



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING NO. 301 – WEDNESDAY 12 AUGUST 2026

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

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

APOLOGIES: None

LEAVE OF ABSENCE: None

OFFICERS PRESENT: Sebit Rambang, Kieran Marsh, Nellie Reinhard and Charlotte Lin
(Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 1203 pm and closed at 1:00 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
PA2026/0151
CONCURRENT APPLICATION - REZONE FROM LR (LOW DENSITY RESIDENTIAL) TO LMR (LOW MEDIUM DENSITY RESIDENTIAL); AND DWELLING-GROUP (2 X 3 BEDROOM AND 1 X 2 BEDROOM) IN 2 X SINGLE STOREY BUILDINGS
APPLICANT **LOT 777 TOWN OF ALICE SPRINGS (8 WINNECKE AVENUE EAST SIDE)**
SUE DUGDALE & ASSOCIATES

Applicant: Susan Dugdale (Sue Dugdale and Associates), Abilash Ravindran and Arvinder Juneja of Independent Choice Control (ICC) Pty Ltd. attended the hearing in person.

Submitter: Be Ward attended the hearing in person.

RESOLVED
23/26

As required by section 30P(1)(a), the consent authority makes a preliminary decision that, if the Minister were to approve the amendment proposal to Lot 777 Town of Alice Springs (8 Winnecke Avenue, East Side), that it would be likely to determine to consent to the development under section 30W(1)(a) conditionally for the purpose of a dwelling group (2 x 3 bedroom and 1 x 2 bedroom) in 2 x single storey buildings subject to the following conditions:

GENERAL CONDITIONS:

1. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
2. The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity and telecommunication networks to the development/each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
Please refer to notations 4, 5 and 6 for further information.
4. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional-confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both waterdevelopment@powerwater.com.au and powerconnections@powerwater.com.au
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

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6. 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.
7. 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.
8. The owner shall:
 - a. remove disused vehicle and/ or pedestrian crossovers;
 - b. provide footpaths/ cycleways;
 - c. collect stormwater and discharge it to the drainage network; and
 - d. 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.
9. 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, in accordance with the requirements of Alice Springs Town Council, to the satisfaction of the consent authority.
10. 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.
11. Before the *use or occupation of the development* starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. constructed;
 - b. properly formed to such levels that they can be used in accordance with the plans;
 - c. surfaced with an all-weather-seal coat;
 - d. drained;
 - e. line marked to indicate all access lanes; and
 - f. clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the consent authority.Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
12. Provision must be made on the land for the storage of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of Alice Springs Town Council to the satisfaction of the consent authority.
14. The private open space areas of each dwelling shall be screened on each boundary by:
 - g. the erection of a solid wall or screen fence not less than 1.8 metres high; or

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- h. fenced to a height not less than 1.8 metres high and planted with dense vegetation.
- 15. 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.
- 16. 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.
- 17. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.
- 18. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.
- 19. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s).
- 20. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.

NOTES:

- 1. This permit will expire if one of the following circumstances applies:
 - a. the development and use 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.
- 2. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works. Due to provisions in the National Construction Code (NCC), the subject lots may need to be consolidated before a building permit can be issued.
- 3. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by

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lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 8936 4070 to determine if the proposed works are subject to the Act.

4. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@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. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind
6. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>
7. A "Permit to Work Within a Road Reserve" may be required from Alice Springs Town Council, before commencement of any work within the road reserve.
8. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Northern Territory Aboriginal Sacred Sites Act 1989. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
9. The Northern Territory Environment Protection Authority (NT EPA) advise that the proponent must ensure that the recommended assigned construction noise levels for airborne and ground borne noise at sensitive noise receptors contained in the NT EPA Noise Management Framework Guideline are complied with. The guidelines specify that on-site construction activities are restricted to between 7 am and 7 pm Monday to Saturday and 9 am to 6 pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

REASONS FOR THE DECISION 1

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1. At the meeting, the applicant, Susan Dugdale addressed non-compliances of the proposal with the NTPS 2020 noting that:
 - A variation to the percentage of landscaping on site was minor having regard to the significant planting provided on site to support amenity and deep soil planting. Further that landscaping to sensitive boundaries including the front setback, to a depth of 1.2m would soften the developments impact and be sympathetic to the streetscape.
 - A variation to the distance between Houses 1 and 2 would support the retention of compliant side boundary setbacks and not subtract space from the internal floor area of dwellings.
 - A variation of 1m to the length of the northern wall to House 3, would not result in the perception of building mass and bulking, when viewed from the adjoining property, having regard to the buildings overall height and material detailing of the external wall.

The DCA queried the applicant and landowners as to any future intentions to unit title the land, as referenced in the application Statement of Effect. The landowners, Abilash Ravindran and Arvinder Juneja, stated that there was no intention to unit title the land in the immediate future, noting that the development would be to service supported accommodation through their company, Independent Choice Control, a registered NDIS provider.

Be Ward, the public submitter attended the hearing in person and spoke further to the submission. Mr Ward noted that his concern was articulated in Development Assessment Services (DAS) and queried if there was opportunity to retain mature trees in the southeast corner of the lot. Ms Dugdale acknowledged that it is unfortunate to lose mature trees. However, in this instance, it was difficult to avoid, having regard to their species and impact to building foundations and safety concerns for dropping limbs, particularly for a more compact development. Ms Dugdale advised that more suitable tree species would be provided for planting. Further that the landowner is willing to investigate the possibility of keeping some mature trees on the site, where possible, and subject to advice from an arborist.

The Authority welcomes efforts to keep existing mature trees when developing land, however, advise that there is no requirement in the NTPS 2020 to enforce their retention.

2. Pursuant to sections 30P(2)(a) and (b) of the *Planning Act 1999*, the consent authority must take into account any planning scheme that applies to the land to which the application relates, and the amendment proposal contained within the application.

The NT Planning Scheme 2020 applies to the land and under Zone LMR, the use is *Permitted*, however has become *Merit Assessable* under Clause 1.8(1)(b)(ii)(2), as it does not comply with the relevant development requirements set out in Part 5. The exercise of discretion by the consent authority that applies is Clause 1.10(2) (Exercise of Discretion by the Consent Authority) of the NTPS 2020. Clause 1.10(2) specifies that for development *that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), the*

consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements.

An assessment of non-compliant Part 5 development requirements of the NTPS 2020 and reasons to support variations are summarised below:

Part 5 – Development Requirements

Variations are required for Clause 5.2.6.1 (Landscaping in Zones other than Zone CB), Clause 5.4.3.2 (Distance between residential buildings on site) and Clause 5.4.17 (Building articulation).

Clause 5.2.6.1 (Landscaping in Zones other than Zone CB)

Although the proposed landscaping is considered to adequately address the purpose of Clause 5.2.6.1, it is not designed to protect existing vegetation *that contributes to the character and amenity of the site and surrounds*. In addition, the proposal does not comply with sub-clause 5 of Clause 5.2.6.1 because the proposed landscaping is 25% instead of 30% of the site area.

Administrative sub-clause 1 of Clause 6.2.6.1 provides that landscaping may include, where subordinate to areas of planting, impervious and unplanted areas for:

- (a) pedestrian access,
- (b) outdoor recreation, or
- (c) natural or ornamental features and the like.

Relevant to this proposal, administrative sub-clause 2 of Clause 6.2.6.1 provides that the consent authority may consent to landscaping not in accordance with sub-clauses 5 *if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.*

Landscaping is considered with regard to the Zone Outcome 5 of LMR where *building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and between neighbours, provides privacy and attractive outdoor spaces.*

The site includes several established trees, that contribute to amenity and thermal cooling. While the proposal in its current form would result in the removal of all established trees, except for one, it does provide a significant level of new landscaping which:

- increases the number of trees on site
- supports deep soil planting for shade trees and
- is native and climate responsive.

The proposal provides 270sqm of landscaping, which is equal to 25% site cover. In this instance, a variation to reduce the required landscaping by 5% is supported for the following reasons:

- The provision of landscaping to the front boundary to a depth of 1.2m that is in front of the proposed boundary fencing, which supports streetscape amenity and improves integration of the development with the street.
- There is a total area of 175sqm on site for deep soil planting of medium-large trees.
- As the development provides for disability access to internal and external areas, there is a greater need for hard surfacing and wider external access paths.
- The design incorporates planting of medium to large trees that will provide shade to external hard surfaces.

The Authority determined that above justifications are sufficient to support the variation and adequately addresses the reduction in the minimum landscaping requirement of 30%.

Clause 5.4.3.2 (Distance between residential buildings on site)

The proposal does not comply with sub-clause 2 of Clause 5.4.3.2, because the distance between residential buildings on site is 2.1m, and 3m is required.

Administratively, sub-clause 1 of Clause 5.4.3.2 guides that the consent authority may consent to a development, where there is a distance less than 3m between residential buildings *if it is satisfied it is consistent with the purpose of this clause and that the design of the development adequately mitigates the adverse effects of building massing and privacy and overlooking impacts that may arise from non-conformity.*

The Authority acknowledged that a variation to this clause is considered acceptable for the following reasons:

- There are no openings at ground level in the external facing walls between the two buildings, which reduces perceived and actualised effects of building massing.
- Building massing is also minimised through the varying roof form, material selection and recessing external walls at the front and rear of the buildings.
- The proximity of buildings does not result in opportunities of overlooking into adjoining private open space, where views are obstructed by an internal good neighbour boundary fence to a height of 1.8m.

Clause 5.4.17 (Building articulation)

House 3 does not comply with sub-clause 4 of Clause 5.4.17, as the length of the northern elevation exceeds 15 metres and does not incorporate a step or recess in the building line.

Administrative sub-clause 2 of Clause 5.4.17 guides that the consent authority may consent to a development that does not include a step or recess in a building line with a distance greater than 15m if it is satisfied it is consistent with the purpose of this clause.

The north elevation wall has a continuous length of 16m. A variation to this clause is considered acceptable in this instance given that:

- The dwelling on the adjoining property (Lot 776) is setback approximately 8m from the shared boundary and separated by private open space.
- The rear, northeast section of Lot 777 adjoins undeveloped land (unfenced), part of Lot 776.
- The overall building height of House 3 is below 4m, and the northern elevation has a compliant side boundary setback of 1.5m.

Taken together, the Authority considers that the above factors reduce the effects of building massing and bulking of the proposed development, when viewed from the adjoining lot.

3. Pursuant to Section 30P(2)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to support the development proposal and the effect of the proposal on the land, and on other land, the physical characteristics of which may be affected by the proposal.

The land can support the proposed development, which is of a regular shape and exhibits a generally flat topography. The land currently includes rear access, via a laneway to the eastern boundary, however rear access is not part of the proposed development.

Proposed plans indicate that the land will be cleared of all remaining structures and vegetation to accommodate the development. The landowner has advised, through their public submission response, that there may be opportunity to reconsider the retention of existing trees along the southern boundary, as the project develops. Where possible, large trees that contribute to cooling and amenity, should be retained.

4. Pursuant to Section 30P(2)(l) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the public utilities or infrastructure provided in the area in which the land is situated and any requirement for public facilities and services to be connected to the land; and facilities, infrastructure or land to be provided by the applicant.

As found in an established subdivision, the land is connected to reticulated electricity, water and sewerage services. Power and Water Corporation advise in their authority response that the lot requires an upgrade to the existing power supply and may require upgrades to the existing water and sewer services.

5. Pursuant to Section 30P(2)(m) of the *Planning Act 1999*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

Amenity is considered in the context of the site, its surrounds, and the applicable planning controls of the NTPS 2020. Of relevance to this

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application, Zone LMR purpose seeks to provide well-located, low-rise housing options that contribute to the streetscape and residential amenity. And, per Zone LMR Outcome 1, that a blend of low to medium density housing typology respond to changing community needs.

The proposed infill development makes use of a large residential lot that is proximate to community facilities and shops. It offers a compact living arrangement, that does not unreasonably detract from the prevailing low-density character of the area. The development will provide for improved liveability, designed with consideration for physical accessibility.

The scale of the built form, being single storey, is sympathetic to neighbouring development and provides significant area for landscaping and private open space that contributes to amenity on and off site.

RESOLVED
24/26

That under section 30Q of the *Planning Act 1999*, the consent authority report to the Minister for Lands, Planning and Environment advising of the likely decision in relation to the development proposal, issues raised in the submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the amendment proposal.

FOR: 5

AGAINST: 0

ABSTAIN: 0

ACTION: Report to the Minister

RESOLVED
25/26

That, pursuant to section 86(1) of the *Planning Act 1999*, the Development Consent Authority delegates its powers to the Chair or in the absence of the Chair any member of the Alice Springs Division of the Authority to:

- (a) determine pursuant to Section 30W(1)(a) to consent to the development proposal contained in the concurrent application and consent to the concurrent application after receipt of a notice under Section 30U(1) that the Minister has approved the amendment proposal contained in the application;
- (b) issue a development permit under section 54(1) in relation to the development proposal to develop Lot 777 Town of Alice Springs (8 Winnecke Avenue, East Side) for the purpose of a dwelling group (2 x 3 bedroom and 1 x 2 bedroom) in 2 x single storey buildings; and
- (c) issue the relevant notices under Section 30Y.

FOR: 5

AGAINST: 0

ABSTAIN: 0

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

SUZANNE PHILIP
Chair

27 August 2026