



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 251 – WEDNESDAY 12 FEBRUARY 2020

**DOUBLETREE BY HILTON
SPINIFEX ROOM
82 BARRETT DRIVE
ALICE SPRINGS**

MEMBERS PRESENT: Suzanne Philip (Chair), Deepika Mathur,
Jamie de Brenni, Marli Banks

APOLOGIES: Chris Neck

OFFICERS PRESENT: Peter Somerville, Julie Driver, Jennie Ryan

COUNCIL REPRESENTATIVE: Dilip Nellikat

Meeting opened at 10:45am and closed at 1:00pm

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

FURTHER CONSIDERATION

**PA2019/0322 CONSTRUCT SERVICE STATION AND ALTERATIONS TO EXISTING RESTAURANT
LOT 6403, 45 STUART HWY, TOWN OF ALICE SPRINGS
APPLICANT ADELAIDE NOMINEES PTY LTD**

Kieron Barnes (Senior Associate, Ekistics Planning and Design) and Bradly Torgan (Special Counsel, Ward Keller) attended the meeting and spoke further to the application.

RESOLVED 0010/20

That the Development Consent Authority noting,

- A presentation provided by the proponents;
 - The formal advice received from the Alice Springs Town Council (dated 11 February 2020); and
 - The requirement to allow St Phillip's College opportunity to make further comment in relation to the applicant's fresh material;
- pursuant to section 46(4)(b) of the Planning Act 1999, defer consideration of the application to develop Lot 6403 (45) Stuart Highway, Town of Alice Springs for the purpose of a service station and alterations to a restaurant, to allow the authority to:

- receive further comment from St Phillip's College and provide such comment to the applicant;
- allow any further comment from Town of Alice Springs Council clarifying its response;
- seek further clarification of the status of the Schwarz Cres re-alignment project, in regard timeframes and impacts this may have on the proposed development;
- allow the applicant to make any further submissions in relation to the interpretation of clause 8.1.4; and
- allow the applicant to provide details of arrangements for pedestrian safety in accessing the entrance to the restaurant through the proposed service station site

REASONS

1. This application first came before the authority on the 9th October 2019 when it was apparent that there were substantial outstanding traffic management concerns, particularly in relation to the impact on Schwarz Crescent. Despite negotiations between the applicants, the Transport and Civil Services Division of the Department of Infrastructure Planning and Logistics ("Transport Division") and the Alice Springs Town Council ("Council") the outstanding traffic management issues remain unresolved. Further, St Phillip's College which operates a nearby school, catering for students from year 7 to 12, lodged comments in relation to the Application also expressing concerns in relation to traffic on Schwarz Crescent. Noting Section 46(4)(b) of the Planning Act 1999, the Authority determined to require confirmation that those issues with the Transport Division and Council were resolved to enable proper consideration of the application. The Authority also noted that there were several other outstanding matters including failure to comply with Clause 8.1.4

(Service Stations) of the NT Planning Scheme and therefore determined to defer the matter. See Resolution 0104/19.

The application was again considered by the authority on 11th December 2019. The applicant provided amended details including plans and a supporting statement. The fresh material contained at least 2 options. Option 1 maintained the existing two-way access off Schwarz Crescent and a relocated out (left turn only) access onto the Stuart Highway. Option 2 accommodated a closure of Schwarz Crescent with entry/exits (left turn only) onto the Stuart Highway. While a formal response had been received from the Transport Division by the time of the meeting, no response had been received from Council, although the Council representative indicated that Council wanted to consider the material at the next meeting of its relevant committee and provide a written response to the fresh material. No further response was received at that time from St Phillip's College.

The Authority concluded that the matter remained on deferral in accordance Resolution 104/19, noting that the further information, submitted by the applicant in response to that Resolution, did not contain formal advice (approval) from the Alice Springs Town Council. The Authority further noted that the amended plans had still not achieved compliance with 8.1.4 (sub-clause 2.(a)) and, even if the Authority had the power to vary compliance with that Clause, no special circumstances as required by Clause 2.5 for exercise of Authority's discretion had been provided to satisfy the test as outlined by Kelly J in *Phelps v Development Consent Authority* [2009] NTSC 54.

On 29th January 2020 DAS received, via email, a letter from solicitors acting on behalf of the Applicant responding to some of the deferral matters and requesting "the opportunity to address the authority on the matter at its next meeting of 12 February 2020". Although it was not clear from the text of the letter whether it amounted to a request to put legal argument to the DCA in closed session or a request to bring the matter off deferral, the authority agreed to consider the applicant's material at the meeting on 12th February.

A written response from Council dated 11th February 2020 was received and tabled at the meeting, however it was clear from the terms of the response that there was fundamental confusion as to the nature of the applicant's proposed access arrangements to the site from Schwarz Crescent. It was clear from Council's written response that Council had understood the applicant's proposal contained an immediate option to limit access onto Schwarz Crescent with access and egress off the Stuart Highway which was acceptable to Council, stating that "*Council is in support of this development with heavy vehicle access and egress limited to Stuart highway but is objecting to access and egress of trucks from Schwarz Crescent*". The applicant, however, advised the meeting that the existing arrangements which utilised full access to Schwarz Crescent and limited left turn only exit onto the Stuart Highway (Option 1) was the only option actually being proposed. Option 2 outlined in its revised material was a hypothetical response to matters raised by the Transport Division if Schwarz Crescent was closed at some point in the future.

The authority observed that there is significant uncertainty amongst all parties regarding the status of a concept to re-align Schwarz Crescent in respect to the timing of the proposed development and the potential impacts this may have on vehicle and pedestrian safety in the immediate area. The formal comment provided by the Alice Springs Town Council did not clearly address

the reasons for deferral (RSO 104/19), in regard evidence of resolution of Council's earlier concerns.

2. The meeting was at all times conducted on the basis that St Phillip's College had been informed of the new material provided by the applicant and had been notified of the meeting to be held on 12th February. However, immediately following the closure of the meeting, the authority was advised that St Phillip's had not been notified nor provided with the applicant's materials. The authority considered that Natural Justice and proper procedure required that St Phillip's College be given an opportunity to respond and that until such time that a response was received and circulated to the applicant for its consideration, no determination of the matter should be reached.
3. The authority further noted that applicant has not demonstrated that the minimum dimensions required for separation of fuel bowzers from buildings complies with clause 8.1.4 (Service Stations), nor established that those provisions allow the authority any discretionary power to vary the separation requirements, clause 8.1.4 being expressed in strict terms
4. The Authority also noted that measures to ensure pedestrian access and safety in relation to accessing the entrance to Hungry Jack's through the service station site should be clarified.

ACTION: DAS to schedule matter to be heard on 11 March 2020 and prepare invitations to all parties, including the applicant, landowner, St Phillip's College, Alice Springs Town Council and Transport and Civil Services Division of the Department of Infrastructure and Logistics.

**ITEM 1 ELECTRICAL SUB-STATION FOR HOSPITAL AND DIESEL BACK-UP
GENERATOR AND FUEL TANK WITH REDUCTION TO EXISTING
PARKING PROVISION
PA2019/0463 LOT 4579 (6) GAP ROAD, SUBURB OF THE GAP
APPLICANT DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS**

Glenn Hazelden, Senior Electrical Engineer (Lucid Consulting Australia) attended the meeting via phone link and spoke further to the application. Karl Micek (Department of Infrastructure, Planning and Logistics) attended the meeting and spoke further to the application.

RESOLVED That, pursuant to s53(b) the Development Consent Authority alters the proposed
0011/20 development and consents to the proposed development as altered to develop
Lot 4579 (6) Gap Road, Town of Alice Springs, for the purpose of electrical sub-
station, back-up diesel generator and fuel tank additions to a hospital, subject to
the following conditions and for the following reasons:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a Parking Management Plan must be submitted to and approved by the consent authority detailing the provision of a minimum of 30 car parking spaces to be made available on the site within 3 months of the development commencing and measures to be adopted by the Alice Springs Hospital management to inform all users of the parking available.

2. 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 in Adobe PDF format, drawn to scale with dimensions and generally consistent with the plans publicly exhibited as amended through plans submitted on 28 November 2019, but further modified to include:
 - a) Elevations of all structures and infrastructure within the proposed 'sub-station compound' finished levels referenced to the Australian Height Datum and showing the height of the infrastructure in relation to existing ground level of the site; and
 - b) A detailed plan for the screening of the proposed sub-station infrastructure, designed with:
 - (i) A view to ensuring that presentation of infrastructure does not detract from public amenity (consideration of a combination of landscaping/planting and other screening measures is encouraged); and
 - (ii) Regard to the Community Safety Design Guide, which is a referenced document under the NT Planning Scheme (heights of screening in relation to ground level must be provided).

Amended plans and documentation prepared in response to the conditions precedent may be submitted to the Development Consent Authority c/o Development Assessment Services, Department of Infrastructure, Planning and Logistics, c/o Alice Springs Branch via email to das.ntg@nt.gov.au.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. Storm water is to be collected and contained within the site or discharged into the drainage network to the technical standards of the Alice Springs Town Council at no cost to the Council. This condition is to the satisfaction of the consent authority on advice from the Alice Springs Town Council.
5. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street. This condition is to the technical standards of the Alice Springs Town Council, on advice from on advice from the Council.
6. 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.
7. 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.
8. Before the use/occupation of the development and use approved by this permit starts, screening of the sub-station and associated infrastructure (including any approved landscaping) must be carried out and completed in accordance with the endorsed plans, to the satisfaction of the consent authority.

9. Any landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

NOTES

1. A Permit to Work Within a Road Reserve is required from the Alice Springs Town Council before commencement of any work within a road reserve. The Alice Springs Town Council has confirmed that permission to undertake verge landscaping may be sought by application.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentsouth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. You are advised to contact Dial Before You Dig on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
4. 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 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.

5. Notwithstanding the approved plans, signage is subject to Alice Springs Town Council approval, at no cost to Council.

REASONS

1. Pursuant to section 51(a) of the *Planning Act 1999*, the Development Consent Authority (the consent authority) must take into consideration the NT Planning Scheme (the Planning Scheme). The land is in Zone CP (Community Purpose) and is located within the Central Alice Springs Area as detailed in the Central Alice Springs Area Plan and a number of performance criteria contained in

Part 4 of the NT Planning Scheme are relevant to the site and development. The Alice Springs Regional Land Use Plan 2016 is a referenced policy document and also relevant to the land. The proposal has been assessed with regard to relevant provisions and objectives contained within the Planning Scheme.

The consent authority considers it appropriate to require screening or partial screening of the proposed sub-station infrastructure from the adjacent street, footpath and nearby residential properties with a view to ensuring no material loss of amenity to the immediate locality, relevant objectives and provisions of the Planning Scheme, including the objective of sub-clause 5.2 of the Central Alice Springs Area Plan, which is to “ensure that presentation of infrastructure does not detract from public amenity”.

The consent authority:

a) Noted:

- The Alice Springs Town Council’s stated concerns of perceived inadequacies of (and related to) existing car parking for use in association with the hospital and associated uses on Lot 4579;
- That the owner of the land is advisedly in the process of reviewing overall car parking provision and needs for the hospital;
- That interim short parking arrangements elsewhere on the site may be possible;
- The critical nature of the proposed infrastructure additions; and

b) Considered that in the circumstances it was appropriate to allow the land owner a reasonable time frame to review and effect upgrades and additions to on site car parking to offset the short-term reduction in parking related to the proposed sub-station additions.

2. Pursuant to section 51(e) of the *Planning Act 1999*, in considering a development application the consent authority is required to take into account any submissions made under section 49 of the Act and any evidence or information received under section 50 of the Act. One public submission was received and issues raised have been duly considered. The conditions of approval are expected to assist in ensuring that potential amenity impacts of the approved development on the public realm and nearby residential properties are duly limited and recognises community safety principles.
3. Pursuant to section 51(h) of the *Planning Act 1999*, the consent authority must take into consideration the merits of the proposal. The application identifies that the construction of the new Power Water Corporation and Alice Spring Hospital substations is essential for the delivery of critical power to the hospital.
4. Pursuant to section 51(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated. The proposed development and use are of a scale and form expected to be compatible with the established uses and development in the immediate locality, subject to the provision of suitable screening designed to ensure the development’s integration into the streetscape and with due regard to community safety principles.
5. Pursuant to section 51(p) of the *Planning Act 1999*, the consent authority must take into consideration the public interest. The application identifies that the construction of the new Power Water Corporation and Alice Spring Hospital

substations is essential for the delivery of critical power to the hospital and the consent authority concurs that this in the public interest.

6. The conditions of approval are expected to assist in reasonably ensuring:
 - a) The orderly development of the site;
 - b) Due recognition of service authority interests; and
 - c) No material impact on the amenity of the streetscape, adjoining properties or the locality.

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

ITEM 2 **ALTERATIONS TO CAR PARK**
PA2019/0488 **LOT 42 (43) BATH STREET, TOWN OF ALICE SPRINGS**
APPLICANT **YEPERENYE PTY LTD**

This matter was deferred at the request of the applicant and is scheduled for the March meeting.

ITEM 3 **INDEPENDENT UNIT ADDITION TO AN EXISTING DWELLING WITH A FLOOR AREA IN EXCESS OF 80 SQUARE METRES AND A SEPARATE EFFLUENT SYSTEM**
PA2019/0461 **LOT 9384 (825) ROSS HWY, SUBURB OF ROSS**
APPLICANT **WAYNE THOMPSON**

Wayne Thompson attended the meeting and spoke further to the application.

RESOLVED That, the Development Consent Authority varies the requirements of:
0012/20 • clause 7.10.4 (2b) to approve the Independent Units' floor space of 159.5m² where a maximum 80m² is allowed; and
 • clause 7.10.4 (2d) to approve the additional independent effluent disposal system for the independent unit, where ordinarily, both dwellings would be serviced by a common effluent disposal system or connected to reticulated sewerage;
and pursuant to section 53(b) of the *Planning Act 1999*, consent to the proposed development to construct an independent unit on Lot 9384 (825) Ross Highway, Suburb of Ross, Town of Alice Springs, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered PA2019/0461/01 to PA2019/0461/04 and endorsed as forming part of this permit.
2. Any upgrading of water or sewerage services to the building development shall be provided to the satisfaction of Power and Water, in accordance with the requirements of the Connection Code, at no cost to Power and Water.
3. Any construction on or adjacent to Power and Water's power supply and/or easements, or on or adjacent to Power and Water assets within road reserves shall be in accordance with the requirements of the Connection Code at no cost to Power and Water.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the independent unit shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. The installation of septic systems is to be in accordance with the requirements of the *Building Act 1993*, and 'NT Code of Practice for Small On-Site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent'.
6. 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.
7. Appropriate soil erosion, sediment and dust control measures must be effectively implemented throughout the construction stage of the development and all disturbed soil surfaces must be suitably stabilised against erosion at completion of works, to the satisfaction of the Consent Authority.

NOTES

1. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
2. You are advised to contact Dial Before You Dig on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
3. The Northern Territory Environment Protection Authority 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.
4. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@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. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from the Department of Environment and Natural Resources.

Information can be obtained from the IECA Best Practice Erosion and Sediment Control Guidelines 2008 available at www.austieca.com.au and the NTG website <https://nt.gov.au/environment/soil-land-vegetation>

6. 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.
7. 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>

REASONS

1. 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 proposed use is a permitted use within Zone R (Rural) under the NT Planning Scheme, however due to the size and need for a separate effluent disposal system consent is required. The nature of the use is considered to be consistent with the strategic policy direction provided by the Alice Springs Regional Land Use Plan 2016 and the zone policy.

With the exception of Clause 7.10.4 (Independent Buildings), the works are compliant with all other provisions of the Scheme.

2. A variation is granted to the Clause 7.10.4 (Independent Unit) of the Northern Territory Planning Scheme to allow the Independent Unit to be greater than 80m², as the independent unit is not expected to impact on the amenity of the area and displays a profile (including height, design and orientation) that is consistent with development on other nearby rural properties. The proposed site is estimated to be over 200m distant from both the existing dwelling and from an existing dwelling on the adjoining lot (Lot 9383) and will be partially screened from both by existing vegetation. The location of the independent unit is not expected to adversely impact on the amenity of adjoining or nearby property.

A variation is also granted for a separate effluent disposal system given the distance from the new independent unit to the existing tank over 100m does not allow for practical connection without undue physical impacts on the environment. The additional system will also be constructed outside of the flood area.

In accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, the aforementioned design features and site conditions are considered to be sufficient special circumstances and justify the granting of a variation to Clause 7.10.4 of the Scheme.

3. Pursuant to section 51(h) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the merits of the proposal. The independent unit is not expected to impact on the amenity of the area and displays a profile (including height, design and orientation) that is consistent with development on other nearby rural properties. The provision of further accommodation for visiting family members/friends is not expected to adversely impact on the amenity of the area.
4. Pursuant to section 51(m) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the public utilities or infrastructure provided in the area in which the land is situated, services to be connected to the land and the requirement, if any, for those facilities or infrastructure to be provided by the developer. The consent authority notes that:
 - a) The Alice Springs Town Council (ASTC) advised they have no objections and no conditions for the proposed development; and
 - b) The Power and Water Corporation (PAWC) has advised that any new development requiring additional power supply will be subject to assessment by Power and Water. A monetary contribution by the developer may also be required towards upgrading part of the water reticulation network to offset the Independent Units water demand.
- 5 The application was publicly exhibited in accordance with the *Planning Act 1999* and *Planning Regulations 2000*. No public or local authority submissions were received.

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

ITEM 4 **4 X 3 BEDROOM MULTIPLE DWELLINGS IN 3 X 2 STOREY BUILDINGS**
PA2019/0318 **NT PORTION 7405 (1) CAWOOD STREET AND NT PORTION 7406 (2)**
 FEDELLI STREET, SUBURB OF KILGARIFF
APPLICANT **GRAHAM NOMINEES (NT) PTY LTD**

Paul Graham, Graham Nominees (NT) Pty Ltd and Aaron Hester (Zone A) attended the meeting and spoke further to the application.

Approximately 14 submitters attended the meeting. Dr Rael Codron, Kirrily Whitehead, Leah Bett and Nicholas Reuther spoke further to their submissions.

RESOLVED If the Minister were to approve the amendment proposal to rezone NT Portion
0013/20 7405 (1 Cawood Street) and 7406 (2 Fadelli street) Suburb of Kilgariff, Town of
 Alice Springs from Zone SAD to Zone MD, the consent authority would be unlikely
 to support the development as exhibited, unless amended plans were provided
 which show better compliance with the requirements of clause 7.3 (Building
 Setbacks), clause 6.12 (Landscaping), clause 7.5 (Private Open Space) and
 clause 8.2 (Building Design), and subject to relevant standard conditions for the
 following reasons:

1. The proposed design generally responds positively to the relevant performance criteria of the NT Planning Scheme, as it relates to Zone MD and is not expected to frustrate principles and objectives of the Scheme, including the Kilgariff Area Plan and Principles;
2. Amended plans would be recommended, with a view to satisfactorily addressing the building setbacks and landscaping requirements under the Planning Scheme; and
3. Service authority comments suggest that the existing service infrastructure has capacity to service the proposed development, noting that all connection costs are to be met by the developer.

**RESOLVED
0014/20**

That under section 30Q of the *Planning Act 1999*, the consent authority report to the Minister for Infrastructure, Planning and Logistics advising of the likely decision in relation to the development proposal, issues raised in public submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the amendment proposal.

ACTION: DAS to prepare Report to the Minister.

**RESOLVED
0015/20**

That, pursuant to section 86(1) of the *Planning Act 1999*, the Development Consent Authority delegates its powers to the Chairman or in the absence of the Chairman any member of the Alice Springs Division of the Authority to:

1. Determine, pursuant to Section 30W(1)(a), to consent to the development proposal contained in the concurrent application and consent to the concurrent application after receipt of a notice under Section 30U(1) that the Minister has approved the amendment proposal contained in the application;
2. Noting that the application has not demonstrated any special circumstances to justify a significant departure from the prescribed building setback requirements from the Welton Parade frontage and subject to submission of a satisfactorily amended design which better responds to the requirements of clause 7.3 (Building Setbacks) and landscaping requirements of clauses 6.12 (Landscaping), 7.5 (Private Open Space) and 8.2 (Building Design), issue a development permit under section 54(1) in relation to the development proposal to develop NT Portions for the purpose of construction of 4 x 3 bedroom multiple dwellings in 3 x 2 storey buildings, subject to relevant standard conditions pursuant to section 55; and
3. Issue the relevant notices under Section 30Y.

ACTION: DAS to prepare relevant documentation for Delegate, subject to Minister's decision.

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

SUZANNE PHILIP
Chair
21 February 2020