



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 135 – WEDNESDAY 13 OCTOBER 2010

**CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE
ALICE SPRINGS**

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

APOLOGIES: Brendan Heenan

OFFICERS PRESENT: Melissa Pascual (minutes), Benjamin Taylor and Doug Fotheringham
(Development Assessment Services)

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 9:45 am and closed at 1:00pm

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 **LOT 8090, 32 GRANT ROAD, SUBURB OF LARAPINTA, TOWN OF ALICE SPRINGS**
TELECOMMUNICATIONS FACILITY (GUYED MAST, EQUIPMENT SHELTER, ANTENNAS, FENCING, ELECTRICAL AND OPTICAL FIBRE CONNECTIONS)
TELSTRA- MARK BAADE

Mr Stan Davies, Ms Betty Davies and Ms Jodi Clarkson attended.

RESOLVED
0131/10

That, pursuant to section 53(a) of the *Planning Act*, the Authority grant consent to the application to develop Lot 8090, 32 Grant Road, Larapinta, Town of Alice Springs for the purpose of a 24m high telecommunications mast, equipment shelter antennas, fencing, electrical and optical fibre connection, subject to the following conditions:

CONDITION PRECEDENT

1. Before the development starts, full details of the external materials, finishes and colours shall be submitted for approval by the consent authority.

GENERAL CONDITIONS

1. Works carried out under this permit shall be completed in accordance with the drawings endorsed by the delegate of the Development Consent Authority as forming part of this permit, to the satisfaction of the Development Consent Authority.
2. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the consent authority.
3. Before the use commences firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Service.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance the authorities' requirements and legislation at the time.
5. All stormwater run-off from impervious areas is to be contained within the site or discharged to the Council stormwater drainage system according to the Alice Springs Town Council Stormwater Discharge Guidelines as at November 2009. If the developer discharges stormwater drainage into the Council stormwater system a permit must be obtained from Council before commencement of work.

6. Kerb crossovers and driveways to the site boundary shall be subject to the approval of the Alice Springs Town Council and shall be provided to the requirements and satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to Council. Note: a permit must be obtained prior to the construction of any kerb crossovers and driveways. Any kerb crossovers not required to service the development shall be reinstated to the satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to Council.
7. Alice Springs Town Council requires all internal roads to be constructed in such a way as to minimise erosion, in accordance with AS 3795 – 2007 Guidelines on earthworks for commercial and residential developments.
8. Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Land and Planning may also be able to advise you with regard to Building Permit requirements.
2. The developer is advised to contact the Aboriginal Areas Protection Authority to ascertain the location of and to avoid damage to any culturally significant areas that exist on the site (or in the vicinity of the site).
3. There are statutory obligations under the *Weeds Management Act 2001* to take all practical measures to manage weeds on the property. For advice on weed management please phone (08) 8999 2020.

REASONS FOR THE DECISION

1. Pursuant to section 51 (a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The location of the telecommunications tower is consistent with the purpose of Clauses 13.5 (Mobile Telephone Communications Towers Etc) of the NT Planning Scheme which requires that the provision of mobile telecommunications towers and infrastructure does not unreasonably detract from the amenity of the locality.
2. Pursuant to section 51 (e) of the *Planning Act* the consent authority must take into consideration any submissions received. Whilst the submissions received raised concerns as to potential visual amenity implications, the

applicant has demonstrated that the tower on the site will be appropriately separated from local residences.

3. Pursuant to section 51 (h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of improved mobile telecommunication services.
4. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.

ACTION: Notice of Determination

ITEM 2

**LOT 8108, DESERT SPRINGS, SUBURB OF DESERT SPRINGS, TOWN OF ALICE SPRINGS
TELECOMMUNICATIONS FACILITY - 28.8 METRE HIGH MONOPOLE, ANTENNAS, EQUIPMENT SHELTER, FENCING, ELECTRICAL AND OPTICAL FIBRE CONNECTION.
TELSTRA – MARK BAADE**

Mr Stan Davies, Ms Betty Davies and Ms Jodi Clarkson attended..

**RESOLVED
0132/10**

That, pursuant to section 53(a) of the *Planning Act*, the Authority grant consent to the application to develop Lot 8108, Desert Springs, Town of Alice Springs for the purpose of a telecommunications facility including 28.8m high monopole, antennas, equipment shelter, fencing, electrical and optical fibre connection, subject to the following conditions:

CONDITION PRECEDENT

1. Before the development starts, full details of the external materials, finishes and colours shall be submitted for approval by the consent authority.

GENERAL CONDITIONS

1. Works carried out under this permit shall be completed in accordance with the drawings endorsed by the delegate of the Development Consent Authority as forming part of this permit, to the satisfaction of the Development Consent Authority.
2. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the consent authority.
3. Before the use commences firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the Northern Territory Fire and Rescue Service.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity services to the land shown on the endorsed plan in accordance the authorities' requirements and legislation at the time.
5. All stormwater run-off from impervious areas is to be contained within the site or discharged to the Council stormwater drainage system according to the Alice Springs Town Council Stormwater Discharge Guidelines as at November 2009. if the developer discharges stormwater drainage into the Council stormwater system a permit must be obtained from Council before commencement of work.
6. Kerb crossovers and driveways to the site boundary shall be subject to the approval of the Alice Springs Town Council and shall be provided to the requirements and satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to Council. Note: a permit must be obtained prior to the construction of any kerb crossovers and driveways. Any kerb crossovers not required to service the development shall be reinstated to the satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to Council.
7. Alice Springs Town Council requires all internal roads to be constructed in such a way as to minimise erosion, in accordance with AS 3795 – 2007 Guidelines on earthworks for commercial and residential developments.
8. Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.

NOTES:

1. This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Planning and Infrastructure may also be able to advise you with regard to Building Permit requirements.
2. The developer is advised to contact the Aboriginal Areas Protection Authority to ascertain the location of and to avoid damage to any culturally significant areas that exist on the site (or in the vicinity of the site).
3. There are statutory obligations under the *Weeds Management Act 2001* to take all practical measures to manage weeds on the property. For advice on weed management please phone (08) 8999 2020.

REASONS FOR THE DECISION

1. Pursuant to section 51 (a) of the *Planning Act*, the Development Consent Authority must take into consideration the planning scheme that applies to the land to which the application relates. The location of the telecommunications tower is consistent with the purpose of Clauses 13.5 (Mobile Telephone Communications Towers Etc) of the NT Planning Scheme which requires that the provision of mobile telecommunications towers and infrastructure does not unreasonably detract from the amenity of the locality.
2. Pursuant to section 51 (e) of the *Planning Act* the consent authority must take into consideration any submissions received. Whilst the submissions received raised concerns as to potential visual amenity implications, the applicant has demonstrated that the tower on the site will be appropriately separated from local residences which will reduce the visual impact of the facility.
3. Pursuant to section 51 (h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal will benefit the local community through the provision of improved mobile telecommunication services.
4. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.

ACTION:

Notice of Determination

ITEM 3

**LOT 9304 AND 9305, 123 GAP ROAD AND 60 SOUTH TERRACE, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
ALTERATIONS AND ADDITIONS TO HOTEL AND CARAVAN PARK
(INCLUDING NEW BEER GARDEN, LOUNGE BAR EXTENSIONS, INTERNAL MODIFICATIONS, 37 NEW ACCOMMODATION CABINS AND ASSOCIATED FACILITIES)
MILNE ARCHITECTS**

Mr Ken Milne attended.

RESOLVED 0133/10

That, pursuant to section 53(c) of the *Planning Act*, the Authority refuse to consent to the application to develop Lots 9304 & 9305, 123 Gap Road and 60 South Terrace, Town of Alice Springs for the purpose of alterations and additions to hotel and caravan park (including new beer garden, lounge bar extensions, internal modifications, 37 new accommodation cabins and associated facilities for the purpose of a motel and caravan park, for the following reasons:

REASON FOR THE DECISION

1. The proposal represents a significant intensification of the use of the site.
2. The sole access and driveway on the site services the hotel, the drive in bottle shop and the proposed accommodation cabins. Traffic movements

associated with the accommodation cabins will require an undesirable mix with drive in bottle shop traffic and significant pedestrian movement.

3. The proposed taxi rank does not comply with CEPTED guidelines.

ACTION: DAS to prepare a Notice of Refusal

ITEM 4 **LOT 7884, 36 PRIEST STREET , SUBURB OF CICCONE, TOWN OF ALICE SPRINGS**
CHANGE OF USE TO OFFICES, CONSTRUCT EXTENSION FOR ABLUTIONS AND CONVERT WORKSHOP INTO SECURE CAR PARK
ZONE A PTY LTD

Mr Stuart Chalmers and Mr Dale Atkinson attended.

RESOLVED
0134/10

That the Development Consent Authority pursuant to section 46(4)(b) of the Planning Act, defers consideration of the application to develop Lots 7884, 36 Priest Street, Suburb of Ciccone, Town of Alice Springs for the purpose of "change of use to office including additions to existing buildings and construction of new car parking areas", pending receipt of the following information that is considered necessary to enable the proper consideration of the application:

1. A statement of effect addressing the relevant matters listed in section 46(3)(a) of the *Planning Act*. (i.e.: how the change of use and associated works will comply with Clauses 2.8, 5.12, 6.2, 6.5.1, 6.5.3, 6.6, 6.8, 6.12 and 9.1.1 of the NT Planning Scheme. Please note that where the application contains a non-compliance with Part 4 of the NT Planning Scheme it will need to be accompanied with a specific request to the Development Consent Authority to vary the clause and adequate justification provided to demonstrate that special circumstances apply. The on site car parking provision assessment for the site should be made by referring to the Authority's previous determination (Development Permit DP99/0235) and the NT Planning Scheme requirement (Clause 6.5.1) for net floor areas to be used as office.
2. Written descriptions of the intended usage of each building located on the subject site (Lots 7884, 8061 and 1000). Note: Lot 7884 and 8061 share a common car parking area.
3. Noting that the car parking area for the proposed office use straddles the boundary of Lot 7884 and Lot 8061, written confirmation from the land owner that the proposed on site car parking provision for the change of use to office will not be compromised by the parking requirements of the other buildings on the site (i.e.: Centre for Appropriate Technology residential accommodation, arts building etc located on Lots 8061 and 1000). An undertaking to consolidate all three allotments or register right of way easements would also be desirable.
4. An amended site plan drawn to scale, with details and dimensions of:
 - All existing buildings (to be retained) and proposed buildings on the site (Lots 7884, 8061 and 1000). The site plan should also identify the

- use of each building (i.e.: office, residential accommodation etc);
 - car parking and driveway areas (lengths and widths of all bays, driveways and manoeuvring areas and proposed surfacing); and
 - details of all existing and proposed landscaping and fencing on the site.
5. Dimensioned floor plans of existing and proposed buildings showing layout, partitioning, room sizes and uses. The drawings must also include a schedule stating the total area of each component use in the building (the total net floor area of each use).
 5. Dimensioned elevation plans of proposed buildings / building renovations.
 6. Clarification as to car parking areas on the site that will be available for visitor use. Locations of visitor parking areas should be shown on the site plan.

ACTION: DAS to advise applicant of Deferral

ITEM 5

**LOT 111, 86 TODD STREET, TOWN OF ALICE SPRINGS
VEHICLE SALES YARD WITH OFFICE, DETAILING SHED & SHADE
STRUCTURE
STEVEN ADLER**

Mr Kevin Reid, Mr Steven Adler and Ms Michelle Harlord attended.

**RESOLVED
0135/10**

That, pursuant to section 46(4) (b) of the *Planning Act*, the Authority defer the application to Lot 111, 86 Todd Street, Alice Springs for the purposes of for the purposes of a vehicle sales and hire use with office, detailing shed & shade structure to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

Amended plans showing:

1. an amended site layout with the office located at the front of lot 111, including full details of external materials and finishes and boundary treatments;
2. satisfactory car parking arrangements (to better accommodate the end of aisle spaces); and
3. a landscape plan drawn to scale with dimensions that shows:
 - details of surface finishes of pathways and driveways;
 - 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;
 - landscaping and planting within all open areas of the site; and
 - provision of an in ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the consent authority.

ACTION: DAS to notify the applicant of deferral

ITEM 6

**LOT 138, 51 BATH STREET , TOWN OF ALICE SPRINGS
7 X 2 BEDROOM MULTIPLE DWELLINGS IN A TWO STOREY BUILDING
STEVEN ADLER**

Mr Steven Adler, Mr Ross Moulin and Mr Joe DeBelin attended.

**RESOLVED
0136/10**

That, the Development Consent Authority determine to vary clause 6.5.3 (Parking Layout), clause 7.5 (Private Open Space), clause 7.6 (Communal Open Space) of the Northern Territory 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 138, 51 Bath Street, Town of Alice Springs for the purpose of 7 x 2 bedroom multiple dwellings in a two storey building, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation) a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) the door to each garage to open outwards (to ensure the access to vehicles and manoeuvring areas are unobstructed when two vehicles are parked in this area);
 - b) an electricity easement / pillar box on the site to the requirements and satisfaction of the Power and Water Corporation;
 - c) a landscape plan and associated planting schedule specifying plant species and quantities, for all landscaped areas;
 - d) the location and screening of all the air conditioners so that they are not visible from outside of the site
 - e) details of any proposed skylights to the kitchen of each dwelling
 - f) the correct location of the pa gate access to the landscaped area between the front property boundary and Unit 1
 - g) treatment of the footpaths where they cross the driveways/ accesses to the site, serving to differentiate the footpath from the driveways and which clearly indicates that the crossover is a shared pedestrian/ vehicle area and which provides a heightened level of safety and amenity for pedestrians and which prioritises pedestrian movements.

GENERAL CONDITIONS

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

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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. The kerb crossings 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.
6. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossings;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to Alice Springs Town Council to the satisfaction of the consent authority.
7. 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.
8. 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.
9. 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.
10. 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.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.

12. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with storm water disposal arrangements for the site to the satisfaction of the consent authority.
13. All air conditioning condensers 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.
14. Storage for waste disposal bins is to be provided to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.
15. The finished floor level for habitable rooms on the ground floor dwellings shall be no lower than 577 metres Australian Height Datum (AHD) and no higher than 577.4 metres Australian Height Datum (AHD). The developer shall demonstrate compliance with this condition by providing "as-constructed" finished levels (certified by a Licensed Surveyor) of ground floor levels for the building, such that the levels fall within the upper and lower limits prescribed above. Levels should be provided for a minimum of 3 points on the ground floor of the building. This condition is to the satisfaction of the Development Consent Authority.

NOTE:

This development permit does not grant "building approval" for a development or use. You are advised to contact a registered private building certifier to ensure that you have attained all necessary approvals before commencing construction or the approved use. The Building Advisory Services Branch (89519235), Department of Lands and Planning may also be able to advise you with regard to Building Permit requirements.

VARIATIONS

1. A variation to clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme is supported as the variation relates to the ground floor area of Unit 1 only and the Multiple Dwellings are not anticipated to be used in the same manner as the other Multiple Dwelling developments and therefore do not require as much private open space.
2. A variation to clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is supported as:
 - the proposed new dwellings are each provided with adequate areas of private open space; and
 - there are areas of public open space and recreation areas located within the CBD which is a far more practical open space area than could be provided on site.

REASONS FOR THE DECISION

1. The proposed development is consistent with the purpose of Zone CB (Central Business) which is to 'provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities'.
2. The proposal is generally consistent with the objectives of clause 14.4.1 (Central Alice Springs Commercial Area Plan) of the Northern Territory Planning Scheme.
3. The requirement for amended plans showing the treatment of the footpath across the driveway will improve pedestrian safety.
4. The requirement for amended plans showing additional car space length for car parking spaces will ensure that car parking and vehicle access is satisfactory and in accordance with the requirements of clause 6.5.3 (Parking Layout) of the NT Planning Scheme.
5. The requirement for a landscape plan and associated planting schedule will ensure suitable landscaping within the site to compliment the building and provide some relief from the impact of the built form.
6. The requirement for amended plans showing the location and screening of air conditioners will improve the visual amenity of the development.
7. The proposal is unlikely to negatively impact on surrounding land uses or decrease the existing amenity of neighbouring properties as the multiple dwellings will be appropriately screened by landscaping and fencing.

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

**ITEM 7 LOTS 339 & 7404, PALM CIRCUIT, SUBURB OF ROSS, TOWN OF ALICE SPRINGS
EXTENSIONS TO CARAVAN PARK
DAVID SMITH**

**RESOLVED
0137/10**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lots 339 & 7404, Palm Circuit, Suburb of Ross, Town of Alice Springs for the purpose of extensions to a Caravan Park (camp sites) to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

Amended plans showing:

1. Detailed (dimensioned, drawn to scale and annotated) whole of site and landscaping plans (the site being Lots 339 & 7404, Palm Circuit) with the

following additional information:

- On site car parking provision compliant with Clause 6.5.1 (Parking Requirements) and dimensions contained in Clause 6.5.3 (Parking Layout) of the NT Planning Scheme)
 - Locations of visitor car parking bays
 - Locations of amenities (toilets and showers) for guests of the site
 - Delineation of car parking and driveway areas
 - Details of the ground surface of all areas within the proposed camp ground (internal driveways, parking spaces, footpaths, camp sites etc). All camping sites should be grassed to minimise dust nuisance.
 - Widening of the driveway access between Lots 339 and 7404. NOTE: the *Fire and Emergency Regulations* contain prescriptive requirements of the NT Fire and Rescue Service (NTFRS). The applicant is advised to contact NTFRS (ph: 89516664) to ascertain NTFRS legislative requirements.
2. Details with regard to waste bin storage areas and collection points, access to this area from Palm Circuit should meeting the technical requirements of Alice Springs Town Council.
 3. Internal access roads and exit points from the site and a safe and convenient pedestrian access to and within the site (the site being Lots 339 & 7404, Palm Circuit).
 4. Details of any legal arrangements with adjoining lot owners (all names registered on the land title) where it effects the proposed access from Lot 7404 to Lot 339.

ACTION: DAS to notify the applicant of deferral

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



PETER McQUEEN
Chairman

25/10/10

