



DEVELOPMENT CONSENT AUTHORITY

TENNANT CREEK DIVISION

MINUTES

MEETING No. 51 – 24 SEPTEMBER 2018

OUT OF SESSION

MEMBERS PRESENT: Suzanne Philip (Chair), Siddhant Vashist, Steven Edgington,
Kris Civitarese

APOLOGIES: Hal Ruger,

DAS OFFICERS: Peter Somerville and Fraser Cormack

No conflict of interest by any member participating in the meeting was declared.

ITEM 1 ALTERATIONS AND ADDITIONS (INCLUDING DINING, LAUNDRY, OFFICE AND AMENITIES) TO EXISTING AGED CARE FACILITY (SUPPORTING ACCOMMODATION AND ANCILLARY FUNCTIONS) IN A SINGLE STOREY BUILDING

PA2018/0292 LOT 1012 (50) PEKO ROAD, TOWN OF TENNANT CREEK
APPLICANT AUSTRALIAN REGIONAL AND REMOTE COMMUNITY SERVICES LTD

RESOLVED
0004/18

That, the Development Consent Authority varies the requirements of clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, alters the proposed development and consents to the proposed development as altered to develop Lot 1012 (50) Peko Road, Town of Tennant Creek for the purpose of alterations and additions (including dining, laundry, office and amenities) to existing aged care facility (supporting accommodation and ancillary functions) in a single storey building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended site and landscape plan/s to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, plans will be endorsed and will then form part of the permit. The site and landscaping plan/s must:
 - a) Include a parking space for persons with a disability (designed to comply with the National Construction Code) located near to the proposed building and accessible from the building; and
 - b) Identify that all car parking spaces to the front of the site will be either:
 - (i) surfaced with gravel/cracker-dust and dust-suppressed; or
 - (ii) sealed; and
 - c) Include a planting schedule of all plants, including botanical names, common names, indicative sizes at maturity, and quantities of each plant, and identify any existing plants to be retained. All species selected must be to the satisfaction of the consent authority.
 - d) Include a planted landscape strip with a minimum width of 1 metre be provided between the front parking area and the front boundary, with plants selected to partially screen the parking area, while provided passive surveillance opportunities and sightlines; and
 - e) Include details of all fencing to the front of the site and in the immediate locality of the proposed building (including any existing fencing to be retained and any new fencing proposed). Fencing must maintain sight lines at the points of access to and egress from the property and should provide passive surveillance opportunities.

Amended plans and associated supporting documentation prepared in response to the conditions precedent may be submitted to the Development Consent Authority C/- Development Assessment Services, DIPL (Alice Springs Branch) via email to DAS.NTG@nt.gov.au. When endorsed, the plans will form part of the permit.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. Any development on or adjacent to any easements on site must be carried out to the requirements of the relevant service authority, to the satisfaction of the consent authority.
4. 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 on the advice of the Barkly Regional Council, to the satisfaction of the consent authority.
5. The kerb crossover and driveway to the site approved by this permit are to meet the technical standards of the Barkly Regional Council, to the satisfaction of the consent authority.
6. Storm water is to be collected and contained within the site or discharged into the drainage network to the technical standards of, and at no cost to, the Barkly Regional Council, to the satisfaction of the consent authority.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity in accordance with the authorities' requirements and relevant legislation at the time.
8. Before the use of the building approved under this permit commences, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
9. 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.
10. Before the use or occupation of the dwellings starts, the areas of the site set-aside for the parking of vehicles and access lanes, and located within 20 metres of the front boundary, 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) (i) surfacing with gravel/cracker-dust and dust-suppressed and delineated;
or
(ii) sealed and line-marked; 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.
11. All air-conditioning units and condensers for the building approved through this permit (including any required to be added or replaced in the future) are to be appropriately screened from adjoining properties and streets, to the satisfaction of the consent authority.
12. A 'No Entry' sign facing Peko Road shall be placed on the eastern side of the exit only to Peko Road and sign/s and/or arrows directing the internal traffic

movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.

13. Provision must be made on the land for the storage and collection of garbage and other solid waste generated by the use of the new building. This area must be graded, drained and screened from public view to the satisfaction of the consent authority.

NOTES

1. This development permit does not grant building approval for the proposed development and use. 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. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the *NT Public Health Act* and Regulations, the *NT Food Act* and National Food Safety Standards.
3. A Permit to Work Within a Road Reserve may be required from the Barkly Regional Council before commencement of any work within the road reserve.
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 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.
6. The Northern Territory Environment Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
7. Telstra advises that the developer is required 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.
8. 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.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposed alterations and additions (including dining, laundry, office and amenities) to existing aged care facility (supporting accommodation and ancillary functions) are considered appropriate to Zone CP (Community Purposes) of the Northern Territory Planning Scheme and considered consistent with the policy for the zone in the context of the established development of the locality and the characteristics of the site, subject to the conditions of the permit.
2. A variation to clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to allow a calculated shortfall of 1 parking space is approved, as:
 - a) the use of the new building is expected to result in increased usage of the existing parking area to the front of the site; and
 - b) the required screening and formalisation of the front parking area may be expected to:
 - (i) assist in limiting dust and visual impacts and maximising the number of parking spaces available, by encouraging parking in an orderly manner; and
 - (ii) reasonably ensure that adequate parking is available on the site to service the development and use; and
 - c) a parking space for persons with a disability is required to be provided to support the proposed use.

These circumstances are considered to justify the granting of a variation to clause 6.5.1 and the objective of the clause is expected to be met.

3. Pursuant to section 51(e) of the *Planning Act*, in considering a development application the Development 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 public or local authority submissions were received under section 49 of the Act.
4. Pursuant to section 51(h) of the *Planning Act*, in considering a development application the Development Consent Authority is required to take into account the merits of the proposed development as demonstrated in the application. The application identifies that due to an overwhelming demand for community care services in Tennant Creek, the existing aged care facility is no longer sufficient in delivering the required care, with several existing residential aged care bedrooms being used by staff. This project will provide specific administrative space, and free up aged care beds for those that are on the residential care wait list.

The additions are expected to assist in supporting identified needs within the aged care sector.

5. Pursuant to section 51(j) of the *Planning Act*, in considering a development application the Development Consent Authority is required to 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 land is expected to be capable of supporting the proposed development without undue impact on other land.

6. Pursuant to section 51(m) of the *Planning Act*, the consent authority must 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.
- a) The Barkly Regional Council (the Council) has not identified any objections or requirements in relation to the proposed development and use. Standard conditions relating to site access and stormwater drainage are included in the permit to ensure that the Council's interests are duly recognised.
 - b) Power and Water Corporation (PAWC) has advised that it has no objections to the proposed development and has requested standard permit conditions and notes relating to PAWC interests. Standard conditions and notes regarding works and easements are expected to duly recognise PAWC's interests with respect to the proposed development.
 - c) The Northern Territory Fire and Rescue Service has advised of no objections to the proposed development, subject to:
 - (i) a permit to build being obtained before commencing works; and
 - (ii) NTFRS Fire and Emergency Regulations being met.A standard note regarding building certification is expected to duly recognise NT Fire and Rescue Service interests with respect to the proposed development.
7. Pursuant to section 51(n) of the *Planning Act* the consent authority must take into consideration the potential impact of development on the existing and future amenity of the area in which the land is situated. It is not envisaged that the proposed staff development will unduly impact on the amenity of adjoining properties, the streetscape or the locality, subject to development and use in accordance with the conditions of approval.

ACTION: DAS TO PREPARE NOTICE OF CONSENT AND DEVELOPMENT PERMIT

RATIFIED AS A RECORD OF DETERMINATIONS MADE AT THE MEETING

SUZANNE PHILIP
Chair

09 October 2018