

DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 140 – WEDNESDAY 9 MARCH 2011

**CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE**

MEMBERS PRESENT: Peter McQueen (Chairman), Sandy Taylor, John McBride and Libby Prell
(Excluding Item 3)

APOLOGIES: Brendan Heenan

OFFICERS PRESENT: Peter Somerville, Sally Cunningham, Douglas Fotheringham and Melissa Pascual (minutes)

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 10:00am and closed at 10:25am

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

ITEM 1 DEVELOPMENT - LOT 3867 AND LOT 3868, 14 AND 16 ELLIOTT STREET, SUBURB OF BRAITLING, TOWN OF ALICE SPRINGS SUPPORTING ACCOMMODATION (ALTERATIONS AND ADDITIONS TO EXISTING FACILITY (LOT 3868) AND CHANGE OF USE FROM SINGLE DWELLING (LOT 3867) INCLUDING ALTERATIONS AND ADDITIONS TO EXISTING BUILDING TANGENTYERE DESIGN

Robyn Shaw from Tangentyere Design attended the meeting.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.3
0015/11 (Parking Layout) of the Northern Territory Planning Scheme and pursuant to section 53(b) of the *Planning Act* alter the proposed development and consent to the proposed development as altered to develop Lots 3867 & 3868, 14 & 16 Elliott Street, Suburb of Braitling, Town of Alice Springs for the purpose of Supporting Accommodation (alterations and additions to existing facility (Lot 3868) and change of use from Single Dwelling (Lot 3867) including alterations and additions to existing building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Before the development starts, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show floor layouts and elevations of all proposed shade structures and sheds.
2. Before the development starts, a landscaping and fencing plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The plan must be generally consistent with drawing number A02A (dated 12/01/2011) prepared by Tangentyere Design but amended to show the following additional information:
 - (a) details of landscaping and planting within all open areas of the site;
 - (b) details (locations, materials and heights) of all fencing on site, any existing fencing to be retained and new boundary and private open space fencing;
 - (c) a planting schedule of all existing and proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (d) screening of the parking areas as viewed from Elliott Street (low level

- planting is envisaged).
- (e) details of surface finishes of pathways, car parking areas and driveways.

All plant species selected must be to the satisfaction of the consent authority and due regard must be given to the design criteria contained in clauses 6.12 (landscaping) and 7.7 (landscaping for multiple dwellings, hostels and supporting accommodation) of the NT Planning Scheme.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. 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.
6. Storm water is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Alice Springs Town Council, to the satisfaction of the consent authority.
7. 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.
8. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat or dust suppressed; and
 - (d) drained,to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
9. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.

10. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. 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.
13. All proposed work affecting road reserves is to be designed, supervised and certified on completion by a Chartered Professional Civil Engineer in accordance with the standards and specifications of the Alice Springs Town Council to the satisfaction of the consent authority.
14. Air conditioners, associated condenser units and condenser unit connection points should be selected and located with a view to ensuring no significant impacts on the amenity of streetscapes or adjoining properties. This condition is to the satisfaction of the Development Consent Authority.

NOTE:

This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.

VARIATION

Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme.

REASONS

1. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The development is consistent with the form of development expected within Zone SD (Single Dwelling) of the Northern Territory Planning Scheme as the design incorporates landscaping that will enhance the visual appearance of the development.
2. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the site.
3. The application was placed on public exhibition in accordance with the requirements of the *Planning Act* and *Planning Regulations*. No public submissions were received during the exhibition period.
4. Pursuant to section 51(p) of the *Planning Act* the consent authority must

take into consideration the public interest. The proposed development will provide safe, managed supporting accommodation facility for children at risk, and as such will provide a valuable and necessary community service.

5. Variations to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for:
- a car parking and driveway area not being surfaced in an all weather seal coat; and
 - car spaces not being line marked

are considered satisfactory in this instance as inspections of the site reveal that car parking can be managed in an appropriate manner within designated car parking areas, and that all car parking bays are useable, functional and convenient and in accordance with the intent of the clause.

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

**ITEM 2 DEVELOPMENT – LOT 9487, 16 JENNERAE DRIVE, SUBURB OF STUART, TOWN OF ALICE SPRINGS
2 X 3 BEDROOM MULTIPLE DWELLINGS IN A TWO STOREY BUILDING
ZONE A PTY LTD**

Simon Pettit from Zone A Pty Ltd attended the meeting.

**RESOLVED
0016/11**

That the Authority vary clauses 6.5.3 (Parking Layout), 7.1 (Residential Density and Height Limitations), 7.3 (Building Setbacks of Residential Buildings) and 7.6 (Communal Open Space) of the NT Planning Scheme pursuant to section 53(b) of the *Planning Act*, the Authority alters the proposed development and consent to the proposed development as altered to develop Lot 9487, 16 Jennerae Drive, Suburb of Stuart, Town of Alice Springs for the purpose of Multiple Dwellings (2 x 3 bedroom multiple dwellings in 1 x 2 storey building), subject to the following conditions:

CONDITION PRECEDENT

1. Before the development starts, a landscaping plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:
 - (a) details of landscaping and planting within all open areas of the site;
 - (b) landscaping along boundaries in accordance with clause 7.7 of the NT Planning Scheme. The drawing should also show that at least 30% of the site will be landscaped;
 - (c) details of fencing of all boundaries of the site (perimeter fencing and private open space areas);
 - (d) a planting schedule of all existing trees to be retained, proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;

All plant species selected must be to the satisfaction of the consent

authority and due regard must be given to the design criteria contained in clauses 6.12 (landscaping) and 7.7 (landscaping for multiple dwellings, hostels and supporting accommodation) of the NT Planning Scheme. The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

CONDITIONS

2. Works carried out under this permit shall be completed in accordance with the drawings endorsed by the delegate of the Development Consent Authority as forming part of this permit, to the satisfaction of the Development Consent Authority.
3. The permit holder must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services in accordance with the authorities' requirements and relevant legislation at the time.
4. Any easements or reserves required for the reticulation of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services shall be provided in accordance with the relevant authority's requirements and applicable legislation at the time, at no cost to those authorities.
5. 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.
6. All proposed work affecting the adjacent road reserves is to be designed, supervised and certified on completion in accordance with the standards and specifications of the Alice Springs Town Council to the satisfaction of the consent authority.
7. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained; and
 - (e) line marked (or otherwise suitably delineated) to indicate each car space and all access lanes.Car spaces, access lanes and driveways must be kept available for these purposes at all times.
8. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
9. 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.

10. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the technical standards of and at no cost to Alice Springs Town Council to the satisfaction of the consent authority.
11. Before the use/occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
13. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
14. Waste bin storage shall be provided to the requirements of the Alice Springs Town Council to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The developer is advised to contact the Aboriginal Areas Protection Authority to ascertain the location of and to avoid damage to any culturally significant areas that exist on the site (or in the vicinity of the site).
4. A "Permit to Work within a Road Reserve" may be required from Alice Springs Town Council before commencement of any work within the road reserve.

VARIATIONS

1. Clause 6.5.3 (Parking Layout) of the NT Planning Scheme.
2. Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme to allow a dwelling density of 259m² per dwelling rather than 300m²
3. Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme to allow the reduced building setbacks as shown on the endorsed drawings.
4. Clause 7.6 (Communal Open Space) of the NT Planning Scheme to allow less than 15% of the site area to be communal open space.

REASONS

1. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.
2. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposed development is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential) to provide for a range of housing options. Furthermore, the proposed development is considered to be of a scale, character and architectural style compatible with the streetscape and surrounding development.
3. A variation to Clause 7.1 (Residential Density and Height Limitations) of the Northern Territory Planning Scheme is supported as the variation sought is reasonably minor and the development satisfies the purpose of the clause, in that it is "of a density compatible with the existing and planned provision of reticulated services and community facilities that will service the area, is consistent with land capability, and is of a height compatible with adjoining or nearby existing development, or development reasonably anticipated".
4. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as the variation required, in the context of the overall development of the site is not considered to result in any adverse impact on the existing and future amenity of the locality.
5. A variation to clause 7.6 (Communal Open Space) of the NT Planning Scheme is supported in this instance as:
 - each multiple dwelling is provided with suitable areas of private open space; and
 - Extension of the current access to the common gym and pool facilities within the subdivision are expected to be successfully negotiated between the Body Corporate and developers of Lot 9487.
6. Pursuant to section 51(h) of the Planning Act the consent authority must take

into consideration the merits of the proposal. The proposal will benefit the local community through the provision of additional residential accommodation.

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

ITEM 3 DEVELOPMENT – LOT 4863, 9291 AND 9292, 34 CAMERON STREET, 16 POWER STREET, AND 12 DALGETY ROAD, SUBURB OF BRAITLING, TOWN OF ALICE SPRINGS

Sue Cawood from the Department of Lands and Planning attended the meeting.

Mrs Libby Prell, a member of the Development Consent Authority declared an interest pursuant to section 97(1) of the *Planning Act*, and absented herself from the meeting for the deliberation of this item.

**RESOLVED
0017/11**

That, pursuant to section 53(a) of the *Planning Act*, the Authority grant consent to the application to subdivide Lot 9291, 16 Power Street, Suburb of Braitling to create three lots, and consolidation of the newly created portions with existing Lot 4863, 34 Cameron Street, Braitling and Lot 9292, 12 Dalgety Road, Braitling, subject to the following conditions:

CONDITIONS

1. Works carried out under this permit shall be completed in accordance with the drawings endorsed by the delegate of the Development Consent Authority as forming part of this permit.
2. The subdivision/consolidation must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication service to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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.

REASONS

1. Pursuant to section 51 (a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The application is generally consistent with the primary purpose of Zone GI (General Industry) and relevant provisions relating to subdivision of industrial land. The justification provided within the application indicates that parts of Lot

9291 where underutilized and could be put to better use by owners of adjacent properties (Lots 9292 and 4863).

2. Pursuant to section 51(n) of the *Planning Act*, the Development Consent Authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. It is considered that, subject to service authority requirements being suitably addressed, the proposed subdivision will not have any significant impact on the current and future level of amenity of other land uses in the immediate vicinity.

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

**ITEM 4 DEVELOPMENT – LOT 8438, 13 WARBER COURT, SUBURB OF LARAPINTA, TOWN OF ALICE SPRINGS
CARPORT WITH REDUCED FRONT AND SIDE BUILDING SETBACKS
SUSAN DUGDALE AND ASSOCIATES**

Maria Raharjo from Susan Dugdale and Associates attended the meeting.

**RESOLVED
0018/11**

That, the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 8438, 13 Warber Court, Suburb of Larapinta, Town of Alice Springs for the purpose of a carport with a reduced front and side setbacks, subject to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings PA2011/0037/01 to PA2011/0037/03 endorsed as forming part of this permit.
2. The owner shall collect stormwater and discharge it to the drainage network to the site approved by this permit all to the technical requirements of and at no cost to the Alice Springs Town Council to the satisfaction of the consent authority.

NOTE:

1. This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.

VARIATION

Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning

Scheme to allow the reduced building setbacks as shown on the endorsed drawings.

REASONS

1. Variations to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme are supported as the proposed setbacks are considered compatible with other similar structures in the immediate area. The special circumstances provided in the application are considered to justify the granting of the variation, and the structure is not expected to negatively impact on other development on surrounding properties.
2. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.

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

**ITEM 5 DEVELOPMENT – LOT 7404 AND 339, 5 AND 23 PALM CIRCUIT, SUBURB OF ROSS, TOWN OF ALICE SPRINGS
FURTHER CONSIDERATION – CAMPGROUND EXTENSION TO CARAVAN PARK
DAVID SMITH**

David Smith and Lisa Thurgood attended the meeting and responded to questions from authority members concerning access arrangements. The Manager of Planning and Development from the Department of Lands and Planning, Peter Somerville also provided comment during the discussion.

**RESOLVED
0019/11**

That, the Authority vary the requirements of Clauses 6.5.3(i) (Parking Layout of the Northern Territory Planning Scheme and pursuant to section 53(b) of the *Planning Act*, the Authority alters the proposed development and consent to the proposed development as altered to develop Lots 339 and part Lot 7404, Palm Circuit, Suburb of Ross, Town of Alice Springs for the purpose of a campground extension to and existing caravan park, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to the use of the site commencing, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. a driveway access (minimum 3.5 m wide) and dedicated pedestrian footpath linking Lots 339 and 7404;
 - b. driveway link to be sealed within 12 months;
 - c. appropriate signage for traffic management with priority given to vehicles leaving Lot 7404;

- d. exit onto Palm Circuit road reserve for emergency purposes only (no garbage collection);
- e. that caravans are prohibited on this site;
- f. details of fencing and landscaping (including detailed planting schedule).

CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the guests of the development and their visitors.
4. The owner shall collect stormwater and discharge it to the drainage network to the technical requirements of and at no cost to the Alice Springs Town Council, to the satisfaction of the consent authority.
5. Before the use/occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
7. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained; and
 - (e) line marked (or otherwise suitably delineated) to indicate each car space and all access lanes.Car spaces, access lanes and driveways must be kept available for these purposes at all times.
8. Sealing of the driveway link between Lots 339 and 7404, as shown on the endorsed plan is to be completed with 12 months of the date of this permit to the satisfaction of the consent authority.

VARIATIONS

1. Clause 6.5.3(b) and (i) (Parking Layout) of the NT Planning Scheme.

REASONS FOR THE DECISION

1. Pursuant to section 51 (a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposed development is in

Zone TC (Tourist Commercial) and is consistent with the primary purpose of the zone which is to provide for uses or development servicing tourism and that development should be of a scale and character compatible with uses or development nearby.


2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is supported as the development largely exists and the proposed redevelopment of part of Lot 7404 will be undertaken as an extension of an existing caravan park on Lot 339. The variation to the minimum driveway width for two-way traffic linking Lots 339 and 7404 is supported only in conjunction with specific traffic management requirements. These comprise restriction on caravans to Lot 339 only, one-way priority directional traffic flow between Lots 339 and 7404, provision of a dedicated pedestrian path and appropriate advisory signage.
3. The requirement for sealing (for example a bitumen seal) of the driveway link between Lot 339 and 7404 and detailed landscaping will assist in ensuring a suitable level of compliance with the overall intention of Clauses 6.5.3(b) (parking Layout) and 6.12 (Landscaping) of the NT Planning Scheme.

NOTE:

This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.

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

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



PETER McQUEEN
Chairman

14/3/2011

