DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 199 – WEDNESDAY 12 AUGUST 2015

DOUBLE TREE BY HILTON
BARRETT DRIVE
ALICE SPRINGS

MEMBERS PRESENT: Stephen Ward, David Koch, Alastair Feehan,
Stephen Brown, Chasney Paech

APOLOGIES: Brendan Heenan

OFFICERS PRESENT: Peter Somerville, Ben Taylor, Jennie Ryan, Kate Walker

COUNCIL REPRESENTATIVE : Dilip Nellikat

Meeting opened at 10:45 am and closed at 11:05 am
ITEM 1 DEVELOPMENT – LOT 2067, 43 LARAPINTA DRIVE, SUBURB OF GILLEN, TOWN OF ALICE SPRINGS
DEVELOPMENT – 2 X 3 BEDROOM AND 1 X 2 MULTIPLE DWELLINGS IN 3 X 1 STOREY BUILDINGS
BENNETT & JANETTE GUNNER

Bennett and Janette Gunner attended the meeting with Steve Adler in support of the application. Peter Kotz attended the meeting as a submitter.

RESOLVED
0064/15 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 2067, 43 Larapinta Drive, Suburb of Gillen, Town of
Alice Springs for the purpose of 2 x 3 bedroom and 1 x 2 bedroom multiple
dwellings in 3 x 1 storey buildings, subject to the following conditions:

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

2. 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
to the satisfaction of the consent authority. Car spaces, access lanes and driveways
must be kept available for these purposes at all times.

3. 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.

4. 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.

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

6. Any developments on or adjacent to any easements on site shall be carried

These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
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. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Alice Springs Town Council (Boucaut Street) and the Department of Transport (Larapinta Drive), to the satisfaction of the consent authority.

9. The owner shall:
   (a) Remove disused vehicle and/or pedestrian crossovers;
   (b) Provide footpaths/cycleways; and
   (c) Undertake reinstatement works
   All to the technical requirements of and at no cost to the Alice Springs Town Council (Boucaut Street) and Department of Transport (Larapinta Drive) to the satisfaction of the consent authority.

10. 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 (Boucaut Street) and the Department of Transport (Larapinta Drive) to the satisfaction of the consent authority.

11. 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 satisfaction of the consent authority on advice from the Alice Springs Town Council (Boucaut Street) and the Department of Transport (Larapinta Drive).

12. The dwellings shall be of appropriate acoustic design and construction in compliance with sub-clause 2(h) of Clause 7.8 of the NT Planning Scheme to the satisfaction of the consent authority.

13. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

NOTES:

1. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council (Boucaut Street) and the Department of Transport (Larapinta Drive) before commencement of any work within the road reserves.

2. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Aboriginal Sacred Sites Act. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
3. This development permit does not grant "building approval" for the proposed structure. The National Construction Code 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.

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

5. 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.

6. 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.

7. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 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. As part of any future subdivision of the dwellings, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

REASONS

1. Pursuant to section 51(a) of the Planning Act, 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 proposal is consistent with:
   - Clause 4.1 and Clause 4.3 of the Planning Principles and Framework of the NT Planning Scheme; and
   - the primary purpose of Zone MD (Multiple Dwelling Residential) of the
2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme to allow the outer surface of a the support columns of the carport to Unit 1 to be setback 3m from the primary street boundary (Larapinta Drive) instead of the minimum 4.5m is granted as:

- special circumstances are identified through the irregular shape of the land and the design response which reflects the irregular shape, with a reduced front setback for a carport to allow a functional parking layout for Unit 1, in line with the driveway;
- the carport will be partially screened by >1.8m high solid metal fencing to the affected boundary;
- the reduced setback and flat roof design of the carport is consistent with other carports along Larapinta Drive;
- the carport is an open structure with a flat roof design and will have minimal visual impact to the streetscape or adjoining land, the design enables breeze penetration/circulation;
- no adverse effects of building massing are anticipated when viewed from adjoining land. There is no potential for overlooking to or from habitable areas of the adjoining lots;
- the proposed multiple dwelling development is otherwise compliant with (or exceeds) all other minimum building setback distances prescribed by Clause 7.3 of the Scheme.

3. Pursuant to section 51(e) of the Planning Act, 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. 2 public submissions were received about the application. The matters raised in the submissions have been noted by the consent authority.

4. Pursuant to section 51(h) of the Planning Act, in considering a development application the Development Consent Authority must take into account the merits of the proposed development as demonstrated in the application:

- The addition of new multiple dwellings into the Alice Springs housing market will contribute towards achieving Objective 1 of the Strong Society vision contained in the Framing the Future strategic plan to support Territorians with diversity of housing choices under the Real Housing for Growth plan.
- The application contends that the proposal fulfils the relevant objectives and performance criteria of the NT Planning Scheme and is not expected to compromise the amenity of occupants of the development or to adjacent and nearby land.

5. Pursuant to section 51(j) of the Planning Act, 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. The physical characteristics of the land are considered suitable for the development of multiple dwellings at the scale and density proposed. The site and floor layouts, private open space provision and other aspects of the design fulfil the intent of the objectives of the NT Planning Scheme relevant to multiple dwelling use. Service authorities have not identified any objections or concerns in terms of vehicle access and provision of services to the proposed development subject to standard conditions of approval.

6. Pursuant to section 51(m) of the Planning Act, 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 Power and Water Corporation has advised that areas of the site need to be set aside for connections to and infrastructure for power, water and sewer services and easements may be required. These locations are noted on the drawings and the conditions of approval are intended to ensure service authority interests are duly recognised.
- The Alice Springs Town Council and the Department of Transport have each advised of no objections in principal to the proposed vehicle access arrangements to the development subject to standard conditions of approval.

7. Pursuant to section 51(n) of the Planning Act 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 multiple dwelling development is located within Zone MD (Multiple Dwelling Residential), and compliant with the majority of controls in the NT Planning Scheme, including being below the density level permitted through Clause 7.1 (Residential Density and Height Limitations) and with the exception of the front setback of the carport for Unit 1, compliant with all minimum building setback distances. Consideration has also been given to the streetscape and adjacent dwellings on Larapinta Drive and Boucault Street building setbacks, fencing and landscaping to soften the development’s impact.

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

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

[Signature]

STEVEN WARD
Deputy Chairman

3/08/2015