DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING NO. 302 – WEDNESDAY 14 OCTOBER 2026

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

MEMBERS PRESENT: Suzanne Philip, Matt Cunningham, Darren Burton and Sean Heenan

APOLOGIES: Chris Neck
LEAVE OF ABSENCE: None

OFFICERS PRESENT: Sebit Rambang, Kieran Marsh, Dennis Rop, Chenwei Lin (Development Assessment Services)

COUNCIL REPRESENTATIVE: Kristine Capangpangan, Anna Anders

Meeting opened at 12.00pm and closed at 12.35pm

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
PA2026/0055

CHANGE OF USE FOR TENANCIES IN AN EXISTING SHOPPING CENTRE FROM SHOPS TO OFFICE
LOTS 9616 & 7575, TOWN OF ALICE SPRINGS (12 TODD STREET & 21 HARTLEY STREET ALICE SPRINGS)

APPLICANT Michael Grogan and Phillip Harnett of URPS

Applicant: Michael Grogan attended online via Teams

RESOLVED 28/26

That, pursuant to section 46(4)(b) of the Planning Act 1999, the Development Consent Authority defer consideration of the application to develop lots 9616 and 7575 Town of Alice Springs (12 Todd St & 21 Hartley St, Alice Springs) for the purpose of change of use for tenancies in an existing shopping centre from shops to office subject to receipt of the following.

1. Provide amended plans detailing the following:
   a) The car parking spaces and layout which details which spaces are dedicated for each tenancy. Detail of the existing multi storey car park which clearly delineate each car park based on use per tenancy.
   b) Amend the description of all the vacant tenancies at ground level to describe the use as a shop where they have previously been occupied for this purpose.
   c) Clearly show the provision of loading bays noting that the assessment has concluded the number of compliant spaces is 3 in accordance with Clause 5.2.5.
   d) Clearly show the location of end of trip facilities for the parking of bikes and lockers.
   e) Amended elevation plans which detail how the buildings interface will present towards Parsons Street with consideration of the location specific provisions of the Scheme.

RESOLVED 29/26

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 other members of the Division, the power under section 53 of the Planning Act 1999, to determine the application to develop lots 9616 and 7575, Town of Alice Springs (12 Todd St & 21 Hartley St, Alice Springs) for the purpose of change of use for tenancies in an existing shopping centre from shops to office upon receipt of the outstanding information.

REASONS FOR THE DEFERRAL

1. 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 NT Planning Scheme 2020 applies to the land and the change of use to an office requires consent under Clause 1.8 (When development

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consent is required). It is identified as merit assessable under Clause 1.8(1)(b)(ii)(1) and the following clauses have been considered as a result of the development.

- Clause 3.6 Overlay 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 Bay.
- Clause 5.2.6.2 Landscaping in Zone CB.
- Clause 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC.
- Clause 5.5.1 Interchangeable Use and Development.
- Clause 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC.
- Clause 5.5.12 Shopping Centre.
- Clause 5.5.15 Design in Commercial and Mixed Use Areas.
- Clause 5.9.1 Alice Springs Town Centre.
- Clause 5.9.1.2 Volumetric Control.
- Clause 5.9.1.3 Active Street Frontages in Alice Springs Town Centre.
- Clause 5.9.1.4 Development in Gateway Locations.

These clauses have been considered, and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for the following clauses.

Clause 5.2.4.1 Car Parking Spaces

The purpose of Clause 5.2.4.1 is to *ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site.*

The plans provided as part of the application do not detail associated car parking area or spaces as part of the proposal. Therefore, the assessment cannot demonstrate compliance. Based on the floor area for office use (approx. 6200m^2) and the requirement of 6 car parking spaces per 100m^2 of net floor area, the development requires 375 car parking spaces.

The Authority directed the applicant to provide amended plans which clearly delineate car parking spaces on Lot 7575 which are associated with the proposed office use.

Clause 5.2.5 Loading Bay

The purpose of Clause 5.2.5 is to *provide for the loading and unloading of vehicles associated with the use of the land.*

Sub clause 3 requires the use/development of an office to provide 1 loading bay for every 2000m^2 of the total net floor area or part thereof. The total net floor area dedicated as office is approx. 6,200m^2. Therefore, 3 loading bays are required to support the site.

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The information provided as part of the development does not detail or indicate the location of loading bays, or if a variation is required in accordance with administration sub clause 1 which states *the consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:*

(a) the scale of the use and development on the site;
(b) any potential adverse impacts on the local road network; and
(c) any agreements for off-site loading and unloading of vehicles, such shared loading areas or approval to carry out loading activities in a laneway or secondary street.

It is considered that the development could comply with this requirement, or at the very least result in a shortfall of spaces required. Regardless, additional information is required for the Authority's consideration.

Clause 5.2.6.2 Landscaping in Zone CB

The purpose of Clause 5.2.6.2 is to *ensure developments within central business districts minimise heat capture and enhance the visual amenity of the area when viewed from the street or from surrounding buildings.*

Sub clause 3 requires development in Zone CB to provide landscaping equivalent to 10% of the site area, excluding any impervious or unplanted areas.

Landscaping is defined within the Scheme as meaning the planting and growing of plants, including but not limited to grasses, shrubs and trees.

Consideration is provided to site context given the area is predominately sealed with the extent of proposed works relate to the internal floor area of the shopping centre. However, the application has not explained if a variation is being sought in accordance with sub clause 1 which states that *the consent authority may consent to a development that is not in accordance with sub-clause 3 if:*

(a) it is a small development and the consent authority is satisfied that it would be unreasonable to provide the required landscaping, having regard to the intended use of the development or whether the development would become unfeasible; or
(b) the development provides an alternative response to achieve the purpose of this clause.

The Authority has considered the site context and noted that the area is predominantly sealed with the extent of proposed works relating to the internal floor area of the shopping center meaning there are no practical opportunities to provide landscaping as defined within the Scheme.

The visual amenity of the Parsons Street interface is clearly lacking when viewed from the street. The drawings provided indicate that NTG logo

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screening is proposed along this interface which suggests that the current blackboarding is to be removed and improved.

However, more information and details within the application are needed which explain if an alternative response is achieved in relation to heat capture or visual amenity.

Clause 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC

The purpose of Clause 5.3.7 is *ensure that new commercial and high-density residential buildings provide sufficient safe, quality and convenient end of trip facilities to enable active travel choices by residents, visitors, workers and customers for the proposed use of the site.*

Sub clause 2 requires all new buildings in Zone CB to provide bicycle parking facilities with a number of bicycle parking spaces calculated at the rate specified in the table (Table to Clause 5.3.7) to this clause (rounded up to the nearest whole number).

It is considered that this application does not result in the creation of a new building and therefore is not subject to these requirements. However, if the office component were subject to these provisions, 23 bikes spaces would be required.

The application does not indicate the location of any existing or proposed bike parking facilities for staff.

When consenting to the use or development of land, the consent authority may impose a condition requiring a higher standard of development than is set out in a requirement of Parts 3, 5 or 6 if it considers it necessary to the achievement of the Strategic Framework, the purpose of the overlay or the zone, or it considers it is otherwise necessary to do so.

The strategic framework (Alice Springs Regional Land Use Plan) encourages new development, particularly within Zone CB, to provide end of trip infrastructure in the form of secure bike racks, showers, way finding signage and lockers.

Development is defined within the *Planning Act 1999* as an activity that involves the establishment or change in the use of the land. Although it may not be feasible for the development to provide facilities completely in accordance with the requirements of Clause 5.3.7, it is considered that the existing building can dedicate an area for the secure location of bikes.

Consideration is also provided towards sub clause 9(b) of Zone CB requires development (which) contributes to the creation of active safe

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and legible public realm by integrating with walking, cycling and public transport networks to promote accessibility and use.

Requiring a higher standard for a dedicated secure bike rack is considered appropriate and relevant to this form of development.

Clause 5.5.12 Shopping Centre

The purpose of Clause 5.5.12 is to *ensure a shopping centre is an attractive, safe and accessible focal point of economic activity that:*

(a) integrated with the surrounding neighbourhood;
(b) incorporates appropriate building and landscape design to ensure that there is no unreasonable loss of amenity for adjoining or nearby residential areas;
(c) is developed in a location that provides convenient access that does not interfere with the safe or efficient operation of the local road and footpath network; and
(d) is connected to public transport and local active transport networks.

The Authority notes the definition of a shopping centre which means an integrated complex of three or more individual tenancies that is comprised primarily of shops. Further, the Authority highlights subclause 8 of this clause which requires a shopping centre to be comprised of a minimum of 60% tenancies as shops.

The Authority considers that this requirement relates primarily to the number of tenancies in contrast to floor area. Provided that the use, as nominated on the approved plans, remains for shops, even while some of the subject tenancies remain vacant, compliance with the Scheme requirement can be met. The Authority requires amended plans that show the use and description of the vacant ground level tenancies to be "shop".

Sub clause 3 requires the development to provide appropriate bicycle parking that is linked to and is easy to access from both the shopping centre and the surrounding active transport network.

The application does not explain any existing bike parking arrangements for customers, or if the development proposes anything new to support the provision of bike parking on site. The application indicates that the proposal satisfies the purpose of this clause, however it is not indicated if a variation is required.

Sub clause 4 requires buildings that incorporate active street frontages to facilitate natural surveillance of footpaths, bus stops and taxi ranks by avoiding long expanses of blank walls along street frontages or other public areas.

The building interface adjoining Parsons Street is not considered compliant with this requirement noting the current layout consists of blackboard covering the windows. The drawings provided as part of the

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application suggest that NTG logo glazing along the Parsons interface, however, the proposal is not detailed making the assessment uncertain as to whether passive surveillance can be supported with the addition of clear views to and from the street.

Clause 5.9.1.1 Alice Springs Town Centre

The purpose of Clause 5.9.1.1 is to *promote buildings in the Alice Springs town centre that are designed to support a mix of land uses now and into the future, provide for a high level of accessibility within the town centre, and respond sympathetically to the cultural and heritage features of the area.*

Sub clause 12 requires new development to respond sympathetically to the historic context provided by adjoining declared heritage places and registered and recorded sacred sites.

Consideration is given to the Parsons Street interface for the proposed office tenancy and "Old Man Tree/Grandfather Tree" which is subject to the NT Aboriginal Sacred Sites Act 1989. The building interface with the sacred site is not considered sympathetic as there are no views towards the sacred site from inside the building due to the absence of clear windows. It is recommended that the application provide greater consideration of the sacred tree with the activation of Parsons Street interface as part of this development.

Clause 5.9.1.3 Active Street Frontages in Alice Springs Town Centre

The purpose of Clause 5.9.1.3 is to *promote highly activated commercial frontages within the Alice Springs town centre that encourages pedestrian activity and strengthens the relationship between buildings and the public domain.*

Sub clause 5 requires buildings to *provide a minimum of 75% of the length of the site boundary fronting a primary or secondary street, or public open space, as active street frontage, made up of any combination of the following components, where the distance between individual components is no more than 1.5m:*

(a) windows that maintain clear views to and from the street, with openings that have dimensions not less than 0.9m wide and 1.2m high;
(b) operational and legible entrances (excluding fire egress) that are directly accessible from the public domain;
(c) areas within the site that are used for alfresco dining that provide visual interaction with the street; or
(d) well-designed spaces that allow for pedestrian movement and/or seating.

The proposal does not comply with this requirement, noting clear details of the Parsons street interface are provided except for the labelled indication that NTG logo glazing will be included. Although the development may not be able to specifically meet the window

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dimensions, greater consideration and sympathy needs to be provided in regard to pedestrian movement, access and clear openings.

2. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

   The proposed development predominantly comprises of internal fit-out of the existing floor area and does not materially alter the physical characteristics of the building. Accordingly, no further consideration of land capability is considered necessary. However, further information is required to demonstrate how the building interfaces with Parsons Street and satisfies the relevant requirements for an active street frontage.

   The Authority note that further information is required to clearly identify the allocation and delineation of parking spaces for each tenancy and its proposed use, to demonstrate compliance with Clause 5.2.4.1 (Car Parking Spaces). Where compliance cannot be achieved, the application should provide justification in support of any proposed variation.

3. Pursuant to section 51(1)(n) of the *Planning Act 1999*, 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.

   Amenity considerations primarily relate to the interface of the proposed tenancy with Parsons Street. While the proposed work predominantly comprises an internal fit-out, the relevant provisions of the Planning Scheme seek to achieve an active street frontage. Further information is therefore required to demonstrate how the proposal addresses these requirements, including how the development will improve the visual presentation and interface of the existing building with Parsons Street.

FOR: 4 **AGAINST: 0** **ABSTAIN: 0**

ACTION: Issue Letter of Deferral

ITEM 2 PA2026/0290 **OUTBUILDINGS (CARPORT AND LAUNDRY) ADDITION TO DWELLING SINGLE WITH REDUCED SETBACKS TO THE PRIMARY STREET AND SIDE BOUNDARIES.**
LOT 09495 TOWN OF ALICE SPRINGS (39 JENNERAE DRIVE, STUART)

APPLICANT James (Jim) Thomas attended in person on behalf of the land owner, Kulwinder Singh.

RESOLVED 30/26 That, the Development Consent Authority, pursuant to section 53(c) of the Planning Act 1999, refuse to consent to the application to develop Lot 9495 Town of Alice Springs, 39 Jennerae Drive, Stuart for the purpose of Outbuildings

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(carport and laundry) addition to dwelling single with reduced setbacks to the primary street and side boundaries.

REASONS FOR THE DECISION

1. The subject land Lot 9495 (39 Jennerae Drive) Stuart, Town of Alice Springs, is a 666m^2 lot comprising an existing dwelling with an ancillary outbuilding (garage). The application seeks consent for the purpose of developing an Outbuilding (carport and laundry) in addition to dwelling-single with reduced setbacks to the primary street and side boundaries.

   The consent authority notes that a building envelope was established over the subject lot requiring future development to maintain setbacks of 4.0m to the primary street boundary and 1.5m to the side and rear boundaries. However, the proposal is for an extension to the existing dwelling comprising of a new fire-rated wall with nil setback to the side boundary for the proposed laundry area and an additional nil side boundary setback for the proposed patio. This results in variation for side setback of approximately 15.77m in length along the common boundary with the adjoining lot.

2. 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 NT Planning Scheme (NTPS) 2020 applies to the land and development for outbuilding structures requires consent under Clause 1.8(1)(b)(ii)(2) as the application became *Merit Assessable* because it does not comply with the relevant development requirements set out in Part 5. Therefore, the following clauses need to be considered:
   - Clause 5.2.1 General Height Control
   - Clause 5.2.4.1 Car Parking Spaces
   - Clause 5.2.6.1 Landscaping in Zones other than CB
   - Clause 5.4.1 Residential Density
   - Clause 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures
   - Clause 5.4.6 Private Open Space

   These clauses have been considered, and it is found that the proposal complies with the relevant requirements of the NTPS 2020 except for Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

   Clause 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

   The proposal does not comply with sub-clause 8 of Clause 5.4.3, as it proposes a primary street boundary setback of 0.98m and a nil side boundary setback for approx. 15.77m of the side boundary length. However, a minimum setback of 6m to the primary street boundary and 1.5m along the side boundary are required by Table A to Clause 5.4.3.

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Additionally, there is an approved building envelope established during the previous subdivision (DP05/0138A) categorically requiring all future development on Lot 9495 to provide a minimum setback of 4 metres to the front boundary and 1.5 metres to the side boundary.

Administratively, the consent authority may consent to a development that is not in accordance with sub-clause 8 if it is satisfied that the reduced setback is consistent with the purpose of Clause 5.4.3 and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

During the hearing, the Authority questioned the need for the proposed carport given the existence of a garage on the site and queried if the current garage is being used for purposes other than carparking. However, no adequate response was provided. Furthermore, the Authority queried the location of the proposed laundry area, asking if other areas on the property were considered and whether the existing laundry was being retained. The applicant advised that such questions were for the landowner. The applicant commented that the proposed laundry may be associated with a home-based business.

The applicant also tabled correspondence from adjoining property (37 Jennerae Drive, Stuart) landowner, indicating support for the proposed development while raising concerns regarding the management of stormwater runoff and potential impacts on the adjoining property.

The Authority considered that the proposed nil setback for approx. 15.77m is not consistent with the purpose of Clause 5.4.3 because the proposed extensions are not compatible with the streetscape and surrounding development. Additionally, the proposed extensions introduce a roof that extends for approx. 15.77m and the proposed firewall along the property boundary may affect the amenity of the residents on adjoining property.

The Authority also considered that the nil boundary setback for the firewall of the laundry room and the extend of the roof for patio along the side boundary may affect the breeze penetration through and between buildings for the adjoining property private open space.

In this instance, the consent authority does not support the proposed variation to the front and side setback.

The considerations listed under Clauses 1.10(3) or 1.10(4) do not apply to this application because the application became Merit Assessable under Clause 1.8(1)(b)(ii)(2), and under Clause 1.10(2), the consent authority only must consider the requirements in Part 5 that are not complied with for such applications.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of

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the development on the land and on other land, the physical characteristics of which may be affected by the development.

The land can support the proposed extensions to the existing dwelling if the setbacks are appropriate because this is an anticipated form of development within Zone LR (Low Density Residential). However, the proposed extensions do not appear to be consistent with the existing character of the locality.

The nil boundary setback along the side is considered to affect the physical characteristics of the subject site or adjoining land and may result in stormwater run-off on to the adjoining land. Accordingly, the correspondence from the adjoining landowner tabled during the hearing indicated a 'no objection' but raised concerns regarding the management of stormwater run-off and the potential impact on their land. Furthermore, the approved building envelope should be observed, and any future development should be confined to the building envelope established for the site.

FOR: 4 **AGAINST:** 0 **ABSTAIN: 0**

ACTION: Issue Notice of Refusal

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



Suzanne Philip
2026.10.23
16:22:06 +09'30'

SUZANNE PHILIP
Chair

23 October 2026

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