



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 182 – WEDNESDAY 12 APRIL 2014

**DOUBLETREE BY HILTON
BARRETT DRIVE
ALICE SPRINGS**

MEMBERS PRESENT: Peter McQueen, David Koch, Chansey Paech, Steve Brown

APOLOGIES: Nil

OFFICERS PRESENT: Peter Somerville, Ben Taylor, Fraser Cormack, Jenna Lovett

COUNCIL REPRESENTATIVE: Dilip Nellikat

Meeting opened at 9:45 am and closed at 10:25 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 ADDITIONS TO AN EXISTING SINGLE DWELLING INCLUDING A SHED WITH REDUCED SIDE AND REAR SETBACKS AND A CARPORT WITH REDUCED SIDE SETBACK
LOT 5831, 8 OLIVE PINK GROVE, SUBURB OF DESERT SPRINGS, TOWN OF ALICE SPRINGS
JOEL OLZOMER

DAS tabled:

- Comment received from the owners of adjoining lot 5832, responding to amended plans for the shed/workshop submitted on 14/04/2014.
- Comment received from submitter Josie McCool

Joel Olzomer attended the meeting in support of the application. Roy Price attended as a submitter.

**RESOLVED
0028/14**

That, the Development Consent Authority vary the requirements of clause 6.11 (Garages and Sheds) and clause 7.3 (Building Setbacks of Residential Buildings) 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 5831 (8) Olive Pink Grove, Suburb of Desert Springs, Town of Alice Springs for the purpose of alterations and additions to an existing single dwelling including a carport with a reduced side setback shed/workshop with a reduced side setback, 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 be provided electronically in Adobe PDF format. The plans must be generally in accordance with the amended plans submitted on 14 April 2014, but amended to show:
 - a) finished floor level, apex height and wall height of the shed/workshop in relation to the existing ground level, length and width dimensions, all elevations of the proposed shed; and
 - b) a concept plan showing proposed stormwater management for the shed/workshop and carport additions.

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. Stormwater is to be retained on site or collected and discharged into the drainage network to the technical standards of, and at no cost to, the Alice Springs Town Council, to the satisfaction of the consent authority.
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.
5. 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.

6. 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.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, in accordance with the authorities' requirements and relevant legislation at the time.

NOTE

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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/ or surrounding infrastructure.

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 is considered to be consistent with the form of development reasonably expected within Zone SD (Single Dwelling Residential) of the Northern Territory Planning Scheme (the Planning Scheme).
2. Clause 2.5.3 of the Planning Scheme allows the Development Consent Authority discretion to consent to development that does not meet a standard set out in Part 4 of the Planning Scheme only if it is satisfied that special circumstances justify the giving of consent.
 - a) The consent authority considers that there are a number of circumstances which exist in relation to the proposed carport addition, which, collectively may be considered to constitute a reasonable basis for supporting the requested variation, including that:
 - (i) the application was referred to the owners of adjoining Lot 5832 Olive Pink Grove and those owners have not made a submission or raised any concerns in relation to the application; and
 - (ii) the carport:
 - is architecturally designed as an integral part of the proposed dwelling additions and exceeds the minimum front setback requirements;
 - will abut the existing driveway of Lot 5832;
 - will facilitate drive-through access to the rear of the subject lot;
 - is designed to capture stormwater and direct it into the subject lot;
 - is designed to facilitate breeze penetration through the site; and
 - is not expected to detract from the streetscape or the amenity of adjoining Lot 5832, or any other property, on account of the reduced building setback.
 - b) The consent authority considers that there are a number of circumstances which exist in relation to the proposed shed/workshop addition as shown in the amended plans submitted on 14 April 2014, which, collectively may be considered to constitute a reasonable basis for supporting the requested variation, including that:
 - (i) the shed/workshop location complies with clause 6.11 (Garages and Sheds) of the Planning Scheme with respect to the minimum setback distance to the rear boundary (adjoining Lot 7397) and was a response to concerns raised by owners of properties within Lot 7397 with respect to the adequacy of the boundary setbacks originally proposed; and
 - (ii) the reduced side setback will allow vehicle access to the building without requiring a large proportion of the rear yard to be set aside for vehicle manoeuvring;

- (iii) existing development of the subject site limits design options for a shed/workshop of the size proposed; and
 - (iv) is not expected to detract from the streetscape or significantly affect the amenity of adjoining Lot 5832, or any other property, on account of the reduced building setback and is supported by the owners of adjoining Lot 5832 Olive Pink Grove.
3. Pursuant to section 51(h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal is expected to offer occupants an improved level of residential amenity for the occupants of the subject site.
 4. 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.
 - a) The proposed shed/workshop building, as detailed in the amended plans submitted on 14 April 2014, is not expected to have any material impact on the streetscape or the amenity of properties within adjoining Lot 7397 on account of the reduced side setback.
 - b) While the shed/workshop building has the potential to have some limited impact on the visual amenity of Lot 5832 on account of the reduced side setback, the owners of that lot have indicated that they do not have any concerns in relation to the proposal.
 5. Development conditions and notes may be expected to assist in ensuring that:
 - a) the site is developed in an orderly manner;
 - b) stormwater is appropriately managed on site without impacting on adjoining properties; and
 - c) the Alice Springs Town Council's and the Power and Water Corporation's interests are duly recognised.
 6. The application was referred to the local authority and the owners of adjoining Lot 5832 (7) Olive Pink Grove, and Lot 7397 (2) Barrett Drive, respectively, in accordance with the *Planning Act* and the Planning Regulations. Submissions received from owners of properties within Lot 7397 have been duly considered and the amended siting for the shed/workshop as detailed in the plans submitted on 14 April 2014 are considered to satisfactorily address concerns raised in the submissions.

ACTION:

Notice of Consent and Development Permit

ITEM 2

CARPORT ADDITIONS (X2) TO AN EXISTING SINGLE DWELLING WITH REDUCED FRONT AND SIDE SETBACKS
 LOT 4326, 12 ANDREWS COURT, SUBURB OF BRAITLING, TOWN OF ALICE SPRINGS
 BRETT MANUEL

Brett Manuel and Jayde Armstead attended the meeting in support of the application.

**RESOLVED
0029/14**

That, the Development Consent Authority vary the requirements of clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 4326 (12) Andrews Court, Suburb of Braitling, Town of Alice Springs, for the purpose of

carport additions (x2) to an existing single dwelling with reduced front and side setbacks, 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. Some planting including trees and/or shrubs (with a minimum mature height of 2m) shall be implemented adjacent to the southern side of the single carport and the northern side of the double carport and thereafter maintained, to the satisfaction of the consent authority. Planting should be selected with a view to assisting in integrating the carports into the streetscape.
3. Stormwater is to be retained on site or collected and discharged into the drainage network to the technical standards of, and at no cost to, the Alice Springs Town Council, to the satisfaction of the consent authority.
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.
5. 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.

NOTE

1. Telstra advises that the developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.

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 is considered to be consistent with the form of development reasonably expected within Zone SD (Single Dwelling Residential) of the Northern Territory Planning Scheme (the Planning Scheme).
2. Clause 2.5.3 of the Planning Scheme allows the Development Consent Authority discretion to consent to development that does not meet a standard set out in Part 4 of the Planning Scheme only if it is satisfied that special circumstances justify the giving of consent. There are a number of circumstances which exist in relation to the proposed carport additions which, collectively may be considered to constitute a reasonable basis for supporting the requested variations, including that:
 - a) the position of the existing dwelling on the site with a front setback distance ranging from approximately 7m (northern end) to approximately 9m (southern end) limits the possibility of constructing carports with compliant building setbacks;
 - b) the double carport is to be located above an existing concrete parking area and the other above an existing informal parking space;
 - c) there is an existing (approved) double carport with a similar building setback on Lot 4319 Andrews Place that is considered to be well integrated into the streetscape and the proposed carports are expected to become similarly integrated, given existing side boundary fencing and street planting, which will partially screen the structures (additional planting within the front yard could further assist in integrating the carports into the streetscape);
 - d) the open sided design of the carports is expected to limit the potential for any

- visual massing when viewed from the street and adjoining properties; and
- e) the application was publicly exhibited in accordance with the *Planning Act* and did not attract any submissions.
3. Pursuant to section 51(h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposal is expected to offer an improved level of residential amenity for the occupants of the subject site.
 4. 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 carports (as approved) are not expected to have any significant impact on the streetscape or neighbouring properties.
 5. The application was publicly exhibited in accordance with the requirements of the *Planning Act* and Planning Regulations and referred to the Alice Springs Town Council and no public or local authority submissions were received.
 6. The conditions are intended to assist in ensuring that:
 - a) service authority requirements are duly addressed; and
 - b) the carports are integrated into the established streetscape.

ACTION: Notice of Consent and Development Permit

ITEM 3 EXTEND BASE PERIOD OF DP05/0120 BY A FURTHER TWO YEARS
 LOT 1729, 45 RAGONESI ROAD, SUBURB OF ROSS, TOWN OF ALICE SPRINGS
 RONALD STERRY

Ron Sterry attended the meeting in support of the application.

RESOLVED That, the Development Consent Authority, prior to determining the application (lodged
0030/14 pursuant to section 59 of the *Planning Act* to extend the base period of Development Permit DP05/0120), give the applicant 60 days to:

- attend a Development Assessment Forum (hosted by the Department of Lands, Planning and the Environment) to identify and discuss key issues of the subdivision approved by DP05/0120 and potential solutions to servicing requirements; and
- supply the Development Consent Authority with written advice from key service authorities (Alice Springs Town Council and Power and Water Corporation) regarding the status of their technical requirements contained in the conditions attached to DP05/0120

ACTION: DAS to prepare letter to applicant

ITEM 4 VARIATION TO CONDITIONS OF DP12/0517 FOR CHANGES TO ASPECTS OF APPROVED DESIGN, INCLUDING DISABLED ACCESS, STAIRCASES, REAR CARPORT, LANDSCAPING AND AIRCONDITIONING EQUIPMENT
 LOT 9467, 5 WHITTAKER STREET, TOWN OF ALICE SPRINGS
 STEVE ADLER

Marc Woods attended the meeting in support of the application.

**RESOLVED
0031/14**

That, the Development Consent Authority pursuant to section 57 of the *Planning Act* approves the application to vary Condition 1 of Development Permit DP12/0517, for changes to aspects of approved design, including disabled access, staircases, rear carport, landscaping and air-conditioning equipment, in accordance with drawings prepared by Steve Adler Building Design and submitted with the application.

ACTION:

Variation Permit

ITEM 5

RELOCATE BUSHMOB TO LOTS 1000 AND 8061
LOT 8061, 36 PRIEST STREET, SUBURB OF CICCONE, TOWN OF ALICE SPRINGS
ZONE A PTY LTD

Simon Pettit attended the meeting in support of the application.

**RESOLVED
0032/14**

RESOLVED 0032/14

**and
0033/14**

That, pursuant to section 57(3) of the *Planning Act*, the Development Consent Authority consent to the application to vary condition 2 of Development Permit DP13/0594 for the purpose of changes to the site and floor layout of an education and ancillary supporting accommodation development including: amended car parking layout, construction of new shade structures, cool room, amended floor layouts and deletion of the "Art Studio" building.

CONDITIONS

1. 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.
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. 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.
4. 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.
5. 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.

6. The landscaping shown on the endorsed landscaping plan (PA13/0485/3) must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
7. 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 the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
8. 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.
9. 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.
10. Storage for waste disposal bins is to be provided to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.
11. A vehicular access or right of way easement in favour of Lot 8061 shall be registered on the Title of Lot 7884.
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.

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 National Construction Code 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 Alice Springs Town 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 Authority of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Authority'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.

RESOLVED 0033/14

That, pursuant to section 57(5) of the *Planning Act*, the Authority refuse to consent to vary condition 12 of Development Permit DP13/0594 for the purpose of deleting the requirement for "a vehicular access easement in favour of Lot 8061 shall be registered on the Title of Lot 7884" for the following reasons:

1. The requirement for a vehicular access easement in favour of Lot 8061 to be registered on the Title of Lot 7884 is considered necessary as:
 - (a) Vehicle access to and functionality of car parking bays on Lot 8061 is reliant upon the kerb crossover and driveway on Lot 7884.
 - (b) There would be no long term assured functional vehicle access to the car parking bays on Lot 8061 (if condition 12 of DP13/0594 were deleted).
 - (c) An access easement would be in force over the land irrespective of current and future land ownership, thereby granting long term guaranteed access to Lot 8061.
2. The Development Consent Authority considered both the written application and evidence given by the applicant at the meeting and identified no adequate justification to warrant granting of the request to delete the requirements of condition 12 of DP13/0594.

ACTION:

0032/14 Variation of Conditions Permit
0033/14 Notice of Refusal

ITEM 6

9 X MULTIPLE DWELLINGS IN 1 X 2 STOREY BUILDING AND 2 X 1 STOREY BUILDINGS

LOT 385, 2 GOYDER STREET, SUBURB OF EASTSIDE, TOWN OF ALICE SPRINGS

VIN LANGE

DAS tabled an amended site plan received on 11/04/2014.

Vin Lange and Gerard Waterford attended the meeting in support of the application.

**RESOLVED
0034/14**

That, pursuant to section 86 of the *Planning Act*, the Development Consent Authority delegates to the Chairman, or in the Chairman's absence any one of the other members of the Alice Springs Division, the Power under section 53 of the Act to determine the application to develop Lot 385 (2) Goyder Street, Suburb of East Side, Town of Alice Springs for the purpose of 8 multiple dwellings (including an existing single storey dwelling, 1x 1-bedroom unit, 2 x 2-bedroom units and 2 x 'bedsits' in a two storey building and 2 x 1-bedroom units in one single storey building), including with respect to granting any variations to the relevant provisions of the NT Planning Scheme, including clause 6.5.1 (Parking Requirements), clause 6.5.3 (Parking Layout), clause 7.1.1 (Residential Density Limitations), clause 7.3 (Building Setbacks of Residential Buildings), clause 7.3.1 (Additional Setback Requirements for Buildings longer than 18 metres), clause 7.3.2 (Distance Between Residential Buildings on One Site) and clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme, subject to:

1. the receipt of satisfactorily amended plans (drawn to scale with dimensions and be provided electronically in Adobe PDF format) and supporting documentation generally in accordance with the plans submitted with the application as modified through amended plans submitted on 3 April 2014, as amended through a revised site plan submitted on 11 April 2014, but modified to include/provide:
 - (a) minimum building setbacks to all property boundaries; parking layout dimensions; wall and floor thickness; all windows and doors; gutters and downpipes; detailed carport plans and elevations; and heights of all buildings in relation to proposed floor levels as well as existing ground levels;
 - (b) functional and convenient access to and from all car parking spaces;
 - (c) minimum dimensions of 4m x 5 m for private yards to all ground floor dwellings;
 - (d) suitable privacy screening for all private yards (a suitable combination of open-type fencing and planting could be used as an alternative to solid screen fencing);
 - (e) consistency between plan and elevation details (including window and door placement and dimensions) for all buildings;
 - (f) an increased boundary setback to the proposed shed to comply with clause 6.11 (Garages and Sheds) of the Planning Scheme and satisfactory sight lines to the adjoining laneway/road;
 - (g) a detailed landscape and fence plan, incorporating:
 - (i) a planting schedule of all proposed plants, including any existing trees to be retained, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (ii) landscaping and planting within all open areas of the site;
 - (iii) provision of an in ground irrigation system to all landscaped areas;
 - (iv) details, including height, materials and location, of all fencing and gates; and
 - (v) details of surface finishes of pathways and driveways; and (fencing and plant species selection is to the satisfaction of the consent authority);
2. the delegate giving due regard to:
 - a) any service authority comments in relation to the amended plans;
 - b) relevant considerations under the NT Planning Scheme with respect to any variations to standard requirements; and
 - c) the potential impact of any changes to the design on the streetscape and amenity of other properties in the locality; and
3. the following permit conditions (as amended at the discretion of the delegate):

GENERAL CONDITIONS

1. The works carried out under this permit must be in accordance with the drawings endorsed as forming part of this permit, to the satisfaction of the consent authority. The development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
2. Any development on or adjacent to any easements on site must be carried out to the requirements of the relevant service authority, to the satisfaction of the consent authority.
3. 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 at ground level in a controlled manner to the satisfaction of the consent authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the dwellings, unless with the consent of the consent authority.

5. Before the use or occupation of the new dwellings 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; and
 - d) drained;
 to the satisfaction of the consent authority.
 Car spaces, access lanes and driveways must be kept available for these purposes at all times.
6. 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.
7. 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.
8. 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.
9. Storm water is to be collected and contained within the site or discharged into the drainage network to the technical standards of, and at no cost to, the Alice Springs Town Council, to the satisfaction of the consent authority.
10. 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 land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
11. Soil erosion and sediment control measures should be employed throughout the construction phase of the development to the satisfaction of the consent authority.
12. Before the use/occupation of the dwellings starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
13. 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.

NOTES

1. 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.
2. 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.
3. 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.

4. Professional advice regarding implementation of soil erosion and sediment control measures to be employed throughout the construction phase of the development is available from Department of Land Resource Management.
5. Telstra advises that the developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.

REASONS

1. Pursuant to section 51(a) of the *Planning Act*, the Development Consent Authority must take into consideration the NT Planning Scheme (the Planning Scheme). The proposed development is considered to be consistent with the Zone purpose statement, as:
 - a) the development may be expected to contribute to the range of housing options available;
 - b) the Power and Water Corporation and the Alice Springs Town Council respectively have not identified any servicing issues that would suggest that the land may not be suitably serviced;
 - c) the site is located centrally within the town area, offering close proximity to major roads, schools and community facilities (including the hospital) and shops;
 - d) the site is considered suitable for supporting the proposed development and use;
 - e) the scale character and style of the proposed development is considered to be compatible with the streetscape and surrounding development, which is characterised predominantly by one and two storey residential development and diverse architectural styles and building ages.
2. The consent authority:
 - a) noting:
 - (i) the Alice Springs Town Council's stated reservations in relation to vehicle access via Sturt Lane;
 - (ii) the revised parking layout design for the Goyder Street access as shown in the plan submitted on 11 April 2014 reduces reliance on Sturt lane;
 - (iii) the applicant's advised willingness to further revise the parking layout as may be necessary to achieve improved functionality of parking areas and retain all mature Eucalyptus trees adjacent to the western boundary of the site; and
 - (iv) that no public submissions were received in relation to the application;
 - b) recognising that changes to the parking layout and private open space dimensions may require some changes to the building design (with respect to the Sturt Lane dwellings) and the position of the new buildings in relation to the property boundaries and existing dwelling;
 - c) supports the proposed development of the site in a manner that is generally consistent with the proposal as detailed in the plans submitted on 3 April 2014 as amended through a site plan submitted on 11 April 2014, but modified to address the prerequisites to delegated approval, as:
 - (i) 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 and no public or local authority submissions were received in relation to the application;
 - (ii) pursuant to section 51(h) of the *Planning Act*, the consent authority must take into consideration the merits of the proposal, which is expected to benefit the local community through the provision of additional modern residential accommodation options;
 - (iii) 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 and the proposed development is not

- expected to unduly impact on the amenity of adjoining properties or the locality, subject to compliance with the prerequisites to approval and the proposed conditions of approval;
- d) supports a variation to clause 6.5.1 (Parking Requirements) of the NT Planning Scheme, as:
- (i) the provision of a minimum of 10 functional on-site car parking spaces is expected to reasonably ensure that there is sufficient off-street parking to service the proposed development and use;
 - (ii) the proposed shed is expected, in the foreseeable future, to offer capacity to be used as supplementary on-site parking;
 - (iii) there is capacity for informal on-street (and road reserve) overflow and/or visitor parking on both sides of Sturt Terrace and Goyder Street, should the need for such parking arise;
 - (iv) the site is located less than 400m from a Bus Link bus stop and in close proximity to the central business area and local shops, providing opportunities for tenants/residents to walk or cycle to town and local shops;
 - (v) with the exception of the existing dwelling, which is being converted into a 3-bedroom dwelling, the dwellings are all either 1 bedroom or 2 bedroom units, limiting the likely demand for car parking;
- e) supports variations to clause 6.5.3 of the Planning Scheme, subject to appropriate amendments to reasonably ensure convenient and functional access to and egress from each parking space;
- f) supports variations to clause 7.1.1 (Residential Density Limitations), as:
- (i) the density is expected to be compatible with the existing and planned provision of reticulated services and community facilities which will service the area;
 - (ii) the Power and Water Corporation and the Alice Springs Town Council respectively have not identified any servicing issues that would suggest that the land may not be suitably serviced; and
 - (iii) although the land has the capacity to accommodate a higher dwelling density, through adoption of multi-storey design, the proposed mix of single storey and two storey development will achieve a reasonable dwelling density and single storey dwellings will offer benefits of higher levels of accessibility;
- g) variations to clause 7.3 (Building Setbacks of Residential Buildings) of the Planning Scheme for front, side and rear building setbacks may be supported as, subject to suitable revisions to address parking layout requirements, the required variations may be reasonably supported, subject to an appropriate response to the approval prerequisites, as:
- (i) the application proposes retention of mature trees to the Sturt Terrace and Goyder Street frontages, which is expected to assist in integrating the dwellings into the streetscape;
 - (ii) the two storey building includes a first floor open balcony at each end, limiting the expected visual bulk of the building;
 - (iii) no adverse effects of building massing when viewed from adjoining land or street are envisaged;
 - (iv) encroachment on minimum setback distances relate to limited parts of the buildings, with dwellings;
 - (v) the design is not expected to result in any significant overlooking of adjoining properties; and
 - (vi) the design is expected to reasonably facilitate breeze penetration through and between buildings;
- h) variations to clause 7.5 (Private Open Space) of the Planning Scheme may be supported for all units within the two storey building dwellings, as:
- (i) private yard areas/balconies are accessible directly from each dwelling, allowing an extension to the function of the dwelling;
 - (ii) the dimensions for open space areas for each dwelling area considered adequate to reasonably meet the expected needs of future occupants, particularly when considered in conjunction with the proposed communal open space provision; and
 - (iii) there are formal and informal public open space areas within close proximity to the site, providing occupants with further opportunities to conveniently

- access open space;
- i) variations to clause 7.5 (Private Open Space) of the Planning Scheme may be supported, subject to an increase of the minimum private open space area width dimension to 4 metres for each of the units adjacent to Sturt Lane, which would be expected to ensure adequate dimensions;
 - j) variations to clause 7.3.2 (Distance Between Residential Buildings on One Site) could be supported, if required to accommodate changes to access and parking layouts, provided that the design provided a satisfactory level of privacy for affected dwellings.
3. The proposed conditions of approval are expected to assist in reasonably ensuring:
- a) the orderly development of the site;
 - b) due recognition of service authority interests;
 - c) a satisfactory level of amenity for future occupants of the dwelling; and
 - d) no material impact on the amenity of adjoining properties or the locality.

ACTION:

DAS to prepare letter to applicant

ITEM 7

15 X 1 BEDROOM AND 60 X 2 BEDROOM MULTIPLE DWELLINGS IN 5 X 2 STOREY BUILDINGS
LOT 2663, 19 SOUTH TERRACE, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
SUSAN DUGDALE

Sue Dugdale, Brendan Chan and Nadine Graham attended the meeting in support of the application.

**RESOLVED
0035/14**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Authority defers consideration of the application to develop Lot 2663, 19 South Terrace, Suburb of The Gap, Town of Alice Springs for the purpose of 15 x 1 bedroom and 60 x 2 bedroom multiple dwellings in 5 x 2 storey buildings, subject to following actions that the consent authority considers necessary to enable proper consideration of the application (as amended) at its May 2014 meeting:

1. Public exhibition of the amended application (30 x 1 bedroom and 38 x 2 bedroom multiple dwellings in 1 x 3 storey building and 2 x 2 storey buildings) in accordance with section 47 of the *Planning Act*.
2. Referral of the amended application to relevant service authorities for comment.
3. Development Assessment Services preparing an assessment of the amended application (and any submissions and service authority comments received during exhibition) against the relevant matters contained in section 51 of the *Planning Act*.

REASONS

1. The amended design/application (tabled at the 16/04/2014 Development Consent Authority meeting) is substantially different from the development application that was publicly exhibited and referred to service authorities.
2. In considering a development application, the consent authority must take into account the matters contained in section 51 of the *Planning Act*.

ACTION:

DAS to prepare letter to applicant.

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



PETER McQUEEN
Chairman

17/4/2014

