



**DEVELOPMENT CONSENT AUTHORITY**

**ALICE SPRINGS DIVISION**

**MINUTES**

**MEETING No. 178 – 11 DECEMBER 2013**

**DOUBLE TREE BY HILTON  
BARRETT DRIVE  
ALICE SPRINGS**

**MEMBERS PRESENT:** Peter McQueen (Chairman), Steve Brown, Brendan Heenan,  
David Koch and John McBride

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Peter Somerville, Ben Taylor, Fraser Cormack and Kirra Morgan

**COUNCIL REPRESENTATIVE :** Nil

**Meeting opened at 9:45 am and closed at 10:10 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                    DEVELOPMENT – SUBDIVISION TO CREATE 33 LOTS IN STAGE 1(A) BY THE  
LAND DEVELOPMENT CORPORATION AND 47 LOTS IN STAGE 1(B) FOR THE  
FUTURE DEVELOPMENT OF KILGARIFF  
NT PORTION 7234, STUART HIGHWAY, SUBURB OF KILGARIFF, ALICE  
SPRINGS  
LAND DEVELOPMENT CORPORATION**

Ken Hawkins attended the meeting in support of the application.

**RESOLVED**            That, the Development Consent Authority vary the requirements of Clause 11.1.1  
**0103/13**                (Minimum Lot Sizes and Requirements) of the Northern Territory Planning Scheme,  
and pursuant to section 53(a) of the *Planning Act*, consent to the application to  
develop NT Portion 7234, Stuart Highway, Suburb of Kilgariff, Alice Springs for the  
purpose of a staged subdivision to create 33 lots in stage 1(a) by the Land  
Development Corporation and 47 lots in stage 1(b) and residual parcel, subject to the  
following conditions:

1. Prior to the commencement of works an Erosion and Sediment Control Plan (ESCP), including details and location of stormwater drains, is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the satisfaction of the consent authority.
2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
5. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, storm water drainage, sewerage and electricity facilities, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

7. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of the Department of Lands, Planning and The Environment to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

#### NOTES:

1. A "Permit to Work Within a Road Reserve" may be required from the Department of Transport before commencement of any work within the Stuart Highway road reserve.
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. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the subdivision are available from Department of Land Resource Management.
4. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentsouth@powerwater.com.au](mailto:landdevelopmentsouth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.
5. 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.
6. 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.
7. All new roads are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 89955333 or [placenames.dpi@nt.gov.au](mailto:placenames.dpi@nt.gov.au). Further information can be found at <http://www.placenames.nt.gov.au>.

#### REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, in considering a development application, the consent authority must take into account the planning scheme that applies to the land to which the application relates.

- A variation to the minimum lot size of 50 hectares for FD (Future Development) zoned land, required by Clause 11.1.1 (Minimum Lot Sizes) of the NT Planning Scheme, is considered appropriate as the proposed lots will be connected to reticulated electricity and water services and service authorities have not identified any land capability constraints.
  - The lot areas proposed are considered appropriate in the context of the Kilgariff Area Plan and intended (post subdivision) zoning of the land. The proposal is generally consistent with Clause 14.4.7 (Kilgariff Area Plan) and all other NT Planning Scheme objectives that apply to subdivision of FD (Future Development) zoned land.
2. Pursuant to section 51(m) of the *Planning Act*, the consent authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities to be provided to the developer for that purpose.
    - The Power and Water Corporation has identified that reticulated electricity, water and sewer services are available to the site, however the parent parcel (NT Portion 7234) is not connected to these services. Conditions attached to the Development Permit will duly recognise the interests of service authorities in terms of reticulated services.
    - The Department of Lands, Planning and the Environment has advised that the internal roads and drains of Stages 1(a) and 1(b) of Kilgariff will be the responsibility of the Department.
  3. The application was publicly exhibited in accordance with the requirements of the *Planning Act* and *Planning Regulations*, no adverse public or service authority submissions were received.

**ACTION:** Notice of Consent and Development Permit

**ITEM 2 DEVELOPMENT – MULTIPLE DWELLINGS (CONSTRUCT 1 X 3 BEDROOM DWELLING IN 1 X 1 STOREY BUILDING AND RETAIN THE EXISTING SINGLE STOREY BUILDING)  
LOT 2576, 8 CLARKE STREET, SUBURB OF ARALUEN, TOWN OF ALICE SPRINGS  
JORDAN BENNETT**

Mr Jordan Bennett attended the meeting in support of the application.

**RESOLVED 0104/13** That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout), Clause 6.11 (Garages and Sheds), Clause 7.3 (Building Setbacks for Residential Buildings) and Clause 7.7 (Landscaping) 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 2575, 8 Clarke Street, Suburb of Araluen, Town of Alice Springs for the purpose of multiple dwellings (construct 1 x 3 bedroom dwelling in 1 x 1 storey building and retain the existing single storey dwelling), subject to the following conditions:

## 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 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) Access and parking for Unit 1 and 2 to allow vehicles to enter and exit the site in a forward gear; and
  - (b) parking bays delineated on the drawings (demonstrating each parking bay is a minimum of 2.5m wide and 5.5m long compliant with the manoeuvring dimensions contained in Clause 6.5.3 of the NT Planning Scheme).

## 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. 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 or otherwise suitable delineated to indicate each car space; to the satisfaction of the consent authority.Car spaces, access lanes and driveways must be kept available for these purposes at all times.
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. Protective kerbs (of a minimum height of 150mm) or bollards must be provided to the satisfaction of the consent authority to prevent damage to fences, letterboxes or landscaped areas.
6. 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.
7. 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.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

9. 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.
10. The owner shall:
  - (a) remove disused vehicle and/or pedestrian crossovers;
  - (b) provide footpaths/ cycleways; and
  - (c) 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.
11. 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.
12. Stormwater 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.
13. All proposed works impacting on Clarke 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".
14. 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 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](mailto:landdevelopmentsouth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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. The Environment Protection Authority 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.

4. 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.
5. 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.

## REASONS FOR THE DECISION

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 primary purpose of Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme to 'provide for a range of housing options'. Furthermore, the single storey design and building setbacks are considered compatible with the streetscape and surrounding development.
2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for:
  - part of a driveway (designed for two way traffic) to be pinched to 3.5m wide instead of the minimum 6.0m;
  - is considered satisfactory in this instance as the proposed site responsive design is considered to be functional, maintains sight lines and is appropriate for the minimal vehicular movements of a low density multiple dwelling development in accordance with the intent of the clause. Amended plans showing car parking bays for Unit 2 shall be compliant with dimension (length and width) requirements contained in Clause 6.5.3 will ensure these spaces are appropriately designed, constructed and maintained for their intended purpose.
3. A variation to Clause 6.11 (Garages and Sheds) of the NT Planning Scheme to allow a 3m x 3m shed to be located with the minimum setback distance the front (street) boundary is granted as the shed will be screened from the street by a 2.1 m high solid fence.
4. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme to allow the outer surface of a the support column of the carport to Unit 1 to be setback 3.8m from the front boundary instead of the minimum 4.5m is granted as:
  - The carport will be over existing parking spaces utilised by the existing dwelling (proposed Unit 1) and will allow a functional parking layout for Unit 1, in line with the driveway;
  - the carport will be partially screened by 2.1m high solid metal fencing to the

- street boundary;
  - the carport is an open structure with a flat roof design and will have minimal visual impact to the streetscape or adjoining land, the design enables breeze penetration/circulation; and
  - only one support column of an open sided structure encroaches onto the minimum setback, no adverse effects of building massing are anticipated when viewed from adjoining land. There is no potential for overlooking to or from habitable areas of the adjoining lot.
5. A variation is granted to Clause 7.7 (Landscaping) of the NT Planning Scheme to allow grassed private open space areas to be included in the total area to meet the minimum planting for the whole site area. A variation to this provision is supported.
  6. 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 multiple dwelling development is located within Zone MD (Multiple Dwelling Residential), and compliant with the majority of controls in the NT Planning Scheme, including being below the density level permitted through Clause 7.1 (Residential Density and Height Limitations) and with the exception of the side setback of the carport for Unit 1, compliant with all minimum building setback distances. Consideration has also been given to the streetscape and adjacent dwellings on Clarke Street building setbacks, fencing and landscaping to soften the development's impact.
  7. The conditions of approval are expected to assist in ensuring the orderly servicing and development of the site and minimise potential impacts on the adjoining streets and properties.

**ACTION:** Notice of Consent and Development Permit

**ITEM 3 DEVELOPMENT – 4 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 1 STOREY BUILDINGS  
LOT 10015, 52 IRRAMPENYE STREET, SUBURB OF MT JOHNS, TOWN OF ALICE SPRINGS  
SUSAN DUGDALE & ASSOCIATES**

Sue Dugdale (applicant), Joel Olzomer and Travis Mitchell (landowners) attended the meeting in support of the application.

Sue Dugdale tabled amended plans.

**RESOLVED** That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout), Clause 7.3 (Building Setbacks for Residential Buildings), Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer Than 18 metres) and Clause 7.5 (private Open Space) 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 10015, 52 Irrampenye Street,  
**0105/13**



Suburb of Mount Johns, Town of Alice Springs for the purpose of 4 x 3 bedroom multiple dwellings in 2 x 1 storey buildings, subject to the following conditions:

### **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 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) 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;
  - (b) details of surface finishes of carports, pathways, courtyards and patio/verandah areas;
  - (c) additional planting adjacent to private open space boundaries of Unit 1 and Unit 2 that border the street frontage and driveway access to the site. Plants must be selected with a view to achieving the privacy screening outcomes under Clause 7.5(3)(b) of the NT Planning Scheme;
  - (d) planting within the private open space areas of Unit 3 and 4 (to complement the lawn and paved surfaces already shown on the site plan);
  - (e) 1.8m high (above finished ground level) fencing to private open space boundaries between dwellings and to side and rear boundaries of the site that complies with the screening requirements specified in Clause 7.5(3) of the NT Planning Scheme;
  - (f) Irrigation arrangements to planted areas.
  - (g) Any revisions to proposed air conditioner locations (as suggested within the drawings (revision B dated 06/12/2013) tabled at the 11/12/2013 DCA meeting).

All plant species selected must be to the satisfaction of the consent authority, preferably species native to central Australia and due regard must be given to the landscaping design criteria contained in Clauses 6.12 (landscaping) and 7.7 (landscaping for multiple dwellings, hostels and supporting accommodation) of the NT Planning Scheme.

### **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. 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:
  - (f) constructed;
  - (g) properly formed to such levels that they can be used in accordance with the plans;
  - (h) surfaced with an all-weather-seal coat;
  - (i) drained;
  - (j) line marked or otherwise suitably delineated to indicate each car space; to the satisfaction of the consent authority.Car spaces and driveways must be kept available for these purposes at all times.

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, to the satisfaction of the consent authority, on advice from the Alice Springs Town Council.
5. 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.
6. 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.
7. 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.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. 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.
10. 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.
11. 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 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](mailto:landdevelopmentsouth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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. 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.
4. 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.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.

### REASONS FOR THE DECISION

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 primary purpose of Zone MD (Multiple Dwelling Residential) of the NT Planning Scheme to 'provide for a range of housing options'. Furthermore, the two storey design and building setbacks are considered compatible with the streetscape and surrounding development.
2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme for part of a driveway (designed for two way traffic) to be pinched to 3.5m wide instead of the minimum 6m is considered satisfactory in this instance as the proposed site responsive design is considered to be functional, maintains sight lines and is appropriate for the minimal vehicular movements of a low density multiple dwelling development in accordance with the intent of the clause. The car parking bays and manoeuvring areas are compliant with dimension (length and width) requirements contained in Clause 6.5.3 and conditions of approval will the driveway and parking area is appropriately constructed and maintained for their intended purpose.
3. Variations to Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme to allow the reduced front setbacks for the dwellings and verandahs is granted as:
  - Upon completion of landscaping and fencing, the variations required, in the context of the overall development of the site are not considered to result in any adverse impact on the existing and future amenity of streetscape or the locality;
  - It is considered justified from a design point of view to allow the building line of the proposed dwellings to align with those of the existing multiple dwellings in the street in order to create a consistent front building line;;
  - The walls are design features that provide visual interest to the proposed dwellings when viewed from the street and adjacent land and assist with privacy screening between the two dwellings;
  - The development is consistent in terms of building footprints and aesthetics

of other dwellings in the immediate area.

4. A variation to Clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer Than 18 metres) of the NT Planning Scheme to allow side building setbacks of 1.5m where 3.5m is required by the Scheme is granted as;
  - The single storey appearance of the development and the articulated façade (which includes open sided verandahs, courtyards, strategic window placement) will not result in any building massing when viewed from the adjoining properties thereby achieving the objective of the clause; and
  - Solid screen fencing (in excess of 1.8m above ground level) will be provided and as such, no undue overlooking of adjoining properties is anticipated.
5. 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. One public submission was received about the application. The matters raised in the submission have been noted by the consent authority.
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 modern residential accommodation options.
7. 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 multiple dwelling development is located within Zone MD (Multiple Dwelling Residential), adds to the variety of housing options in the locality and is likely to positively contribute to the future amenity of the area and landscaping will soften the development's impact to the street.
8. The conditions of approval are expected to assist in ensuring the orderly servicing and development of the site and minimise potential impacts on the adjoining streets and properties.

**ACTION:**

Notice of Consent and Development Permit

**ITEM 4            DEVELOPMENT – ADDITIONS TO EXISTING CHILD CARE CENTRE IN A SINGLE STOREY BUILDING  
LOT 3937, 153 WOODS TERRACE, SUBURB OF BRAITLING, TOWN OF ALICE SPRINGS  
SUSAN DUGDALE & ASSOCIATES**

Sue Dugdale attended the meeting in support of the application and requested a deferral of the requirement to provide additional formalised parking, to allow:

- further negotiation with the owner of Lot 5117; and
- minimisation of costs associated with the extensions to the parking .

**RESOLVED  
0106/13**

That, the Development Consent Authority vary the requirements of clause 8.1.5 (Child Care Centres) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 3937 (153) Woods Terrace, Suburb of Braitling, Town of Alice Springs for the purpose of additions and alterations to an existing child care centre in a single storey building, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit must be in accordance with the drawings submitted with the application and endorsed as forming part of this permit, with respect to all works relating to Lot 3937. 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. 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.
4. 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.
5. An amended parking layout plan for adjoining Lot 5117, Town of Alice Springs:
  - a) generally consistent with the plan submitted with the application;
  - b) but providing a minimum of 14 car parking spaces, including a minimum of 1 parking space for persons with disability; and
  - c) designed to relevant standards;must be submitted for endorsement as part of this permit, within 12 months of the commencement of the use of the child care centre additions approved by this permit. The amended parking layout plan should be accompanied by written confirmation from the owner of Lot 5117 of their support for the layout. When approved, the parking layout plan 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.
6. The driveway and parking area on adjoining Lot 5117, Town of Alice Springs, as shown on the plan endorsed under condition 5 of this permit 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) line-marked; and
  - e) drained.Car spaces, access lanes and driveways must be kept available for these purposes at all times. The parking area works should be completed as soon as is practically

and conveniently possible after a plan has been endorsed. Compliance with this condition is to the satisfaction of the consent authority.

## NOTES

1. The granting of consent under the *Planning Act* does not obviate the need to comply with other relevant legislation and regulatory requirements, including, but not limited to *The Community Welfare Act*, *The Community Welfare (Child Care) Regulations* and *The Public Health Act*.
2. 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.
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.
4. The Environment Protection Authority 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.
5. 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.
6. 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 FOR THE DECISION

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.
2. 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*. No public or local authority submissions were

received in relation to the application.

3. A variation to clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is not supported, as:
  - a) no special circumstances have been identified that are considered to justify a variation to the requirement for 14 parking spaces to be provided;
  - b) the proposed additions are expected to result in an increased demand for car parking;
  - c) the provision of an additional 2 parking spaces is expected to reasonably meet the expected increase in demand;
  - d) the applicant has indicated that there is a capacity to comply with the requirement by providing an additional 2 spaces to the northern side of the existing parking area; and
  - e) the applicant has indicated that they have no objection to a requirement for an additional 2 spaces to be provided, including 1 space for persons with disability.
  
4. The requirement to provide additional formalised parking for use in association with the child care centre is deferred on the grounds that:
  - a) such a deferral has been requested by the applicant, with a view to limiting costs associated with the implementation of such works;
  - b) deferral of the requirement is expected to assist in limiting the cost of works;
  - c) the use of the existing formalised parking area, in conjunction with part of the adjoining land within Lot 5117, Town of Alice Springs is expected to satisfactorily service the approved development on a temporary basis; and
  - d) no undue amenity impact on the locality is expected to result from such deferral.
  
5. A variation to clause 8.1.5.1(a)(i) of the NT Planning Scheme is supported, as:
  - a) there is no site area available to provide for additional outdoor play space; and
  - b) the proposed development is expected to meet the intent of clause 8.1.5 of the NT Planning Scheme.
  
6. Pursuant to section 51(h) of the *Planning Act* the consent authority must take into consideration the merits of the proposal. The proposed additions represent an upgrade to the established facility and may be expected to improve the amenity of the centre for children and staff as well as providing capacity to increase the maximum number of children that may be cared for at a time to 56. The proposed alterations to the building are expected to result in improved privacy for the occupants of adjoining Lot 3837, as the proposed extensions to the existing boundary wall will eliminate overlooking from the child care centre from all areas except for the drying court.
  
7. 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 development is not expected to unduly impact on the amenity of adjoining properties or the locality.
  
8. The 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:** Notice of Consent and Development Permit

**ITEM 5 DEVELOPMENT – 6 X 1 BEDROOM AND 5 X 2 BEDROOM MULTIPLE DWELLINGS  
IN 3 X 1 STOREY BUILDINGS  
LOT 8394, 6A BLOOMFIELD STREET, SUBURB OF GILLEN, TOWN OF ALICE  
SPRINGS  
SUSAN DUGDALE & ASSOCIATES**

Sue Dugdale attended the meeting in support of the application.

Sue Dugdale tabled a draft revised parking layout and advised that the layout was still being reviewed.

**RESOLVED** That, the Development Consent Authority vary the requirements of clause 6.5.1  
**0107/13** (Parking Requirements), clause 6.5.3 (Parking Layout), clause 7.1.1 (Residential Density Limitations), clause 7.3 (Building Setbacks of Residential Buildings), clause 7.3.2 (Distance between Residential Buildings on One Site) and clause 7.5 (Private Open Space) of the Northern Territory 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 8394 (6A) Bloomfield Street, Suburb of Gillen, Town of Alice Springs for the purpose of 6 x 1-bedroom and 5 x 2-bedroom multiple dwellings in 6 single storey buildings, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans and supporting documentation 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 plans submitted with the application but modified to:
  - (a) provide functional and convenient access to and from all car parking spaces;
  - (b) demonstrate that privacy screening to private open space areas may be reasonably expected to comply with the intent of clause 7.8(2)(e) of the NT Planning Scheme;
  - (c) details of shed design;
  - (d) include elevations and plan details for Unit 11, providing suitable privacy separation between the proposed BBQ area and habitable rooms within Unit 11;
  - (e) include a detailed landscape and fence plan, providing:
    - (i) a planting schedule of all proposed plants, including any existing vegetation 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) some planting along the southern side of the driveway, with a view to breaking up the visual bulk of the driveway and the southern boundary fence (consideration could be given to some deciduous trees, as this may allow winter solar access if additional dwellings are constructed on the southern half of the site (i.e. proposed 'Lot A'));
- (v) provision of some planting along the western (rear) boundary, with a view to providing some shade protection to Units 10 and 11 respectively;
- (vi) details, including height, materials and location, of all fencing and gates; and
- (vii) details of surface finishes of pathways and driveways.

Species selected are to the satisfaction of the consent authority. The consent authority encourages the retention of established trees wherever possible and practical.

### GENERAL CONDITIONS

2. 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.
3. 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.
4. All air conditioning condensers are to be located at ground level within private yard area, so as to minimise thermal and acoustic impacts on neighbouring properties and condensate must be disposed of at ground level in a controlled manner to the satisfaction of the consent authority.
5. 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.
6. Before the use or occupation of the approved 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.
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.
8. The kerb crossover and driveway 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.

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, 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. 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.
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. 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.

#### **NOTES:**

1. 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.
2. 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.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentsouth@powerwater.com.au](mailto:landdevelopmentsouth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto: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.
4. The Environment Protection Authority 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.

5. 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.
6. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from Department of Land Resource Management.
7. 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.
8. The developer is recommended to consult the Department of Transport (Public Transport Division) and the Alice Springs Town Council, respectively, to identify any requirements and/or restrictions relating to management of construction-related traffic and parking, delivery of materials to the site and removal of fill material from the site.

#### **REASONS FOR THE DECISION**

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 MR (Medium Density Residential) 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) 'Lot B', exceeds the 800m<sup>2</sup> minimum lot size for the zone;
  - e) the site is considered suitable for supporting the proposed development and use;
  - f) the scale character and style of the proposed development is considered to be compatible with the streetscape and surrounding development, which is characterized predominantly by one and two storey residential development and diverse architectural styles and building ages.
2. 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*. No public or local authority submissions were received in relation to the application.
3. A variation to clause 6.5.1 (Parking Requirements) of the NT Planning Scheme is supported, as:
  - a) one and two bedroom dwellings are expected to generate a lower parking

- requirement than larger dwellings;
  - b) the proposed parking provision 2 spaces/dwelling excepting Unit 9 and Unit 10 respectively (both of which are one-bedroom units, each with one 'accessible' parking space) is expected to satisfactorily service the development; and
  - c) the part of Bloomfield to the north of Espie Street has a 10 metre wide carriageway, services a limited number of properties and has capacity to accommodate 'overflow' parking within the carriageway and verges.
4. Variations to clause 6.5.3 of the NT Planning Scheme may be supported, subject to appropriate amendments to reasonably ensure convenient and functional access to and egress from each parking space.
  5. A variation to clause 7.1.1 (Residential Density Limitations) of the NT Planning Scheme is supported, as:
    - a) the density is expected to be compatible with the existing and planned provision of reticulated services and community facilities which will service the area;
    - 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; and
    - c) although the land has the capacity to accommodate a higher dwelling density, through adoption of multi-storey design, the proposed single storey development will achieve a reasonable dwelling density and will offer benefits of higher levels of accessibility to all dwellings as all dwellings are single storey.
  6. Variations to clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for front, side and rear building setbacks are supported as:
    - a) the proposed dwellings are expected to be compatible with the streetscape and surrounding development;
    - b) no adverse effects of building massing when viewed from adjoining land or street are envisaged;
    - c) encroachment on minimum side and rear setback distances relate to limited parts of the buildings, with dwellings positioned at oblique angles to boundaries to achieve optimal solar orientation;
    - d) the design is expected to avoid undue overlooking of adjoining properties;
    - e) the design is expected to reasonably facilitate breeze penetration through and between buildings; and
    - f) the proposed 1.8 metre high boundary fence may be expected to ensure a satisfactory level of privacy to occupants of the accommodation facility Lot 2414 Bloomfield Street and the occupants of the proposed dwellings.
  7. Variations to clause 7.3.2 (Distance between Residential Buildings on One Site) are supported, as the juxtaposed walls have no doors or windows and the development is not expected to frustrate the intent of clause 7.3 on account of the reduced building setbacks.
  8. 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 residential accommodation options.

9. 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 development is not expected to unduly impact on the amenity of adjoining properties or the locality.
10. The 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:** Notice of Consent and Development Permit

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



**PETER McQUEEN**  
Chairman

18/12/2013

