



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING NO. 289 – WEDNESDAY 12 FEBRUARY 2025

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

MEMBERS PRESENT: Suzanne Philip (Chair), Chris Neck, Deepika Mathur and Matt Paterson.

APOLOGIES: None
LEAVE OF ABSENCE: None

OFFICERS PRESENT: Chay Garde, Kieran Marsh, Nellie Reinhard and Courtney Ackerman
(Development Assessment Services).

COUNCIL REPRESENTATIVE: Matt Raymond

Meeting opened at 11:19 am and closed at 12:06 pm

THE MINUTES RECORD 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 TIME DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 **MEDICAL CLINIC (AMBULATORY CARE FACILITY - RENAL HEALTH) IN A 2**
PA2023/0065 **STOREY BUILDING**
 LOT 8168 (2) TRAEGER AVENUE, SUBURB OF THE GAP, TOWN OF ALICE
 SPRINGS
APPLICANT **MASTERPLAN NT**

Attendance in person: Shanil Hameed (Hodgkison Pty Ltd), Kumar Yethirajam (Department of Health), Fleru Spencer (Department of Health)

Attended via teams: Peter Stanley (MasterPlan NT), Loukas Gikopoulos (Senior Project Manager - Department of Logistics and Infrastructure), Sam Hatzivalsamis (Program Director - Department of Logistics and Infrastructure).

RESOLVED **RECOMMENDATION**
03/25

That, pursuant to section 46(4)(b) of the Planning Act 1999, the Development Consent Authority defer consideration of the application to develop Lot 8168, (2) Traeger Avenue, The Gap, Town of Alice Springs for the purpose of a medical clinic (ambulatory care facility - renal health) in a 2 storey building to allow the applicant an opportunity to make further submissions to the Consent Authority as per the applicant's request. Submissions from the applicant are to be provided to the Consent Authority and circulated to the Alice Springs Town Council. The Authority also requires the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. Confirmation that the most recent drawings demonstrate responses to issues raised in previous DCA meeting discussions and respond to the requirements of resolutions 11/23 and 03/24.

RESOLVED
04/25

That, pursuant to section 86(1) of the Planning Act 1999, the Development Consent Authority delegate to the Chair or in the Chair's absence or inability to act any one of the members of the Division, the power under section 53 of the Planning Act 1999, to determine the application to develop Lot 8168, (2) Traeger Avenue, The Gap, Town of Alice Springs for the purpose of a medical clinic (ambulatory care facility - renal health) in a 2 storey building subject to:

1. Resolution 03/25 requirements being met; and
2. Standard conditions being included on the Development Permit.

REASONS

1. Pursuant to section 51(1)(a) of the Planning Act 1999, 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.

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The NT Planning Scheme 2020 (NTPS2020) applies to the land which is zoned CP (Community Purpose) and also subject to the Overlay listed in Clause 3.6 (LSF – Land Subject to Flooding). The development application proposes to demolish an existing “car parking area” on Lot 8168, that is used as part of the Alice Springs Hospital campus and construct a “medical clinic”. Lot 8168 contains a “access” to an existing staff car park for the hospital (on Lot 8167) and car parking areas located adjacent (west and south) to the main ward block of the hospital on Lot 4579. The proposed medical clinic on Lot 8168:

- will utilise the laundry and catering/kitchen facilities located on Lot 4579;
- will have strong pedestrian and vehicle linkages to Lot 4579 and Lot 8167
- is located on the Alice Springs Hospital campus to utilise services available (medical professionals, patient travel, social workers etc).

The Development Consent Authority considers the “site” subject to the application to encompass the Alice Springs Hospital campus which spans Lot 4579, part of 8167 (car park), Lot 8168 and part of Lot 1018 (car park).

Although “medical clinic” is listed as “permitted” in the zone, as the “medical clinic” is considered to be an ancillary component of the Alice Springs Hospital campus that spans Lot 4579 and the existing “car parking area” on Lot 8168 and “car park” on Lot 8167 and ancillary “excavation and fill” works (4516 cubic metres of fill) are required, the development/use is Impact Assessable as outlined in sub-clause 4 of Clause 3.1 (Overlays) and Clause 1.9 of the NTPS2020. Therefore, pursuant to sub-clause 4 of Clause 1.10, the Development Consent Authority, in considering the application, must take into account all of the following:

- a) any relevant requirements, including the purpose of the requirements, as set out in Part 5*
- b) any Overlays and associated requirements in Part 3 that apply to the land;*
- c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and*
- d) any component of the Strategic Framework relevant to the land as set out in Part 2*

The proposed development and land use is consistent with the Alice Springs Regional Land Use Plan 2016 and the Central Alice Springs Area Plan 2019.

The zone purpose and outcomes of Clause 4.22 (Zone CP – Community Purpose) of the NTPS2020, and requirements listed in:

- Clause 2.2.3(a) – Alice Springs Regional Land Use Plan 2016
- Clause 2.2.3(c) – Central Alice Springs Area Plan
- Clause 3.6 (LSF – Land Subject to Flooding)
- Clause 5.2.1 (General Height Control)
- Clause 5.2.4.1 (Car Parking Spaces)
- Clause 5.2.4.4 (Layout of Car Parking Areas)
- Clause 5.2.5 (Loading Bays)
- Clause 5.2.6.1 (Landscaping in Zones Other Than Zone CB)
- Clause 5.5.3 (General Building and Site Design)
- Clause 5.8.9 (Excavation and Fill)

are all relevant to the subject site and proposed development and use.

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These clauses have been considered and it is found that the proposal (as amended) complies with the relevant requirements of the NT Planning Scheme 2020 except for:

- Clause 3.6 (LSF – Land Subject to Flooding)
- Clause 5.2.4.4 (Layout of Car Parking Areas)

Further information is required for the reasons given below.

The application was previously considered by the Authority on two occasions, 9th August 2023 (“the first deferral”) and again on 7th February 2024 (“the second deferral”).

The first deferral sought further information as follows –

1. an updated Traffic Impact Assessment report is to be prepared by a suitably qualified traffic engineer, the report is to be generally in accordance with the document dated 14 April 2023 (prepared by Stantec Australia Pty Ltd), with updates and further attention made to:

(a) ensuring the “study area” and “project scope” referenced in the (updated) report encompasses the Alice Springs Hospital Campus being: - Lot 4579, 6 Gap Road and associated car parking areas and vehicle access points - - the leased “car park” on part of Lot 8167, 2 Traeger Avenue and its access via Lot 8168 the leased “car park” on part of Lot 1018, 2 Stuart Terrace and its access via Simpson Street

(b) ensuring the legal property boundaries of Lot 8168 and interface with adjacent lots are referenced in the report and associated diagrams

(c) correcting the number of car parking and motorcycle spaces within the multi-storey car park on Lot 4579 (referenced within the report

(d) correcting the number of dialysis chairs and car parking spaces proposed for Lot 8168 (references in traffic report to align with updated drawings).

(e) Review of the guidance provided in Objective 15.2 (sub-clauses iii. and iv.) of the Central Alice Springs Area Plan.

(f) review of traffic volume calculations (existing and proposed) with updated commentary and modelling provided on:

- updated information obtained for points (a) to (e) – listed above
- hours of operation of the proposed medical clinic (renal dialysis on Lot 8168), typical shift change times and patient arrival and departure times
- student arrival / departure times at the education establishment located on Lot 8167, 8 Traeger Avenue
- visiting hours for the main ward block at the hospital building (Lot 4579)
- typical shift change times for the Alice Springs Hospital campus
- typical arrival times for persons attending “day surgery” or similar procedures at the hospital
- vehicle access controls to car parking areas (eg: the sliding gates to the proposed southern car parking area on Lot 8168 and the sliding gate access to the existing staff car park on Lot 8167) in terms of vehicle queuing and availability of car parking spaces

(g) explanation of how the development design achieves the “Acceptable Land Use and Development Response” criteria set out in sections iii. and iv. of Objective 15.2 of the Central Alice Springs Area Plan.

(h) Verifying that that the design of the development and use is “located, designed, operated and maintained to avoid adverse impacts on the local road network” (Zone Outcome 3(d) for Zone CP).

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- (i) modelling of the adjacent intersections and identifying (within the report): - how the (design of the development limits the) number of vehicle access points to the road/s have been limited (to comply with subclause 9 of Clause 5.2.4.4) -
- (j) any upgrades required to the surrounding:
 - street network (vehicle carriageways, vehicle access points) to Lot 4579 & 8168,
 - street parking and verges (eg: footpaths, kerb crossovers, driver and pedestrian sightlines) to the requirements of the Alice Springs Town Council (agency responsible for control of Gap Road and Traeger Avenue road reserves) and Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics (public and school bus services).

The matter returned to the Authority on 7th February 2024 but the Authority was not satisfied with the response to the first deferral and again deferred the application for further information (the second deferral) as follows -

1. Submission of an updated Traffic Impact Assessment of the proposed development works and operation of use based on a updated (2024) traffic survey that further addresses:
 - i) Current (2024) and modelled traffic data (cars, public transport, delivery vehicles, ambulances, public and school bus services, bicycle and pedestrian movements).
 - ii) Peak traffic times of the Alice Springs Hospital campus and OLSH school (e.g. 07:00 to 09:30 and 14:30 to 17:30) taken on a minimum of two days.
 - iii) Current and proposed infrastructure
 - iv) Upgrades required to road reserves (kerb crossovers and driveways, pedestrian and bicycle access, sightlines, works within verges and carriageways)
2. the applicant obtaining written “in principle” support from the: i) Alice Springs Town Council; and ii) Transport Safety and Services division of the Department of Infrastructure, Planning and Logistics to the recommendations contained in the (updated) Traffic Impact Assessment.

On 12 September 2024, the applicant provided an updated Traffic Impact Assessment report including a Road Safety Inspection: Corrective Action Report with support in-principle from Alice Springs Town Council; and Transport Safety and Service Division of the Department Infrastructure, Planning and Logistics (currently known as Department of Logistics and Infrastructure) in accordance with the deferral requirements. The Alice Springs Town Council (ASTC) provided in-principle support, subject to the completion of the recommendations contained within the Road safety inspection: corrective action report and requested the inclusion following condition in the development permit -

The upgrade of the roundabout at the corner of Gap Road and Traeger Avenue to an island, including associated upgrades to road reserves (kerb crossovers and driveways, pedestrian and bike access, sightlines, and works within verges and carriageways) as recommended in the Road Safety Inspection: Corrective Action Report, must be completed prior to the occupation of the development or in accordance with a staged program approved to the satisfaction of the Director Technical Services, Alice Springs Town Council, at no cost to the Council.

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The DAS report noted that the inclusion of this condition ensures that the required road infrastructure is in place before or during the development to mitigate traffic impacts and that Transport Safety and Services division had no objections to the recommendations contained in the (updated) Traffic Impact Assessment on the basis of the in-principle support by the Alice Springs Town Council. The Report recommended that the Authority vary the requirements of Clause 3.6 (Land Subject to Flooding) and Clause 5.2.4.4 (Layout of Car Parking Areas) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the Planning Act 1999, consent to the application to develop Lot 8168 (2) Traeger Avenue, The Gap, Town of Alice Springs, subject to certain conditions including that requested by ASTC.

Although the DCA were willing to consider recommending an approval as per the recommendations of the DCA report, the Applicant requested a deferral to address the proposed conditions. Further, it became apparent at the meeting that there was still substantial disagreement between the parties in regard to the responsibility to undertake works outlined within the updated Traffic Impact Assessment report and the Road Safety Inspection: Corrective Action Report. While the issue of which party carries out the works is not necessarily a relevant planning consideration and the DCA could provide a condition requiring that works are completed prior to the commencement of use, the applicant nevertheless indicated a preference to defer the application once more to provide additional submissions to the consent authority.

The Authority noted the number of deferrals, and the length of time involved with this application and emphasised the need for additional assurance that the updated endorsed drawings were designed in such a way as to clearly demonstrate responses to the issues raised in previous DCA meeting discussions and the requirements of resolutions 11/23 and 03/24.

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FOR: 4

AGAINST: 0

ABSTAIN: 0

ACTION: Notice of Deferral

**ITEM 2
PA2024/0396**

**OUTBUILDING (SHED/GARAGE) ADDITION TO DWELLING-SINGLE WITH
REDUCED BUILDING SETBACKS TO SIDE BOUNDARY**

APPLICANT

**N.T. PORTION 7390 (7) MIETHKE STREET, SUBURB OF KILGARIFF
CALEB SMITH**

Applicant, Caleb Smith attended the meeting and spoke further to the application.

**RESOLVED
05/25**

RECOMMENDATION

That, pursuant to section 46(4)(b) of the *Planning Act 1999*, the Development Consent Authority defer consideration of the application to develop NT Portion 7390 (7) Mietkhe Street, Kilgariff, Town of Alice Springs for the purpose of outbuilding (shed/garage) addition to dwelling single with a reduced building setback to the side boundary 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:

A response from the applicant is requested:

1. showing amendments to the design / siting of the building(s) to reduce the visual impact as presented to the streetscape. The re-design could include a combination of:
 - reducing the building footprint, length and expanse of the structures;
 - reducing the visual bulk and building massing of the proposal by amending the roof pitch and wall heights
 - demonstration within drawings of how the proposed development will be visually consistent with the streetscape (eg: building materials integrated with design of dwelling-single)
2. Explaining how the siting and design of the proposed structure is consistent with the purpose of Clause 5.4.3 and outcome of zoning Clause 4.2 of the NT Planning Scheme 2020.
3. Detailing the need for the outbuilding to have such a reduced building setback to the primary street boundary and explaining why alternatives including:
 - a smaller shed with compliant building setbacks;
 - an extension to (and/or remodelling of) the footprint of the existing-dwelling single; or
 - constructing a shed/garage and or carport in the western side of the site would not achieve the landowner's requirements;

That, pursuant to section 86(1) of the *Planning Act 1999*, the Development

**RESOLVED
06/25**

Consent Authority delegate to the Chair or in the Chair's absence or inability to act any one of the members of the Division, the power under section 53 of the Planning Act 1999, to determine the application to develop NT Portion 7390 (7) Mietkhe Street, Kilgariff, Town of Alice Springs for the purpose of outbuilding (shed/garage) addition to dwelling single with a reduced building setback to the side boundary subject to:

1. Resolution 05/25 being met to the satisfaction of the consent authority; and
2. Standard conditions being included on the Development Permit.

REASONS

Pursuant to section 51(1)(a) of the Planning Act 1999, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates. The Northern Territory Planning Scheme 2020 (NTPS 2020) applies to the land and an outbuilding (shed/garage) addition to an existing dwelling-single with a reduced building setback to the side boundary requires consent under Clause 1.8 (When development consent is required). It is identified as Merit Assessable under Clause 1.8(1)(b)(ii)(2); therefore, the zone purpose and outcomes of Clause 4.2 Low Density Residential, and Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), need to be considered.

The proposal has been found not to be in accordance with Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), because it will result in a reduced side setback of almost nil where 1.5m is required.

At the meeting, Mr Smith spoke to the application and provided his reasons for requesting a non-compliant setback to the side boundary. Mr Paterson queried the applicant as to whether or not it would be possible to include guttering on the outbuilding considering its size and whether or not this would have adverse effects on the neighbouring property. Mr Smith stated that in his view that guttering could be added to the outbuilding.

The DCA considered that the proposed design requires a more compliant setback to the side boundary and notes that any setback of under 1 metre at this location is unlikely to be considered.

The DCA recommended that the applicant give further consideration to the proposed design to better achieve compliance with clause 5.4.3(b) which requires that development "minimises adverse effects of building massing when viewed from adjoining land and the street". The DCA noted that the Kilgariff estate was considered to be an exemplar subdivision in Alice Springs with established design guidelines aimed at keeping the high amenity of the area intact. It was further noted that there is nothing similar in scale to this proposed outbuilding currently approved within the estate.

FOR: 4

AGAINST: 0

ABSTAIN: 0

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ACTION: Notice of Deferral

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

SUZANNE PHILIP

Chair

26 February 2025