



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 154 – WEDNESDAY 8 FEBRUARY 2012

CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE

MEMBERS PRESENT: Peter McQueen (Chairman), Libby Prell, Sandy Taylor, Brendan Heenan and John McBride

APOLOGIES: None

OFFICERS PRESENT: Peter Somerville, Ben Taylor, Michael Lloyd Hughes (Development Assessment Services) and Kirra Morgan

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 9:45 am and closed at 10:30 am

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

**ITEM 1 DEVELOPMENT – LOT 7473, 21 HOLTERMANN COURT, SUBURB OF LARAPINTA, TOWN OF ALICE SPRINGS
DEVELOPMENT - SHED / GARAGE ADDITION TO EXISTING MULTIPLE DWELLING (UNIT 2) WITH REDUCED BUILDING SETBACKS TO FRONT AND SIDE BOUNDARIES
SEAN CAMELIN**

Mr Sean Camelin (applicant) attended the meeting. Mr Camelin tabled an email from CEO Housing giving consent for the development. Development Assessment Services staff tabled photographs showing the front of the property.

RESOLVED That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent
0005/12 Authority defer consideration of the application to develop Lot 7437 (21) Holtermann Court, Town of Alice Springs for the purpose of a Shed / Garage addition to existing multiple dwelling (Unit 2) with reduced building setbacks to front and side boundaries to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. Site plan of the proposed development that are drawn to scale and show the proposed building setbacks and details of proposed treatments/screening to the front of the property (between the shed/garage and front boundary). Increased building setback distances should be contemplated together with possible landscaping treatment to screen the structure from the street frontage; and
2. A written statement detailing special circumstances in support of the areas of non-compliance as identified in the Technical Assessment undertaken by Development Assessment Services, and why these should justify the granting of consent.

REASONS FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority “may require the applicant to provide it with the additional information that it considers necessary in order to enable the proper consideration of the application”.
2. Clause 2.5 (Exercise of Discretion by the Consent Authority) allows the Development Consent Authority to consent to the development or use of land that does not meet the standard set out in Part 4 of the NT Planning Scheme only if it is satisfied that special circumstances justify the giving of consent. The development application (as publicly exhibited) has not demonstrated that the relevant standards contained in Part 4 of the NT Planning Scheme have been met and no special circumstances are evident.

- Pursuant to section 51(n) of the *Planning Act*, the consent authority must consider the potential impact on the existing and future amenity of the area in which the land is situated. It is not considered that the drawings, supporting information and justification provided with the application accurately shows the details of the proposed shed / garage nor sufficiently addresses the potential impact the proposed development may have on the amenity of the area and the objective of Clause 6.11 (Garages and Sheds) of the Scheme, and the consent authority requests additional information to assist in its determination of the application.

ACTION: DAS to formally advise applicant of deferral and details of further information that is required. Application is to be rescheduled for March 2012 DCA hearing.

**ITEM 2 DEVELOPMENT – LOT 3376, 102 BRADSHAW DRIVE, SUBURB OF GILLEN, TOWN OF ALICE SPRINGS
DEVELOPMENT - SHED WITH REDUCED FRONT BUILDING SETBACK
JANINE FITCH**

Mr Laurance Sparke and Ms Janine Fitch (applicants) attended the meeting.

Ms Fitch tabled photographs of similar developments around neighbouring properties.

RESOLVED That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent
0006/12 Authority defer consideration of the application to develop Lot 3376 (102) Bradshaw Drive, Town of Alice Springs for the purpose of a Shed with reduced front building setback to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- Amended plans of the proposed development that show the front set back as 1.5m and details of proposed treatments/screening to the front of the property (between the shed and front boundary);
- Amended plans of the proposed development that show a shed with a reduced height, length and width; and
- Details of the established trees to be retained and any proposed landscaping to assist screening the structure.

REASONS FOR THE DECISION

The authority requires further information to enable consideration of the application.

ACTION: DAS to formally advise applicant of deferral and details of further information that is required. Application is to be rescheduled for March 2012 DCA hearing.

ITEM 3

**DEVELOPMENT – HOSTEL FOR SHORT TERM STAFF ACCOMMODATION
(11 BEDROOMS AND SHARED FACILITIES IN 4 SINGLE STOREY
BUILDINGS) ANCILLARY TO LIGHT INDUSTRY
LOT 7946, 51 PRIEST STREET, SUBURB OF CICCONE, TOWN OF ALICE
SPRINGS
QUALITY PLUMBING AND BUILDING CONTRACTORS PTY LTD**

Mr Stavros Kantros (applicant) attended the meeting.

**RESOLVED
0007/12**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 7946, 51 Priest Street, Suburb of Ciccone, Town of Alice Springs for the purpose of Hostel and Caretaker's Residence for staff accommodation (11 bedrooms and shared facilities in 4 single storey buildings) ancillary to Light Industry use to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. Amended plans at a legible scale, showing the following information:
 - a) The north point, area of Lot 7946 and boundary dimensions;
 - b) All buildings on site (as constructed) and their distances from lot boundaries;
 - c) Vehicle access points, parking and driveway areas (compliant with Clause 6.5.3 of the NT Planning Scheme). Vehicle turning areas and loading bay/s (locations and dimensions);
 - d) A landscaping schedule with details (locations and descriptions) of existing and proposed plantings and fencing. The percentage of the site area that is landscaped should also be noted;
 - e) Communal open space / recreation areas; and
 - f) Elevations and floor plans of each building (including net floor areas) on the site and the designated use of each building.
2. A statement providing:
 - a) Substantive evidence that the temporary accommodation is ancillary to a lawful use of the site under the provisions of Zone GI (General Industry), and the timeframe for which it is proposed; and
 - b) Special circumstances in response to those areas of non-compliance identified in the Technical Assessment undertaken by Development Assessment Services, and why these should justify the granting of consent.

REASONS FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *NT Planning Act*, the consent authority "may require the applicant to provide it with the additional information that it considers necessary in order to enable the proper consideration of the application".
2. Clause 2.5 (Exercise of Discretion by the Consent Authority) allows the Development Consent Authority to consent to the development or use of land that does not meet the standard set out in Part 4 of the NT Planning Scheme only if it is satisfied that special circumstances justify the giving of

consent. The development application (as publicly exhibited) has not demonstrated that the relevant standards contained in Part 4 of the NT planning Scheme have been met and no special circumstances are evident.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must consider the potential impact on the existing and future amenity of the area in which the land is situated. It is not considered that the drawings, supporting information and justification provided with the application accurately shows the details of the proposed building nor sufficiently addresses the potential impact the proposed development may have on the amenity of the area and occupants of the accommodation, and the consent authority requests additional information to assist in its determination of the application.

ACTION: DAS to formally advise applicant of deferral and details of further information that is required. Application is to be rescheduled for March 2012 DCA hearing.

**ITEM 4 DEVELOPMENT – LOT 3609, 1 NICHOLS STREET, SUBURB OF GILLEN,
TOWN OF ALICE SPRINGS
DEVELOPMENT - CARPORT ADDITION TO SINGLE DWELLING WITH
REDUCED BUILDING SETBACKS TO FRONT AND SIDE BOUNDARIES
CATRINA KILGARIFF**

Mrs Catrina Kilgariff (on behalf of the applicant) attended the meeting.

Ms Kilgariff tabled an amended plan showing footing positions.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 7.3
0008/12 (Building Setbacks and Residential Buildings) of the Northern Territory Planning
Scheme and pursuant to section 53(b) of the *Planning Act*, alters the proposed
development and consent to the proposed development as altered to develop
Lot 3609, 1 Nichols Street, Alice Springs for the purpose of constructing a
carport with reduced front and side setbacks, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show the length of the carport reduced from 9.5m to 6m front setback of the carport increased to 3.5 m off the front boundary.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.
3. 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.

NOTES:

1. This development permit does not grant "building approval" for development or use and the Building Code of Australia requires that any structure within 900mm of a boundary meets minimum fire resistance level requirements. 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 (89519218); Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, in considering a development application, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. A variation is granted to the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme as the visual impact of the shed will be lessened by the cream roof and gable end cladding, being in keeping with the existing 1.8m Colorbond® fence on the side of the driveway and the existing shed. In accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, the setback distance of the carport, and design features are considered to be sufficient special circumstances and justify the granting of a variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Scheme.
2. 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. No submissions were received from members of the public regarding the application.
3. With the exception of the front and side setbacks, the development is compliant with the relevant controls contained in the NT Planning Scheme, is appropriate for the site and locality, and has little potential impact on the surrounding area. Consideration has been given to the streetscape and surrounding developments.

4. Pursuant to section 51(t) of the *Planning Act*, in considering a development application the consent authority is required to take into account any other matters it thinks fit. It is considered necessary to note that Power and Water advised that the proposed carport will be erected over the existing underground water service supplying the property.

ACTION: DAS a Notice of Consent and Development Permit

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



PETER McQUEEN
Chairman

15/2/2012

