



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 264 – WEDNESDAY 12 MAY 2021

**RED MULGA EVENT SPACE
ALICE SPRINGS DESERT PARK
539 LARAPINTA DRIVE
ALICE SPRINGS**

MEMBERS PRESENT: Suzanne Philip, Deepika Mathur, Chris Neck, Jamie de Brenni,
Jimmy Cocking

APOLOGIES: Nil

OFFICERS PRESENT: Benjamin Taylor, Fraser Cormack, Jennie Ryan

Meeting opened at 11:15am and closed at 11:40am

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 VARY REAR BUILDING SETBACK (IN ACCORDANCE WITH PLANS PREPARED
PA2020/0117 IN RESPONSE TO CONDITION PRECEDENT 1)
LOT 10622 (2A) ECHUNPA STREET, SUBURB OF THE GAP

APPLICANT RAINER CHLANDA

Rainer Chlanda (Applicant) attended the meeting and spoke further to the application.

RESOLVED That the Alice Springs Division of the Development Consent Authority (the
0034/21 consent authority):

- a) in accordance with section 57 of the *Planning Act 1999*, approves the application for a variation to Condition Precedent 1(b) of DP20/0189 relating to Lot 10622 (2A) Echunpa Street, Suburb of The Gap, Town of Alice Springs to allow rear boundary building setbacks to the proposed dwelling in accordance with the drawings included in the application, prepared by Steve Adler Building Design, numbered 1958 A01 and A02 and dated 1/04/2021 subject to the conditions listed below; and
- b) in accordance with section 86(1) of the Act, delegates to the Chair of the consent authority, or another member of the consent authority, or an employee within the meaning of the *Public Sector Employment and Management Act 1993* from time to time holding, acting in or performing the duties of Director, Development Assessment Services or Officer, at level SP1 or above, in the Department of Infrastructure, Planning and Logistics, the power to endorse drawings generally consistent with the drawings numbered 1958 A01 to A04 (inclusive) prepared by Steve Adler Building Design and dated 1/04/2021, as part of the Variation of Conditions permit but amended to show opaque glass to the south-facing bathroom window to the proposed dwelling and maximum heights of all proposed shade sails, to the satisfaction of the delegate.

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 in Adobe PDF format, drawn to scale with dimensions and generally consistent with the plans publicly exhibited from 17/04/2020 to /05/2020, but further modified to:
 - a) Comply with clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme 2007 with respect to all shade sails (plans must show heights and setbacks);
 - b) Increase the minimum setback distance between the dwelling (roof and walls) and the rear (southern) boundary to a minimum of 3m; or provide rear building setbacks in accordance with the drawings prepared by Steve Adler Building Design, numbered 1958 A01 and A02 and dated 1/04/2021 and included in the variation application lodged on 20 April 2021;

- c) Limit the potential for overlooking from the store room window and the front door of the dwelling to the verandah to the rear of the dwelling on adjoining Lot 10621; and
- d) Identify that 'Building 1' is a single dwelling; and 'Building 2' is a class 10a structure under the Building Code of Australia; and 'Building 3' is a temporary structure.

Amended plans and documentation prepared in response to the conditions precedent may be submitted to the Development Consent Authority C/- Development Assessment Services, Department of Infrastructure, Planning and Logistics, C/- Alice Springs Branch via email to das.ntg@nt.gov.au.

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. Notwithstanding that this development permit allows 2 years for the substantial commencement of works, if, within 12 months of the date of the permit, support columns for the dwelling have not been installed and the transport container attached to the columns at the location and height approved by the permit, both demountable structures (transport containers) must be removed from the site until such time as new support columns have been constructed, at which time the transport container may be returned to the site and placed on the support columns and the second container may be returned to the site for storage and workshop use.
- 4. 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 lot in accordance with the authorities' requirements and relevant legislation at the time.
- 5. 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 the advice of the Alice Springs Town Council.
- 6. 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.
- 7. The demountable structure with reduced front setback, as shown in the plans endorsed as part of this permit is approved on a temporary basis and must be removed prior to the approved single dwelling being occupied or within 2 years of the date of this permit, whichever is first, unless with the further consent of the consent authority.
- 8. The finished floor level for the dwelling must be no lower than 571.15 metres Australian Height Datum (AHD). Compliance with this condition may be demonstrated by providing 'as constructed finished levels 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 development 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. A 'Permit to Work Within a Road Reserve' is required from the Alice Springs Town Council before commencement of any work within a road reserve.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@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. You are advised to contact 'Dial Before You Dig' prior to any excavation work.

FOR: 5 AGAINST: 0 ABSTAIN: 0

ACTION: DAS to prepare a Variation of Conditions permit

ITEM 2 EXTENSION OF TIME (BASE PERIOD OF DP17/0063) – SERVICE STATION
PA2016/0666

APPLICANT LOTS 2696 & 5644 (194) STUART HWY, SUBURB OF BRAITLING
DAYELL PTY LTD

Pauline Maltzis (Town Planning Manager) and Matthew Davies (National Construction and Development Manager), S.H.A. Premier Constructions Pty Ltd attended the meeting and spoke further to the application.

RESOLVED That the Alice Springs Division of the Development Consent Authority (the
0035/21 consent authority) reject the application on the basis that the application does not meet the requirements of section 59(1) of the *Planning Act 1999*. Section 58 of the Act sets the duration of a permit. The only power to extend the duration of a permit, beyond the limits set by Section 58, is contained in Section 59. That Section requires that an application to extend the period of a permit must be made before the permit lapses. The consent authority, having considered all the material before it and the oral submissions made on behalf of the applicant, determined that there was no valid evidence that the application was made before the permit lapsed and therefore there was no jurisdiction to consider the matter further.

FOR: 5 AGAINST: 0 ABSTAIN: 0

ACTION: Letter to applicant and DAS to withdraw the application.

**ITEM 3 EXTENSION OF TIME (BASE PERIOD OF DP17/0064) – SERVICE STATION
PA2016/0664**

**APPLICANT LOT 349 (43) STUART HWY, TOWN OF ALICE SPRINGS
DANCESTON PTY LTD**

Pauline Maltzis (Town Planning Manager) and Matthew Davies (National Construction and Development Manager), S.H.A. Premier Constructions Pty Ltd attended the meeting and spoke further to the application.

**RESOLVED That the Alice Springs Division of the Development Consent Authority (the
0036/21 consent authority) reject the application on the basis that the application does not
meet the requirements of section 59(1) of the *Planning Act 1999*. Section 58 of the
Act sets the duration of a permit. The only power to extend the duration of a
permit, beyond the limits set by Section 58, is contained in Section 59. That Section
requires that an application to extend the period of a permit must be made before
the permit lapses. The consent authority, having considered all the material before
it and the oral submissions made on behalf of the applicant, determined that there
was no valid evidence that the application was made before the permit lapsed and
therefore there was no jurisdiction to consider the matter further.**

FOR: 5 AGAINST: 0 ABSTAIN: 0

ACTION: Letter to applicant and DAS to withdraw the application.

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

**SUZANNE PHILIP
CHAIR**

21 May 2021