does not prejudice the intended ultimate subdivision and future development.

DAS DIPL comment –
• The proposed subdivision is consistent with the relevant parts of the Kilgariff West Concept Plan

3. Subdivision and development demonstrates that infrastructure can be provided and funded in accordance with an approved plan for infrastructure and will be to a standard that satisfies the requirements of the responsible service authority.

DAS DIPL comment –
• Reticulated water supply, electricity and sewerage services will be connected to the subdivision and this will need to be done in accordance with the Power and Water Corporation's technical requirements.
• Comments received (dated 06/08/2020) from the Land Development Unit (of DIPL) indicates that there is a "Kilgariff Subdivision Masterplan (Jacobs March 2020) for roads, drainage and services. The Land Development Unit has requested a number of conditions be included on any permit issued;
• Comment received from the Power and Water Corporation (dated 11/08/2020) has requested a "Master Services Plan" for the entire Kilgariff development to be submitted to PAWC for review/approval
• Comments from the Alice Springs Town Council have requested a "subdivision masterplan" including proposed location of future assets and connecting infrastructure be approved by Council prior to the construction of the subdivision.
• The "Kilgariff West Concept Plan" (within the Kilgariff Area Plan) indicates preferred locations of roads and storm water drainage infrastructure.

4. Interim development that is time limited may be established to ensure the land remains available for future development in accordance with the Strategic Framework.

DAS DIPL comment – Not Applicable. Development Application is for subdivision of land. It is likely that a rezoning application will be submitted prior to titles being issued for new lots and development will occur under the new zones (eg: LR or LMR etc).

5. Dwelling-community residence, dwelling-independent and home based business are provided with an appropriate level of services and infrastructure.

DAS DIPL comment – Not Applicable. Application is for subdivision of land. It is likely that rezoning application will be submitted prior to titles being issued for new lots.
6. Development:
   (a) supports the needs of the immediate community;
   (b) is of a scale and intensity compatible with the character and amenity of the area;
   (c) minimises impacts on sensitive environments;
   (d) avoids adverse impacts on the local road network; and
   (e) is managed to minimise unreasonable impacts to the amenity of surrounding land.

DAS DIPL comment – Application is for the "subdivision" of land. No "development" is likely to occur until after titles issued.

7. Development does not impose unsustainable demands on surface water and groundwater.

DAS DIPL comment – will comply, reticulated water and sewerage services will be connected to the subdivision.

8. Subdivision design is informed by land suitability assessment to confirm the land is able to support the intended future development.

DAS DIPL comment –
   • a "Land Suitability Assessment" was not included with the Development Application.
   • The suitability of the land for residential subdivision was assessed prior to the:
     o Rezoning (to FD) being approved in 2012 (Amendment 212 to the NT Planning Scheme 2007).
     o Kilgariff Area Plan being introduced into the NT Planning Scheme 2007 in 2010 (Amendment 133) and subsequent updates in 2012 (Amendment 213) and 2019 (Amendment 520).
   • Comments received (dated 06/08/2020) from the Land Development Unit (of DIPL) indicates that there is a "Kilgariff Subdivision Masterplan (Jacobs March 2020) for roads, drainage and services. The Land Development Unit has requested a number of conditions be included on any permit issued.

9. Development is provided with an appropriate level of services and infrastructure. If reticulated sewerage is unavailable, lots are suitable for the on-site disposal of effluent in a manner that does not pollute ground or surface waters.

DAS DIPL comment – will comply, reticulated electricity, water and sewerage services and NBN will be connected to the subdivision. Public transport (bus) services will be available to Kilgariff upon completion of future stages.

10. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.

DAS DIPL comment – Not Applicable. Development Application is for subdivision of land.

MAY COMPLY

PART 6 - SUBDIVISION AND CONSOLIDATION REQUIREMENTS

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 1.10 provides for the Consent Authority to exercise discretion in making a decision on a development in particular circumstances.
6.1 Preliminary

1. Unless otherwise specified by the Planning Act 1999, Regulations or the provisions of Part 1 of this Scheme the subdivision and consolidation of land requires consent.

DAS DIPL comment – Development Application PA2020/0219 is seeking consent to subdivide the land.

6.5 Subdivision in Other Zones

6.5.1 Subdivision in Zone FD

Purpose

Provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future development of the land envisaged in the strategic framework.

DAS DIPL comment –
- Strategic Framework (Part 2 of the NT Planning Scheme 2020) relevant to the subject site is the Alice Springs Regional Land Use Plan and the Kilgariff Area Plan (May 2019)
- The proposed subdivision (Development Application PA2020/0219) is considered to be compatible with the guidance provided in the Strategic Framework.

Administration

1. The consent authority may consent to a subdivision that is not in accordance with sub-clauses 3 or 4, only if it is satisfied the subdivision is consistent with the purpose of this clause.

2. An application for subdivision in accordance with sub-clause 4 must include a proposed zoning plan that identifies the intended future zoning.

DAS DIPL comment – Complies

An updated drawing provided by the applicant (04/09/2020) shows:
- 10 x Zone LMR (Low-Medium Density Residential) lots;
- The “public open space” and drainage reserves will be zoned PS (Public Open Space)
- The remainder of residential lots will be zoned LR (Low Density Residential)

Requirements

3. The minimum lot size is 50ha.

DAS DIPL comment – does not comply, however, sub-clause 4 of Clause 6.5.1 of the Scheme applies.

Residential lot sizes will range from 550m² to 1640m².

It is anticipated that a Planning Scheme Amendment (rezoning) application will be submitted for consideration/approval prior to titles being issued for the new lots.
The remnant parcel (balance of NT Portion 7652) will remain zoned FD and R (Rural) and that area is greater than 50ha (~430ha)

4. **Despite sub-clause 3, subdivision may create lots consistent with the intended future zoning if it:**

   (a) **complies with the relevant subdivision requirements of the intended future zone;**

   DAS DIPL comment –

   The intended future zoning of the new lots (once titles are issued) will be:
   - LR (Low Density Residential)
   - LMR (Low-Medium Density Residential)
   - PS (Public Open Space)
   - FD (Future Development) – remnant / eastern area of NT Portion 7652

   Relevant subdivision requirements for the intended future zones are:
   - Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
   - Clause 6.2.2 (Lots Less Than 600m$^2$ for Dwellings-Single)
   - Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
   - Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

   Refer to the assessment / discussion in clauses below:

   (b) **is generally in accordance with an area plan or other relevant component of the strategic framework; and**

   DAS DIPL comment: Complies – the proposed subdivision is consistent with the guidance provided in the:
   - Alice Springs Regional Land Use Plan 2016
   - Kilgariff Area Plan (which includes the Kilgariff West Concept Plan)

   (c) **services are, or can be, made available to that land.**

   DAS DIPL comment: can comply – reticulated electricity, water supply, sewerage services will be connected to the new lots. Telecommunications (NBN) services are also available. PAWC & ASTC have requested a services "master plan" be submitted for consideration / approval prior to works commencing.
6.2 Subdivision in Zones LR, LMR, MR and HR

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

Purpose

Ensure that subdivision of land for urban residential purposes creates lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

Administration

1. The consent authority must not consent to a subdivision that reduces a lot size by an area greater than 5% of the minimum specified in Table A to this clause:
   (a) in Zone LR; or
   (b) in Zones LR and MR in Alice Springs and adjacent zoned areas.

DAS DIPL comment –

See assessment against sub-clause 5 of Clause 6.2.1 below.

The land is currently zoned FD. Clause 6.2.2 (Lots Less Than 600m$^2$ for Dwellings-Single) is relevant to the (intended) Zone LR lots under 800m$^2$.

2. The consent authority must not consent to a subdivision in Zone LMR that is not in accordance with Table A to this clause.

DAS DIPL comment – Complies. Lot sizes (proposed LMR parcels) will all be over 300m$^2$

3. The consent authority may consent to a subdivision in Zone LR, MR or HR that is not in accordance with Table A to this clause only if it is satisfied that all lots created are consistent with the purpose of this clause and the zone purpose and outcomes.

DAS DIPL comment – Not Applicable. Proposed lots will comply.

4. The consent authority may consent to a subdivision that is not in accordance with sub-clauses 5-12, only if it is satisfied the subdivision is consistent with the purpose of this clause and the zone purpose and outcomes.
**Requirements**

5. *Land is to be subdivided in accordance with Table A to this clause.*

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum Lot Size</th>
<th>DAS DIPL comment</th>
</tr>
</thead>
</table>
| LR in greenfield areas identified for compact urban growth in the strategic framework | Average of 600m² and no smaller than 450m² | Complies  
  *Average lot size of the 78 x LR zoned lots is 804.95m²*  
  *32 lots will be less than 800m²*  
  *Smallest LR zoned lot is 550m² (Lot 87)* |
| LR other than greenfield areas identified for compact urban growth in the strategic framework | 800m² | N/A |
| LR, MR, HR and lots for **residential buildings** in Zone T | 800m² | N/A |
| LMR | 300m² | **Complies**  
  *Smallest LMR zoned lot will be 908.3m² (Lot 22)*  
  *Average lot size of the 10 x LMR zoned lots will be 1169.8m²* |

The subject site is a Greenfield area and the Kilgariff Area Plan identifies Kilgariff West for compact urban growth:

- **section 2** – Kilgariff will be structured around compact neighbourhoods that are safe, efficient and adaptable.  
  viii: *Development density is consistent with targets shown on concept plans so as to achieve compact walkable neighbourhoods.*
- **section 5.2** – promote **neighbourhoods that are compact, safe and walkable.**

The land is currently zoned FD, Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single) is relevant to the (intended) Zone LR lots under 600m².

Proposed residential lot sizes will comply with the Table to Clause 6.2.1.

Land zoned PS (Public Open Space) is not mentioned in "Table A" and there is no performance criteria listed in Part 6 of the NT Planning Scheme 2020.

**COMPLIES**
6. **Lots are to conform with the building envelope requirements in Table B to this clause.**

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Minimum Building Envelope Requirement</th>
<th>DAS DIPL comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>300m$^2$ to less than 450m$^2$</td>
<td>7m x 15m (exclusive of any boundary setbacks or service authority easements)</td>
<td>Not Applicable (smallest residential lot size will be 550m$^2$)</td>
</tr>
<tr>
<td>450m$^2$ to less than 600m$^2$</td>
<td>8m x 15m (exclusive of any boundary setbacks or service authority easements).</td>
<td>Complies</td>
</tr>
<tr>
<td>600m$^2$ and greater</td>
<td>17m x 17m (exclusive of any boundary setbacks or service authority easements)</td>
<td>Proposed Lots 1 to 80 (inclusive)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• No easements shown on drawings (infrastructure is likely to be constructed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Building Envelope plans were not included with the Development Application</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• The typical dimensions of these lots ~ &gt;20m x ~35m should be able to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Updated / detailed drawings can confirm this.</td>
</tr>
</tbody>
</table>

**SHOULD COMPLY – building envelope plan/s will confirm**

7. **Lots have sufficient area and appropriate dimensions to provide for the proposed density of developments including dwellings, vehicle access, parking and ancillary buildings.**

DAS DIPL comment:
- The proposed lots under 600m$^2$ will comply (refer to assessment against Clause 6.2.2)
- Subject to demonstration that building envelop dimensions will comply, the allotment dimensions are considered suitable for a “dwelling-single” on each Zone LR allotment. LMR allotments will also comply.
- The application includes an assessment prepared by a registered architect (dated 28/05/2020) regarding, amongst other things, the lot sizes, orientation and dimensions of allotments within Stage 1 of Kilgariff (which are similar to what is proposed for the Stage 2 subdivision).

8. **There are no battle-axe lots.**

DAS DIPL comment: Complies

9. **Lots are oriented to allow dwellings to take advantage of environmental conditions such as prevailing breezes and sunlight.**

DAS DIPL comment:
- Expected to Comply

The application includes an assessment prepared by a registered architect (dated 28/05/2020) regarding, amongst other things, the lot sizes, orientation and dimensions of...
allotments within Stage 1 of Kilgariff (which are similar to what is proposed for the Stage 2 subdivision).

The prevailing wind direction for Alice Springs is from the east.

10. **Lots are connected to reticulated services.**

   DAS DIPL comment: complies – reticulated (Power and Water Corporation) electricity, water supply, sewerage services will be connected to the new lots. Telecommunications (NBN) services are also available.

11. **Potential land use conflicts are minimised by taking account of the visual and acoustic privacy of residents.**

   DAS DIPL comment: Complies – there are no commercial or other non-residential uses established within the Kilgariff locality. Fencing will eventually be installed on the shared boundaries of public open space and residential lots.

12. Where there are lots for medium and higher density residential development, those lots are:
   (a) distributed in small groups serviced by public transport;
   (b) in close proximity to **public open space** and with **adequate access** to community facilities and services; and
   (c) not located in a cul-de-sac.

   DAS DIPL comment: there will be 10 x LMR (Low-Medium Density Residential) zoned lots within the subdivision. No "medium" (Zone MR) or "higher" (Zone HR) lots are proposed.

   The proposed Zone LMR lots are generally compliant with this clause noting that public transport and community facilities are yet to be established within the suburb of Kilgariff.

### 6.2.2 Lots Less Than 600m² for Dwellings-Single

#### Purpose

Ensure the subdivision of land to lots of less than 600m² will allow residential development that minimises impact on amenity and the functionality of the street infrastructure.

DAS DIPL comment: proposed Lots 81 to 87 (inclusive) will have areas less than 600m²

#### Administration

1. **The consent authority must not consent to a subdivision that is not in accordance with sub-clauses 3 and 4.**

2. **An application must provide plans to demonstrate the requirements of sub-clause 4.**

   DAS DIPL comment – the application included drawings (dated 06/07/2020, prepared by Susan Dugdale & Associates) showing this information (for proposed Lots 82-87).

   Diagrams specific to proposed Lots 80 to 81 have not been provided, however, the proposed lot sized and dimensions are similar to those of Lot 82

   **COMPLIES**
3. **Lots subject to this clause shall not have a boundary to any public road less than specified in the table to this clause.**

<table>
<thead>
<tr>
<th>Range of Lot Size</th>
<th>Minimum length of any Boundary to a Public Road</th>
<th>DAS DIPL COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>300m² to less than 450m²</td>
<td>10m</td>
<td>Not Applicable (smallest residential lot size will be 550m²)</td>
</tr>
<tr>
<td>450m² to less than 600m²</td>
<td>13m</td>
<td>Lot 80 16.6m Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot 81 17m Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot 82 17m Complies</td>
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<td>Lot 83 17m Complies</td>
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<td>Lot 84 17m Complies</td>
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<tr>
<td></td>
<td></td>
<td>Lot 85 17m Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot 86 17m Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot 87 15.7m Complies</td>
</tr>
</tbody>
</table>

**DAS DIPL comment** – complies - Lots 80-87 each have frontage to only one public road and boundary lengths comply.

4. **The site layout of lots subject to this clause is able to comply with the purpose of this clause and the development requirements for vehicle parking (5.2.4), building setbacks (5.4.3 and 5.4.3.3) and private open space (5.4.6).**

**DAS DIPL comment** –
- proposed Lots 81 to 87 (inclusive) will have areas less than 600m²
- the application included drawings (dated 06/07/2020, prepared by Susan Dugdale & Associates) showing this information (for proposed Lots 82-87).
- Diagrams specific to proposed Lots 80 to 81 have not been provided, however, the proposed lot sized and dimensions are similar to those of Lot 82
- The diagrams were prepared with reference to the old Scheme (NT Planning Scheme 2007) nonetheless, the dimensions / layouts shown will comply with the specified clauses in the NT Planning Scheme 2020

**COMPLIES**

6.2.3 **Site Characteristics for Subdivision in Zones LR, LMR, MR and HR**

**Purpose**

*Ensure that the subdivision of land provides lots suitable for urban residential purposes that respond appropriately to the physical characteristics of the land and does not detrimentally impact on surrounding land.*
Administration

1. The consent authority may consent to a subdivision that is not in accordance with sub-clauses 2-6, only if it is satisfied the subdivision design is consistent with the purpose of this clause.

DAS DIPL comment: it is considered that the proposed subdivision complies with sub-clause 2-6 (see assessment below).

Requirements

2. Avoid the development of land of excessive slope, unstable or otherwise unsuitable soils (e.g. seasonally waterlogged) and natural drainage lines.

DAS DIPL comment: complies – the development site is without significant gradient or natural drainage lines.

3. Ensure, by site selection or site grading, that areas intended for lots less than 600m² do not slope in excess of 2%, such that the need for on-site stormwater structures, retaining walls and the like is minimised.

DAS DIPL comment: complies – the development site (Stage 2 residential lots) is without significant gradient (less than 2%) or natural drainage lines. No contours / civil works drawings were included with the application, however the drainage design appears to be generally consistent with the Kilgariff West Drainage Framework Plan (referred to in the Kilgariff Area Plan).

4. Retain and protect significant natural and cultural features.

DAS DIPL comment: complies – there are no significant natural or cultural features within the “Stage 2” subdivision area (western end of NT Portion 7652).

5. Avoid development of land affected by a 1% AEP flood or storm surge event.

DAS DIPL comment: complies – the subject area (of the residential subdivision) is not liable to inundation in a 1% AEP Defined Flood Event.

6. Retain and protect natural drainage lines and any distinctive landform features or stands of natural vegetation and incorporate them into public open space.

DAS DIPL comment: complies

6.2.4 Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR

Purpose

Ensure that subdivision of land for residential purposes is appropriately integrated with infrastructure, community services and facilities.

Administration

1. The consent authority may consent to a subdivision that is not in accordance with sub-
This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 1.10 provides for the Consent Authority to exercise discretion in making a decision on a development in particular circumstances.

Requirements

2. Provide a high level of internal accessibility and external connections for pedestrian, cycle and vehicle movements.

DAS DIPL comment: the application includes a preliminary “pedestrian and cycle” network drawing (prepared by Clouston Associates) which shows pathways (pedestrian / bicycle) designed in accordance with Alice Springs Town Council standards and connections to Stage 1 of Kilgariff as well as linkages to public open space, the Stuart Highway and Colonel Rose Drive.

The local roads within the Stage 2 subdivision will connect to “Stage 1” and Colonel Rose Drive.

COMPLIES

3. Provide links to schools, commercial facilities and public transport services.

DAS DIPL comment: these facilities / services are not yet established within the suburb of Kilgariff, however, the proposed road and footpath infrastructure within the Stage 2 subdivision layout will provide links to the locations identified within the Kilgariff Area Plan as being preferred areas for commercial facilities and public transport.

COMPLIES

4. Provide traffic management to restrain vehicle speed, deter through traffic and create safe conditions for all road users.

DAS DIPL comment – the proposed local road arrangement is consistent with the detail shown within the Kilgariff Area Plan. The hierarchy / arrangement of the roads and positions of roundabouts etc are likely to deter through traffic / “rat running” between Colonel Rose Drive and the Stuart Highway.

COMPLIES

5. Incorporate street networks capable of accommodating safe and convenient bus routes with stops within a 400m radius of a majority of dwellings.

DAS DIPL comment – service authorities have not commented on this aspect of the proposed subdivision. No public/school bus service (route) is available to Kilgariff, however, it is envisaged that Welton Parade will ultimately accommodate bus stops.

6. Provide for connection to reticulated services.

DAS DIPL comment: complies – reticulated (Power and Water Corporation) electricity, water supply, sewerage services will be connected to the new lots. Telecommunications (NBN) services are also available.

COMPLIES
7. **Provide a minimum of 10% of the subdivision area as public open space which:**

DAS DIPL comment:

- The NT Planning Scheme 2020 definition of "public open space" is - *outdoor spaces that are generally accessible to the community and provide for a range of sport, recreation, cultural, entertainment or leisure pursuits*;

- The combined area of NT Portion 7655 (3.41ha) and NT Portion 7652 (447ha) is 450.41ha.

- The application is for Stage 2 of the much larger Kilgariff suburb. This application generally accords with the Kilgariff Area Plan.

- For the purposes of assessment of this development application, the "subdivision area" is considered to be approximately ~11.55ha. This calculation does not include the proposed drainage reserves (trunk drains adjacent to the Stuart Highway and Colonel Rose Drive.

- 10% of 11.55ha (the "subdivision area") = 1.15ha

- “Stage 2A” of the subdivision will include a 4015.1m² area of “public open space” (neighbourhood park on Lot 1002) which equates to 3.47% of the ‘subdivision area’. It should be noted that drainage reserves within the subdivision area (which will also be zoned Public Open Space) total 6991.4m², if this were included in the calculations, 9.52% of the subdivision area (for Stage 2) would be public open space.

- The overall Kilgariff suburb (as shown on the Area Plan) will achieve the necessary public open space upon completion.

(a) **ensures the majority of dwellings are within 400m walking distance of a neighbourhood park:**

DAS DIPL comment - all residential lots within Stage 2 will be <290m² of the neighbourhood park (Lot 1002).

COMPLIES

(b) **incorporates recreational open space in larger units available for active leisure pursuits;**

DAS DIPL comment – the design of the neighbourhood park will comply.

COMPLIES

(c) **is unencumbered by drains and has sufficient flat area for informal recreation; and**

DAS DIPL comment – the design of the neighbourhood park will comply.

COMPLIES
(d) is designed to provide a safe environment for users by allowing clear views of the open space from surrounding dwellings or passing vehicles.

DAS DIPL comment – the design of the neighbourhood park will comply.

COMPLIES
I am interested in the progress of this application.
why are the blocks smaller? is there going to be public housing out there, I hope not. is there going to be shade on the playground as there's none on the first one

thanks
Planning Coordinator  
Development Assessment Service  
GPO Box 1680,  
Darwin NT 0801  

Dear Planning Coordinator,

RE: DEVELOPMENT APPLICATION PA2020/0219 – SUBDIVISION TO CREATE 87 LOTS IN 2 STAGES

Thank you for providing an opportunity for Land Development of the Land and Planning Division of the Department of Infrastructure, Planning and the Logistics (DIPL) to comment on the above Planning Application (PA2020/0219) lodged by Master Plan and Land Development Corporation.

The Lands and Planning Division of DIPL notes that the Alice Spring Town Council (ASTC) is the approving authority for the design and construction of roads and drainage within Kilgariff Stage 2, including for any works affecting Colonel Rose Drive, and that these elements will vest with Council on Part V clearance.

The Lands and Planning Division has the following interests in the works associated with Kilgariff Stage 2:

i. The Lands and Planning Division controls the major perimeter trunk drain to the south and west of Stage 2 and is interested in assuring works to Stage 2 do not adversely impact this drain including from stormwater outfalls or activities that may reduce infiltration, flow capacity or cause erosion/sedimentation.

ii. The Lands and Planning Division is in the process of transferring Stage 1 of Kilgariff to ASTC however is currently the asset owner and is interested in assuring works to Stage 2 do not adversely impact on Stage 1 infrastructure or residents.

iii. The development area within Kilgariff West remaining after development of Kilgariff Stage 2, as identifiable on the Kilgariff West Area Plan, is under the control of the Lands and Planning Division and it is interested in assuring that works to Kilgariff Stage 2 do not adversely impact the future development of this area in accordance with the Kilgariff Area Plan and in accordance with the Kilgariff Subdivision Masterplan (Jacobs March 2020) for roads, drainage and services.

To protect these interests, the Territory requests the following Conditions are incorporated into the Development Permit:

Conditions Precedent

1. Prior to the endorsement of plans and prior to the commencement of works, the Developer is to demonstrate to the satisfaction of the Lands and Planning Division:
   a. the roads, stormwater drainage and pedestrian/cycle path works proposed are consistent with the Kilgariff Subdivision Masterplan (Jacobs March 2020) for the full development and that any variances do not adversely impact on the development of future stages.
   b. the drainage works proposed are consistent with the Kilgariff West Drainage Framework Plan of the Kilgariff Area Plan and that any variances do not adversely impact on the development of future stages, including catchment areas, catchment flows, drain invert levels, road levels and lot fill levels at the interface with future stages.
2. Prior to the commencement of works, detailed design documentation for the stormwater drainage infrastructure connections to the existing southern and western perimeter trunk drainage infrastructure and for any other works that are within the drainage reserve or which may impact the drainage reserve (including relating to public safety and where allotments are not graded to drain towards an adjacent servicing road) shall be submitted to and approved by the Lands and Planning Division.

3. Prior to the commencement of works, detailed design documentation for any works that interface with or impact the existing Kilgariff Stage 1 infrastructure shall be submitted to and approved by the controlling authority for Kilgariff Stage 1, being Lands and Planning Division (Land Development Unit) or ASTC as appropriate at the time.

General Conditions

4. Prior to commencing any works that may impact Kilgariff Stage 1, a dilapidation report is to be prepared to document the current condition of all infrastructure that may be impacted by the Kilgariff Stage 2 works.

5. No sediment from the development site is to enter the Lands and Planning Division controlled perimeter trunk drainage infrastructure. If it is evident that sediment has entered this stormwater drainage infrastructure, the Developer is to remove all sediments/debris to the satisfaction of the Lands and Planning Division.

6. No construction vehicles are to access or track through or within the perimeter trunk drain. No works are to occur within the perimeter trunk drain that may impact on stormwater infiltration into the drain substrate.

7. All works to be carried out within or impacting the southern and western perimeter trunk drainage reserve are to be constructed in accordance with the detailed design documentation (engineering design drawings, specification and design report) provided with 'Permission to Use' by the Lands and Planning Division, excepting as varied with the approval of Lands and Planning Division. All such construction works are to be certified by suitably qualified persons and be documented (testing results and 'As Constructed' drawings) to the satisfaction of the Lands and Planning Division and at no cost to the NTG.

8. All works to be carried out within or impacting Kilgariff Stage 1 are to be constructed in accordance with the detailed design documentation (engineering design drawings, specification and design report) provided with 'Permission to Use' by the controlling authority for Kilgariff Stage 1, being Lands and Planning Division (Land Development Unit) or ASTC as appropriate at the time. All such construction works are to be certified by suitably qualified persons and be documented (testing results and 'As Constructed' drawings) to the satisfaction of the controlling authority and at no cost to the NTG.

9. Upon completion of works within or impacting upon the southern and western perimeter trunk drain or other Territory Controlled Land, any damaged or affected infrastructure or landscaping shall be rehabilitated to the standards and requirements of the Land and Planning Division. Any authorised construction access through the trunk perimeter drain shall be removed and the area rehabilitated to achieve the pre-construction drain levels and infiltration.

10. Upon completion of works within or impacting upon Kilgariff Stage 1 any damaged or affected infrastructure or landscaping shall be rehabilitated to the standards and requirements of the controlling authority for Kilgariff Stage 1, being Lands and Planning Division (Land Development Unit) or ASTC as appropriate at the time.
Notes:
1. Lands and Planning Division will not approve construction access through the existing residential area of Kilgariff Stage 1, while these roads are under Lands and Planning Division control.

Should you have any questions please do not hesitate to contact James Li on 8924 7553.

Yours sincerely,

[Signature]

Graeme Finch
Senior Director, Land Development
6 August 2020
29 July 2020

Benjamin Taylor
Senior Planner / Development Assessment Services
PO Box 2130
Alice Springs NT 0871

Dear Benjamin

Re: ALICE SPRINGS - NT PORTION 7652 AND 7655 - 0 KILGARIFF & 155 COLONEL ROSE DRIVE
KILGARIFF - KILGARIFF SUBDIVISION STAGE 2 TO CREATE 82 LOTS - LDC – DAS

I refer to the Development Assessment Services’ correspondence PA2020/0219 on 16 July 2020.

I am pleased to advise that the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics has no objections in principle to the above mentioned development, subject to the following comments and requirements:

1. A Traffic Impact Report in accordance with the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development is required for the proposed stage two of the subdivision. The report must detail the development’s traffic generation / trip distribution according to the current trip generation guidelines and survey data, traffic operation impact, the nature and timing of impacts, and recommended measures required to accommodate and/or mitigate the traffic impacts of the development, including construction traffic. All road sections and/or intersections where traffic generated by the development increases the existing traffic, existing proportion of heavy vehicle traffic or equivalent standard axles (ESAs) by 5% or more must be assessed. The impacts of the development on public transport facilities, pedestrian and cycle facilities shall also be assessed.

   The Transport and Civil Services Division may provide further comments upon receipt of the Traffic Impact Report.

2. All proposed work (including the provision or connection of services) within, or impacting upon the Stuart 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 Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.

   Design documents must be submitted to the Director Corridor Management, Transport and Civil Services Division for Road Agency Approval, irrespective of approvals granted by other authorities e.g. Power & Water Corporation. No works within, or impacting upon the Northern Territory Government road reserves are to commence prior to gaining Road Agency Approval.

   Note that a Development Permit issued under the Planning Act is not an approval for access onto a Territory Road. Approval for access to be taken from, or constructed within the Northern Territory Government controlled road reserve rests solely with the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics as the approving Road Authority.

3. The Developer, his/her Contractor is required to obtain a “Permit to Work within Northern Territory Government Road Reserves” prior to the commencement of any works within the Stuart Highway road reserve.

4. All works within the proposed new subdivision road reserves, including the construction / extension of existing local roads, shall be to the standards and requirements of the Alice Springs Town Council.
5. Any new road reserves (distributor, collector or local roads) created via this subdivision shall be vested with the relevant local authority and shall be noted on the survey plan as such. The NT Government will not accept new distributor, collector or local roads in the existing local government areas.

6. A Construction Traffic Management Plan (detailing all appropriate site management measures, including construction access, proposed haulage routes, vehicle types, protection of existing assets, protection of public access and a risk assessment) and / or an Operational Traffic Management Plan (detailing access routes, vehicle types and other relevant matters, including a risk assessment) shall be submitted to the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics for consideration prior to commencement of any works.

7. Where unfenced, the Stuart Highway frontage is to be appropriately fenced in accordance with the Transport and Civil Services Division's standards and requirements to deter unauthorised vehicular movement. Any gates provided are to be fixed to open inwards only.

8. Upon completion of any works within the Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.

9. The developer shall ensure that the stormwater run-off from the development site is collected and appropriately discharged into a local stormwater drainage system to the standards and approval of the Alice Springs City Council, the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics, the Department of Environment and Natural Resources.

The stormwater drainage design submitted for Road Agency Approval shall include an assessment of the potential increased stormwater run-off based on the full development potential of the proposed subdivisonal area, and impact on existing downstream stormwater drainage systems. The Developer must demonstrate that the proposed subdivision will not create a hazard to public safety by worsening flooding of existing properties and emergency access along public roads in a major storm event.

10. The installation of any services or service connections within the Stuart Highway road reserve is subject to Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics approval. All service related works are to be contained within the appropriate Nominal Service Corridor (refer Standard Drawing CS-3001)

11. Any new intersection with Stuart Highway is subject to Road Safety Audits in accordance with the Department's Policy "Road Safety Audits".

12. The clearing and future use of the land shall not be detrimental to the drainage of the Stuart Highway road reserve through the blocking of offlet drains, natural drainage channels or overland flow. Alternative proposals to cater for the above may be considered by this Department.

13. Stormwater drainage shall be designed to minimise disturbance to the environment and natural drainage patterns. The Developer must demonstrate that the proposed subdivision will not create a hazard to public safety by worsening flooding of emergency access along/ causing flooding of Stuart Highway road reserve in a major storm event.
Should you wish to discuss the above mentioned further, please contact Corridor Access at the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics on telephone 8924 7280.

Please quote the TCSD Project No 2020-0127 in all correspondence.

Yours sincerely

Bruce Michael
Executive Director, Transport Planning
Dear Sir/Madam,

**PA2020/0219**

**DATE:** 23 July 2020

Survey Land Records has several comments regarding the Planning Application PA2020/0219.

It is noted that the second stage subdivision states 87 new parcels to be created, however on the subdivision plan (attachment D) within the application, there are more than 87 parcels (92 parcels shown). Please confirm the parcels that will be created.

The subdivision also contains several proposed roads. For these roads to be officially named please contact Place Names Unit. Once the roads have been named and opened as road, Survey Land records will be able to assign street addressing to the development on data allocation according to the Australian/New Zealand Standard.

Please be aware that there may be survey marks within the area, if any of these become disturbed please advise Survey Land Records.

Kind Regards

Survey Land Records
PROPOSED DEVELOPMENT – NT PORTIONS 7652 & 7655, 155 COLONEL ROSE DRIVE

I refer to the letter from the Authority dated 16/07/2020 (reference PA2020/0219) regarding a development permit application for a **Subdivision to create 87 lots in 2 stages.**

**Local authority matters**

This application has been assessed on the technical requirements in regard to access, potential impact to Council infrastructure, potential consideration of asset handover and drainage only. Further broader comments may be provided as a result of Council’s assessment of the application or by Council’s representative at the Consent Authority meeting.

**Service authority matters**

The present application has been reviewed against Council’s technical requirements for developments and the premise that all building construction should comply with the relevant Australian Standards and Austroads Guidelines.

**Observations:**

1. *This application is for stage 2 of the Kilgariff Estate Subdivision along the corner of Colonel Rose Drive and Stuart Highway with a potential to impact services to allotments using access via Colonel Rose Drive.*

2. *It is likely that the development of Stage 2 of the Kilgariff Estate will result in increased use of the Colonel Rose Drive/ Stuart Highway intersection, triggering the need to provide an intersection of greater standard (in accordance with Austroads Guidelines).*

3. *Since the construction of the previous stages (1A and 1B) a number of concerns raised with the previous developers and the principal regarding the infrastructure proposed for handover to Council have been acknowledged by Department of Infrastructure Planning and Logistics (DIPL). Due to the identification of existing site constraints and potential future serviceability issues from the constructed infrastructure, negotiations are underway between Alice Springs Town Council (ASTC) and DIPL to permit an acceptable handover of the subdivision assets.*
4. The NT Uniform Subdivision Guidelines including the regional specific variations adopted by ASTC, has been accepted as the guiding document. However, it is important that ASTC is involved for sign-off of Hold and Witness Points at the required stages during the construction of this subdivision.

5. The Kilgariff Masterplan is currently under negotiation between ASTC and DIPL.

Applying these references, Council recommends that the Authority include the following conditions in any Development Permit issued pursuant to the application:

1. A site-specific Stormwater Management Plan must be prepared and certified through an appropriately qualified Civil Engineer and submitted to Council for assessment and endorsement. The Stormwater Management Plan (SMP) must demonstrate that the proposed infrastructure complies with the relevant Australian Standards and the Northern Territory Government Subdivision Guidelines (incorporating the ASTC amendments). Specifically, the following requirements should be demonstrated:
   - Design Minor Storm to be 0.2EY, Design Major Storm to be the 1% AEP, with IFD data obtained for the site-specific location.
   - All stormwater calculations are to be undertaken utilizing DRAINS software, applying the ARR 2019 design procedures.
   - Flow widths in road carriageways to be kept to a maximum of 2.5m during the minor storm event, with a maximum Depth x Velocity of 0.4.
   - Flows upstream of an intersection to the local collector road shall be collected and directed to an underground system. There shall be no flow across the intersection.
   - Runoff during the Major Storm event is to be kept within the road and drainage reserves. The SMP shall demonstrate that all allotments will be immune from inundation during the Major storm event and that a safe vehicle egress for all allotments is available in accordance with ASTC requirements.
   - Minimum pipe size shall be 375mm RCP.

2. Prior to acceptance of underground assets such as stormwater pits and pipes, a complete CCTV inspection demonstrating the integrity of the system is required to the satisfaction of ASTC.

3. All public roads and corresponding infrastructure within the road reserve in the new subdivision intended to be vested to Council, must be designed and constructed to the current requirements specified in the Northern Territory Subdivision Guidelines (incorporating ASTC amendments); to the satisfaction of Director Technical Services, Alice Springs Town Council. Prior to construction or modification, the proposed design must be endorsed by Council, to facilitate a smooth handover process.

4. Appropriately spaced street lighting should be provided to Council requirements and lighting provided to the latest Power and Water authority requirements across the length of the street, the intersections and at the street ends. Lighting should be at P4 level or better, to support CPTED principles. As a minimum, all street lights must be connected and powered by the mains power network.

5. All open drains and corresponding assets such as stone pitched drains, culverts etc., within the new subdivision must be designed as per specifications in the Northern Territory Government Subdivision Guidelines (incorporating ASTC amendments); to the satisfaction of
Director Technical Services, Alice Springs Town Council. Prior to construction or modification, the proposed design must be endorsed by Council, to facilitate a smooth handover process.

6. This site will contribute significant stormwater runoff to the existing Colonel Rose Drive floodway located downstream of this site. As per numerous discussions between the developer and ASTC, this floodway is to be upgraded to ensure regular runoff events are conveyed underneath the road to safeguard the design life of the road surface and ensure the level of service for the resident of Connellan is maintained. The upgrade of this floodway shall form a part of the infrastructure required as part of the development of this stage of the estate. Detailed engineering drawings and associated calculations for this infrastructure shall be provided to ASTC for review and acceptance prior to the construction of the subdivision.

7. The Subdivision Masterplan including proposed location of future assets and connecting infrastructure must be endorsed and approved by ASTC prior to the construction of the subdivision.

8. All parks and open spaces within the new subdivisions shall be designed as per the specifications in the Northern Territory Government Subdivision Guidelines to the satisfaction of Director Technical Services, Alice Springs Town Council.

9. All kerb crossovers and driveways from the site boundary to the public street shall be subject to the approval of the Alice Springs Town Council and shall be provided to the requirements and satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to the Council.

10. Sight lines shall be provided at the junction between the means of ingress and egress to the site and any public roads and fencing constructed to comply with Subdivision Guidelines to the satisfaction of the Director Technical Services, Alice Springs Town Council. No fence, hedge or tree exceeding 0.6 metres in height shall be planted in front of the sight line.

11. A Traffic Report and Impact Statement prepared by a suitably experienced and qualified Traffic Engineer (with traffic volumes considered for the fully developed Kilgariff Estate) shall be provided to address:
   - Impact of the development on the existing Colonel Rose Drive
   - The appropriate intersection design for the access to the site from Colonel Rose Drive
   - The warrant for an upgrade to the existing intersection of Colonel Rose Drive and Stuart Highway.

12. A full suite of civil engineering drawings shall be provided to ASTC for engineering approval. Works shall not start on site until ASTC has provided endorsement of the appropriate engineering drawings.

13. The applicant must demonstrate how CPTED principles can be achieved for the proposed drainage reserve (lot 1000) and the micro reserve (lot 1001).

14. During the current negotiations between DIPL and ASTC, Council has requested 2 irrigated playing fields of 2 Ha each to be identified within the subdivision along with sporting infrastructure such as 4 x change rooms, medical room, umpires’ room, club house, public toilets, fields lit to 750LUX, shade structures, car park, portable grandstands etc. Identifying this within the masterplan with appropriate zoning is required to eliminate any doubt of the intended oval use within the community.

15. Prior to handover of the subdivision all construction documentation, approvals and clearances must be provided to council including relevant technical information such as:
• Compaction Test Results (pavements, fill within road reserve, trench backfill)
• Evidence of Proof Roll inspections at all pavement layers
• Material test sheets for all pavement materials
• Asphalt thickness survey
• Stormwater CCTV
• As-constructed survey
• Evidence of acceptance of infrastructure from PWC, NBN Co
• Certification from a Chartered Engineer confirming the works have been constructed to relevant Australian Standards and Guidelines.

Further technical observations may be provided by Council’s representative at any hearing of the application should such be deemed necessary.

Note:
I confirm that Council’s fee for assessment of this development application is the total of the Subdivision Plan Approval fee (0.75% of the value of infrastructure being handed to Council) + Subdivision Part 5 Inspection fee (0.75% of the value of infrastructure being handed to Council) + Development Assessment Fee for assessment and approval charged by the estimated hour; in addition to any charges incurred by Council in the pre-lodgement assessments or use of consultants; as per the current Alice Springs Town Council Municipal Plan. This Development Assessment Fee must be paid prior to Council undertaking any assessment/ works or inspections pursuant to the development permit upon issue or before a final clearance is sought.

If the Authority or the applicant would like to discuss this matter further, they should contact Manager Developments on 89500538.

Yours faithfully,

Scott Allen
DIRECTOR TECHNICAL SERVICES

Cc: Master Plan NT
c/o Mr. Joseph Stanley Sheridan
33/16 Charlton Court
Woolner NT 0820

Email: joes@masterplan.com.au
Dear Ben

Re: NT Portions 7652 and 7655, Kilgariff, Town of Alice Springs

In response to your letter of the above proposal for the purpose of a subdivision to create 87 lots in 2 stages, Power and Water Corporation advises the following with reference to electricity enquiries:

1. The Developer is responsible for the costs to design and to install adequate underground electricity reticulation to the newly zoned lots in accordance with Power and Water's Design and Construction of Network Assets Guidelines. An After Diversity Maximum Demand (ADMD) of 7 kVA per lot for single residential dwelling shall be used in the electrical design.

2. The Developer shall engage an accredited electrical consultant and contractor (only with relevant fields of experience from the attached recommended list) to design and construct the electricity network extension, as required, in consultation with Power and Water.

3. Power and Water shall check and approve the drawings for construction and carry out final connection at the Developer's cost.

4. Appropriate electricity easements for substation(s)/pillars shall be required, however this shall be established when a firm electrical design proposal is submitted by the Developer's consultant to Power and Water for approval.

5. The Developer shall install internal electricity reticulation in accordance with Power and Water's current Installation Rules, Service Rules and Metering requirements.

6. The Developer shall be responsible to provide the basic power supply or known maximum demand to each of the newly created lots in the subdivision.

7. Survey plan showing new title lot numbers and applicable electricity easement shall be submitted to Power and Water for updating current records.

The applicant/developer is required to contact and meet with the Power and Water Network Development Coordinator within one month of being issued a Development Permit to discuss applicable fees, possible complications and PWC requirements and conditions.
There are no objections to the proposed subdivision for NT Portions 7652 and 7655 Kilgariff, Town of Alice Springs, provided the above requirements are met at no cost to Power and Water.

If you have any further queries, please contact the undersigned on 8951 7302, or email richard.drummond@powerwater.com.au

Yours sincerely

Richard Drummond
Customer Connections Coordinator
22nd July 2020
POWER AND WATER CORPORATION (NT) - POWER SERVICES

DEVELOPER WORKS - GIFTED ASSETS

LIST OF OVERHEAD ACCREDITED ELECTRICAL CONTRACTORS

<table>
<thead>
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<th>Company Name</th>
<th>Contact Person</th>
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</tbody>
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DISCLAIMER:
Power and Water disclaims all liability for any damage or financial loss arising from the use or reliance upon the above consultant and contractor credentials.
The Developer must carry out suitable project checks from contractors' competence claimed in specific fields of expertise prior to making appropriate decision for engagement.

Specific fields of construction expertise are: Overhead Retention Construction (up to 22kV), Underground Retention Construction (up to 22kV).
11kV/22kV Indoor Ground Level Substation Construction, 11kV/22kV Indoor Upper Level Substation Construction, Street Lighting Construction.
## DEVELOPER WORKS - GIFTED ASSETS

**LIST OF ACCREDITED ELECTRICAL DESIGN CONSULTANTS**

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<td>GRAHAM HEASLIP</td>
<td>08 8442 0585</td>
<td><a href="mailto:grahamh@ashburnerfrancis.com.au">grahamh@ashburnerfrancis.com.au</a></td>
</tr>
<tr>
<td>5 Aurecon Australia (NT)</td>
<td>CLINT TEVLIN</td>
<td>0409 555 469</td>
<td><a href="mailto:clint.tevin@aurecongroup.com">clint.tevin@aurecongroup.com</a></td>
</tr>
<tr>
<td>6 BCA Engineers (NT)</td>
<td>SCOTT GILL</td>
<td>0419 098 533</td>
<td><a href="mailto:scottgill@bcacorners.com">scottgill@bcacorners.com</a></td>
</tr>
<tr>
<td>7 Bcec (NT)</td>
<td>BILL CHIN</td>
<td>0400 177 637</td>
<td><a href="mailto:bill.chin@blog.com.au">bill.chin@blog.com.au</a></td>
</tr>
<tr>
<td>8 Bestec (SA)</td>
<td>AARON GRIEGER</td>
<td>(08) 8232 4442</td>
<td><a href="mailto:agrieger@bestec.com.au">agrieger@bestec.com.au</a></td>
</tr>
<tr>
<td>9 Cell Engineering (NT)</td>
<td>NATHAN TING</td>
<td>0429 110 999</td>
<td><a href="mailto:nathan.ting@celling.com.au">nathan.ting@celling.com.au</a></td>
</tr>
<tr>
<td>10 Clarence Consultants (NSW)</td>
<td>MATTHEW KARPIK</td>
<td>(02) 8842 7239</td>
<td><a href="mailto:matthew@clarenceconsultants.com.au">matthew@clarenceconsultants.com.au</a></td>
</tr>
<tr>
<td>11 Enerven part of SA Power Networks (SA)</td>
<td>ROD MITCHELL</td>
<td>0427 580 219</td>
<td><a href="mailto:rod.mitchell@enerven.com.au">rod.mitchell@enerven.com.au</a></td>
</tr>
<tr>
<td>12 ERDS (QLD)</td>
<td>SHAY QUINN</td>
<td>(07) 3518 3100</td>
<td><a href="mailto:admin@erd.com.au">admin@erd.com.au</a></td>
</tr>
<tr>
<td>13 GHD (NT)</td>
<td>ANDREW SAELEBY</td>
<td>(08) 8922 0150</td>
<td><a href="mailto:andrew.saleby@ghd.com">andrew.saleby@ghd.com</a></td>
</tr>
<tr>
<td>14 PK Solutions (NT)</td>
<td>RICHARD OPPUSUNGI</td>
<td>0431 662 275</td>
<td><a href="mailto:richard.oppusun@pksolution.com.au">richard.oppusun@pksolution.com.au</a></td>
</tr>
<tr>
<td>15 Jacobs Group Australia (NT)</td>
<td>MARK POOLE</td>
<td>0407 798 756</td>
<td><a href="mailto:mark.poole@jacobs.com">mark.poole@jacobs.com</a></td>
</tr>
<tr>
<td>16 Lectel Consulting (QLD)</td>
<td>CHARLIE PERKINS</td>
<td>0404 688 537</td>
<td><a href="mailto:cp@lectel.com.au">cp@lectel.com.au</a></td>
</tr>
<tr>
<td>17 Lucid (NT)</td>
<td>KEVIN R SMITH</td>
<td>0413 017 591</td>
<td><a href="mailto:kevin.r.smith@lucidconsulting.com.au">kevin.r.smith@lucidconsulting.com.au</a></td>
</tr>
<tr>
<td>18 MDA Consulting (QLD)</td>
<td>MAURICE DUFFILL</td>
<td>(07) 3262 0660</td>
<td><a href="mailto:info@mdaengineers.com.au">info@mdaengineers.com.au</a></td>
</tr>
<tr>
<td>19 NTBS Consulting Engineers</td>
<td>KARL FORAN</td>
<td>(08) 8081 0888</td>
<td><a href="mailto:karl@ntbsconsulting.com">karl@ntbsconsulting.com</a></td>
</tr>
<tr>
<td>20 PCE Power Control Engineers (NSW)</td>
<td>BYRCE PARKER</td>
<td>0448 281 754</td>
<td><a href="mailto:byrce.parker@pceng.com.au">byrce.parker@pceng.com.au</a></td>
</tr>
<tr>
<td>21 Smec (QLD)</td>
<td>TERRY MCCAULEY</td>
<td>0457 821 034</td>
<td><a href="mailto:terry.mcauley@smec.com">terry.mcauley@smec.com</a></td>
</tr>
<tr>
<td>22 Trinamic Consultants (SA)</td>
<td>MILA KOT</td>
<td>(08) 8323 3737</td>
<td><a href="mailto:mila.kot@trinamic.com.au">mila.kot@trinamic.com.au</a></td>
</tr>
<tr>
<td>23 Wsp</td>
<td>COLIN VAN ECK</td>
<td>0413 707 068</td>
<td><a href="mailto:colin.vaneck@wsp.com">colin.vaneck@wsp.com</a></td>
</tr>
</tbody>
</table>

**DISCLAIMER:**

Power and Water at all liability for any damage or financial loss arising from the use or reliance upon the above consultant credentials. The Developer must carry out actual project checks from consultants' competency claims of specific fields of expertise prior to making appropriate decision for engagements. Specific fields of expertise are: Overhead 11kV/22kV Substation Design, Underground 11kV/22kV Substation Design, Overhead 11kV/22kV Servicing Development Design, Underground 11kV/22kV Servicing Development Design, 11kV/22kV Infeed Grouping Level Substation Design, 11kV/22kV Infeed Upper Level Substation Design, Overhead 66kV and above Transmission Lines Design, Underground 90kV and above Transmission Lines Design.
Dear Ben,

RE: PA2020/0219 - N.T. PORTION 07652 & N.T. PORTION 07655 - 155 COLONEL ROSE DR, KILGARIFF NT – SUBDIVISION TO CREATE 87 LOTS IN 2 STAGES

In response to your letter of the above proposal for development application purpose, Power and Water Corporation advises the following with reference to water and sewer enquiries:

1. Separate water services shall be provided to the new lots to the satisfaction of Power and Water. Duplex lots shall be provided with a single separate 25mm water service. Triplex lots shall be provided with a 50mm water service. All works are to be to the satisfaction of Power and Water, at no cost to Power and Water. Please submit plans for review/approval by Power & Water Corporation.

2. Large or deep Water and Sewerage infrastructure proposed within a road reserve, may require a suitably designed service allocation to ensure access to the infrastructure does not disturb other services. Please submit plans for review/approval by Power & Water Corporation. An easement may also be required into an adjacent lot to allow access for maintenance and reconstruction of the infrastructure. Lots with zero lot boundaries, that is, where building development is normally permitted up to the property boundary may be affected, by the prevention of building development. Please contact Services Development for size and location of the required easements and verification of service allocation.

3. Master Services Plan for the entire Kilgariff development to be submitted to Power & Water Corporation for review/approval.

4. Appropriate water supply easements for property water services sized 100mm and over shall be required. The size and location of the easements are to be determined by Power and Water. Please contact Services Development for size and location of the required easements and verification of service allocation.

5. Recycled Water: For the purposes of the subdivision please continue the single main down Welton parade, to the park and school/ovals. The main along the drain was not continued in stage 1B. There is no requirement for this section to be extended at this stage.

6. Sewer Pump Station: The current pump station is designed for a Peak wet weather Flow of 50L/s, ensure a buffer distance of min 40m is maintained from the nearest lot boundaries to the wet well.
Note that the inclusion of the additional lots on the NW corner of Stage 2 will prohibit future expansion of the pump station to receive sewerage from either airport land or the Kilgariff East (Eastern Side of St Marys Creek) Areas. Note that this expansion had previously been partially restricted due to the construction of the stormwater drain adjacent to the Pump Station.

The SPS has capacity for the 1842EP (50L/s PWWF) proposed in the Kilgariff West area as defined in the Jacobs Kilgariff Master Plan Report March 2019 T18-1198

The overflow storage capacity required for 1842EP is 183kL (3 hours PDWF, 16.95L/s) the current storage capacity is 56kL which is suitable for up to 570EP. The total expected EP of Kilgariff after the construction of stage 2A is in the order of 500. So the current storage capacity is sufficient to cater for stage 2A. Additional storage capacity will be required to be installed for future stages. We are open to options for staging of the construction of the remainder of the overflow storage, but suggest it may be most cost effective to construct it all at once in conjunction with Stage 2B.

Power and Water advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior to construction works commencing.

There are no objections to the proposed development application for Subdivision to create 87 lots in 2 stages (Stage 2A & 2B) – NT Portion 7234, Kilgariff Development Stuart Hwy, Alice Springs, provided the above requirements are met at no cost to Power and Water.

If you have any further queries, please contact the undersigned on 8951 7312, or email waterdevelopment@powerwater.com.au

Yours sincerely,

Karl Smith
Services Development

11th August 2020

cc: Mr Joseph Stanley Sheridan
email: joes@masterplan.com.au
Mr Ben Taylor  
Department of Infrastructure, Planning and Logistics  
PO Box 2130  
Alice Springs NT 0871  

Dear Mr Taylor  

Re: PA2020/0219 – NT Portions 7652 and 7655, Subdivision to create 87 lots in 2 stages  

The Department of Environment and Natural Resources (DENR) has assessed the information contained in the above application and provides the following comments:  

Rangelands Division  
Land Management Unit  
Based on desktop assessment, the Land Management Unit provides the following advice. The site consists of Stage 2 (A and B) of the Kilgariff Master Plan and is adjacent to Stage 1 (completed). Preparatory earthworks have been undertaken for Stage 2 and the site has been cleared of vegetation. No drainage features were identified within Stage 2 with Saint Mary's Creek located approximately 800m to the east (incorporated within the Kilgariff Master Plan). Slope across the site is generally 0-1%, with an associated low risk of water erosion (i.e. generated by runoff); however proposed works will likely increase this (noting the significant erosion issues associated with Stage 1 works). Furthermore, the site is located within the Alice Springs Erosion Hazard Area declared under the Soil Conservation and Land Utilisation Act 1969 and the subdivision works represent a high erosion risk for wind-generated dust (i.e. aeolian erosion). Should the application be approved, it is recommended that preparation and implementation of an Erosion and Sediment Control Plan (ESCP) be included as a condition on the development permit in accordance with the wording below.  

Condition Precedent  
Prior to the commencement of works, a Type 2A Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment and Natural Resources ESCP Standard Requirements 2019 available at https://nt.gov.au/environment/soil-land-vegetation. The ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP should be submitted for assessment and acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to the Department of Environment and Natural Resources via email: DevelopmentAssessment.DENR@nt.gov.au.
General Condition 1
All works relating to this permit must be undertaken in accordance with the endorsed Type 2A Erosion and Sediment Control Plan (ESCP) to the requirements of the consent authority. Should the endorsed Type 2A Erosion and Sediment Control Plan (ESCP) need to be amended, the revised ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to the Department of Environment and Natural Resources via email: DevelopmentAssessment.DENR@nt.gov.au.

General Condition 2
All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. For further information refer to Note 1 below. At completion of works, clearance should be sought from the Department of Environment and Natural Resources regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. To arrange a clearance site inspection, email the Land Development Coordination Branch at: DevelopmentAssessment.DENR@nt.gov.au.

Permit Note 1
Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and the Department of Environment and Natural Resources ESCP Standard Requirements 2019, and Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.

Permit Note 2
NT Portions 7652 and 7655 are located within the Alice Springs Erosion Hazard Area as declared under the Soil Conservation and Land Utilisation Act 1969. The landholder must not undertake activities that will cause or exacerbate erosion associated with wind or water and must manage groundcover to ensure effective dust control. For further information, contact the Land Development Coordination Branch: (08) 8999 4446.

Weed Management Branch
An assessment of the NT Weeds Database for NT Portions 7652 and 7655, surrounding areas and adjoining land tenures has revealed the following weed records.

<table>
<thead>
<tr>
<th>Common name</th>
<th>Botanical Name</th>
<th>Declared</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mexican poppy</td>
<td>Argemone ochroleuca</td>
<td>Class B</td>
</tr>
<tr>
<td>saffron thistle</td>
<td>Carthamus lanatus</td>
<td>Class B</td>
</tr>
</tbody>
</table>

The Weeds Management Act 2001 (the Act) enables the following weed declarations: Class A (to be eradicated); Class B (growth and spread to be controlled); and Class C (not to be introduced into the NT). All Class A and B weeds are also Class C.

All land in the Northern Territory is subject to the Act. Section 9 of the Act states that the owner and occupier of land must - (a) take all reasonable measures to prevent the land being infested with a declared
weed; and (b) take all reasonable measures to prevent a declared weed or potential weed on the land spreading to other land.

The proponent will need to ensure that any vehicles and machinery equipment used for the proposed subdivision and subsequent development are free of weeds, weed seeds, soil and vegetative materials prior to entering or exiting the site. Under the Act it is an offence to move or spread declared weeds off or within a site.

The Weed Management Branch may conduct random inspections of the area in the future to ascertain the weed status of this land and the surrounding land for the presence / absence of declared weeds as part of its regional weed surveys.

Further information about weed management requirements is available at https://nt.gov.au/environment/weeds/weed-management-planning. Alternatively contact the Weed Management Branch for further advice on (08) 8951 9210.

Environment Division
Environmental Assessment Branch
The application does not require referral for consideration under the Environment Protection Act 2019. The proponent is reminded to avoid and/or minimise potential environmental impacts of the proposed action.

To assist with management of the site during the construction period, it is recommended that the proponent prepare and implement an Environmental Management Plan (EMP) – including a Construction EMP and Operations EMP – to the applicable industry standard. Should the application be approved, it is recommended that this recommendation be included as a Note on the development permit; not a Condition.

Environmental Operations Branch
The Environment Division requests the inclusion of the following Note in any development permit to be issued for the above application, and that the Note should reference the Schedule of Environmental Considerations attached to this letter.

Note
There are statutory obligations under the Waste Management and Pollution Control Act 1998 (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste.

The proponent is required to comply at all times with the Act, including the General Environmental Duty under section 12 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website at https://ntepa.nt.gov.au/publications-and-advice/environmental-management.

The proponent is advised to take notice of the attached Schedule of Environmental Considerations.

The Act, administered by the NT EPA, is separate to and not reduced or affected in any way by other legislation administered by other departments or authorities. The Environmental Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be non-compliance with the Act.
Any queries in relation to Environment Division comments should be directed to Michael Browne, Planning Team Leader, on (08) 8924 4149 or by email via: eia.ntepa@nt.gov.au.

Should you have any further queries regarding these comments, please contact Maria Wauchope by email maria.wauchope@nt.gov.au or phone (08) 8999 3692.

Yours sincerely

Luis Da Rocha
Executive Director, Rangelands

6 August 2020
Attachment

Schedule of Environmental Considerations

PA2020/0219 – Kilgariff Stage 2 - Subdivision to create 87 lots in 2 stagesLot 2284 Hundred of Strangways NT Portions 7652 & 7655 155 Colonel Rose Dr, Kilgariff (Alice Springs)

Guidelines
Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website at: https://ntepa.nt.gov.au/publications-and-advice/environmental-management (Guidance for environmental management, monitoring and reporting).

Dust
The proposed construction activities have the potential to generate dust, particularly during the dry season. The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.

Noise
The proponent is to ensure that the noise levels from the proposed premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline available at https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf.

Erosion and sediment control
The proponent must ensure that no polluted and/or sediment-laden run-off is discharged directly or indirectly into drains or watercourses.

The proponent must ensure that soil erosion control measures are employed throughout the construction stage of the development in accordance with NT EPA publications: Guidelines to Prevent Pollution from Building Sites and Keeping Our Stormwater Clean, available at https://ntepa.nt.gov.au/waste-pollution/guidelines/guidelines.

Buffer Distances
To minimise the potential for environmental nuisance, the proponent should ensure the minimum recommended separation distances are established between sensitive receptors and activities that have the potential to cause environmental nuisance, including location of sewage pumping stations. The NT EPA Recommended Land Use Separation Distances is available at: https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf.
Fill
The proposed activities may have the potential to generate fill (waste material) and/or involve the importation of fill for use on-site.

Prior to the removal of fill (waste material) from the site, or the importation of fill onto the site, waste classification assessment is to be undertaken in accordance with NSW EPA Waste Classification Guidelines, Part 1: Classifying waste, 2014, and associated waste classification guidelines, available at:

All imported fill material must be virgin excavated natural material (VENM). The material must be accompanied by details of its nature, origin, volume, and transportation details.

All records must be retained and made available to authorised officers, upon request, to confirm compliance with the requirements of this approval and the Waste Management and Pollution Control Act 1998.

It is recommended that the applicant consider the NT EPA fact sheets:
- How to avoid the dangers of accepting illegal fill onto your land\(^1\)
- Illegal Dumping - What You Need To Know\(^2\).


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\(^1\) https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/285728/factsheet_avoid_danger_accepting_illegal_fill_to_your_land.pdf

Providing services for the
Northern Territory Environment Protection Authority
Erosion and Sediment Control Plan (ESCP) Procedures: August 2019

This factsheet has been prepared as an interim measure, pending publication of the Department of Environment and Natural Resources (DENR) Erosion and Sediment Control Plan Standard Requirements, to support ESCP processes primarily relating to the Planning Act 1999. For further information, contact the Land Development Coordination Branch (DENR) by telephone (08) 8999 4454 or email: DevelopmentAssessment.DENR@nt.gov.au

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**Type 1 ESCP:** Suitably Qualified Professional (ESCP is recommended, but non-statutory)

<table>
<thead>
<tr>
<th>Stage</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prepare ESCP</strong></td>
<td>Prior to commencement of works: Prior to commencement of works, prepare an ESCP in consultation with a suitably qualified professional who has been to site. Ensure all required materials are available and the ESCP does not conflict with other management plans (e.g. Stormwater, etc.) and that the ESCP design is suitable for the site. As the ESCP is non-statutory, it does not need to be submitted.</td>
</tr>
<tr>
<td><strong>Implement ESCP</strong></td>
<td>Development phase: Implement temporary controls in accordance with the ESCP schedule (e.g. site access, perimeter and drainage controls should be implemented prior to commencement of early works). Contact DENR if you require advice.</td>
</tr>
<tr>
<td><strong>Monitor &amp; Modify</strong></td>
<td>Regularly monitor the performance of controls during the development phase to ensure they are working effectively (i.e. erosion is not occurring and sediment is not leaving the site). Maintain controls as required, dispose of captured sediment appropriately and reinstate any damaged controls. Keep records to demonstrate due diligence in the event of control failure and compliance action.</td>
</tr>
<tr>
<td><strong>Final Stabilisation</strong></td>
<td>Completion of works: At completion of works all temporary controls should be removed and all permanent controls should be implemented. All surfaces should be stabilised against erosion (e.g. groundcover established, batters protected, etc.) and all landscaping and rehabilitation works satisfactorily completed. Ensure all loose sediment is removed from site and disposed of appropriately (e.g. sweep sediment off the road, do not wash it down the stormwater drain).</td>
</tr>
</tbody>
</table>

**Type 2 ESCP:** Certified Professional in Erosion and Sediment Control* (statutory)

<table>
<thead>
<tr>
<th>Stage</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prepare ESCP</strong></td>
<td>Prior to commencement of works: 1. ESCP to be prepared and/or certified by a CPSEC. Ensure no conflicts with other plans. 2. Certified ESCP to be sent to consent authority for endorsement.</td>
</tr>
<tr>
<td><strong>Implement ESCP</strong></td>
<td>Development phase: 3. Implement controls in accordance with the schedule in the ESCP. Contact the CPESC for advice.</td>
</tr>
<tr>
<td><strong>Monitor &amp; Modify</strong></td>
<td>4. Monitor the performance of controls in accordance with the schedule in the ESCP. 5. Maintain, repair or reinstate controls as required. 6. Keep records for compliance purposes. 7. CPESC to review and amend the ESCP if conditions on site require and resubmit to consent authority.</td>
</tr>
<tr>
<td><strong>Final Stabilisation</strong></td>
<td>Completion of works: 8. Remove temporary controls, install permanent controls and ensure all surfaces are stabilised. 9. Contact DENR to arrange sign-off inspection (if required in accordance with permit condition). 10. Following issue of DENR sign-off, contact the consent authority for final clearance.</td>
</tr>
</tbody>
</table>

### Type 3 ESCP: Certified Professional in Erosion and Sediment Control + Auditor (statutory)

| Prepare ESCP | Prior to commencement of works:  
|              | 1. ESCP to be prepared and/or certified by a CPSEC. Ensure no conflicts with other plans.  
|              | 2. Auditor to review and certify ESCP. (CEPSC to amend ESCP as required by Auditor).  
|              | 3. Auditor-certified ESCP to be sent to consent authority for endorsement. |

| Implement ESCP | Development phase:  
|               | 4. Implement controls in accordance with the schedule in the ESCP. Contact the CPESC for advice. |

| Monitor & Modify | 5. Monitor the performance of controls in accordance with the schedule in the ESCP.  
|                 | 6. Maintain, repair or reinstate controls as required.  
|                 | 7. Keep records for compliance purposes.  
|                 | 8. Auditor to inspect site in accordance with schedule in ESCP and report back to the consent authority.  
|                 | 9. Modify controls onsite as directed by Auditor (contact CPESC for advice).  
|                 | 10. CPESC to review and amend the ESCP if conditions on site require, or as directed by Auditor.  
|                 | 11. Amended ESCP to be reviewed and certified by Auditor; and resubmitted to consent authority. |

| Final Stabilisation | Completion of works:  
|                    | 12. Remove temporary controls, install permanent controls and ensure all surfaces are stabilised.  
|                    | 13. Auditor to undertake final inspection and report back to consent authority.  
|                    | 14. Address any outstanding issues identified by the Auditor (contact CPESC for advice).  
|                    | 15. Auditor to provide final certification of satisfactory completion of works to consent authority.  
|                    | 16. Contact the consent authority for final clearance. |

### Type 1A, 2A, 3A: Assessment required by DENR (statutory)

| Prepare ESCP | Prior to commencement of works:  
|             | 1. ESCP to be prepared by relevant person/s: Type 1A - suitably qualified, Type 2A - CPESC, Type 3A - CPESC + Auditor.  
|             | 2. ESCP to be submitted to DENR for assessment.  
|             | 3. ESCP to be modified as requested by DENR, by relevant person/s (see Step 1) and resubmitted to DENR.  
|             | 4. DENR to accept ESCP and forward to consent authority for endorsement. |

| Implement ESCP | Development phase:  
|               | 5. Implement controls in accordance with the schedule in the ESCP. Contact the CPESC or DENR for advice. |

| Monitor & Modify | 6. As per Type 1A, 2A and 3A.  
|                 | 7. DENR to monitor implementation as appropriate.  
|                 | 8. Comply with advice from DENR. |

| Final Stabilisation | 9. As per Type 1A, 2A and 3A.  
|                    | 10. Contact DENR to arrange sign-off inspection.  
|                    | 11. Comply with advice from DENR.  
|                    | 12. Following issue of DENR sign-off, contact the consent authority for final clearance. |

Further information regarding erosion and sediment control (including standard drawings) is located online at:

https://www.austieca.com.au/,  
https://nt.gov.au/environment/soil-land-vegetation,  
30 July 2020
Senior Planner
Development Assessment Services
Department of Infrastructure, Planning and Logistics
Floor 1, Energy House, 18-20 Cavenagh Street, Darwin
GPO Box 1680, Darwin, NT 0801

Dear Sir/Madam

Re: Kilgariff Stage 2. Subdivision to create 87 lots in two stages. Part NT Portion 7652 and Part NT Portion 7655, Kilgariff, NT.

Many thanks for the opportunity to comment on the Kilgariff Stage 2 development. Medical Entomology comments are provided below.

1. It is recommended that stormwater detention and infiltration structures are designed to only pond water for less than 5 days, to prevent the potential for successful mosquito breeding. Pest and potential disease carrying mosquito species are known to periodically breed in some stormwater drains in existing areas of Alice Springs, therefore it would be important to prevent the creation of new mosquito breeding habitat.

2. There is the potential for temporary mosquito breeding sites to be created during the construction phase, for example in sediment ponds. The construction site should therefore be maintained free from areas of residual ponding. Alternatively, if residual ponding is desired for sediment control, the areas of residual ponding should be inspected weekly, and treated when necessary with a target specific residual mosquito larvicide until the ponding structure is removed.

Recommended Development Permit Conditions.
Nil. The developer/stormwater handover authority can contact Medical Entomology for advice/opinion regarding stormwater structures, and advice on temporary mosquito control during the construction phase.

Please contact me if there any queries with this letter.

Yours sincerely

Allan Warchot
Advice and Control Officer
NTFRS Ref: 000-7652 - 7655
Your Ref: PA2020-0219

To: Ben Taylor  
Organisation: Development Consent Authority

From: Station Officer Leigh Swift  
Organisation: NTFRS – Fire Safety Command  
Phone: 89516663  
Date: 30/07/2020

SUBJECT: PROPOSED DEVELOPMENT APPLICATION

Applicant: Mr Joseph Stanley Sheridan

Lot No: NT Portion 000-7652 - 7655  
Site: Kilgariff Estate Stage 2  
Address: South Stuart Highway, Kilgariff. N.T.

Approval:

The Northern Territory Fire & Rescue Service has no objection to this proposal to create 87 lots in 2 stages

This document does not give approval for the construction or alterations of any dwellings this will be addressed through the building approvals process.

The land owner that the subdivision was excised from would need to maintain the firebreaks as per part 3 of the Northern Territory Fire and Emergency Regulations up to the new subdivision boundary line/s.
27 July 2020

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

Dear Sir or Madam

Re: PA2020/0219 - new application – subdivision Kilgariff NT

The Department of Primary Industry and Resources (DPIR) has reviewed the development application and comments are provided at Attachment A.

If you have any questions regarding these comments please contact Angela Kennedy, Manager Policy & Legislation at StrategyPolicyCoordination.DPIR@nt.gov.au or on 8999 7020.

Yours sincerely

[Signature]

Myrene Lyle
Director, Executive Services
### Comments

#### Energy Division
There are no petroleum titles within NT Portion 7652 and 7655. These portions are covered by Reservation of Blocks (RB) 71, which prevents petroleum titles from being granted over the reserve area.

#### Mines Division
There are no current mineral titles in or adjacent to the proposed subdivision. The area is protected by a Reserve RL328 (The reserve is the town of Alice Springs and is reserved from exploration of minerals generally, or one or more specified minerals and extraction of the same).
Good afternoon,
Heritage Branch has provided clearance for this project at an earlier stage and our response is included as part of the NOI response from EPA in this DA. We have no further issues or comments in relation to this development application.
Regards,
Di

Dianne Bensley
Senior Heritage Officer
Heritage, Libraries and Sport Division
Department of Tourism, Sport and Culture
Northern Territory Government
Level 1 JHV2, Jape Homemaker Village,
356 Bagot Road, Millner, NT, 0810

PO Box 1448, Darwin, NT 0801
P: (08) 8999 5051
E: dianne.bensley@nt.gov.au
W: www.nt.gov.au

Dear Heritage Branch - Department of Tourism and Culture,

A new subdivision application has been lodged on 155 Colonel Rose Dr, Kilgariff NT and Kilgariff NT with the following description:

Subdivision to create 87 lots in 2 stages

This application can be viewed and comments can be made through ILIS until 31/07/2020.

If you have any enquiries, please feel free to contact Development Assessment Services Alice Springs, 8951 9245.

Kind Regards,
Development Assessment Services
I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council:

(a) under section 22A of the Water Act and section 43 of the Interpretation Act, revoke the declaration dated 25 July 2007 and published in Gazette G34 of 22 August 2007 of the beneficial uses of the water in specified water management zones of the Alice Springs Water Control District; and

(b) under section 73(1) of the Water Act and section 43 of the Interpretation Act, revoke the declaration dated 25 July 2007 and published in Gazette G34 of 22 August 2007 of the objectives that apply in relation to the water in those management zones; and

(c) under sections 22A and 73(1) of the Water Act:

(i) declare the beneficial uses of the water in the water management zones detailed in Schedule 1 to be as specified in Column 2 of the table in Schedule 2 opposite the management zone; and

(ii) declare that the objectives that apply in relation to the water in those management zones are as described in the Chapters of Volume 1 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000), published by the Australian and New Zealand Environment and Conservation Council and Agricultural and Resource Management Council of Australia and New Zealand, specified in Column 3 of the Table in Schedule 2 opposite the management zone.

Dated 17 October 2014

S. G. Thomas
Administrator

By Her Honour's Command

J. W. Elferink
Attorney-General and Minister for Justice
acting for
Minister for Land Resource Management
Schedule 1

Alice Springs Water Control District
Management Zones

1. Surface Water Management Zones
(a) Upper Alice Springs Catchment Area; and
(b) Lower Alice Springs Catchment Area

2. Alluvial Aquifer Management Zones
(a) Town Basin; and
(b) Inner Farm Basin; and
(c) Outer Farm Basin; and
(d) Wanngardi Basin.

3. Amadeus Basin Management Zones
(a) Roe Creek Management Zone – east of Longitude 133° 57'
(b) Rocky Hill/Ooraminna Management Zone – west of Longitude 133° 57'
The Management Zones are as depicted in the following diagram (drawing number nrasp242, Map 14 of Volume 2 of the Alice Springs Water Resource Strategy (2006)), available from the Northern Territory Department of Land Resource Management.
## Schedule 2

### Beneficial Uses and Objectives

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<thead>
<tr>
<th>Column 1 Management Zone</th>
<th>Column 2 Beneficial Uses</th>
<th>Column 3 Objectives</th>
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<td><strong>Surface Water Management Zones</strong></td>
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<tr>
<td>Upper Alice Springs Catchment Area</td>
<td>Environment Cultural Rural stock and domestic</td>
<td>Chapters 3, 4 and 5</td>
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<tr>
<td>Lower Alice Springs Catchment Area</td>
<td>Environment Cultural Rural stock and domestic</td>
<td>Chapters 3, 4 and 5</td>
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<td><strong>Alluvial Aquifer Management Zones</strong></td>
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<tr>
<td>Town Basin</td>
<td>Environment Cultural Rural stock and domestic Agriculture Industry</td>
<td>Chapters 3, 4 and 5</td>
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<tr>
<td>Inner Farm Basin</td>
<td>Environment Cultural Rural stock and domestic Agriculture Industry</td>
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<tr>
<td><strong>Outer Farm Basin</strong></td>
<td>Environment Cultural Rural stock and domestic Agriculture Industry</td>
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<td>Wanngardi Basin</td>
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<td>Amadeus Basin Management Zones</td>
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<td>Rocky Hill/Ooraminna</td>
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<td>Chapters 4 and 6</td>
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<td>Chapters 3, 4, 5 and 6</td>
</tr>
</tbody>
</table>
Northern Territory of Australia

Water Act

Declaration of Beneficial Uses and Objectives
Great Artesian Basin Water Control District

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, under sections 22A and 73(1) of the Water Act:

(a) declare the beneficial uses of:

(i) the water from all waterways located in the Great Artesian Basin Water Control District (the District) to be environment, cultural, industry and rural stock and domestic; and

(ii) all ground water located in the District to be agriculture, aquaculture, public water supply, environment, cultural, industry and rural stock and domestic; and

(b) declare that the objectives that apply to:

(i) water from all waterways located in the District are as described in Chapters 3, 4 and 5 of Volume 1 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000) (the Guidelines), published by the Australian and New Zealand Environment and Conservation Council and Agricultural and Resource Management Council of Australia and New Zealand; and

(ii) all ground water located in the District are as described in Chapters 3, 4, 5 and 6 of Volume 1 of the Guidelines.

Dated 17 October 2014

S. G. Thomas
Administrator

By Her Honour's Command

J. W. Elferink
Attorney – General and Minister for Justice
acting for
Minister for Land Resource Management