



DEVELOPMENT CONSENT AUTHORITY

TENNANT CREEK DIVISION

MINUTES

MEETING No. 29 – WEDNESDAY 14 SEPTEMBER 2011

**PHONE CONFERENCE
DEPARTMENT OF CONSTRUCTION AND INFRASTRUCTURE
33 LEICHHARDT STREET, TENNANT CREEK**

MEMBERS PRESENT: Peter McQueen (via phone link), Ray Wallis, Tony Boulter and Hal Ruger

APOLOGIES: Barbara Shaw

OFFICERS PRESENT: Peter Somerville, Melissa Pascual (minutes), Gemma Gooley (via phone link) and Bonnie Kappler-Thompson

COUNCIL REPRESENTATIVE: Eric Schoppe

Meeting opened at 2:15pm and closed at 3:00pm

THE MINUTES OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 DEVELOPMENT – LOT 367, 58 SCHMIDT STREET, TENNANT CREEK
PA2011/0558 CONSTRUCT NEW COMMUNITY CENTRE
DAVID WHITEHEAD

David Whitehead and Heather Helm attended the meeting.

RESOLVED That, the Development Consent Authority vary the requirements of Clause
0016/11 6.5.1 (Parking Requirements), Clause 6.5.3 (Parking Layout) and Clause 8.3
 (Setbacks for Commercial Uses adjacent to Land in zones SD, MD, MR or HR)
 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 Lot 367, 58 Schmidt Street, Town of Tennant Creek for
 the purpose of a Community Centre subject to the following conditions:

CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. The owner shall collect stormwater and discharge it to the drainage network to the technical requirements of and at no cost to Barkly Shire 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, 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.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Barkly Shire Council, to the satisfaction of the consent authority.
6. 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) car parking spaces 1-3 and the driveway entrance to the site surfaced with an all-weather-seal coat. All other car parking and driveway areas must be dust suppressed.
- (d) drained;
- (e) line marked to indicate each car space and all access lanes; and
- (f) clearly marked to show the direction of traffic along access lanes and driveways;

to the satisfaction of the consent authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

7. 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/ clients.
8. 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 then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan dated 11/07/2011 prepared by David Design and Drafting labelled Drawing Number SK05. The plan must show:
 - a) A survey (including botanical names) of all existing vegetation to be retained and or removed;
 - b) Compliance with the landscaping and fencing performance criteria prescribed in Clause 8.3 (Setbacks for Commercial Uses adjacent to Land in zones SD, MD, MR or HR) of the Northern Territory Planning Scheme;
 - c) Details of surface finishes of pathways and driveways;
 - d) 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;
 - e) Details of all boundary fencing to the site.

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

9. Before the use/occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

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.

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 Community Centre use is considered to be consistent with the primary purpose of the C (Commercial) zone of the NT Planning Scheme, which is to provide for a range of business and community uses.
2. A variation to Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is supported as the reduced number of parking spaces is not considered to be significant in terms of impact on neighbouring properties. The impact of the reduced number of parking spaces will be minimised by the temporary staff accommodation units not requiring more than one car parking space per unit.
3. A variation to Clause 8.3 (Setbacks for Commercial Uses adjacent to Land in Zone MD) of the NT Planning Scheme is supported as the reduced setback is not considered to be significant in terms of impact on neighbouring properties. The reduced setback can be ameliorated through landscaping controlled by conditions.
4. Pursuant to section 51(n) of the *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. The community centre will be located so as to complement the existing staff quarters on Lot 367 and is not expected to contribute to any loss or negative impact on the current or future amenity of the area.
5. The application was publicly exhibited in accordance with the requirement contained in the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION:

DAS to prepare Development Permit and Notice of Consent to applicant.

**ITEM 2 DEVELOPMENT – LOT 33, 99 AMBROSE STREET, TENNANT CREEK
PA2011/0556 MULTIPLE DWELLINGS (3 X 2 BEDROOM) AND A SHED
 KOK KONG YU**

Kok Kong Yu attended the meeting.

**RESOLVED
0017/11**

That pursuant to Section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 33, 99 Ambrose Street, Town of Tennant Creek for the purpose of multiple dwellings (3 x 2 bedroom dwellings) and shed to require the applicant to provide the following additional information that the Authority considers necessary in order to meets the minimum requirements of the planning scheme and enable the proper consideration of the application:

1. Alternative means of providing parking area for the proposal that provides a single vehicle access point to Ambrose Street, and enables vehicles to enter and exit the car parking areas in a forward gear.
2. Alternative means of providing increased and better orientated private open space for each dwelling unit that.
3. Details of improved landscaping provision or architectural embellishment that will enhance the visual amenity of the development when viewed from the street and adjoining land.

REASONS

1. Pursuant to Section 51(a) of the Northern Territory Planning Act, the Authority must take into account any planning scheme that applies to the land:
 - a) The proposal does not comply with the requirements of Clause 6.5.3 (Parking Layout). The three car park areas each have a separate access point on to the road, and they do not allow vehicles to enter and exit to the road in forward gear. The application provides no justification to vary this provision.
 - b) The proposal does not comply with Clause 7.5 (Private Open Space). Under Clause 7.5 each residential unit is required to have a private open space area of 45m² (inclusive of an area with minimum dimensions of 5m X 5m). The residential unit to the rear of the lot, adjacent to the Western boundary, has a private open space area of 36m² and which also does not satisfy the minimum dimensions.
 - c) The proposal does not comply with the requirements of Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting

Accommodation). The proposal does not demonstrate any architectural embellishment or landscaping detail to ensure the three demountable structures do not detract from the visual amenity of the area.

ACTION: DAS to advise applicant of deferral

ITEM 3 **DEVELOPMENT – LOTS 233 & 234, 51 & 53 PATERSON STREET, TENNANT CREEK**
PA2011/0601 **ALTERATIONS AND ADDITIONS TO POLICE STATION**
JOHAN FOURIE

Des Hodgetts (from the Department of Construction and Infrastructure representing the applicant) attended the meeting.

RESOLVED That, the Development Consent Authority vary the requirements of Clause
0018/11 6.5.1 (Parking Requirements) and Clause 6.5.3 (Parking Layout) 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 Lots 233 & 234 (proposed Lot 2483), 53 Paterson Street, Town of
Tennant Creek for the purpose of alterations and additions to a police station,
subject to the following conditions:

CONDITION PRECEDENT

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) the northern vehicular crossover and driveway to Thompson Street (adjacent to parking spaces 12-17) altered to 6m wide (for two way traffic); and
- (b) dimensions and angles of car parking bays 1-5.

CONDITIONS

- 1. The works carried out under this permit shall be in accordance with the drawings 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. The owner shall collect stormwater and discharge it to the drainage network to the technical requirements of and at no cost to Barkly Shire Council, to the satisfaction of the consent authority.

4. An Occupancy Permit under the *Building Act* must not be issued until title to Lot 2483, Town of Tennant Creek *has* been issued.
5. All proposed works impacting on Paterson Street and Thompson 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 Barkly Shire Council (for Thompson Street) and Chief Executive Officer, Department of Lands and Planning (for Paterson Street). Drawings must be submitted to the Council and 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".
6. 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.
7. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and Fire and Emergency Services.
8. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, 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.
10. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these

purposes at all times.

11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
12. "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.
13. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Barkly Shire Council / the Department of Lands and Planning (as the case may be), to the satisfaction of the consent authority.
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.

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 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.
3. 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.

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 objective of Zone CP (Community Purposes) which is 'to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
2. A 'Police Station' is an undefined use, in accordance with Clause 6.5.1(3) (Parking Requirements) of the NT Planning Scheme, the car parking provision shown on the endorsed drawings is considered adequate to service the needs of the Police and the community
3. A variation to Clause 6.5.3 (Parking Layout) is supported as the reduced driveway widths are not considered to be significant in terms of impact on the amenity of site users and neighbouring properties. all car driveways and parking bays are useable, functional and convenient and in accordance with the intent of the clause
4. 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. The Police Station and Watch House will be located and designed so as to complement the existing Court House and Fire Station on the site, and the development is not expected to contribute to any loss or negative impact on the current or future amenity of the area.
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 modern facilities to assist the functions of the Police Station.
6. The application was publicly exhibited in accordance with the *Planning Act* and *Planning Regulations*. No public submissions were received.

ACTION:

DAS to prepare Development Permit and Notice of Consent to applicant.

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



PETER MCQUEEN
Chairman

20/9/2011

