



## **DEVELOPMENT CONSENT AUTHORITY**

### **ALICE SPRINGS DIVISION**

### **MINUTES**

**MEETING No. 279**

**9 AUGUST 2023**

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

**MEMBERS PRESENT:** Suzanne Philip (Chair), Chris Neck, Deepika Mathur, Allison Bitar, Matt Paterson

**APOLOGIES:** NIL  
**LEAVE OF ABSENCE:** NIL

**OFFICERS PRESENT:** Chay Garde, Benjamin Taylor, James Calder, Kieran Marsh, Jennie Ryan

**COUNCIL REPRESENTATIVE:** Matt Raymond

**Meeting opened at 10:15am and closed at 11:35am**

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**  
**PA2023/0214**      **BAR-PUBLIC AND ANCILLARY FOOD PREMISES/RESTAURANT (EPILOGUE LOUNGE AND ROOFTOP) AND AN ADJACENT PROPOSED BAR-PUBLIC AND ANCILLARY FOOD PREMISES/CAFÉ/TAKEAWAY (TROPIC OF CAPRICORN) LOTS 5174, 5175 & 5176 (58, 60 & 62) TODD STREET, TOWN OF ALICE SPRINGS**

**APPLICANT**      Tatam Planning Co.

DAS staff tabled an Addendum to the officers' report, containing locality plans, details of parcel boundaries, site photos and written land owners authorisation for Lot 8475 (Todd Mall).

Applicant, Cat Tatam (Tatam Planning Co) attended the meeting via video link and spoke further to the application. Mr Alex Harding, Project Manager (Harding Project Services) attended the meeting on behalf of the lessee.

**RESOLVED**  
**10/23**      That, the Development Consent Authority vary the requirements of Clause 5.2.4.1 (Car Parking Spaces) and Clause 5.2.5 (Loading Bays) of the Northern Territory Planning Scheme 2020, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop:

- part of Lots 5174 & 5175 (58 & 60), Todd Street, and part of Lot 8475 (Todd Mall), Town of Alice Springs for the purpose of a Bar-Public and ancillary Food Premises - Restaurant (Epilogue Lounge) and
- Lot 5176, (62) Todd Street, Town of Alice Springs for the purpose of a Bar-Public and ancillary Food Premises - Cafe/Takeaway (Tropic of Capricorn), subject to the following conditions:

#### **CONDITON PRECEDENT**

1. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The landscaping plan must be generally in accordance with drawing WD20 prepared by Hodgkison Pty Ltd and lodged with DAS on 29/05/2023 and demonstrate that 10% of the site area of Lot 5176 provides areas of landscape planting. The updated plan must also show:
  - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
  - (b) landscaping and planting (e.g planter boxers) within the site
  - (c) details of surface finishes of pathways and outdoor areas;
  - (d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;All species selected must be to the satisfaction of the consent authority.

Amended plans and documentation prepared in response to Condition Precedent 1 may be submitted to the Development Consent Authority C/-

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Development Assessment Services, Department of Infrastructure, Planning and Logistics, C/- Alice Springs Branch via email to [das.ntg@nt.gov.au](mailto:das.ntg@nt.gov.au)

### 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. The use and development as shown on the endorsed plans must not be altered without further consent from the consent authority.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

The owner of the land must enter in to agreements with the relevant service authorities for the provision of water supply, sewerage, and electricity services to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notation 2 for further information.

5. Storage for waste disposals bins is to be provided to the requirements of the Alice Springs Town Council, to the satisfaction of the consent authority.
6. The ongoing arrangements for loading and unloading of goods must take place in the designated space identified as the Alice Springs Town Council land at the rear (east end) of Lot 69.

### NOTES:

1. 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.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([waterdevelopment@powerwater.com.au](mailto:waterdevelopment@powerwater.com.au)) and Power Network Engineering Section ([powerdevelopment@powerwater.com.au](mailto: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.
3. This development permit is not an approval to undertake building work or the land use. 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.

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4. Any proposed works which fall in the scope of the Construction Industry Long Service Leave and Benefits Act 2005 must be notified to NT Build by 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](mailto:info@ntbuild.com.au)) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.
5. Notwithstanding the approved plans, all signage is subject to Alice Springs Town Council approval and at no cost to Council.
6. There are Right of Way easements (registered on Land Titles) for the use of adjoining Lots 5172 to 5176. No permanent structures installed by developments that could affect the thoroughfare of pedestrians and wheelchair bound users is allowed. This unobstructed arrangement must continue to remain in place.
7. Notwithstanding the approved drawings, the demonstrated awnings in *Todd Mall* road reserve is subject to Council approval at no cost to Council.
8. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Liquor Act 2019*, the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004*.

### REASONS

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 (NTPS2020) applies to the land which is zoned CB (Central Business) and is also subject to the Overlay listed in Clause 3.6 (LSF –Land Subject to Flooding). The proposed development and use requires consent under Clause 1.8 (When development consent is required). Bar – Public is identified as ‘merit assessable’ under sub- clause 1(b)(i) of Clause 1.8 of the NTPS2020. Sub-clause 1 of Clause 3.6 specifies that land subject to the LSF Overlay is to be used or developed only with consent. Sub-clause 4(b) of Clause 3.1 specifies that - where an Overlay requires consent, if shown as Merit Assessable on the relevant assessment table in “Part 4” it is Impact Assessable.

Sub-clause 4(a) of Clause 3.1 specifies that - *where an Overlay requires consent, if shown as permitted on the relevant assessment table in “Part 4” it is merit assessable*. The use of restaurant and café/ takeaway is shown on the assessment table as permitted and as subject to LSF Overlay they are now merit assessable.

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:

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

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

The zone purpose and outcomes of Clause 4.10 (Zone CB - Central Business) of the NTPS2020, and the below requirements apply to the application:

- Overlay 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 Spaces)
- Clause 5.2.5 (Loading Bays)
- Clause 5.2.6.2 (Landscaping in Zone CB)
- Clause 5.5.1 (Interchangeable Use and Development in Zones CB and C)
- Clause 5.5.4 (Expansion of Existing Development in Zones CB, C, SC and TC)
- Clause 5.5.10 (Nightclub Entertainment Venue, Bar – Public and Bar Small)
- Clause 5.5.11 (Food Premises)
- Clause 5.5.15 (Design in Commercial and Mixed Use Areas)
- Clause 5.5.16 (Active Street Frontage)
- Clause 5.9.1.1 (Building Design an Alice Springs Town Centre)
- Clause 5.9.1.2 (Volumetric Control)
- Clause 5.9.1.3 (Active Street Frontages in Alice Springs Town Centre)

These clauses have been considered and it has been found that the development application (as publicly exhibited) complies with all the development requirements except for:

- Clause 5.2.4.4 (Car Parking Spaces)
- Clause 5.2.6.2 (Landscaping in Zone CB)
- Clause 5.2.5 (Loading Bays)

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), sub-clause 5 of the NT Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
  - (a) The purpose and administration clauses of the requirement; and
  - (b) The considerations listed under Clause 1.10(3) or 1.10(4).

Clause 5.2.4.1 (Car Parking Spaces)

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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.*

A Bar-Public use is required to provide for 16 car parking spaces for every 100m<sup>2</sup> of net floor area used as a lounge bar or beer garden plus 50 for every 100m<sup>2</sup> of net floor area used as a bar. All food premises require 6 spaces for every 100m<sup>2</sup> of net floor area and any alfresco dining areas. The development does not comply because the proposal is providing no parking spaces where 73 car parks are required under the NTPS2020.

Sub-Clause 2 (administration) of Clause 5.2.4.1 states that - *the consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of car parking spaces is appropriate with regard to:*

- (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;*
- (b) the provision of car parking spaces in the vicinity of the land;*
- (c) the availability of public transport in the vicinity of the land; and*
- (d) the potential impact on the surrounding road network and the amenity of the locality and adjoining property; or if the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act 2011 supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.*

A total variation to sub-clause 4 of Clause 5.2.4.1 is supported as:

- The site (and the rest of the Todd Mall), is serviced by adjacent and nearby public car parking areas and spaces.
- Technical comments received from the Alice Springs Town Council have not raised the proposed absence of on-site car parking spaces as an issue and no local government council or public “submissions” were received.
- the site has convenient access to all bus routes and the taxi rank located less than 200- metres away.
- Any potential increase in demand for car parking generated by the approved development of Lot 5176 can be accommodated by the nearby public car parking and is not expected to add to the congestion of the surrounding traffic network.
- Dedicating part of the site to car parking compliant with Clause 5.2.4.4 of the NTPS2020 would potentially degrade the physical amenity of the area.
- The land is not proposed to be rezoned or redeveloped such that the absence of car parking would prevent the achievement of a well-planned area.

### Clause 5.2.5 (Loading Bays)

The purpose of Clause 5.2.5 is - *to provide for the loading and unloading of vehicles associated with the use of land.* Administration of Clause 5.2.5 states that *the consent authority may consent to a use or development that is not in accordance with sub clause 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regards to:*

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- (a) *the scale of the use and development of 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 as shared loading areas or approval to carry out loading activities in a laneway or secondary street*

A total variation to Clause 5.2.5 is supported because current arrangements related to the loading and unloading of relevant goods from and to the site within a designated loading area accessed via land (Lot 69) owned by the Alice Springs Town Council are currently in place with Council and considered satisfactory. The arrangement similarly applies to neighbouring businesses. Further, the scale of operations undertaken are not considered to detrimentally impact amenity and are suitably located away from the nearest residential buildings.

3. Sub-clause 3 of Clause 5.2.6.2 (*Landscaping in Zone CB*) requires that *development in Zone CB is to provide areas of landscape planting equivalent to 10% of the site area*. The condition precedent requiring a landscaping plan will ensure the approved development will meet the requirements of the NTPS2020.
4. 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 physical characteristics of the land are considered suitable for the proposed development and use. The land is developed and has operated commercially since the 1960's (or earlier). Conditions and advisory notes included in the development permit are expected to assist in ensuring appropriate management of the site and not compromise the amenity of adjoining properties and uses.

5. Pursuant to section 51(1)(m) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the public utilities or infrastructure provided in the area in which the land is situated, services to be connected to the land and the requirement, if any, for those facilities or infrastructure to be provided by the developer:

The conditions of approval and advisory notes are intended to assist in ensuring:

- Service authority interests are duly recognised in terms of storm water drainage, works within the road reserves, connections to and upgrading of electricity supply, water supply and sewerage services that apply to the development on the site; and
- The NTPS2020 objectives and development performance requirements/criteria relating to access, works within road reserves and the provision of services/infrastructure will be complied with.

6. 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

It is understood that a liquor license (*Liquor Act 2019*) is being sought for the “Tropic of Capricorn” development and use. If the business is successful in obtaining a license then conditions will be included on the relevant *Liquor Act 2019* approval to ensure noise levels do not impact the future amenity of the area. A liquor license applies to the Epilogue Lounge.

The development itself is considered a beneficial use of land that can help to revitalise the Todd Mall and central business locality while also providing passive surveillance.

**FOR: 5**

**AGAINST: 0**

**ABSTAIN: 0**

**ACTION: DAS to prepare Notice of Consent and Development Permit**

**ITEM 2  
PA2023/0065**

**MEDICAL CLINIC (AMBULATORY CARE FACILITY) IN A TWO (2) STOREY BUILDING**

**LOT 8168 (2) TRAEGER AVENUE, SUBURB OF THE GAP**

**APPLICANT**

MasterPlan NT

Applicant, Peter Stanley (MasterPlan NT) attended the meeting via video link and spoke further to the application. Shanil Hameed (Hodgkinson Pty Ltd) attended the meeting in person and spoke further to the application. Ty Mark (Department of Health) attended the meeting via video link and Steve Gunner (Department of Health) attended the meeting in person.

**RESOLVED  
11/23**

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) 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:

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



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- (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).
  - (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 sub-clause 9 of Clause 5.2.4.4)
    - 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).

## 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 NTPS2020 definition (Schedule 2) of “site” means - *an area of land, whether consisting of one lot or more, which is the subject of an application to the consent authority.*

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 encompass the Alice Springs Hospital campus which spans Lot 4579, part of 8167 (car park), Lot 8168 and part of Lot 1018 (car park).

An application is required for *Planning Act 1999* (section 44) consent as:

- it is proposed to construct a new building/development on land affected by the Land Subject to Flooding Overlay (sub-clause 1 of Clause 3.6 of the NTPS2020 triggers the need for consent).
- the land is within Zone CP of the NTPS2020, where “medical clinic” (as a “primary use” is listed as “permitted” in the zone).
- however, as the:
  - i. “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
  - ii. ancillary “excavation and fill” works (4516 cubic metres of fill) are required  
this is considered to make the development/use *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 of the NTPS2020, the Development Consent Authority, in considering the development 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*

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(d) *any component of the Strategic Framework relevant to the land as set out in Part 2*

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 land use.

The proposed development / use complies with Clause 5.2.4.1 (Car Parking Spaces) in terms of providing the required number of car parking spaces on Lot 8168 for a medical clinic use, however, this will remove part of the existing “car parking area” for the Alice Springs Hospital. Parts of the car parking area and driveways do not fully comply with Clause 5.2.4.4 (Layout of Car Parking Areas).

Pursuant to sub-clause 5 of Clause 1.10 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme 2020, *the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:*

- (a) *The purpose and administration clauses of the requirement; and*
- (b) *The considerations listed under Clause 1.10(3) or 1.10(4).*

### (a) Clause 5.2.4.4 (Layout of Car Parking Areas)

The purpose of clause 5.2.4.4 is to - *ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.*

The proposal:

- shows the required amount of car parking spaces within the drawings which will be located within a parking area primarily accessed off Traeger Avenue, and the Gap Road “service lane”.
- Included a Traffic Impact Assessment prepared specifically for the proposed building, but not the full context of the “site” being the Alice Springs Hospital campus or the legal boundaries of Lot 8168 and interface with Lots 4579 and 8167 and guidance/objectives contained in the Central Alice Springs Area Plan.

The following aspects of non-compliance with Clause 5.2.4.4 have been identified:

Sub-clause 6 of Clause 5.2.4.4 specifies that - *a car parking area is to:*

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- (a) *be not less than 3m from any lot boundary abutting a road; and*
- (b) *provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the car parking area when viewed from the road.*

The setback and associated landscaping width of the car parking area will be:

- ~2.5m (at closest point) from the Traeger Avenue boundary
- 1.2m (at closest point) from the Gap Road boundary.

With regard to the guidance contained in the Central Alice Springs Area Plan, the subject site is located within Focus Area C (Commercial / Mixed Use, Medical and Health Services). Objective 15.2 of the Plan specifies that acceptable land use and development response is:

*iii - Locate and consolidate vehicle access, parking and loading areas away from street frontages*

*iv - Open, ground level car parking areas designed to reduce heat island effects such as through tree planting and shade structures*

The Traffic Impact Assessment did not address these criteria.

Administratively, sub-clause 3 of Clause 5.2.4.4 provides that - *the consent authority may consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.*

In terms of visual amenity, a variation to sub-clause 6 could be supported as - a 1.8m high open slat fence metal fence and planting will assist in partially screening the car parking area from public view, whilst maintaining passive surveillance and the proposed landscaping (once mature) and fencing arrangements will be consistent with the streetscape. A landscaping professional was consulted/engaged in preparing the drawings.

Sub-clause 8(c) of Clause 5.2.4.4 specifies that - *.....the layout of a car parking area is to be in accordance with the dimensions set out in the diagram to this clause;*

The car parking spaces proposed for Lot 8168 are in a 90° arrangement, the lengths of 35 of the spaces will be 5.4m instead of the 5.5m specified in the diagram to Clause 5.2.4.4. Dimensions of all other aspects of the driveways and car parking area are compliant.

Administratively, sub-clause 4 of Clause 5.2.4.4 provides that - *the consent authority may consent to a car parking area that is not in accordance with sub-clause 8 if it is satisfied that the design and*

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*construction is safe and functional with regard to the location of the development.*

A variation to sub-clause 8(c) is supported as:

- The application included a Traffic Impact Assessment supporting the proposed design/dimensions of the car parking spaces.
- Internal driveway widths (two way traffic) for the site are generally wider than the 6m minimum which will compensate for the reduced bay lengths of car parking spaces;
- It is anticipated that persons utilising the car parking area will be familiar with the layout and manoeuvring arrangements for car parking spaces.
- The car parking area contains disability compliant car parking spaces and mini-bus bays – those spaces comply with the minimum length dimension requirements.

Sub-clause 9 of Clause 5.2.4.4 specifies that - *.....the number of access points to the road are to be limited.*

For Lot 8168, the application proposes:

- Traeger Avenue - widening crossover and changing design from “exit only” to an entry and exit.
- Gap Road (service road) – construction of two new vehicle crossovers (entry and exit) and
- Gap Road - retention of the existing (entry and exit) crossover at the north east corner of Lot 8168 to the main carriageway of Gap Road.

Administratively, sub-clause 5 of Clause 5.2.4.4 provides that - *the consent authority may consent to a car parking area that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.*

With regard to the guidance contained in the Central Alice Springs Area Plan, the subject site is located within Focus Area C (Commercial / Mixed Use, Medical and Health Services). Objective 15.2 of the Plan specifies that acceptable land use and development response is:

- iii - Locate and consolidate vehicle access, parking and loading areas away from street frontages*
- iv - Open, ground level car parking areas designed to reduce heat island effects such as through tree planting and shade structures*

To enable the Development Consent Authority to consider the development application properly, including vehicle access arrangements, additional information in the form of an updated Traffic Impact Assessment is considered necessary.

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2. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account 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.

To enable the Development Consent Authority to consider the development application properly, including vehicle access arrangements and impact on the abutting road network, additional information in the form of an updated Traffic Impact Assessment is considered necessary.

**FOR: 5**

**AGAINST: 0**

**ABSTAIN: 0**

**ACTION: DAS to prepare Notice of Deferral**

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

**SUZANNE PHILIP**

**Chair**

**22 August 2023**