



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 149 – WEDNESDAY 10 AUGUST 2011

CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE

MEMBERS PRESENT: Peter McQueen, John McBride, Samih Habib Bitar and Brendan Heenan

APOLOGIES: Sandy Taylor and Libby Prell

OFFICERS PRESENT: Michael Lloyd Hughes, Sally Cunningham, Gemma Gooley and Melissa Pascual (minutes)

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 9:45am and closed at 10.15pm

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 – CONSTRUCT 3 X 2 BEDROOM SINGLE STOREY MULTIPLE DWELLINGS
LOT 1707, 12 WILLSHIRE STREET, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
STEVEN ADLER

Steven Adler and Richard Kleeman (land owner) attended the meeting and tabled amended drawings.

RESOLVED That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent
0068/11 Authority defer consideration of the application to develop Lot 1707, 12 Willshire Street, Suburb of The Gap, Town of Alice Springs, for the purpose of Multiple Dwellings (3x2 bedroom single storey dwellings) 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:

1. Alternative means of raising the floor levels, without the use of solid fill, addressing the requirements of Clause 6.14 (Land Subject to Flooding and Storm Surge).
2. Detailed (dimensioned and annotated) plans demonstrating how the development will impact on adjacent allotments as a result of the increased floor level height. Plans should include cross sections and elevations showing:
 - (a) Actual site levels (in Australian Height Datum (AHD)) for Lot 1707;
 - (b) The proposed development in relation to existing residential development on adjacent Lots 1706 and 1708;
 - (c) The height of boundary fencing in relation to the height of the proposed dwellings, demonstrating how the boundary fencing will act as a visual barrier and limit overlooking into adjacent properties, as per Clauses 7.5 (Private Open Space) and 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation); and
 - (d) Treatment of the blank western wall addressing Clause 7.8 (Building Design of Multiple Dwellings, Hostels and Supporting Accommodation) of the Scheme.
3. Further detail regarding the special circumstances that may exist to justify such a significant departure from the requirements of Clause 7.1 (Residential Density and Height Limitations) of the NT Planning Scheme.

REASONS FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *NT Planning Act*, the consent authority “may require the applicant to provide it with the additional information that it considers necessary in order to enable the proper consideration of the application”.

2. Pursuant to section 51(n) of the *NT Planning Act*, the consent authority must consider the potential impact on the existing and future amenity of the area in which the land is situated. It is not considered that the information currently before the Authority is sufficient to warrant the granting of the variations requested without negatively impacting on future occupants of the site, land owners/occupiers in the surrounding area, and the public interest in general. The Authority consider the requested information to be critical in its decision making process.

ACTION: DAS to advise applicant of Deferral

ITEM 2 **DEVELOPMENT – MULTIPLE DWELLINGS (3 X 3 BEDROOM DWELLINGS IN TWO STOREYS)**
LOT 366, 2 UNDOOLYA STREET, SUBURB OF EAST SIDE, TOWN OF ALICE SPRINGS
TECGOLD PTY LTD

Mathew Wright (Tecgold Pty Ltd) and Sebastian Giardina (Land owner) attended the meeting,

RESOLVED
0069/11

That the Authority vary clauses 7.3 (Building Setbacks of Residential Buildings), 7.6 (Communal Open Space) and 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme pursuant to section 53(b) of the *Planning Act*, the Authority alters and grant consent to the application to develop Lot 366, 2 Undoolya Road, Suburb of East Side, Town of Alice Springs for the purpose of Multiple Dwellings (3 x 3 bedroom multiple dwellings in 1 x 2 storey building), subject to the following conditions:

CONDITION PRECEDENT

1. Before the development starts, a landscaping plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:
 - (a) details of landscaping and planting within all open areas of the site;
 - (b) landscaping along boundaries in accordance with clause 7.7 of the NT Planning Scheme;
 - (c) details of fencing of all boundaries of the site (perimeter fencing and private open space areas) with fences built to a minimum height of 1.8m;
 - (d) a planting schedule of all existing trees to be retained, proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;

All plant species selected must be to the satisfaction of the consent authority and due regard must be given to the design criteria contained in

clauses 6.12 (Landscaping) and 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme. The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

CONDITIONS

2. 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.
3. The permit holder must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services in accordance with the authorities' requirements and relevant legislation at the time.
4. Any easements or reserves required for the reticulation of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services shall be provided in accordance with the relevant authority's requirements and applicable legislation at the time, at no cost to those authorities.
5. 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.
6. All proposed work affecting the adjacent road reserves is to be designed, supervised and certified on completion in accordance with the standards and specifications of the Alice Springs Town Council and the Road Network Division as the case may be, 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; and
 - (e) line marked (or otherwise suitably delineated) to indicate each car space and all access lanes.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. 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.

10. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the technical standards of and at no cost to Alice Springs Town Council to the satisfaction of the consent authority.
11. 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.
12. 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.
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.

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 Lands and Planning may also be able to advise you with regard to Building Permit requirements.
2. 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.
3. A "Permit to Work within a Road Reserve" may be required from Alice Springs Town Council or Road Network Division as the case may be before commencement of any work within the road reserve.
4. This permit does not grant approval for a subdivision for the purposes of a unit title scheme. A separate development application is required should the land owner(s) wish to unit title the development.

VARIATIONS

1. Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme to allow the reduced building setbacks as shown on the endorsed drawings.
2. Clause 7.6 (Communal Open Space) of the NT Planning Scheme to allow less than 15% of the site area to be communal open space.

3. Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme to allow for 25.5% of the site to be landscaped.

REASONS FOR THE DECISION

1. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.
2. 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 proposed development is consistent with the primary purpose of Zone MR (Medium Density Residential) to provide for a range of housing options. Furthermore, the proposed development is considered to be of a scale, character and architectural style compatible with the streetscape and surrounding development.
3. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as the variation required, in the context of the overall development of the site is not considered to result in any adverse impact on the existing and future amenity of the locality.
4. A variation to clause 7.6 (Communal Open Space) of the NT Planning Scheme is supported in this instance as:
 - each multiple dwelling is provided with suitable areas of private open space; and
 - ample areas of public open space are in close proximity to the development. The Todd River reserve is across Sturt Terrace and a park is located approximately 200m from the development.
5. A variation to Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the Northern Territory Planning Scheme is supported as the variation sought is reasonably minor (being 5% under the requirements).
6. 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 additional residential accommodation in close proximity to the central business district of Alice Springs.

ACTION:

DAS to prepare a Notice of Consent and Development Permit

ITEM 3

DEVELOPMENT – MULTIPLE DWELLINGS (CONSTRUCT 8 X 3 BEDROOM DWELLINGS IN 2 X 2 STOREY BUILDINGS)
LOT 1689 AND LOT 1690, 13 AND 14 TELEGRAPH TERRACE, SUBURB OF THE GAP, TOWN OF ALICE SPRINGS
TYSON GORDON

Chris Delsar (on behalf of the applicant) attended the meeting.

RESOLVED
0070/11

That, the Development Consent Authority vary the requirements of 7.3 (Building Setbacks of Residential Buildings), 7.3.1 (Additional Setback Requirements for Residential Buildings longer than 18 metres...) and 7.6 (Communal Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lots 1689 and 1690, 13 and 14 Telegraph Terrace, Suburb of The Gap, Town of Alice Springs for the purpose of Multiple Dwellings (8 x 3 bedroom dwellings in 2 x 2 storey buildings), 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 generally in accordance with the plans submitted on 1 August 2011 but modified to show:
 - (a) dwelling/unit numbers correctly labelled on each of the elevation plans;
 - (b) an identified scale that each of the plans should be read at (e.g. 1:200)
 - (c) the front boundary fencing (1.8 high block/rendered fence) and landscaping treatment to the front of this fencing relocated entirely within the site boundary.

CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. An Occupancy Permit under the *Building Act* must not be issued until Lots 1689 and 1690, 13 and 14 Telegraph Terrace, Town of Alice Springs have been consolidated and a new title issued for the consolidated lot.
4. All proposed works impacting on Telegraph Terrace are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Chief Executive Officer, Department of Lands and Planning. Drawings must be submitted to the Senior Director, Road Network Division of the Department of Lands and Planning for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
5. 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.

6. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
7. Before the occupation of the development starts, the area(s) 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.
8. 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.
9. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Department of Lands and Planning, to the satisfaction of the consent authority.
10. The owner shall:
 - (a) remove disused vehicle crossovers and undertake reinstatement works; and
 - (b) collect stormwater and discharge it to the drainage network; to the technical requirements of and at no cost to the Department of Lands and Planning, to the satisfaction of the consent authority.
11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
12. Before the 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.
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. This development permit does not grant "building approval" for the

proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

2. The 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.
3. Due to the proximity to Telegraph Terrace the developer should consider having an assessment carried out by a suitably qualified person of the developments' present and predicted future exposure to road traffic noise levels in accordance with AS3671-1989 "Road Traffic Noise Intrusion - Building Siting and Construction" and where required, provide appropriate noise attenuation measures.

REASONS FOR THE DECISION

1. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.
2. 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 proposed development is consistent with the primary purpose of Zone MR (Medium Density Residential) to provide for a range of housing options. Furthermore, the proposed development is considered to be of a scale, character and architectural style compatible with the streetscape, surrounding development and development reasonably anticipated in the area.
3. Variations to clauses 7.3 (Building Setbacks of Residential Buildings) and 7.3.1 (Additional Setback Requirements of Residential Buildings longer than 18 metres...) of the Northern Territory Planning Scheme is supported as the applicant has provided sufficient information and justification to demonstrate that the setbacks as proposed, will not significantly impact on the occupants of adjoining properties. Furthermore, the level of articulation, varied façades and building materials used within the development will further offset any impact (if any) on adjoining or nearby land.
4. A variation to clause 7.6 (Communal Open Space) of the NT Planning Scheme is supported in this instance as:
 - each multiple dwelling is provided with quality private open space areas in excess of the required 45m².
 - The site is well located to community and recreational facilities, the

CBD and nearby parks.

5. 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 additional residential accommodation in close proximity to the central business district of Alice Springs.
6. Pursuant to section 51(n) of the *Planning Act* the consent authority must take into consideration the potential impact on the amenity of nearby and surround land. It is considered that the applicant has taken sufficient steps to ensure that the development results in no significant adverse impact on adjacent and surrounding land.

ACTION:

DAS to prepare a Notice of Consent and
Development Permit

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



PETER McQUEEN
Chairman

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