

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 – section 41

REASONS FOR DECISION IN RELATION TO PROPOSED EXCEPTIONAL DEVELOPMENT PERMIT

The decision to grant an Exceptional Development Permit for Lot 553 & 7409 (26) & (27) Stuart Highway, Ciccone, Town of Alice Springs for the purpose of office in 1 x 3 storey building exceeding 8.5m in building height was made pursuant to section 40(2)(a) of the *Planning Act 1999* for the following reasons:

1. Pursuant to section 40(1) of the *Planning Act 1999*, in this instance, it is considered preferable to issue an Exceptional Development Permit (EDP), to allow 1 x 3 storey building exceeding 8.5m in building height over Lot 553 (to be consolidated with Lot 7409). Although the zoning allows the use and development of an office with consent in Zone LI (Light Industry), it was not considered appropriate to amend the height control to allow buildings to exceed 8.5m in height for Zone LI. Zone LI accommodates a range of land uses which could prove adverse if allowed to be developed with additional heights.
2. Pursuant to section 42(1) of the *Planning Act 1999*, the Minister must take in to account consideration of section 51(1)(h) the merits of the proposed development as demonstrated in the application.
 - The existing landscaping provided along Lot 7409 is considered to provide a high level of visual amenity for the streetscape which pertains established native types from a range of different sizes. The consolidated office additions intend to expand this pattern of landscaping along the street boundary which will expand this amenity of the area.
 - Changes to the road layout will assist the functional movement of traffic on to the site.
 - Lot 553 (subject site) is predominantly flat and can support the retention of a new building with methods undertaken to address the discharge of stormwater from the adjoining property at the rear.
 - The additional parking provided as part of the development results in a total of 128 parking spaces across both sites approved for consolidation which is not inclusive of the existing undercroft retaining all fleet vehicles.
 - The building orientation includes balconies overlooking the rear and front boundaries which assist passive surveillance.
 - The development achieves a key development objective in the Alice Springs Regional Land Use plan which seeks to encourage consolidated and compact development that facilitates land use and infrastructure efficiencies, increases choice and conserves the regional environment.
 - The land is zoned LI (Light Industry). Zone LI seeks office use (that is) limited to serve the needs of industrial uses on a site, or directly support and compatible with the ongoing industrial use of the zone. Although the primary use of the

land is an office for administrative purposes, the development is compatible with the immediate area which also consists of NT Government offices on the opposite side of the Stuart Highway.

3. Pursuant to section 42(1) of the Planning Act 1999, the Minister must take into account consideration section 51(1)(j) for 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 subject site (Lot 553) are considered adequate for the development of an office building. The building and use comprising both Lots 553 and 7409 have been approved for consolidation which will result in the whole site being understood as one parcel of land purposed as the Central Land Council's main office.

Consideration has been given to the adjacent rocky hill formation (vacant Crown Land, Lot 8067) which results in an adverse discharge of stormwater on to the adjoining lots during wet weather periods. The design is considered to address this matter through water retention methods and the development requires clearance from the controlling road authority (Northern Territory Government) in relation to the discharge of stormwater.

4. Pursuant to section 42(1) of the Planning Act 1999, the Minister must take into consideration section 51(1)(n) for the potential impacts on the existing and future amenity of the areas in which the land is situated.

Consideration has been given to the impacts with the road reserve and Stuart Highway traffic as a result of the development. Subject to compliance with the permit conditions and advisory notes, the development can be implemented with changes in accordance with the traffic impact assessment and external requirements from the Transport and Civil Services Division of the Department of Logistics and Infrastructure.

Pursuant to section 42(1) of the Planning Act 1999 the Minister must take into consideration section 51(1)(r) for any potential impacts on natural, social, cultural or heritage values, including, for example, the heritage significance of a place or object under the Heritage Act 2011.

There are no heritage places on the subject site or in the immediate locality. The Aboriginal Areas Protection Authority have indicated that the adjoining Crown Land Lot 8067 is a restricted works area and that the development should obtain an Authority Certificate prior to works undertaken. It is understood that the Central Land Council are currently in the process of obtaining an Authority Certificate from the Aboriginal Areas Protection Authority. Nevertheless, an advisory is included on the issued EDP advising the landowner that obtaining an Authority Certificate has been recommended.

5. Pursuant to section 42(1) of the Planning Act 1999 the Minister must take into consideration section 51(1)(r) for any potential impacts on natural, social, cultural or heritage values, including, for example, the heritage significance of a place or object under the *Heritage Act 2011*.

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JOANNE TOWNSEND

Delegate of the Minister for Lands, Planning and Environment

13/5/2025