



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 241 – WEDNESDAY 13 MARCH 2019

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

MEMBERS PRESENT: Suzanne Philip (Chair), David Koch, Alistair Feehan,
Jamie de Brenni (not present for deliberations for Item 4)

APOLOGIES: Marli Banks, Jimmy Cocking

OFFICERS PRESENT: Peter Somerville, Fraser Cormack, Julie Driver, Jennie Ryan

COUNCIL REPRESENTATIVE: Dilip Nellikat

Meeting opened at 10:15am and closed at 12:00pm

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.

ITEM 1 CARPORT ADDITION TO EXISTING SUPPORTING ACCOMMODATION WITH REDUCED FRONT SETBACK
PA2019/0029 LOT 8139, 78 LARAPINTA DRIVE, SUBURB OF ARALUEN
APPLICANT ABORIGINAL HOSTELS LTD

RESOLVED 0010/19 That the consent authority varies the requirements of clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme and pursuant to section 53(a) of the *Planning Act*, consents to the application to develop Lot 8139 (78) Larapinta Drive, Suburb of Araluen, Town of Alice Springs for the purpose of a carport addition to existing supporting accommodation with a reduced front setback, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. 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.
3. Landscaping (planting) between the carport and the street must be maintained generally in accordance with:
 - a) the site plan endorsed as forming part of Instrument of Determination DV3574 and relating to the site; or
 - b) an alternative detailed landscape plan submitted to and endorsed by the consent authority as part of this permit. Any alternative landscape plan should be designed to assist in integrating the carport into the streetscape.

This condition is to the satisfaction of the consent authority.

NOTES

1. A "Permit to Work Within a Road Reserve" is required from the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics, before commencement of any work within the road reserve.
2. This development permit does not grant "building approval" for the proposed works and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing works.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterservices@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.
4. 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.

REASONS

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 development as approved is considered to be consistent with the form and scale reasonably expected within Zone MR (Medium Density Residential) of the Northern Territory Planning Scheme.
2. A variation to clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the Northern Territory Planning Scheme is granted to allow a structure with a reduced front building setback as:
 - a) The carport is designed to provide shade and weather protection over an existing and approved parking area.
 - b) The cantilevered design will ensure that the functionality of the parking area is not impeded by support columns.
 - c) The carport will be constructed above part of an existing parking area and it would be impractical to comply with the minimum setback requirements;
 - d) The carport is expected to have minimal impact on the streetscape as:
 - (i) Its low height and open design will limit its visual mass when viewed from the street.
 - (ii) Existing planting between the proposed structure and the front boundary that will assist in integrating it into the streetscape.
 - (iii) Existing front boundary screen fencing to the western side of the carport that will partially screen it from the street; and
 - (iv) The carport is expected to be visually compatible with existing development on the site and in the locality including similarly reduced setbacks to the front boundary.

In accordance with clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, the aforementioned circumstances are considered to constitute reasonable grounds for the granting of a variations to clause 6.5.3 of the Scheme.

3. Pursuant to section 51(e) of the *Planning Act* the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application. The application was publicly exhibited and referred to the Alice Springs Town Council in accordance with the requirements of the *Planning Act* and Planning Regulations and no public or local authority submissions under section 49 of the Act were received.
4. Pursuant to section 51(m) of the *Planning Act*, in considering a development application, 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. The conditions and notes included on the development permit are expected to assist in ensuring that the carport is constructed in an orderly manner.
5. 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 carport is not expected to have any

material adverse amenity impact on the streetscape or locality and is expected to improve amenity for people using the parking area by providing weather protection.

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

ITEM 2 **CHANGES TO DEVELOPMENT APPROVED BY DP18/0164 FOR ALTERATIONS MADE TO CAR PARKING LAYOUT, PRIVATE OPEN SPACE, FENCING, LANDSCAPING AND LAYOUT, DELETION OF COMMUNAL OPEN SPACE, AMENDMENTS TO FLOOR LAYOUTS AND ELEVATIONS.**
PA2019/0017 **LOT 6718, 4 TAYLOR STREET, SUBURB OF ARALUEN**
APPLICANT **SUSAN DUGDALE AND ASSOCIATES**

Susan Dugdale (Susan Dugdale & Associates) and Phil Danby (Probuild NT Pty Ltd) attended the meeting and spoke further to the application.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.3
0020/19 (Parking Layout), Clause 7.5 (Private Open Space) and Clause 7.6 (Communal Open Space) of the NT 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 Lot 6718 (4) Taylor Street, Suburb of Araluen, Town of Alice Springs for the purpose of changes to development approved by Development Permit DP18/0164 for alterations made to car parking layout, private open space fencing, landscaping and layout, deletion of communal open space, amendments to floor layouts and elevations, 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, be generally in accordance with *the plans submitted with the application* but modified to show:
 - (a) the as constructed location and details of all buildings, structures and fencing;
 - (b) a landscaping plan demonstrating a total landscaped area compliant with clause 7.7 (Landscaping); and
 - (c) clear details of proposed landscaping to all landscaped areas, including a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;
 - (d) screening for all ground floor private open space areas that demonstrably complies with sub-clause 4 of Clause 7.5 (Private Open Space) of the NT Planning Scheme (*i.e. solid screen fencing to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas*);
 - (e) proposed screening of air-conditioners/condenser units from adjoining residences and public areas/streets; and
 - (f) details of all driveway and parking areas and associated maneuvering areas including:
 - minimum driveway width dimensions; and
 - parking bay dimensions for each parking space and showing minimum width between support columns for carports; and
 - extent/location of all driveway areas and parking spaces;

NOTE: The delegate of the DCA must be satisfied that the car parking and driveway layout will be functional.

GENERAL CONDITIONS

2. This condition supersedes Condition 2 of Development Permit DP18/0164 and works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

NOTES:

1. This development permit does not grant "building approval" for the proposed buildings and use. 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. 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.
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. 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.
5. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 89955362 (surveylandrecords@nt.gov.au).

The suitability of the response to this resolution is at the discretion of the delegate.

REASONS

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. Subject to the receipt of suitably amended plans and compliance with conditions of approval, the changes made to the development and use (previously approved by DP18/0164) are expected to satisfactorily respond to applicable objectives of the NT Planning Scheme.

2. The consent authority grants a variation to sub-clause 3(g) of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme to allow two car parking spaces to be located within the minimum setback to a street boundary. This applies to parking spaces 14 and 16. The setback variation is not expected to adversely impact on the visual amenity of the street or locality as:
 - The spaces will be screened by a proposed fence comprising either solid Colorbond®, 0.6 or 0.8m picket fence on top of 1.2 or 0.8 blockwork walls; and
 - Landscaping treatment will be undertaken between the spaces (#14 & #16) and the fence/boundary.
3. The consent authority grants a variation to sub-clause 3(i) of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme to allow part of a driveway/crossover to be 5.6m wide in lieu of the minimum 6m wide as the crossover is existing and an automatic gate has been installed to match the crossover. The crossover has also been approved by the Alice Springs Town Council who is the local road and traffic authority. The reduced driveway width is not expected to adversely impact on the functionality and visual amenity of the street or locality as the entry to the site is 40 m from the intersection with Larapinta Drive and has clear sightlines in either direction along Taylor Street.
4. The consent authority grants a variation to sub-clause 3(h) of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme to allow non-standard dimensions for parking space 7, noting the applicant's advice that the design of the parking area and location of carports had to be adjusted on account of existing underground services discovered during the construction process. The space dimensions still provide adequate functionality for small car parking.
5. The consent authority grants variations to Clause 7.5 (Private Open Space) of the NT Planning Scheme to allow private open space areas for some of the dwellings (units 4, 7 and 8) that do not fully comply with the minimum area, length and width dimensions. Variations to these provisions are supported, as the following circumstances apply to the development:
 - despite these non-compliances, each dwelling provides a useable, functional area for personal use directly accessible from habitable rooms within the dwelling;
 - the dimensions of the non-compliant private open space areas are considered adequate to meet the expected needs of future occupants of those dwellings;
 - the private open space areas are positioned to enable an extension of the function of each dwelling;
 - the areas of private open space are considered to be appropriate for the floor areas and layout of each dwelling;
 - the private open space of the existing dwellings on the site (approved by Instrument of Determination DV1591) is being upgraded;
 - there are areas of quality public open space and community facilities in close proximity to the site (neighbourhood parks);
 - Units 7 and 8 are existing first floor units with limited balcony space and the application proposes to provide both units with access to ground level POS/service yards; and
 - Unit 4 has POS/rear yard with reasonable dimensions for a single bedroom unit.
6. The consent authority grants variations to Clause 7.6 (Communal Open Space) of the NT Planning Scheme given units 7 and 8 are the only units that do not have direct ground level access to private open space, but are provided with

balcony space and individual ground level yard areas for clothes drying and storage. Variation to this provision are supported as units 5 to 8 were lawfully established and are being upgraded as part of the proposal.

7. 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. The application was advertised in accordance with the requirements of the *Planning Act* and Planning Regulations, no public or local authority submissions were received.
8. Pursuant to section 51(h) of the *Planning Act*, in considering a development application the consent authority must take into account the merits of the proposed development as demonstrated in the application. The applicant and developer have identified that the main changes to the previously approved design and site layout reflect a response to the developer, having encountered constraints in the form of underground services.
9. Pursuant to section 51(j) of the *Planning Act*, in considering a development application the 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 site has previously been identified as suitable for the approved multiple dwelling development in terms of land capability considerations.
10. Pursuant to section 51(m) of the *Planning Act*, in considering a development application the 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. With the exception of telecommunications, all relevant service authorities have issued clearance letters for Development Permit DP18/0164 and no issues of concern have been raised in relation to the application.
11. Pursuant to section 51(n) of the *Planning Act*, in considering a development application the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The consent authority envisages that the approved changes to the development are unlikely to result in any significant amenity impact subject to suitable design revisions.
12. Pursuant to section 51(p) of the *Planning Act* the consent authority must take into consideration the public interest. The approved changes to the previously endorsed development are not expected to have any significant impact in terms of the public interest.
13. Pursuant to section 51(t) of the *Planning Act*, in considering a development application the consent authority must take into account such other matters as it sees fit. The consent authority:
 - a) noted advice from Development Assessment Services and confirmed by the developer to the effect that a recent inspection of the property identified further discrepancies between the as-constructed development and the plans included with the development application and intended to reflect the as-constructed development; and

- b) anticipated a delegate being able to endorse drawings, subject to suitable further refinement of the design, hence the decision to facilitate approval under delegation.

ACTION: DAS TO PREPARE NOTICE OF CONSENT AND DEVELOPMENT PERMIT

ITEM 3 **CHANGES TO THE DEVELOPMENT APPROVED BY DEVELOPMENT PERMITS DP15/0426 TO ALLOW – AMENDMENTS TO FLOOR LAYOUTS, INCLUSION OF LOADING BAY, AMENDMENTS TO PARKING AND DRIVEWAY LAYOUTS, OUTDOOR STORAGE, AMENDMENTS TO LANDSCAPING.**
PA2019/0006 **LOT 7720, 46 SMITH STREET, SUBURB OF CICCONE**
APPLICANT **SUSAN DUGDALE & ASSOCIATES**

Miriam Wallace attended the meeting and spoke further to the application.

RESOLVED That the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements), Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 7720, 46 Smith Street, Suburb of Ciccone, Town of Alice Springs for the purpose of changes to Development Permit DP15/0426 to allow – amendments to floor layouts, inclusion of loading bay, amendments to parking and driveway layouts, outdoor storage, amendments to landscaping, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit. The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
2. The development must proceed in the order of stages as shown on the endorsed plan/s unless otherwise agreed in writing by the consent authority.
3. 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;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
4. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

5. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land).
6. 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.
7. 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.
8. 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.
9. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers; and
 - (b) undertake reinstatement works;all to the technical requirements of and at no cost to the Alice Springs Town Council 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 to the satisfaction of the consent authority.
11. All proposed works impacting on Smith Street and Brown Street are to be designed, supervised and certified in accordance with the standards and specifications of the Alice Springs Town Council. Drawings must be submitted to the Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
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. This condition is to the satisfaction of the consent authority on advice from the Alice Springs Town Council.
13. Storage for waste disposal bins is to be provided to the requirements of the Alice Springs Town Council, to the satisfaction of the consent authority.
14. 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.
15. 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.
16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, storm water drainage, sewerage, electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
17. Prior to the use/occupation of each stage of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form

the legal address and will be required to be placed on the doors and utility meters within the development in accordance with the allocation. A Certificate of Compliance (for each stage) will not be able to be granted until such time as addressing is obtained.

18. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitably qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both waterdevelopment@powerwater.com.au and powerconnections@powerwater.com.au.
19. All air conditioning condensers to "Building 6" (the new building) (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. This development permit does not grant building approval. You are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing construction works or the use.
2. 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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
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. 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 Department of Environment and Natural Resources.
5. 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.
6. 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>

7. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 89955362 (surveylandrecords@nt.gov.au).
8. A permit to work within a road reserve may be required from the Alice Springs Town Council before commencement of any works within the road reserves.
9. 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.
10. This permit will expire if one of the following circumstances applies:
 - (a) the development *and use is/are* not started within *two* years of the date of this permit; or
 - (b) the development is not completed within *four* years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

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 the primary purpose of Zone GI (General Industry) of the NT Planning Scheme, which is, “to provide for...general industry”. The application is for changes to an existing Development Permit (DP15/0426). The land uses are listed as “permitted” within Zone GI. The development is consistent with the form of development expected within Zone GI and the design incorporates landscaping, building materials and colours that will enhance the visual appearance of the development.
2. An assessment of the revised design against Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme identifies that the development will have a shortfall of 18 car parking spaces. A reduction to the parking required under Clause 6.5.1 (Parking Requirements), pursuant to Clause 6.5.2 (Reduction in Parking Requirements) of the Scheme is considered suitable as:
 - Provision of additional car parking bays may compromise the functionality of the car parking and driveway areas and adversely affect the visual amenity of the site.
 - In respect to car parking numbers, the applicant has assessed that based on the land use and net floor areas proposed, the proposed number of parking spaces would satisfy the empirical demand for car parking on site. This is partly based on the “motor repair station” being established on the site for several years and parking arrangements being managed effectively in its current arrangement. Any additions to the use will require further consent.
 - The existing works on the site are being partially upgraded to achieve closer compliance with the development provisions of Part 4 of the NT Planning

- Scheme in response to sub-clause 3 of Clause 11.1.4 of the Scheme; and
 - Availability of public transport facilities within the vicinity of the site.
3. A variation to Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme is granted for a reduced landscaping buffer between the property boundary and the buildings and car parking areas as:
 - the shape and dimensions of the allotment, proposed car parking layout and footprints of existing buildings on the land constrain the ability for a 3m wide landscaped area to be established along the street boundaries to the site;
 - the developer has landscaped parts of the adjacent road reserves; and
 - the boundary fencing and existing and proposed landscaping on the site will partly screen the buildings and car parking areas from the public realm and achieve the objectives of the relevant clauses of the Scheme.
 4. 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. Subject to storm water drainage arrangements to the site being addressed, the physical characteristics of the land are considered suitable for the development. The site is outside the 1% AEP Defined Flood Area. The vehicle access arrangements, site and floor layouts and other aspects of the design fulfil the intent of the objectives of the NT Planning Scheme relevant to the proposed land uses.
 5. 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 works are not to encroach into easements. The conditions of approval are intended to ensure service authority interests are duly recognised.
 8. Pursuant to section 51(n) of the *Planning Act*, in considering a development application 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. The proposed development is appropriate for the zoning, site and locality and subject to the compliance with conditions of approval, is expected to fulfil the objectives of the scheme relevant to Zone GI.

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

ITEM 4 2 STOREY GRANDSTAND IN A SINGLE BUILDING
PA2019/0010 LOT 6774, 8 ALBERCHT DRIVE, SUBURB OF LARAPINTA
APPLICANT SUSAN DUGDALE & ASSOCIATES

Mr Jamie de Brenni, a member of the Development Consent Authority declared an interest pursuant to section 97(1) of the *Planning Act*, and absented himself from the meeting for the deliberation of this item.

Miriam Wallace (Susan Dugdale & Associates) and Opat Innuan (Alice Springs Town Council) attended the meeting and spoke further on the application. A noise management plan was tabled for information, noting that this was a requirement of EDP18/0007, which has been granted by the Minister for four light towers and leisure and recreation use.

**RESOLVED
0022/19**

That the Development Consent Authority determines that the existing parking on the site and in adjoining road reserve is adequate to service the sports and recreation and leisure and recreation uses of the land and pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consents to the application to develop Lot 6774 (8) Albrecht Drive, Suburb of Larapinta, Town of Alice Springs for the purpose of a 2 storey grandstand in a single building, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. 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 in accordance with the authorities' requirements and relevant legislation at the time.
3. Stormwater is to be collected and retained on the site and/or discharged into the drainage network to the technical standards of and at no cost to the Alice Springs Town Council and /or Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics, as relevant, to the satisfaction of the consent authority.
4. 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.
5. 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. 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.
2. The proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
3. A "Permit to Work Within a Road Reserve" may be required from the Alice Springs Town Council and /or Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics, as relevant, before commencement of any work within the road reserve.
4. All signage is subject to Alice Springs Town Council approval, at no cost to Council.

5. This development permit does not grant "building approval" for the proposed works 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.
6. 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.
7. 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.
8. 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>.
9. 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.

REASONS

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 development has been reviewed with regard to relevant objectives and provisions of the NT Planning Scheme and is assessed as compliant with the Scheme. Albrecht Oval is an established community oval used for organised sport matches and training and general recreation purposes. The proposed grandstand addition is not expected to frustrate the purpose of Zone PS (Public Open Space) which is *to provide public areas for recreational activity. Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property.* The grandstand includes facilities, amenities and shelter for participants, spectators and other users of the oval and may be expected to enhance amenity for users without any significant amenity impact for residents or occupants of other properties in the locality.

The existing car parking on Lot 6774 and within the adjoining Larapinta Drive Road reserve is considered to be sufficient to service the existing use of Lot 6774 and provide overflow parking capacity for other adjacent uses and is expected to sufficient to service the foreseeable future uses. The proposed

grandstand is not, in itself expected to have a significant impact on the demand for car parking, when compared with the established usage.

2. 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. The application was publicly exhibited in accordance with the *Planning Act* and Regulations and no public or local authority submissions were received under section 49 of the Act.
3. 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 the following merits in relation to the proposal:
 - (a) The development will extend the existing sports facilities at the oval, supporting the public use of the site;
 - (b) The building will provide a safe, covered seating area for spectators that is accessible for people of all levels of ability;
 - (c) The grandstand will be near the existing (pavilion) building so as to support the existing uses on site and enhance the existing facilities;
 - (d) The grandstand will be located at a distance from adjacent residential properties so as to limit its negative impact of surrounding areas; and
 - (e) The development includes new public water closets, a baby change room and 'disabled accessible' bathroom.
4. 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.
5. 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. The conditions of approval may be expected to assist in ensuring the orderly servicing and development of the grandstand building.
6. 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. The proposed grandstand building is expected to offer participants, spectators and other users a significantly improved level of amenity a significantly improved level of amenity. The building will have a length of approximately 35m and height of 8.5m and be setback 140m from the nearest residential property with the long axis of the building at an oblique angle to the nearest residential lots. In addition, there are trees and shrubs along the eastern side of the oval (and western side of the adjoining drain).The above factors are expected to assist in ensuring no significant noise, light or visual impacts on residential properties in the locality. Lighting of the grandstand building itself may be expected to be limited to that needed for the safe and convenient use of the facility.
7. Pursuant to section 51(p) of the *Planning Act* the consent authority must take into consideration the public interest, including (if relevant) how the following

matters are provided for in the application

- (i) community safety through crime prevention principles in design;
- (ii) water safety; and
- (iii) access for persons with disabilities.

The development design addresses needs of persons with a disability and recognise the benefits of providing good passive surveillance opportunities.

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

ITEM 5 **MULTIPLE DWELLING DEVELOPMENT IN A DEFINED FLOOD AREA**
PA2019/0026 **LOT 7735, 14 RAILWAY TERRACE, TOWN OF ALICE SPRINGS**
APPLICANT **DESIGN INK NT**

Submitter Domenico Pecorari attended and confirmed his support for the proposed development.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.3
0023/19 (Parking Layout) and Clause 7.5 (Private Open Space) of the NT 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 Lot
7735, 14 Railway Terrace, Town of Alice Springs for the purpose of multiple
dwellings (retain existing dwelling and construct an additional one bedroom
dwelling in a single storey building), 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 must be generally in accordance with the plans submitted with the application but modified to show finished floor levels for “habitable rooms” within the new dwelling at least 300mm above the 1% AEP flood level. Floor levels approved under this permit must be no lower than 579.25 metres Australian Height Datum.

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. 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 as shown on the endorsed drawings; and
 - (e) line marked (or otherwise suitably delineated) to indicate each car space (2 spaces available for each dwelling);to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be maintained and kept available for these purposes at all times.
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 to the satisfaction of the consent authority, on advice from the Alice Springs Town Council.

5. 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.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
7. 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.
8. 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.
9. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for unit/street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the doors and meters within the development in accordance with the allocation. A Certificate of Compliance (section 65 of the Planning Act) for the development will not be able to be granted until such time as addressing is obtained.
10. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional (being the Licensed Surveyor in most instances) confirming that all new UTS number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both waterdevelopment@powerwater.com.au and powerconnections@powerwater.com.au.
11. All proposed works impacting on Hartley Street and the rear laneway are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Alice Springs Town Council. Drawings must be submitted to the Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.
14. Stormwater 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 (Hartley Street and rear laneway) to the satisfaction of the consent authority.

15. All air conditioning condensers for the new dwelling (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.
16. Before a Certificate of Compliance (section 65 of the Planning Act) can be issued and pursuant to section 34 of the Land Title Act, a Caution Notice shall be lodged with the Registrar-General on the title of Lot 7735, Town of Alice Springs to include the following advice. The Caution Notice is to state that: "part of this site is liable to inundation in a 1% AEP Defined Flood Event". Evidence of lodgement on the parcel shall be provided to the satisfaction of the consent authority.
17. The finished floor levels of habitable rooms of the new dwelling must be no lower than 579.25 metres Australian Height Datum. The developer shall demonstrate compliance with this condition by providing "as constructed" finished levels of the dwelling, confirmed by a Licensed Surveyor. This condition is to the satisfaction of the Development 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. The permit holder is advised that it is an offence to carry out work on, disturb or destroy declared places without consent under the Heritage Act. The land owner/developer should contact the Heritage Branch of the Department of Tourism and Culture to ascertain requirements of the Heritage Act prior to commencing any demolition or construction works.
3. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council (Railway Terrace) and the Department of Infrastructure, Planning and Logistics (Stuart Highway) before commencement of any work within the road reserves.
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. 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. 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.

7. Professional advice regarding implementation of soil erosion control and dust control measures that could be employed throughout the construction phase of the development is available from Department of Environment and Natural Resources.
8. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 89955362 (surveylandrecords@nt.gov.au)
9. 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>
10. 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.
11. This permit will expire if one of the following circumstances applies:
 - (a) the development and use is/are not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

REASONS

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. Subject to the receipt of amended plans and compliance with conditions of approval, the proposed use and development as presented in the application is considered to be generally consistent with the following policies and objectives of the NT Planning Scheme:
 - Clause 2.8 (Reference to Policy: Compact Urban Growth Policy)
 - Clause 4.3 (Planning Principles – Alice Springs)
 - Clause 14.4.1 (Central Alice Springs Commercial Area Plan)
 - Zone CB (Central Business)The development is under the 8 storey height limitation and the scale, character and architectural style of the multiple dwelling development is considered to be compatible with the streetscape and surrounding railway cottages (declared heritage places). The “multiple dwelling” land use is consistent with the purpose of Zone CB.
2. A variation to sub-clause 3(b) of Clause 6.5.3 (Parking Layout) of the NT

Planning Scheme is granted on the basis that the use of gravel as an alternative to an impervious seal to parts of the parking area is expected to support the declared heritage values of the site.

3. A variation to Clause 7.5 (Private Open Space) requirements is supported for the following reasons:
 - both dwellings meet the minimum 45m² of private open space including 2 x envelopes measuring 5m x 5m;
 - the new dwelling is intended to be an extension of floor space to the existing dwelling;
 - both dwellings are intended to be occupied by the same owner; and
 - there will be no loss of amenity given that the applicant does not wish to fence or screen between the dwellings
 - the private open space arrangements support the declared heritage values of the site.
4. 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. The application was publicly exhibited in accordance with the Planning Act and Regulations and one public submission was received. The submission identified support for the proposal and encouraged the owner to consider the use of galvanised iron roofing in the interest of optimising heritage values. The consent authority noted the submitter's support for the proposal which the submitter reiterated verbally and without reservation at the hearing of the application.
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 proposed development of multiple dwellings. The location on the site that will contain the footprint of the new dwelling is generally flat. 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.
6. Pursuant to section 51(m) of the *Planning Act*, in considering a development application the 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 works are not to encroach into easements. The advisory notes and conditions of approval are intended to assist in ensuring service authority interests are duly recognised in terms of works within and affecting the road reserves, vehicle access, electricity, sewerage and water services that apply to the development of the land.
7. Pursuant to section 51(p) of the *Planning Act*, in considering a development application the Development Consent Authority must take into account the public interest. Part of the site is identified as being liable to inundation in a 1% AEP Defined Flood Event. A Caution Notice is required to be placed on the land title with a view to ensuring future owners (including body corporate) and

occupants of the site are aware of the flood liability and associated potential hazards and inconveniences.

8. Pursuant to section 51(r) of the *Planning Act*, in considering a development application the Development Consent Authority must take into account any potential impact on natural, social, cultural or heritage values. The site is part of a declared heritage place, an advisory note is included on the permit to remind the owner/applicant to obtain any approvals required under the *Heritage Act*.

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

ITEM 6 **ALTERATIONS AND ADDITIONS TO GENERAL INDUSTRY DEVELOPMENT
AND CONSTRUCTION OF A SECOND CARETAKER'S RESIDENCE**
PA2019/0038 **LOT 10039, 34 CAMERON STREET, SUBURB OF BRAITLING**
APPLICANT **MR DANIEL ORR**

RESOLVED
0024/19

That the consent authority varies the requirements of clause 6.5.3.3(b) (Parking Layout) of the NT 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 10039 (34) Cameron Street, Suburb of Braitling, Town of Alice Springs for the purpose of alterations to existing general industry including construction of a second caretaker's residence/ancillary short-term staff accommodation, subject to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. 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 drawings in accordance with the authorities' requirements and relevant legislation at the time.
3. Stormwater is to be collected and retained on the site and/or 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.
4. 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.
5. Landscaping to the front of the site must be generally consistent with that approved under Development Permit DP08/0620 and relating to the site or an alternative detailed landscape plan submitted to and endorsed by the consent authority as part of this permit. Any alternative landscape plan should be designed to assist in integrating the development into the streetscape and lessen the visual impact of driveways and parking areas on the streetscape. This condition is to the satisfaction of the consent authority.
6. Before the use/occupation of the second caretaker's residence/short-term staff accommodation starts, driveways and areas set-aside for the parking and

manoeuvring of vehicles 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) sealed or suitably dust-suppressed;
- (d) drained; and
- (e) line marked (or otherwise suitably delineated) with respect to formalised parking areas;

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

NOTES:

1. The proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
2. A "Permit to Work Within a Road Reserve" may be required from the Alice Springs Town Council, before commencement of any work within the road reserve.
3. This development permit does not grant "building approval" for the proposed works 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. 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. 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. Professional advice regarding dust control measures are available from the Department of Environment and Natural Resources.

REASONS

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 development and use as approved is considered to be of a form, scale and type appropriate to a 7460m² lot within Zone GI (General Industry) of the Northern Territory Planning Scheme and compatible with other established development within Zone GI in the locality of Braiiling.
2. A variation to clause 6.5.3.3(b) (Parking Layout) of the Northern Territory Planning Scheme is granted to allow a continued mix of sealed and unsealed parking and driveway areas, as:

- a) minimal change to the established parking layout is proposed; and
- b) the existing construction of the parking area includes a combination of sealed and compacted road base (or equivalent) areas and was in a state of good repair at the time of the issue of this permit;
- c) the permit conditions require parking areas to be maintained;
- d) the parking as approved may be expected to suitably service the proposed development and use without loss of amenity to the streetscape or any property.

In accordance with clause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, the aforementioned circumstances are considered to constitute reasonable grounds for the granting of a variation to clause 6.5.3 of the Scheme.

3. A variation to clause 7.10.3.2(b) (Caretaker's Residence) of the Northern Territory Planning Scheme is granted to allow a second caretaker's residence on the site, as the second caretaker's residence:
 - a) is intended for occasional use by employees of the contracting business;
 - b) is expected to assist in enhancing the level of security of the site and adjoining properties through improved active and passive surveillance opportunities; and
 - c) is considered appropriate to the site which is in excess of 6 times the minimum lot size that applies to Zone GI (General Industry);
 - d) would provide improved flexibility for maintaining security of valuable equipment, machinery and vehicles by being available for use when the residents of the primary caretaker's residence are on leave or out of town; and
 - e) is not expected to detract from the amenity of any other property or to frustrate the purpose of Zone GI (General Industry) which is to provide for general industry.
4. Pursuant to section 51(e) of the *Planning Act* the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application. The application was referred to the Alice Springs Town Council in accordance with the requirements of the *Planning Act* and Planning Regulations and no local authority submissions under section 49 of the Act were received.
5. Pursuant to section 51(m) of the *Planning Act*, in considering a development application, 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. The conditions and notes included on the development permit are expected to assist in ensuring that the alterations and additions are effected in an orderly manner and to relevant standards and requirements.
6. 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 development and use, as approved is not expected to have any adverse impact on the amenity of the locality, adjoining properties or the adjacent road.

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

ITEM 7 COMMUNITY CENTRE WITH ANCILLARY OFFICE
PA2018/0516 LOT 1562, 18 WILKINSON STREET, SUBURB OF CICCONE
APPLICANT MASTERPLAN NT

Joe Sheridan (MasterPlan NT) and Scott Fell (Life Without Barriers) attended the meeting and spoke further on the application.

Dilip Nellikat attended the meeting on behalf of the Alice Springs Town Council and provided further comment on Council's concerns regarding traffic and parking in relation to the proposed use, the site and the immediate area.

RESOLVED
0025/19

That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements), Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (industrial Setbacks) of the NT 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 Lot 1562, 18 Wilkinson Street, Suburb of Ciccone, Town of Alice Springs for the purpose of a change of use of part of the site to community centre with ancillary offices (Life Without Barriers), subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans, 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 be provided electronically in Adobe PDF format.

The plans must be generally in accordance with the drawings submitted by the applicant on 19 December 2018 but modified to show an amended parking layout of the approved use clearly identifying how all car parking spaces will be accommodated on site. The plans are to be accompanied by a Parking Management Plan to ensure on-site parking is to be managed and available for its approved purpose.

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. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
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 to the satisfaction of the consent authority on advice from the Alice Springs Town Council.
5. The kerb crossovers and driveways to the site/development approved by this permit are to meet the technical standards of the Alice Springs Town Council, to the satisfaction of the consent authority.

6. 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 as shown on the endorsed drawings;
 - (d) drained; and
 - (e) line marked (or otherwise suitably delineated) to indicate each car space; to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be maintained and kept available for these purposes at all times.

NOTES:

1. 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.
2. 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.
3. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council before commencement of any work within the road reserves.

REASONS

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into account the planning scheme that applies to the land to which the application relates. The application is consistent with the form of development reasonably expected with Zone LI (Light Industry) of the Northern Territory Planning Scheme.
2. Having considered the matters listed in Clause 6.5.2 (Reduction in Parking Requirements), a variation to Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme to allow a reduction in the required car parking spaces is supported as:
 - the site has been in operation for many years and was lawfully developed for light industry use prior to the introduction of the current NT Planning Scheme;
 - the use of part of the site caters for up to 30 clients maximum, all of whom are dropped off and picked up;
 - there is a maximum of 12 staff on site at any one time;
 - there are 8 parking spaces provided on site for the exclusive use of the community centre tenancy, and a potential 4 spaces on the Milner Road frontage (road reserve) indicating a shortfall of 9 car parking spaces; and
 - the proposal is for change of use only and does not incorporate any building work.
3. Variations to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme are

supported as:

- the existing car parking area is essentially flat, sealed and well drained;
- separate access is provided to every parking space;
- The carport on the north-eastern boundary is setback from the Milner Road frontage by an area of landscaping with a depth between 2.5 metres and 4.5 metres.
- Although a minor portion of the carport does not meet the 3.0 metre setback it is considered appropriate for the following reasons:
 - the carport structure is existing with no changes proposed;
 - the average setback of the carport is approximately 3.5 metres;
 - there is some established landscaping within the setback.
- car parking widths of greater than 3.5 metres are achieved at the end of, and perpendicular to the internal driveway; and
- the car parking area has been utilised for the business' needs to date and is generally function for the approved use.

4. A variation to Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme to allow reduced building setbacks to the side and rear boundaries and reduced landscaping to street boundaries is supported for the following reasons:
 - the proposal is for a change of use only and does not incorporate any further building work;
 - due to the footprint of the existing building and carpark, there is no scope for additional landscaping to the site and;
 - the site was developed prior to the introduction of planning controls and has remained substantially unchanged since
4. Pursuant to section 51(m) of the *Planning Act*, 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:
5. Pursuant to section 51(m) of the *Planning Act*, in considering a development application the 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 works are not to encroach into easements. The advisory notes and conditions of approval are intended to assist in ensuring service authority interests are duly recognised in terms of works within and affecting the road reserves, electricity, sewerage and water services that apply to the development and use of the land.
6. Pursuant to section 51(n) of the *Planning Act*, in considering a development application the consent authority is required to take into account the potential impact on the existing and future amenity of the area in which the land is situated. The approval of the change of use of part of the site from light industry to a community centre with ancillary offices is not expected to have any significant impact on the streetscape or the amenity of the neighbouring property on account of the abovementioned variations.
7. The application was subject to public exhibition in accordance with the *Planning Act* and Planning Regulations. No public submissions were received

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

ITEM 8 **VARY CONDITIONS OF DP17/0290 TO ALLOW VARIOUS CHANGES TO SITE, FLOOR AND ELEVATION PLAN**
PA2017/0259 **LOT 9145, 8 WHITTAKER STREET, TOWN OF ALICE SPRINGS**
APPLICANT **PROBUILD (NT) PTY LTD**

Mick Betteridge (Probuild (NT) Pty Ltd), Jonathan Melville (AECOM) and Stuart Chalmers (Zone A Pty Ltd) attended the meeting and spoke further on the application.

RESOLVED That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority consent to the application to vary conditions 2, 3 and 4 of Development Permit DP17/0290 for the purpose of deleting condition 3 and allowing various changes to the site, floor, and elevation plans (including amendments to car parking and driveway layout, re-design of gate at crossover, revised landscaping details, amendment to floor layout, re-location of recycling bin storage area, re-design of community liaison office yard area, removal of line marked motorcycle parking spaces)

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit. The use and development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
2. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.
3. Before the use or occupation of each stage 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;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
4. 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 / clients.
5. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
6. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

7. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land).
8. 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 Alice Springs Town Council 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, to the satisfaction of the consent authority.
10. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Alice Springs Town Council, to the satisfaction of the consent authority.
11. All proposed works impacting on Whittaker Street and McDonald Street are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Alice Springs Town Council. Drawings must be submitted to the Alice Springs Town Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
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. This condition is to the satisfaction of the consent authority, on advice from the Alice Springs Town Council.
13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
14. 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.
15. 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.
16. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Alice Springs Town Council drains.
17. Dust control measures must be employed throughout the construction stages of the development to the requirements of the NT Environment Protection Authority, to the satisfaction of the consent authority.
18. Before the use/occupation of each stage 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.
19. 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.

20. All air conditioning condensers for the medical clinic/post office building (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.
21. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash;
 - (d) dust, waste water, waste products, grit or oil;
 - (e) presence of vermin.

NOTES:

1. 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.
2. Professional advice regarding implementation of soil erosion control and dust control measures that could be employed throughout the construction phase of the development is available from the Department of Environment and Natural Resources.
3. 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.
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 reserves.
5. Notwithstanding the approved plans, all signage is subject to Alice Springs Town Council approval, at no cost to Council.
6. 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.
7. This Variation of Conditions permit does not grant "building approval" for the proposed structures and use. 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.

8. 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.
9. 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.
10. 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*.
11. This permit will expire if one of the following circumstances applies:
 - (c) the development *and use is/are* not started within *two* years of the date of this permit; or
 - (d) the development is not completed within *four* years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

ACTION: DAS to prepare a Variation of Conditions permit

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

SUZANNE PHILIP

Chair

26 March 2019