

NT PLANNING COMMISSION HEARING

PROPOSED NT PLANNING SCHEME AMENDMENT PA2020/0154

Rezone Lot 6774 (6) Albrecht Drive, Alice Springs from Zone PS
(Public Open Space) to Zone OR (Organised Recreation)

Agenda Item Number: **1**

Meeting Date: 22 February 2021

Bookmark A	Exhibition Material
Attachment B	Public Submissions received
Bookmark C	Local and Service Authority Comments

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Lands and Planning

Report to the Commission

This report is prepared under section 22 of the *Planning Act*, and considers the submissions made in relation to the proposal.

1. GENERAL INFORMATION

PROPOSAL: To rezone Lot 6774 from Zone PS (Public Open Space) to Zone OR (Organised Recreation)

APPLICANT: Alice Springs Town Council

2. LEGISLATIVE REQUIREMENTS

The Minister for Infrastructure, Planning and Logistics is responsible for determining proposals to amend the NT Planning Scheme including the rezoning of land. The *Planning Act 1999* (the Act) establishes requirements relating to the exhibition, consultation and reporting of proposed amendments to the NT Planning Scheme.

Under section 22(2), the Commission must hold a hearing if public submissions are lodged during the exhibition period.

Under section 24, the Commission must provide to the Minister for Infrastructure, Planning and Logistics, a written report that addresses the issues raised in the submissions, the issues raised at the hearing and any other matters the Commission considers, the Minister should take into account when considering the proposal.

3. PROPOSAL

Background

The Albrecht Oval Sporting facility which is located at Lot 6774 (No 8) Albrecht Drive, is currently zoned PS (Public Open Space).

The Alice Springs Town Council proposes to change the zone to OR (Organized Recreation) to more appropriately reflect its current usage. Albrecht Oval is one of the four ovals identified in the Alice Springs Sporting Facilities Masterplan to have the potential to be used as a multipurpose facility but lacking in infrastructure to support the town's demand for training and sporting activities.

The site has varied uses although Council believe that the significant use is for organised sporting activities and events with minor usage by the general public/local residents for informal leisure activities such as dog walking and informal sport.

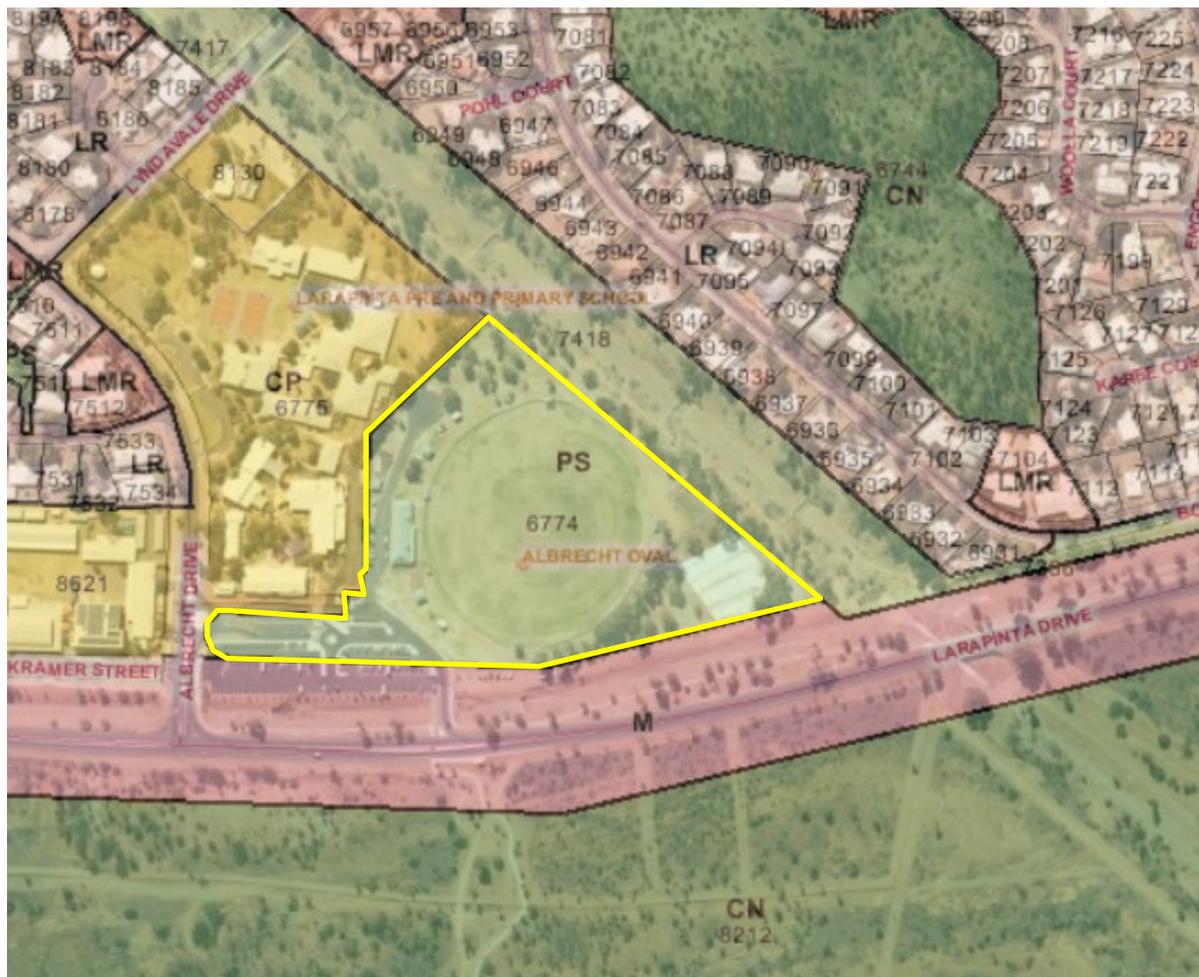
The applicant identified the following benefits of the proposed planning scheme amendment:

1. It is a requirement of sporting bodies to have an event strategy to be able to conduct events responsibly.
2. Should this amendment be successful, it will allow operational compliance of this facility with current zoning requirements.
3. This will allow recognition of Albrecht Oval in the hierarchy of Council's open space areas as an Organized Recreational space.
4. It will allow appropriate use of the facility to promote games such as cricket and AFL.
5. This will also permit the use of the facility for appropriate training to budding sporting professionals.
6. Aligns with the Northern Territory Regional Land Use Plan 2016 and Alice Springs Town Council's Sports Facilities Masterplan.
7. Will allow council to fulfil its legal obligations to its community as a service authority.

A copy of the application as exhibited is at **Bookmark A**.

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Map 1: Showing Site (Lot 6774), Surrounds and Zoning



4. PUBLIC EXHIBITION

On 30 June 2020, the Minister for Infrastructure, Planning and Logistics determined, under section 12(1) of the Act to continue consideration of the proposed amendment by placing it on exhibition.

The proposal was on public exhibition for a period of 28 days, in accordance with the requirements of the Act, and was advertised in the Centralian Advocate on 17 July 2020 and 7 August 2020. The exhibition closing date was 21 August 2020.

Submissions

Nine submissions were received from the public regarding this proposal. A summary of the issues raised by the submitters is included in the following table.

Submitter	Discussion Points/contentions by submitters
Tom & Sharon Bird (Bookmark B1)	<ul style="list-style-type: none"> - Opposes the rezoning. - Wish site to remain PS. We do not want another Traeger Park here. - It is the only green space in this area and we want present families and future children to benefit from our oval. - We are dismayed at the changes to the oval over the years. - Consultation has been appalling. - Previously objected to oval lights.

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<p>Sally Bryan (Bookmark B2)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - It should be left as is, a community venue for the people of Larapinta and Alice Springs as it is used regularly by walkers, children p, families and their pets. - Strongly object to there being the opportunity of Albrecht Oval being made a licensed premise.
<p>Gavin and Joan Carpenter (Bookmark B3)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - Numerous other activities happen on this oval regularly. - Queries figure of usage by local residents. - Concerned regarding other planned uses.
<p>Mike Crowe (Bookmark B4)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - No consultation (<i>prior to exhibition</i>) with affected local residents has occurred with respect to this proposal. - Albrecht Oval is currently compliant with NT Government regulations and does not require re-zoning. - Alice Springs Town Council has not been able to provide a workable plan through which community access to the oval for recreation purposes will be guaranteed. - Alice Springs Town Council has not been able to provide the mechanism through which a guarantee will be provided to local residents that alcohol will not be stored on the premises. This concerns us as it could lead to vandalism and limitations to community access for security reasons. <p><i>The submission included emails from 3 other residents - Ann Moore, Sally Bryan and Sam Edelman also opposed to the rezoning.</i></p>
<p>Stephen Hunter (Bookmark B5)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - Taking away open public space. How does this benefit the residents and the community. Is this open space being replaced? - This will reduce the liveability of this area.
<p>Simon and Fiona Pettit (Bookmark B6)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - Request further clarification and additional information relating to: <ul style="list-style-type: none"> - Purpose of rezoning, as use for leisure and recreation is already approved (vide EDP18/0007). - Nature of continuing compliance with NTPS and nature of any non-compliant uses. - Reference to other sporting ovals and their zoning. - History of use of the site. - Need for public open space in the local area. - Competition with sporting bodies for use of the site which directly impacts on public access/use. - Guarantees that public/local residents will be able to use the site. - Plant nursery usage in the SE corner of the site. - Range of uses allowed for under Zone OR vs Zone PS and future intended development applications, in particular for a licensed premises (club/restaurant). - Four ovals identified by ASTC Masterplan are all Zone PS. Is the ASTC intending to rezone these also to OR. - Deficient community consultation by ASTC. - Consistency with strategic planning objectives. <p><i>The submission included 2 petitions (with a total of 69 signatures) citing several reasons opposing the proposed rezoning.</i></p>

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<p>Tully Starr (Bookmark B7)</p>	<ul style="list-style-type: none"> - Member of the newly established residents committee. Finds it odd this proposal became public without the committee being made aware of it. - Disappointed in the lack of community consultation processes that ASTC seems to deliver. - Notes following concerns, as a local resident and rate payer: <ul style="list-style-type: none"> - public green spaces are limited in the area apart from Albrecht Oval. - the oval provides a much needed amenity for local residents to access for pleasure, leisure and family bonding. - current situations such as COVID 19 mean such spaces are poignant in giving local residents the space to freely engage in activities in open spaces that benefit their physical and mental health requirements to maintain healthy lives and maintain family connections. - rezoning from public use to organised recreation locks people out of local amenities and green spaces. - free access to local parks and ovals is required by residents in local areas Councils are to maintain local parks and ovals for local residents and not remove them for private or organised use.
<p>Sean Tahere (Bookmark B8)</p>	<ul style="list-style-type: none"> - Opposes the rezoning. - Oval provides public space for family to enjoy outdoors. - Have watched mess/rubbish left after local sporting game (on 25-26/7/2020) including broken glass in car park and nearby roads. - Concerned with possibility of alcohol being sold at this ground.

Responses to invitations to comment were also received from service authorities including Power and Water Corporation (PAWC) Transport and Civil Services Division (of DIPL), Department of Environment, Parks and Water Security (DEPWS) – previously Environment and Natural Resources (DENR).

Below is a summary of the matters raised in the submissions, refer Bookmarks C1 – C5

Local Authority	Comments
<p>Alice Springs Town Council (ASTC) (Bookmark C1)</p>	<ul style="list-style-type: none"> • Noted that Council is the applicant. • Understands that residents will have the opportunity to comment in relation to the proposed amendment. • Further technical observations may be provided by Council’s representative at any hearing of the application should such be deemed necessary.

Service Authority	Comments
<p>Power and Water Corporation (PAWC) (Bookmark C2)</p>	<p>Water – Nil comment</p> <p>Power Networks</p> <ul style="list-style-type: none"> • Site has limited capacity of power supply. • Any new development that requires additional power supply will be subject to assessment by Power and Water, in accordance with the current Networks Capital Contributions Policy (NCCP). The Developer in this case is responsible for the full cost of power upgrade requirements when applicable. • Any applicable electrical installation is to be carried out by a licensed electrician in accordance with Power and Water’s current Installation Rules, Service Rules and Metering Manual.
<p>Transport and Civil Services Division (TCSD)</p>	<ul style="list-style-type: none"> • No objections in principle to the above mentioned Planning Scheme Amendment/ rezoning

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<p>of Department of Infrastructure, Planning and Logistics (DIPL) (Bookmark C3)</p>	<ul style="list-style-type: none"> • Response does not provide any endorsement to the proposed future subdivisions / developments of the land or the access provisions. These issues shall be subject to formal assessment on lodgement of a Development Application for the subdivisions / developments of the land. • Noted that the Developer will be liable for costs to upgrade the surrounding road network infrastructure and/or stormwater drainage infrastructure within, or impacting upon the Northern Territory Government controlled road reserves to cater for any future development/land use under the proposed zoning.
<p>Department of Environment, Parks and Water Security (DEPWS) (Bookmark C4)</p>	<ul style="list-style-type: none"> • Has not identified any issues of concern with respect to the proposal.
<p>Heritage Branch - Department of Tourism Sport and Culture (DTSC) (Bookmark C5)</p>	<ul style="list-style-type: none"> • Confirms that there are no heritage of archaeological issues associated with the proposed amendment.

5. RECOMMENDATION

That under section 24 of the Act, the Commission report to the Minister for Infrastructure, Planning and Logistics on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.