

DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 174 – WEDNESDAY 14 AUGUST 2013

**DOUBLE TREE BY HILTON
BARRETT DRIVE
ALICE SPRINGS**

MEMBERS PRESENT:

Peter McQueen (via Phone Link), Brendan Heenan,
Steve Brown and John McBride

APOLOGIES:

David Koch

OFFICERS PRESENT:

Peter Somerville, Ben Taylor, Fraser Cormack and Kirra Morgan

COUNCIL REPRESENTATIVE :

Dilip Nellikat

Meeting opened at 9:25 am and closed at 9.40 am

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

**ITEM 1 DEVELOPMENT – EDUCATION ESTABLISHMENT (INCLUDING ANCILLARY SUPPORTING ACCOMMODATION) WITHIN EXISTING BUILDINGS
LOTS 1000, 7884 & 8061, 32, 36 & 38 PRIEST STREET, SUBURB OF CICCONE,
TOWN OF ALICE SPRINGS
ZONE A PTY LTD**

Mr Stuart Chalmers of Zone A Pty Ltd attended the meeting in support of the application.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements), Clause 6.5.3 (Parking Layout), Clause 6.6 (Loading Bays), Clause 7.3 (Building Setbacks of Residential Buildings), Clause 7.3.2 (Distance between Residential Buildings on One Site), Clause 7.6 (Communal Open Space), Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) 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 Lots 1000, 8061 & 7884, 32-38 Priest Street, Suburb of Ciccone, Town of Alice Springs for the purpose of an Education Establishment (including ancillary Supporting Accommodation) within existing buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) the floor layout of the Central Australian Aboriginal Congress buildings on Lot 7884;
 - (b) the proposed floor layout of the Art Studio building on Lot 1000;
 - (c) the number of beds within the "Family Units";
 - (d) deletion of "Transportable 5" (adjacent to parking bay 11 on Lot 7884) and "3 Transportable offices" (north west corner of Lot 7884) and any other structures that are not on site or will not be constructed;
 - (e) all existing and proposed easements substations and services (water meter arrangements);
 - (f) details of all boundary fencing to the site (locations, heights and building materials);
 - (g) communal open space areas/facilities associated with the supporting accommodation use;
 - (h) a survey (including botanical names) of all existing vegetation to be retained;
 - (i) details of surface finishes of all pathways and driveways;
 - (j) loading bay/s on the site;
 - (k) accessible parking bays (existing or proposed) on the site;
 - (l) a planting schedule of all proposed trees, shrubs and ground covers, including

botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;

(m) landscaping and planting within all open areas of the site; and

(n) provision of an in ground irrigation system to all landscaped areas.

All plant species selected must be to the satisfaction of the consent authority and due regard must be given to the objectives and design criteria contained in Clause 6.12 (Landscaping) and Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings numbered 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.
3. 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.
4. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat or (for Lot 1000 only) suitably dust suppressed;
 - (d) drained;
 - (e) line marked or otherwise suitably delineated 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.
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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

9. 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.
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. Storage for waste disposal bins is to be provided to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.
12. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
13. A vehicular access easement in favour of Lot 8061 shall be registered on the Title of Lot 7884.

NOTES:

1. 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.
2. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council before commencement of any work within the road reserve.
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. 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.
5. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the Building Code of Australia, the NT Public Health Act and Regulations, the NT Food Act and National Food Safety Standards.
6. Notwithstanding the approved plans, all signage is subject to (*insert name*) Council approval, at no cost to Council.
7. 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.

8. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. 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.

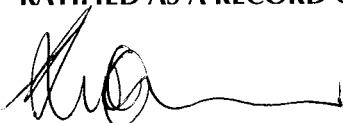
REASONS FOR THE DECISION

1. Amended plans demonstrating compliance with the landscaping, screening and open space requirements of Clauses 6.12, 7.7, 7.6 of the NT Planning Scheme are required as it is considered in the public interest for education establishment and supporting accommodation developments to provide an adequate level of visual and acoustic screening and amenity to the occupants of the site through appropriate fencing, landscaping and communal open space. Furthermore, the application did not demonstrate any special circumstances which would justify a complete departure from the standards set by the NT Planning Scheme in respect to minimum performance criteria as specified in accordance with Clause 2.5 (Exercise of Discretion by the Consent Authority).
2. 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 is consistent with the scale and form of development expected within Zone GI (General Industry) of the NT Planning Scheme and the residential accommodation is in association with and ancillary to the primary (education establishment) use of the land.
3. A reduction of car parking requirements specified by Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is supported under Clause 6.5.2 (Reduction in Parking Requirements) in recognition of:
 - No onsite parking for residents/clients of BushMob is required as persons participating in programs will be transported to and from the site by minibus or other fleet vehicles;
 - There are 23 existing sealed car parking bays available for use by the Central Australian Aboriginal Congress tenancy and BushMob, 19 dust suppressed car parking bays will be constructed on Lot 1000 for use by BushMob;
 - The floor areas and number of buildings on the site will not increase from that which was previously approved when the Centre for Appropriate Technology occupied the site;
 - The use of the site is not a commercial enterprise, it provides a not for profit education, training and accommodation service for at risk youth and a depot for Aboriginal health care services for the central Australian region;
 - The supporting accommodation use of the site will be ancillary to the education establishment, therefore the 7 spaces required for the number of supporting accommodation beds is considered an over count.
 - A significant amount of the operations of both BushMob and the Congress tenancy are undertaken in remote areas. The Priest Street site will function more as a depot

4. Variations to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for:
 - Part of a car parking area (on Lots 8061 & 7884) being located less than 3m from a street frontage;
 - a car parking and driveway area (on Lot 1000) not being surfaced in an all weather seal coat; and
 - car spaces (on Lot 1000) not being line markedare considered satisfactory in context of the General Industry zoning of the land and conditions of approval will ensure that car parking will be managed in an appropriate manner within designated car parking areas, and that all car parking bays are screened from the street, useable, functional and convenient and in accordance with the intent of the clause.
5. Pursuant to section 51(h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The application proposed and adaptive reuse of existing infrastructure on the site and will benefit the local community through the provision of improved infrastructure for the BushMob programs.
6. Pursuant to section 51(m) of the *Planning Act*, the consent must take into consideration 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 power, water and sewer services and a easement and associated infrastructure is located on the site. These locations should be identified on the site plan and the conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.
7. Pursuant to section 51(n) of the *Planning Act*, the consent must take into consideration the potential the potential impact on the area in which the land is situated. The site had previously been used as an education establishment with ancillary accommodation. The refurbishment of the buildings and reestablishment of an education establishment use is considered appropriate for the site and locality. The design of the development, management arrangements demonstrated in the application and conditions of approval requiring details of communal facilities, landscaping and fencing will assist in maintaining the amenity of the area and occupiers of the site.
8. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION: Notice of Consent and Development Permit

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



PETER McQUEEN
Chairman

16/8/2013