



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 142 – WEDNESDAY 13 APRIL 2011

**CROWNE PLAZA ALICE SPRINGS
BARRETT DRIVE**

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

APOLOGIES: Brendan Heenan and Libby Prell

OFFICERS PRESENT: Peter Somerville, Ben Taylor, Sally Cunningham and Melissa Pascual
(minutes)

COUNCIL REPRESENTATIVE: Mark Pierson

Meeting opened at 9:45 and closed at 10:45am

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 – LOT 1812, 2 NICKER CRESCENT, SUBURB OF GILLEN,
TOWN OF ALICE SPRINGS
SHED/GARAGE WITH REDUCED SIDE SETBACK
ERIC HESSLING**

Mr Eric Hessling attended the meeting.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.11
0027/11 (Building Setbacks for Garages and Sheds) of the Northern Territory Planning
Scheme, and pursuant to section 53(a) of the Planning Act, consent to the
application to develop Lot 1812, 2 Nicker Crescent, Suburb of Gillen, Town of
Alice Springs for the purpose of a garage/shed with reduced side setback, subject
to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings PA2011/0093/01 to PA2011/0093/03 endorsed as forming part of this permit.
2. The owner shall collect stormwater and discharge it to the drainage network to the site approved by this permit all to the technical requirements of and at no cost to the 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, gas and telecommunication services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTE:

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.

VARIATION

1. Clause 6.11 (Building Setbacks for Garages and Sheds) of the NT Planning Scheme to allow the setbacks as shown on the endorsed drawings.

REASONS

1. Variations to Clause 6.11 (Building Setbacks for Garages and Sheds) of the Northern Territory Planning Scheme are supported as the proposed setbacks are considered compatible with other similar structures in the immediate area.
2. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the property.

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

**ITEM 2 DEVELOPMENT – LOT 427 AND 6916, 8 KHALICK STREET AND 89 STURT TERRACE, SUBURB OF EAST SIDE, TOWN OF ALICE SPRINGS
PART CHANGE OF USE TO VEHICLE HIRE (USING EXISTING BUILDING AND CAR PARKING SPACES – NO NEW DEVELOPMENT)
ALICE SPRINGS RESORT HOLDINGS PTY LTD**

Anatola Taylor attended the meeting on behalf of Alice Springs Resort Holdings Pty Ltd.

**RESOLVED
0028/11**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to use part of Lots 427, 8 Khalick Street and 6916, 86 Sturt Terrace, Suburb of East Side, Town of Alice Springs for the purpose of Vehicle Sales and Hire, subject to the following conditions:

CONDITIONS

1. Works carried out under this permit shall be in accordance with plans endorsed as forming part of this permit.
2. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

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. A 'Permit to Work within a Road Reserve' may be required from the

Department of Lands and Planning, Road Network Division before commencement of any work within the road reserve.

3. Notwithstanding the approved plans, all signage is subject to Alice Springs Town Council and/or Department of Lands and Planning (Road Network Division), at no cost to Council.

VARIATIONS

1. Clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme.

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 proposal is consistent with the purpose of Zone TC (Tourist Commercial) and complies with all relevant provisions of the NT Planning Scheme with the exception of Clause 6.5.1 (Parking Requirements).
2. A variation to Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is granted as the justification supplied within the application effectively demonstrates that the existing parking areas provided will be sufficient for the ongoing existing use and the development proposed.
3. The conditions of approval are intended to assist in ensuring the orderly servicing, use and development of the site.
4. The application was placed on public exhibition and referred to the relevant service authorities. No objections were received during the exhibition period.

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

ITEM 3

**DEVELOPMENT – LOT 1133, 8 STUART HIGHWAY, SUBURB OF
BRAITLING, TOWN OF ALICE SPRINGS
MULTIPLE DWELLINGS – 2X3 BEDROOM SINGLE STOREY DWELLINGS
BRIAN KNAPPSTEIN**

Mr Brain Knappstein and Mrs Sharon Tregrea attended the meeting.

RESOLVED 0029/11

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 1133, 8 Stuart Highway, Suburb of Braitling, Town of Alice Springs for the purpose of multiple dwellings (construct an additional three bedroom dwelling) 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:

Revised drawings (including elevations) showing an amended layout of the proposed development that achieves better compliance with the objectives and performance criteria contained in Part 4 of the NT Planning Scheme (parking layout, private open space areas, orientation), specifically in relation to:

- A driveway width to service the rear unit of a minimum of 3.5 metres wide unobstructed by any building works;
- Driveways and vehicle parking areas that are sealed and well drained (Clause 6.5.3);
- Access and manoeuvring area for vehicle parking for the rear unit which allows vehicles to enter and exit in a forward gear (Clause 6.5.3);
- Full details of all fencing including detail of the extent of open fencing to the front of the property (including elevations of the bin/letterbox enclosure);
- Minimum areas of private open space for each proposed dwelling which is accessed directly from living areas within the dwellings (Clause 7.5); and
- External finishes of the proposed dwelling that will be constructed of materials not likely to cause disturbance through reflection onto adjacent properties;
- Orientation of internal living areas which best respond to passive solar access (Clause 7.8); and
- Provision of full details of the location of all windows and doors to the existing dwelling, through the submission of a full set of elevations for this dwelling (Clause 2.8 and 7.8).

ACTION: DAS to advise applicant of Deferral

**ITEM 4 DEVELOPMENT – LOT 3697, 530 STUART HIGHWAY , SUBURB OF ARUMBERA, TOWN OF ALICE SPRINGS
SIX DEMOUNTABLE STRUCTURES (STORAGE CONTAINERS)
ALICE SPRINGS COMMERCIAL BROADCASTERS**

Mr Roger Harris attended the meeting on behalf of Alice Springs Commercial Broadcasters and tabled a photograph of the demountable structures located on site.

**RESOLVED
0030/11**

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application for the purpose of six demountable structures (sea containers used for storage ancillary to a Radio Station) on Lot 3697, 530 Stuart Highway, Town of Alice Springs, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. all containers to be adequately screened; and

- b. the provision of satisfactory car parking arrangements.

CONDITIONS

2. Works carried out under this permit shall be in accordance with plans endorsed as forming part of this permit.
3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
4. 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.
5. Storm water is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Department of Lands and Planning (Road Network Division), to the satisfaction of the consent authority.
6. 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.
7. 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.

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 Developer, his Contractor or Service Provider is required to obtain a "Permit to Work Within a Road Reserve" from the Manager Road Operations, Road Projects Division, Department of Construction and Infrastructure (Construction Division 2nd Floor, Greatorex Building Bath Street, Alice Springs) prior to the commencement of any works within the Stuart Highway road reserve.

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 proposal is consistent with the purpose of Zone CP (Community Purpose) and complies with all relevant provisions of the NT Planning Scheme.
2. The conditions of approval are intended to assist in ensuring the orderly servicing, use and development of the site.

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

ITEM 5 **DEVELOPMENT – LOT 7458, 35 KENNETT COURT, SUBURB OF CICCONE, TOWN OF ALICE SPRINGS**
CHANGES TO THE DEVELOPMENT APPROVED BY DEVELOPMENT PERMIT DP94/0312 TO ALLOW ALTERATIONS AND ADDITIONS TO AN EXISTING TRANSPORT TERMINAL
JOHN SANBY

Mr Bryon Hall attended the meeting on behalf of Mr John Sanby.

RESOLVED That the Development Consent Authority write to the applicant advising that the
0031/11 amended drawings submitted (prepared by Guymer Architects dated 16/03/2011) do not comply with Conditions 1 and 2 of Development Permit DP10/0543. Given the significant departure of the drawings from the development approved by Development Permit DP10/0543, a new development application pursuant to section 46(1) of the *Planning Act* must be lodged, for the Authority to determine the altered proposal.

ACTION: DAS to advise applicant

ITEM 6 **DEVELOPMENT – LOT 9396, 41 SMITH STREET , SUBURB OF CICCONE, TOWN OF ALICE SPRINGS**
LIGHT INDUSTRY (SHED, OFFICE, SHOWROOM AND OUTDOOR STORAGE AREA)
ZONE A PTY LTD

Mr Stuart Chalmers of Zone A Pty Ltd attended the meeting on behalf of Hardy Fencing.

RESOLVED That, the Development Consent Authority vary the requirements of Clause 6.5.1
0032/11 (Parking Requirements), Clause 6.5.3 (Parking Layout) and Clause 6.11 (Garages and Sheds) of the Northern Territory Planning Scheme and pursuant to section 53(b) of the *Planning Act* alter the proposed development and consent to the proposal as altered to develop Lot 9396, 41 Smith Street, Suburb of Ciccone, Town of Alice Springs for the purpose of Light Industry (shed, office, showroom and outdoor storage area), subject to the following conditions:

CONDITIONS PRECEDENT

1. Before the development starts, amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application (drawn by Zone A Pty Ltd, Job # 2058) but modified to show:
 - a) the length of the loading bay increased from 7.3m to 7.5m
 - b) provision of at least 14 car parking bays (informal, unsealed) located centrally within the outdoor storage area to the east of the proposed shed. The 8 sealed parking bays located at the west of the site shall remain as originally shown on the site plan.
 - c) outdoor storage areas

2. Before the development starts, an amended site, landscaping and fencing 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 be generally consistent with drawing number 2058-01_TP (revision C) prepared by Zone A Pty Ltd (job number 2058) but amended to show the following additional information:
 - (a) details of landscaping and planting within all open areas of the site (that are not used as outdoor storage or car parking areas. Planting on the lot shall include predominantly trees and/or shrubs with a minimum mature height of 1.0 metre and should be selected with a view to enhancing the amenity of the streetscapes. Taller trees species are to be planted at a ratio of 1 per 15m of street frontage (for the entire length of the front property boundary), with a view to limiting the potential visual bulk of the building.
 - (b) details (locations, materials and heights) of all fencing on site, any existing fencing to be retained and new boundary fencing. No fencing is to obstruct the right of way easement.
 - (c) 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;
 - (d) details of surface finishes of pathways, outdoor storage areas, car parking areas and driveways;
 - (e) no landscaping is to be planted over the Right of Way Easement.

All plant species selected must be to the satisfaction of the consent authority and preferably native and endemic to Central Australia.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the plans 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.
4. 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 telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
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. Storm water is to be 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.
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. A sign/signs to the satisfaction of the consent authority must be provided directing drivers to the areas set aside for car parking and must be located and maintained to the satisfaction of the consent authority. The area of each sign must not exceed 0.3 square metres.
9. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.
10. 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.
11. 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, where shown on the endorsed plans, suitably dust suppressed;
 - (d) drained;
 - (e) sealed spaces line marked to indicate each car space and all access lanes;
 - (f) dust suppressed parking spaces delineated using "raised traffic markers" or a suitable alternative; and
 - (g) 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.

12. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.
13. 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.
14. 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.
15. 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.
16. All proposed works impacting on Smith Street 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 Alice Springs Town Council. Drawings must be submitted to the Alice Springs Town Council for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
17. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.
18. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise visual, 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
19. 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).
20. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land
 - (b) appearance of any building, works or materials
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

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

VARIATIONS

1. A variation is granted to clause 6.5.1 (Parking Requirements) of the Northern Territory Planning Scheme to allow 22 car parking spaces to service the Light Industry use of the site.
2. A variation is granted to Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme to allow part of a car parking and driveway area not being surfaced in an all weather seal coat and part of a car parking and driveway area being less than 3m from the Smith Street property boundary.
3. A variation is granted to Clause 6.11 (Garages and Sheds) of the Northern Territory Planning Scheme to allow a shed to be constructed with a reduced setback distance to the rear property boundary.

REASONS

1. The conditions of approval are intended to assist in ensuring the orderly servicing and development of the site.
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 proposal is consistent with the primary purpose of Zone SC (Service Commercial), which is, "to provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sizes". The development is consistent with the form of development expected within Zone SC as the design incorporates landscaping, building materials and colours that will enhance the visual appearance of the development.
3. The requirement for amended plan to increase the length of the loading bay is in recognition of the loading bay not meeting the design criteria of clause 6.6 (Loading Bays) of the NT Planning Scheme which is to have access that is adequate for its purpose and be at least 7.5m by 3.5m.

4. Provision of a detailed landscaping plan is required to ensure a greater amenity outcome for the streetscape.
5. The Development Consent Authority considers that a reduction in the car parking requirements specified by clause 6.5.1 (Parking Requirements) of the NT Planning Scheme from 29 to 22 car spaces for the Light Industry use of the site is supportable under clause 6.5.2 (Reduction in Parking Requirements) of the Scheme in recognition of:
 - a) the nature of the use which is likely to attract significant demand for customer car parking;
 - b) the ability for outdoor storage areas to be used as informal parking outside of normal business hours; and
 - c) a significant proportion of fleet vehicles are expected to be out in the field at any one time.
6. Variations to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for:
 - a) part of a car parking and driveway area not being surfaced in an all weather seal coat; and
 - b) part of a car parking and driveway area being less than 3m from the Smith Street property boundary;are considered satisfactory in this instance as the landscaped width proposed will have species deigned to lessen the visual impact of car parking areas and building when viewed from Smith Street. A large proportion of the outdoor storage and car parking area needs to be allocated for large heavy/large vehicles. This area will be dust suppressed to prevent any dust nuisance. The unsealed car parking area can be delineated and managed in an appropriate manner to ensure that all car parking bays are useable, functional and convenient and in accordance with the intent of the clause.

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

20/4/11