



# **Business Papers**

## **Town Planning Committee Meeting**

**Tuesday, 2 June 2015  
5:00pm**





# Notice of Meeting

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To the Lord Mayor and Aldermen

You are invited to attend a Town Planning Committee Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 2 June 2015, commencing at 5.00 pm.



**MARK BLACKBURN**  
**ACTING CHIEF EXECUTIVE OFFICER**

Office Use Only

Placed on Public Notice Board: \_\_\_\_\_

Removed from Public Notice Board: \_\_\_\_\_



# OPEN SECTION

TP06/1

## CITY OF DARWIN

### TOWN PLANNING COMMITTEE

**TUESDAY, 2 JUNE 2015**

MEMBERS: Member G A Lambert, (Chairman); The Right Worshipful, Lord Mayor, Ms Katrina Fong Lim; Member J M Anictomatis; Member R K Elix; Member H I Galton; Member J A Glover; Member G J Haslett; Member R M Knox; Member G Lambrinidis; Member A R Mitchell; Member S J Niblock; Member R Want de Rowe; Member K J Worden.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Manager Design, Planning & Projects, Mr D Lelekis; Executive Manager, Mr M Blackburn; Strategic Town Planner, Ms C Robson; Town Planner, Ms N Smith; Executive Officer, Ms A Smit.

**Enquiries and/or Apologies: Arweena Smit**  
**E-mail [a.smit@darwin.nt.gov.au](mailto:a.smit@darwin.nt.gov.au) - PH: 89300 685**

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### **Committee's Responsibilities**

THAT effective as of 16 April 2012, Council in pursuant to Section 32(2)(b) of the Local Government Act 2008 hereby delegates to the Town Planning Committee the power to make decisions within the approved budget relating to:

- \* Development Applications referred from the Development Consent Authority
- \* Town Planning Strategy, Policies and Procedures
- \* Development and Planning Matters referred to Council from Developers, Community Groups and Individuals
- \* Signage Applications, Policies and Procedures



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# OPEN SECTION

TP06/2

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# OPEN SECTION

TP06/3

## Town Planning Committee Meeting – Tuesday, 2 June 2015

### 1. MEETING DECLARED OPEN

### 2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

#### 2.1 Apologies

#### 2.2 Leave of Absence Granted

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- A. THAT it be noted Member R K Elix is an apology due to a Leave of Absence previously granted on 26 May 2015 for the period 28 May to 4 June 2015.
- B. THAT it be noted Member G Lambrinidis is an apology due to a Leave of Absence previously granted on 26 May 2015 for the period 28 May to 2 June 2015.
- C. THAT it be noted Member H I Galton is an apology due to a Leave of Absence previously granted on 26 May 2015 for the period 28 May to 17 June 2015.

DECISION NO.21\() (02/06/15)



# OPEN SECTION

TP06/4

## Town Planning Committee Meeting – Tuesday, 2 June 2015

### **3. ELECTRONIC MEETING ATTENDANCE**

Common No. 2221528

#### **3.1 Electronic Meeting Attendance Granted**

()

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 16/04/12, the following member was granted permission for Electronic Meeting Attendance at this the Town Planning Committee Meeting held on Tuesday, 2 June 2015:

- Member H I Galton

DECISION NO.21\() (02/06/15)

### **4. DECLARATION OF INTEREST OF MEMBERS AND STAFF**

#### **4.1 Declaration of Interest by Members**

#### **4.2 Declaration of Interest by Staff**



# OPEN SECTION

TP06/5

Town Planning Committee Meeting – Tuesday, 2 June 2015

## 5. CONFIDENTIAL ITEMS

### 5.1 Closure to the Public for Confidential Items Common No. 1944604

()

#### COMMITTEE'S DECISION

THAT pursuant to Section 65(2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C15.1	8(e)	Information provided to the council on condition that it be kept confidential
C16.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.21\() (02/06/15)

### 5.2 Moving Open Items Into Confidential Common No. 1944604

### 5.3 Moving Confidential Items Into Open Common No. 1944604



# OPEN SECTION

TP06/6

## Town Planning Committee Meeting – Tuesday, 2 June 2015

### **6. WITHDRAWAL OF ITEMS FOR DISCUSSION**

() COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Town Planning Committee Meeting held on Tuesday, 2 June 2015 be received and considered individually.

DECISION NO.21\() (02/06/15)

### **7. CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

() COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Town Planning Committee Meeting held on Tuesday, 7 April 2015, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (02/06/15)

### **8. BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

#### **8.1 Business Arising**



**ENCL:** TOWN PLANNING COMMITTEE/OPEN  
**YES**

**AGENDA ITEM: 9.1**

**PROPOSED AMENDMENT TO THE NORTHERN TERRITORY PLANNING SCHEME  
TO AMEND SPECIFIC USES DARWIN NO. 37 (SD37) - LOT 5182 (213) DICK WARD  
DRIVE, LUDMILLA - PA2014/0904**

**REPORT No.: 15TS0087 NS:dj**

**COMMON No.: 3082764**

**DATE: 02/06/2015**

**Presenter: Strategic Town Planner, Cindy Robson**

**Approved: Acting General Manager Infrastructure, Drosso Lelekis**

### **PURPOSE**

The purpose of this report is to refer to Council for comment, Pursuant to Section 19 of the *Planning Act*, the following development application: Amending Specific Uses Darwin No.37 (SD37) - Lot 5182 (213) Dick Ward Drive, Ludmilla - PA2014/0904.

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

1. Collaborative, Inclusive and Connected Community

#### **Outcome**

- 1.4 Improved relations with all levels of government and significant stakeholders

#### **Key Strategies**

- 1.4.2 Play an active role in strategic and statutory planning processes

### **KEY ISSUES**

- Zone SD37 was included in the Northern Territory Planning Scheme in 2011 to allow for development of two areas (Area A and Area B) within Lot 5182 (213) Dick Ward Drive, Ludmilla;
- The subject proposal is to allow for a number of new uses within Area A (which is to be developed in accordance with Zone SC (Service Commercial)) and Area B (which is to be developed in accordance with Zone LI (Light Industry)) of Zone SD37;
- It is recommended that Council object to the inclusion of Offices (that are not ancillary to a primary use) and Medical Clinics in Zone SD37 (Specific Uses – Darwin 37) given that such uses will promote continued fragmentation from the City Centre and Activity Centres; and
- It is recommended that Council not object to the remaining proposed uses for Zone SD37; given that they are considered appropriate uses in commercial and light industrial areas.



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 REPORT NUMBER: 15TS0087 NS:dj  
 SUBJECT: PROPOSED AMENDMENT TO THE NORTHERN TERRITORY PLANNING SCHEME TO AMEND SPECIFIC USES DARWIN NO. 37 (SD37) - LOT 5182 (213) DICK WARD DRIVE, LUDMILLA - PA2014/0904

## **RECOMMENDATIONS**

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 15TS0087 NS:dj entitled Proposed amendment to the Northern Territory Planning Scheme to amend Specific Uses Darwin No. 37 (SD37) - lot 5182 (213) Dick Ward Drive, Ludmilla - PA2014/0904 be received and noted.
- B. THAT Council endorse the submission, dated 22 May 2015, to the Reporting Body, objecting to the planning scheme amendment within **Attachment B** to Report Number 15TS0087 NS:dj entitled Proposed amendment to the Northern Territory Planning Scheme to amend Specific Uses Darwin No. 37 (SD37) - lot 5182 (213) Dick Ward Drive, Ludmilla - PA2014/0904.

## **BACKGROUND**

### Site and surrounds

Lot 5182 is 219.3ha in area and is located between Bagot Road to the east, Totem Road to the north, just south of Nadpur Street and the Darwin Harbour to the west. Dick Ward Drive divides the lot into two.



*Image source: aerial mapping*

The subject area is bounded by Totem Road, Bagot Road, Fitzner Drive and Dick Ward Drive and is currently vegetated and undeveloped. Portions of the site have been disturbed, currently containing a variety of weeds and show signs of illegal dumping, including burnt-out cars and other waste materials.

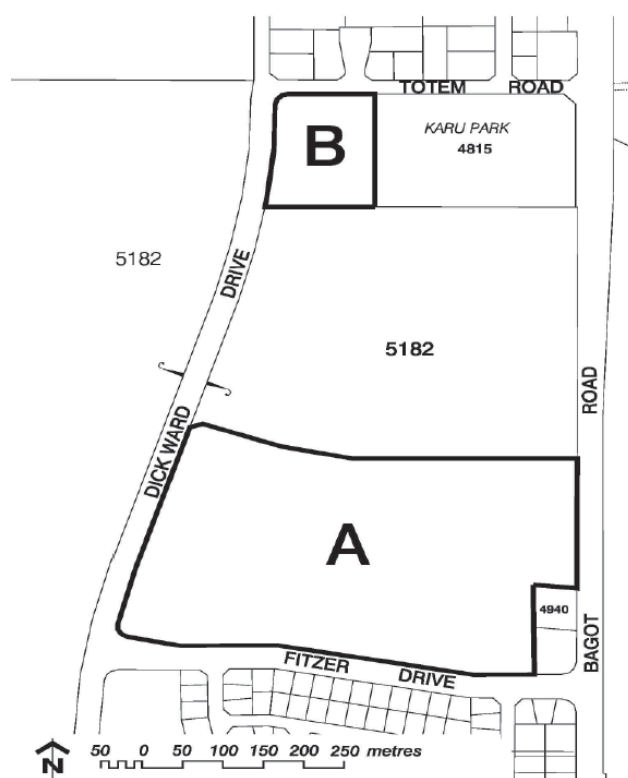
The area across Dick Ward Drive is undeveloped land with an Aboriginal community located to the southwest of the site. The area to the south of the site, across Fitzner Drive, is developed with primarily single dwelling residential uses. Existing commercial development, including a McDonald's restaurant, Chemist Warehouse



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and a service station, are located to the west of the site, adjoining Bagot Road. Across Bagot Road from the site are the RAAF, Golf Course and the Darwin International Airport. North of Totem Road is developed with light industrial uses.

Two portions of Lot 5182 (213) Dick Ward Drive, Ludmilla were rezoned to Zone SD37 (Specific Uses – Darwin 37) in July 2011; through the rezoning process, the two portions were labelled 'Area A' and 'Area B' (refer to the map below).



Zone SD37 states that:

Area A is to be “used with or without consent in accordance with the provisions of Zone SC (Service Commercial)”.

Area B is to be “used with or without consent in accordance with the provisions of Zone LI (Light Industry)”.

Zone SD37 nominates a number of primary or ancillary uses which are currently prohibited in both Area A and Area B (refer to **Attachment A**).

Image source: Northern Territory Planning Scheme – Zone SD37

Zone SD37 was developed with a purpose to “provide for development that;

- (a) preserves the amenity of adjoining residential areas;
- (b) minimises negative impacts of being exposed to aircraft noise; and
- (c) preserves the safety and maintains the curfew free operation of the Darwin International Airport”.

Zone SD37 required the development and endorsement of a Master Plan to guide all future development. The Development Consent Authority approved the Master Plan on the 19 September 2014 (refer to **Attachment C**).

Portions of both Areas A and B are located within the Primary and Secondary Storm Surge Zones. The Australian Noise Exposure Forecast (ANEF) contours also cross



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the sites, with the central restricted development area containing land in the greater than 35 ANEF contour and the remainder of the site being covered by a range of 25 to 35 ANEF.

## **DISCUSSION**

### **Current Proposal**

Zone SD37 was initially developed to nominate a number of uses that would otherwise be prohibited “if proposed as the primary or ancillary use”.

The current proposal is to increase the number of potential land uses in Area A and Area B of Zone SD37, to include the following:

#### **Area A (Service Commercial):**

- car park;
- leisure and recreation;
- licensed club;
- medical clinic;
- office;
- restaurant; and
- veterinary clinic

#### **Area B (Light Industry):**

- car park;
- leisure and recreation;
- place of worship; and
- veterinary clinic

Refer to **Attachment A** for further detail on the existing wording of Zone SD37 and the proposed Zone SD37 wording.

Pursuant to the scheme, a ‘permitted use’ allows for a use to occur without approval, subject to compliance with all of the applicable clauses of the scheme, whilst all ‘discretionary uses’ require planning approval.

A car park is a ‘permitted use’ in Zone LI, all other uses listed above in Zone SC and Zone LI are ‘discretionary uses’. The following provision has been included in the proposed Zone SD37 wording to ensure that planning approval is sought for a car park in Area B (refer to **Attachment A** for further detail):

*“(c) the following use can be used in accordance with the provisions of Zone LI (Light Industry) with consent only:*

- i. **car park**”.*

The inclusion of this clause ensures that not only is planning approval required, there is also a means in capturing use and development consistent with the endorsed Master Plan. Page 17 of the Master Plan provides guiding Objectives and Development Principles for specifically Integrated Parking Areas (refer to **Attachment C**).



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### Application Assessment

Council has raised numerous issues and objected to the rezoning at the subject site previously. City of Darwin officers have however taken the approach (in assessing the subject application), that there is no value in objecting based on previous grounds given that; Zone SD37 has been approved and a subsequent Master Plan required by the Zone has since been approved by the Development Consent Authority to address identified issues.

### **Proposed uses**

City of Darwin officers have comparatively assessed the amendment to Zone SD37 to Zone SD31 (Specific Uses – Darwin 31) which applies to the Berrimah Business Park; given that this zone has similar characteristics, land use constraints and intent of the Zones. It is noted that SD31 was developed to accord with Zone C (Commercial). Below are the purposes of Zone C, SC and LI as prescribed by the scheme:

#### **Zone C – Commercial**

1. *The primary purpose of Zone C is to provide for a range of business and community uses.*
2. *The zone applies to shopping areas ranging from neighbourhood convenience shopping to regional centres.*
3. *Development should:*
  - (a) *be of a scale and character appropriate to the service function of a particular centre;*
  - (b) *respect the amenity of adjacent and nearby uses; and*
  - (c) *promote community safety in building design, having regard to adjacent and nearby uses.*

#### **Zone SC – Service Commercial**

*The primary purpose of Zone SC is to provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites.*

#### **Zone LI – Light Industry**

1. *The primary purpose of Zone LI is to provide for **light industry** uses or development activities that will not by the nature of their operations, detrimentally affect adjoining or nearby land.*



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2. **Offices** are expected to primarily provide a service to the **light industry** in the zone and be of a size commensurate with the service provided.
3. **Shops** are expected to be limited to those that either service the needs of the **light industry** in the zone or would be inappropriate in a commercial zone.

Below is a comparison of the permitted uses in Zone SD31 (subject to planning approval) against the current and proposed SD37:

Use	Zone SD31 (Berrimah Business Park)	Current Zone SD37 (subject site)	Proposed Zone SD37 (subject site)
Car park	D	X	D
Leisure and recreation	D	X	D
Licensed club	D (indoor)	X	D
Medical clinic	D	X	D
Office	D	X (except where ancillary to the primary use)	D
Place of worship	D	X	D
Restaurant	D	X	D
Veterinary clinic	D	X	D

*Note:*

*D = discretionary use*

*X = prohibited*

An office is a discretionary use in Zone C, SC and LI (the guiding zones of SD31 and the proposed SD37 (except where it is an ancillary to the primary use in the current SD37)).

Offices are typically scattered throughout Commercial areas like Activity Centres and allow for small office based businesses to service the catchment needs of the Activity Centre. Service Commercial areas tend to provide larger floor areas, provide larger functions and allow for bulky good outlets, car yards and the alike and are typically in areas with easy access to arterial roads.

Light Industrial areas allow for uses that are an 'in-between' of Service Commercial areas and General Industrial areas and generally act as a 'buffer' between these uses given General Industry allows for more intensive and noisier uses that would likely cause amenity impacts.



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The Draft Darwin Regional Land Use Plan 2014 and the Draft Darwin City Centre Master Plan were both developed to make Darwin more appealing to live, work and play; highlighting that the Darwin City Centre is the locality to conduct business. To support economic growth and the viability of the City, it is recognised that quality office space needs to be developed within the City Centre. The continued fragmentation of office uses across the municipality will result in increasing vacancy rates of office space and would likely place pressure on the viability of the City Centre as the traditional business district.

Berrimah Business Park has proven that businesses are prepared to relocate and operate outside of the City Centre, if there is a suitable alternative.

It is questioned why the provision of offices (not ancillary to a primary use) is required when office space in the City Centre is available. A similar argument would also apply to Medical Clinics in such areas.

The Draft Darwin Regional Land Use Plan 2014 identified a hierarchy of Activity Centres across the Greater Darwin Region; the subject site/area was not earmarked as a current or future Activity Centre.

Continued approval of uses such as offices and medical clinics away from the City Centre and supporting Activity Centres places pressures on infrastructure and promotes increased vehicle dependency and would likely have a negative impact on the viability of those Centres.

It is considered that the remaining proposed uses (excluding offices and medical clinics) are appropriate in commercial and light industrial areas.

### **Cultural significance archaeological**

It is noted that Condition 3. of the Aboriginal Areas Protection Authority – Authority Certificate of the endorsed Master Plan states; “this certificate shall lapse and be null and void if the works in question or the proposed use is not commenced within 24 months of this Certificate. The date of the certificate is the 10 July 2012 and has therefore lapsed and was lapsed at the time of endorsing the Master Plan required by Zone SD37.

Given that Annexure A of the Certificate nominates sacred areas, it would be prudent to obtain a new Certificate and re-endorse the Master Plan in the interests of preserving Aboriginal Cultural Significance and to ensure that any future development would not disturb possible burial sites contained within the subject lot.

### **Environment**

Primary and Secondary Storm Surge partially affects both Area A and Area B of the subject site. Zone SD37 has already been approved. This application is an amendment to the discretionary uses permitted by the zone; impacts relating to



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storm surge will be assessed upon receipt of any future developments applications at this site.

The Master Plan notes that any development approved within the ANEF 20 contour or greater will need to comply with the Building Site Acceptability Table based on the ANEF Zones taken from Australian Standard AS 2021 – 2000 as a guide to the type and development use. Lighting and land uses that attract birds or bats will also be appropriately restricted. The Darwin International Airport is a Service Authority and would respond to any future development applications that create concern over potential conflict with airport operations.

### Summary

In summary, it is recommended that Council objects to the inclusion of Offices and Medical Clinics and not object to the remaining proposed uses nominated for Area A and Area B of the proposed Zone SD37; given that they are considered appropriate uses in commercial and light industrial areas.

Any future development at the subject site will be assessed against the applicable criteria of the Northern Territory Planning Scheme, the endorsed Master Plan of Zone SD37 and relevant Council policies to ensure that the amenity of the area is not otherwise prejudiced by any future development.

### **CONSULTATION PROCESS**

Council received a submission from a member of the public in relation to this proposal. It is noted that this submission objecting to the proposal was also forwarded onto the Reporting Body. The objection is included at **Attachment D**.

In preparing this report, the following City of Darwin officers were consulted:

- Town Planner

In preparing this report, the following External Parties were consulted:

- Development Assessment Services

### **POLICY IMPLICATIONS**

Not assessed.

### **BUDGET AND RESOURCE IMPLICATIONS**

Not assessed.



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### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not assessed.

### **ENVIRONMENTAL IMPLICATIONS**

Refer to the discussion section of the report for environmental considerations.

### **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**CINDY ROBSON**  
**STRATEGIC TOWN PLANNER**

**DROSSO LELEKIS**  
**ACTING GENERAL MANAGER**  
**INFRASTRUCTURE**

For enquiries, please contact Cindy Robson on 8930 0528 or email:  
[c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).

#### **Attachments:**

**Attachment A:** Development Application, Proposed amendment to the Northern Territory Planning Scheme to amend Specific Uses Darwin No.37 (SD37) - lot 5182 (213) Dick Ward Drive, Ludmilla - PA2014/0904

**Attachment B:** City of Darwin, Letter of Response to Reporting Body, dated 22 May 2015

**Attachment C:** Master Plan\*

**Attachment D:** Public submission

*\* Please note that **Attachment C** has been submitted electronically and is available at the below link:*

<http://www.darwin.nt.gov.au/council/council-meetings/2015/june/town-planning-committee-meeting>



## NORTHERN TERRITORY OF AUSTRALIA

### PROPOSAL TO AMEND NT PLANNING SCHEME PA2014/0904

Planit Consulting has applied to the Minister for Lands and Planning to amend the NT Planning Scheme by amending Specific Uses Darwin No. 37 (**SD37**) as it applies to Lot 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla). The proposed amendment seeks to increase the number of uses permissible, by allowing for the following uses as discretionary within the zone:

In Area A of **SD37**:

- *car park;*
- *leisure and recreation;*
- *licensed club;*
- *medical clinic;*
- *office;*
- *restaurant; and*
- *veterinary clinic*

In Area B of **SD37**:

- *car park;*
- *leisure and recreation;*
- *place of worship; and*
- *veterinary clinic*

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating the existing **SD37** (Specific Uses - Darwin Number 37);
- An extract relating to the proposed **SD37** (Specific Uses - Darwin Number 37)
- a locality map; and
- a copy of the application from Planit Consulting.

The exhibition period is from Friday 24 April 2015 to Friday 22 May 2015.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday 22 May 2015 and made to:

Director, Lands Planning  
Department of Lands, Planning and the Environment  
GPO Box 1680  
DARWIN NT 0801; or

Email: [planning.dlpe@nt.gov.au](mailto:planning.dlpe@nt.gov.au)

Fax: (08) 8999 7189 or

Hand delivered to Ground Floor, Arnhemica House, 16 Parap Road, Parap.

For more information please contact Jamie Castles, Lands Planning on telephone (08) 8999 6634.



# NORTHERN TERRITORY OF AUSTRALIA

## *Planning Act*

### NOTICE OF EXHIBITION OF PROPOSAL TO AMEND NT PLANNING SCHEME PA2014/0904

I, FABIO ROSARIO FINOCCHIARO authorised delegate of the Minister under the *Planning Act*, give notice under section 17 of the *Planning Act* of the following:

- (a) a proposal to amend the NT Planning Scheme, as described in (e), is to be exhibited;
- (b) the proposed amendment is to be exhibited at the office of the Department of Lands, Planning and the Environment, Ground Floor, Arnhemica House, 16 Parap Road, Parap;
- (c) the period of exhibition is for 28 days, commencing upon first newspaper publication of the notice required by section 17(1);
- (d) written submissions regarding this exhibition should be made to:

Director, Lands Planning  
Department of Lands, Planning and the Environment  
GPO Box 1680  
DARWIN NT 0801 or

Fax: (08) 8999 7189 or

Email: [planning.dlpe@nt.gov.au](mailto:planning.dlpe@nt.gov.au)

- (e) the proposed amendment is to the NT Planning Scheme, to alter Specific Uses Darwin No. 37 (SD37) as it applies to part Lot 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla). The proposed amendment seeks to increase the number of uses permissible, by allowing for the following uses as discretionary within the zone:

**In Area A of SD37:**

- *car park;*
- *leisure and recreation;*
- *licensed club;*
- *medical clinic;*
- *office;*
- *restaurant; and*
- *veterinary clinic*

**In Area B of SD37:**

- *car park;*
- *leisure and recreation;*
- *place of worship; and*
- *veterinary clinic*

Dated 18 APRIL

2015.

  
FABIO FINOCCHIARO  
Delegate of the Minister



## SD37

Amendment No. 184  
gazetted 22.06.2011  
creates SD37

Part Lot 5182, Town of Darwin (213 Dick Ward Drive, Ludmilla).

1. The purpose of this zone is to provide for development that:
  - (a) preserves the **amenity** of adjoining residential areas;
  - (b) minimises the negative impacts of being exposed to aircraft noise; and
  - (c) preserves the safety and maintains the curfew free operation of the Darwin International Airport.
2. The parts of Lot 5182 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.
3. Area A is to be:
  - (a) used with or without consent in accordance with the provisions of Zone SC (Service Commercial);
  - (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
 

<ol style="list-style-type: none"> <li>i. <b>animal boarding;</b></li> <li>ii. <b>car park;</b></li> <li>iii. <b>education establishment;</b></li> <li>iv. <b>home based contracting;</b></li> <li>v. <b>home occupation;</b></li> <li>vi. <b>hostel;</b></li> <li>vii. <b>hotel;</b></li> <li>viii. <b>leisure and recreation;</b></li> <li>ix. <b>licensed club;</b></li> <li>x. <b>medical clinic;</b></li> <li>xi. <b>motel;</b></li> <li>xii. <b>motor body work</b> where located on land adjoining or opposite a residential zone;</li> </ol>	<ol style="list-style-type: none"> <li>xiii. <b>motor repair station</b> where located on land adjoining or opposite a residential zone;</li> <li>xiv. <b>office</b> except where ancillary to the primary use;</li> <li>xv. <b>place of worship;</b></li> <li>xvi. <b>passenger terminal;</b></li> <li>xvii. <b>residential building;</b></li> <li>xviii. <b>restaurant;</b></li> <li>xix. <b>service station</b> where located on land adjoining or opposite a residential zone;</li> <li>xx. <b>supporting accommodation;</b></li> <li>xxi. <b>transport terminal;</b> and</li> <li>xxii. <b>veterinary clinic.</b></li> </ol>
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  - (c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.



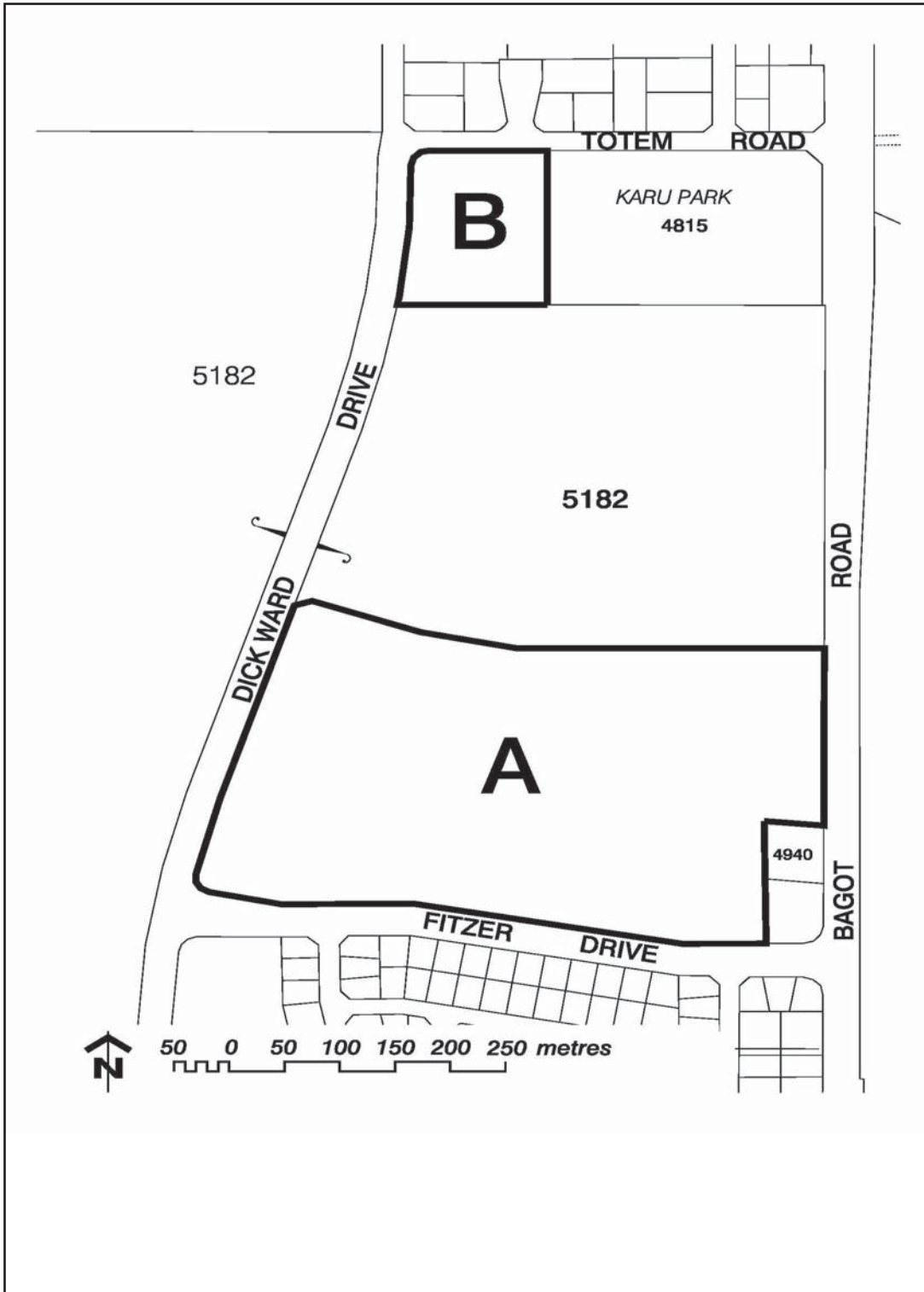
4. Area B is to be:
  - (a) used with or without consent in accordance with the provisions of Zone LI (Light Industry);
  - (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
 

i. <b>car park;</b>	viii. <b>medical clinic;</b>
ii. <b>community centre;</b>	ix. <b>office</b> except where ancillary to the primary use;
iii. <b>education establishment;</b>	x. <b>place of worship;</b>
iv. <b>home based occupation;</b>	xi. <b>passenger terminal;</b>
v. <b>hotel;</b>	xii. <b>restaurant;</b>
vi. <b>leisure and recreation;</b>	xiii. <b>residential building;</b>
vii. <b>licensed club;</b>	xiv. <b>rural industry;</b> and
	xv. <b>veterinary clinic.</b>
  - (c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.
5. Development of Area A is to protect the residential **amenity** of the adjoining Ludmilla community by:
  - (a) providing a vegetated landscaping buffer Fitzer Drive, which will include the existing 10m drainage easement that runs along the property boundary. Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority; or
  - (b) providing a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping;
  - (c) meeting the requirements of Clause 6.12 of the NT Planning Scheme;
  - (d) designing buildings to have an active frontage to Fitzer Drive that allows for the passive surveillance of the landscape buffer; and
  - (e) the landscaping buffer discussed at paragraphs 5(a) and 5(b) are to be constructed prior to the commencement of any development within Area A.
6. A road reservation that runs along the northern boundary of Area A is to be provided. Buildings are to have a frontage to this reservation and are to provide an active street interface.
7. Loading bays, storage facilities and waste storage utilities should be screened from Dick Ward Drive by using a 8m landscaping buffer and other landscaping design techniques in Areas A and B to the satisfaction of the consent authority.



8. The presentation of blank walls to Dick Ward Drive is to be minimised in Areas A and B by using architectural design techniques such as awnings, windows, eaves, roof design and other architectural design techniques.
9. Building and lot designs are to demonstrate that they can be constructed to comply with:
  - (a) AS2021-2000 '*Acoustics – Aircraft noise intrusion – Building siting and construction*'; and
  - (b) any applicable height provisions set out in the *Defence (Areas Control) Regulations* 1989.
10. A master plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged for Areas A and B. This master plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed master plan.
11. The master plan required at paragraph 10 is to outline how the requirements in this schedule are met (where applicable), and is to:
  - (a) identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;
  - (b) integrate parking areas with the pedestrian network;
  - (c) include a road network design that provides necessary network upgrades, ingress and egress points, provides a low speed environment that protects the amenity of adjoining areas and prioritises a safe pedestrian network;
  - (d) provide any relevant cultural, soil and flora and fauna assessment that demonstrates that development of the land will not cause detrimental impact to the community or the environment;
  - (e) provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;
  - (f) include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and
  - (g) demonstrate how buildings are likely to be accommodated within the development and that compliance with Clauses 8.2 and 11.3 of the NT Planning Scheme is achievable.







## SD37

Part Lot 5182, Town of Darwin (213 Dick Ward Drive, Ludmilla).

1. The purpose of this zone is to provide for development that:
  - (a) preserves the **amenity** of adjoining residential areas;
  - (b) minimises the negative impacts of being exposed to aircraft noise; and
  - (c) preserves the safety and maintains the curfew free operation of the Darwin International Airport.
2. The parts of Lot 5182 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.
3. Area A is to be:
  - (a) used with or without consent in accordance with the provisions of Zone SC (Service Commercial);
  - (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
 

<ol style="list-style-type: none"> <li>i. <b>animal boarding;</b></li> <li>ii. <b>education establishment;</b></li> <li>iii. <b>home based contracting;</b></li> <li>iv. <b>home occupation;</b></li> <li>v. <b>hostel;</b></li> <li>vi. <b>hotel;</b></li> <li>vii. <b>motel;</b></li> <li>viii. <b>motor body work</b> where located on land adjoining or opposite a residential zone;</li> </ol>	<ol style="list-style-type: none"> <li>ix. <b>motor repair station</b> where located on land adjoining or opposite a residential zone;</li> <li>x. <b>place of worship;</b></li> <li>xi. <b>passenger terminal;</b></li> <li>xii. <b>residential building;</b></li> <li>xiii. <b>service station</b> where located on land adjoining or opposite a residential zone;</li> <li>xiv. <b>supporting accommodation;</b> and</li> <li>xv. <b>transport terminal.</b></li> </ol>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------
  - (c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.
4. Area B is to be:
  - (a) used with or without consent in accordance with the provisions of Zone LI (Light Industry);
  - (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:



- |                                     |                                                               |
|-------------------------------------|---------------------------------------------------------------|
| i. <b>community centre;</b>         | vi. <b>medical clinic;</b>                                    |
| ii. <b>education establishment;</b> | vii. <b>office</b> except where ancillary to the primary use; |
| iii. <b>home based occupation;</b>  | viii. <b>passenger terminal;</b>                              |
| iv. <b>hotel;</b>                   | ix. <b>restaurant;</b>                                        |
| v. <b>licensed club;</b>            | x. <b>residential building;</b> and                           |
|                                     | xi. <b>rural industry.</b>                                    |

(c) notwithstanding Clause 4(a), the following use can be used in accordance with the provisions of Zone LI (Light Industry) with consent only:

- i. **car park.**

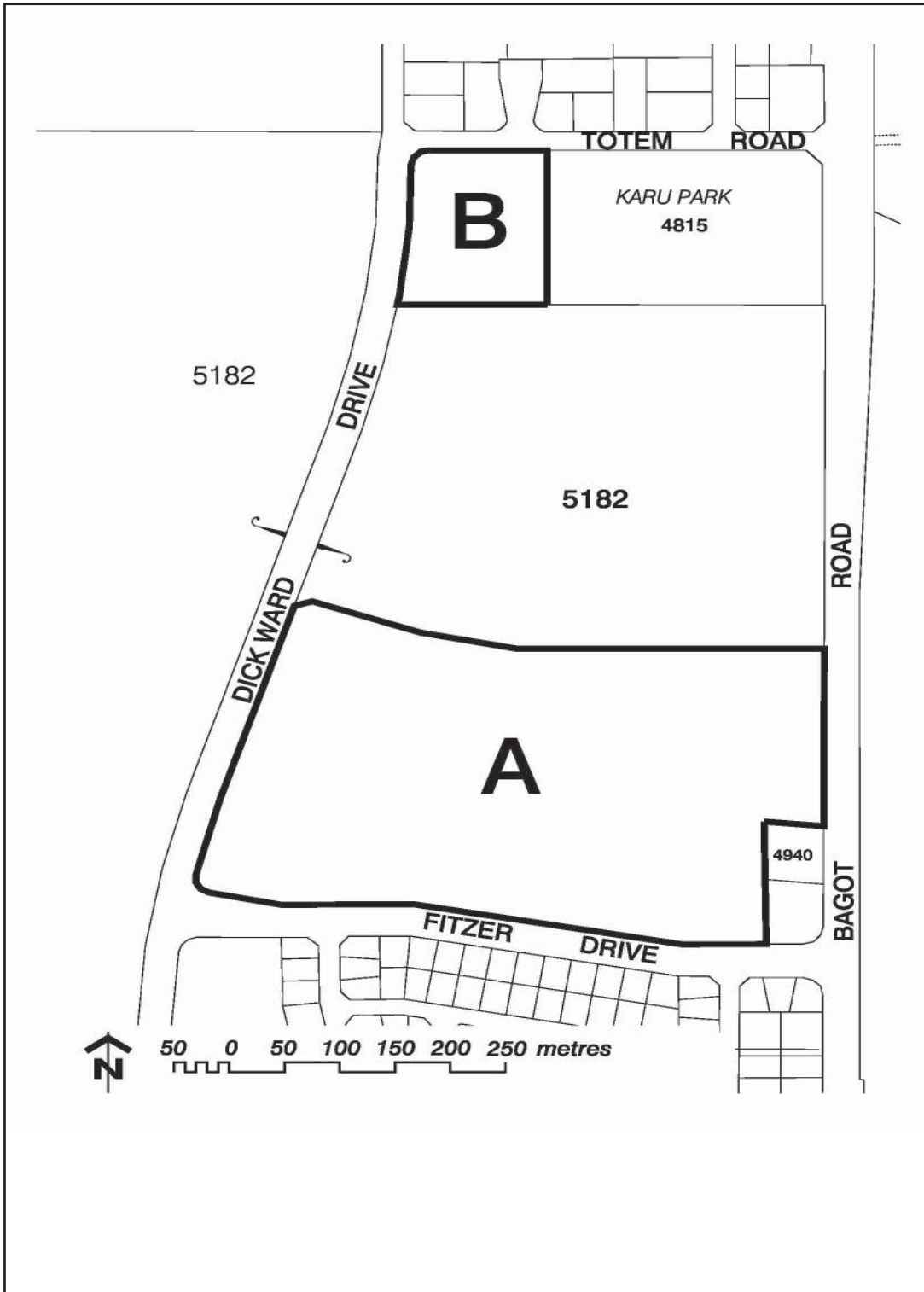
(d) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.

5. Development of Area A is to protect the residential **amenity** of the adjoining Ludmilla community by:
  - (a) providing a vegetated landscaping buffer Fitzer Drive, which will include the existing 10m drainage easement that runs along the property boundary. Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority; or
  - (b) providing a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping;
  - (c) meeting the requirements of Clause 6.12 of the NT Planning Scheme;
  - (d) designing buildings to have an active frontage to Fitzer Drive that allows for the passive surveillance of the landscape buffer; and
  - (e) the landscaping buffer discussed at paragraphs 5(a) and 5(b) are to be constructed prior to the commencement of any development within Area A.
6. A road reservation that runs along the northern boundary of Area A is to be provided. Buildings are to have a frontage to this reservation and are to provide an active street interface.
7. Loading bays, storage facilities and waste storage utilities should be screened from Dick Ward Drive by using a 8m landscaping buffer and other landscaping design techniques in Areas A and B to the satisfaction of the consent authority.



8. The presentation of blank walls to Dick Ward Drive is to be minimised in Areas A and B by using architectural design techniques such as awnings, windows, eaves, roof design and other architectural design techniques.
9. Building and lot designs are to demonstrate that they can be constructed to comply with:
  - (a) AS2021-2000 '*Acoustics – Aircraft noise intrusion – Building siting and construction*'; and
  - (b) any applicable height provisions set out in the *Defence (Areas Control) Regulations* 1989.
10. A master plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged for Areas A and B. This master plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed master plan.
11. The master plan required at paragraph 10 is to outline how the requirements in this schedule are met (where applicable), and is to:
  - (a) identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;
  - (b) integrate parking areas with the pedestrian network;
  - (c) include a road network design that provides necessary network upgrades, ingress and egress points, provides a low speed environment that protects the amenity of adjoining areas and prioritises a safe pedestrian network;
  - (d) provide any relevant cultural, soil and flora and fauna assessment that demonstrates that development of the land will not cause detrimental impact to the community or the environment;
  - (e) provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;
  - (f) include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and
  - (g) demonstrate how buildings are likely to be accommodated within the development and that compliance with Clauses 8.2 and 11.3 of the NT Planning Scheme is achievable.

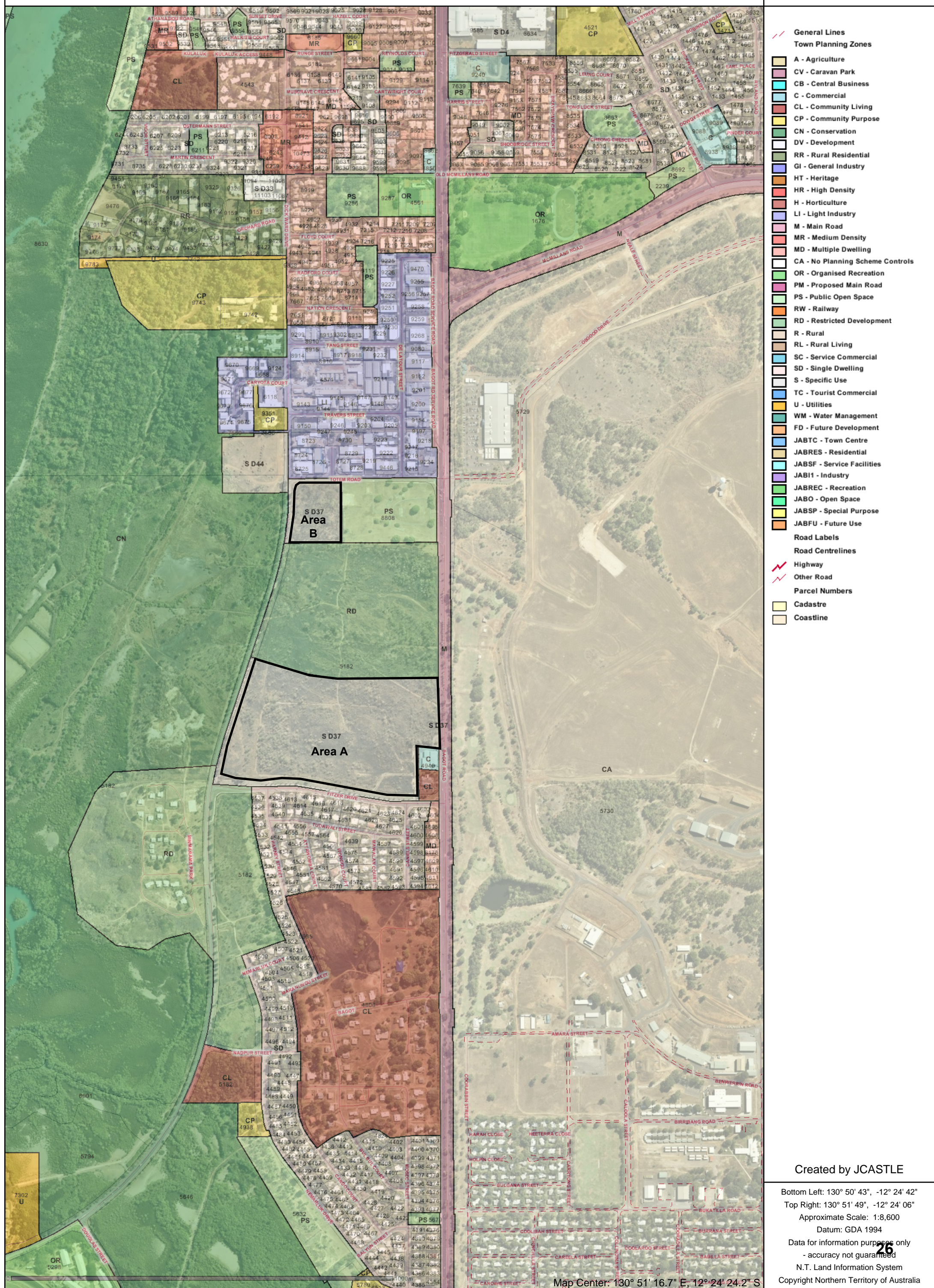






### Locality Map- Part of Lot 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla)

## Legend<sup>26</sup>





**NORTHERN TERRITORY OF AUSTRALIA**  
**Planning Act**

**Proposal to amend a Planning Scheme- section 13(1)**


**1. LAND INFORMATION (FOR PROPOSED CHANGE IN ZONING ONLY)**

Town/Hundred/Locality: <u>Darwin</u>	
Parcel Number(s) and/or Unit number: <u>Part Lot 5182</u>	
LTO Plan:	
Number and Street Name: <u>213 Dick Ward Drive</u>	
<b>and</b>	
Existing Zone: <u>Multi Zone (SO37)</u>	
Proposed Zone: <u>SO37</u>	
Tenure:	
Is the proponent the land owner?:	YES <input type="radio"/> NO <input checked="" type="radio"/>

**2. PROPONENT INFORMATION**

<b>PROPONENT INFORMATION</b>	
ILIS Customer no. (if known):	
Company name (if applicable): <u>Planit Consulting Pty Ltd</u>	
ABN or ACN (if applicable): <u>20099261711</u>	
Title: <input checked="" type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Dr <input type="radio"/> Other:	
Family name(s): <u>Smith</u>	
Given name(s): <u>Adam</u>	
Preferred name(s): <u>Adam</u>	
Postal address: <u>PO Box 800, Darwin, NT 0801</u>	
Telephone no. (business hours): <u>02 6874 5001</u>	
Facsimile no.:	
E-mail address: <u>AdamS@planitconsulting.com.au</u>	

**3. DESCRIPTION OF PROPOSED AMENDMENT**

Attach A detailed statement describing the proposed amendment.	<b>ATTACHMENT A</b> 
<b>and</b>	
Where the proposed amendment relates to a published document, the title of the document proposed to be amended:	



**4. REASON(S) FOR PROPOSAL**

Attach a detailed statement describing why the proposed amendment should be considered.

**ATTACHMENT B**

**5. APPLICANT TO SIGN AND/OR AFFIX SEAL**

The application is complete and all required documentation is attached.



Signature(s)

12/11/14

Date

**PRIVACY NOTE:**

The Department of Lands, Planning and the Environment, on behalf of the Minister, is authorised under the *Planning Act* to collect the information on this form, or otherwise provided by you, to consider a proposal to amend a Planning Scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information may also be provided to other NT Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation contained within the *Information Act 2002 (NT)*. For more information please refer to the Department of Lands, Planning and the Environment privacy statement located at [www.lands.nt.gov.au/](http://www.lands.nt.gov.au/)

Any personal information provided can be subsequently accessed by you on request.

If you have any queries please contact:

**Lands Planning****Department of Lands, Planning and the Environment**

GPO BOX 1680

DARWIN NT 0801 or

Phone: (08) 8999 5511

Fax: (08) 8999 7189

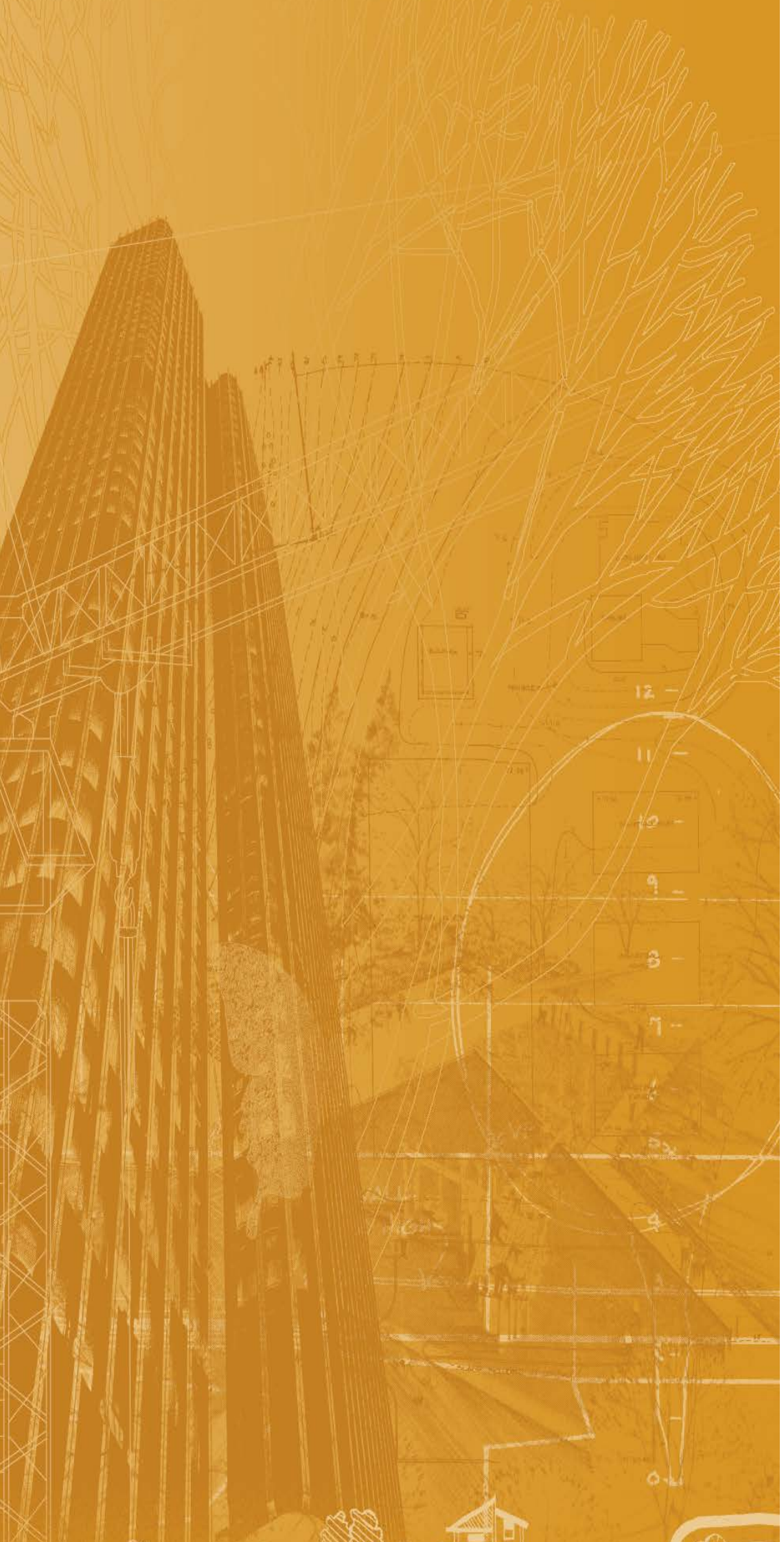
Email: [planning@nt.gov.au](mailto:planning@nt.gov.au)



## Amendment to the Northern Territory Planning Scheme

Rezoning Submission on behalf of Olland Pty Ltd and the Gwamalwa Darraniki Association

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## Copyright & Usage Note

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**PLANIT CONSULTING PTY LTD®**  
November 2014

### Review and Amendments Schedule – PLANIT CONSULTING PTY LTD

Author	CC	November 2014
Reviewer	AS	November 2014

Amendments



# Section 1

## Introduction

### 1.1 BRIEF

Planit Consulting has been engaged by Citiland Pty Ltd and the Gwalwa Daraniki Association Pty Ltd, to prepare an application to amend the Specific Use Zone SD37, in accordance with the provisions of Division 2 of the Northern Territory Planning Act, to allow for further uses at the site.

### 1.2 BACKGROUND

The subject site was rezoned to SD37 (Specific Use Zone Darwin No. 37) in 2011. The area that was rezoned, relates to two (2) distinct areas; A & B, as outlined in the plan extract below). The land has been zoned SU – Specific Use and is known as Zone SD37 (Specific Use Zone - Darwin No. 37).



Figure 1: Zoning Map of Specific Use Zone SD37 – Source: NT Atlas

The property provides for direct frontage to Dick Ward Drive, Bagot Road, Fitzer Drive & Totem Road and is located approximately 8km to the north east of the Darwin CBD and is located between the suburban localities of Coconut Grove and Ludmilla.

The development of the subject land comprises detailed considerations to existing and potential constraints, with particular reference to the following:-

- The need to preserve the amenity of adjoining areas, particularly residential land uses;
- The need to enhance and address the existing traffic network limitations and constraints;
- The need to address and manage ecological & cultural issues; and
- The need to manage interactions with the nearby Darwin International Airport to ensure that the safe operation of aviation functions is maintained.



The rezoning instrument adopted by the Minister included a conditional requirement that a detailed Masterplan be prepared that addresses some of the core elements affecting the land. The Masterplan satisfied the clause requirements of Specific Use Zone SD37, specifically that of sub-clause 10 and 11, and provides a strategy for guiding development principles associated with the future development of the land. The guiding principles and controls dealt specifically with sub-clause 11, include:

- (a) *identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;*
- (b) *integrate parking areas with the pedestrian network;*
- (c) *include a road network design that provides necessary network upgrades, ingress and egress points, provides a low speed environment that protects the amenity of adjoining areas and prioritises a safe pedestrian network;*
- (d) *provide any relevant cultural, soil and flora and fauna assessment that demonstrates that development of the land will not cause detrimental impact to the community or the environment;*
- (e) *provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;*
- (f) *include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and*
- (g) *demonstrate how buildings are likely to be accommodated within the development and that compliance with Clauses 8.2 and 11.3 of the NT Planning Scheme is achievable.*

The Masterplan establishes the foundations for the future development of the land and provides the framework for future decision-making. All future development will need to be in accordance with the relevant sections of the NT Planning Scheme, inclusive of SD37.

Clause 10 of SD37, prohibited any development or development applications lodged against the subject site until the endorsement of the Masterplan. On Friday the 5<sup>th</sup> September 2014, the Masterplan was endorsed by the Development Consent Authority, satisfying Clause 10 of SD37. Development applications can now be lodged against the subject site.

### 1.3 THE SUBJECT SITE

The subject site incorporate Part Lot 5182 (213), Dick Ward Drive, Town of Darwin, has a direct street frontages to Dick Ward Drive to the west, Bagot Road to the east, Totem Road to the north, and Fitzer Drive to the south. The site is located in a suburb known as Ludmilla, covers an area of approximately 18.09ha (Area A – 16.06ha, Area B – 2.03ha), and is situated approximately 7km north of the Darwin CBD.



Figure 2 – Subject Site in context to Dick Ward Drive and Bagot Road – Source: Google Earth



### 1.3.1 Current Zoning

The subject site is part zoned SD37 (Specific Use Zone Darwin No. 37), pursuant to the NT Planning Scheme. Surrounding land parcels are zoned LI (Light Industrial), C (Commercial), CL (Community Living), CN (Conservation), SD (Single Dwelling Residential), and M (Main Road).



Figure 2 – Land Use Map of the Subject Site– Source: NT Atlas

### 1.3.2 Mapped Constraints



Figure 3 – Storm Surge Mapping – Source: NT Atlas



A portion of the site falls within the Primary and Secondary Darwin Storm Surge zone. The Land Use and Land Unit mapping suggests that the portions of the site mapped within the Storm Surge have low to moderate suitability for urban subdivision with limitations due to drainage, a high seasonal water table and a hard setting surface.

#### Areas of Cultural Significance



One (1) area of possible burial ground has been noted as part of the Aboriginal Areas Protection Authority Certificate. The conditions of the Authority Certificate state that if any skeletal remains are uncovered, all works are to cease immediately and the NT Police and the Director Heritage Branch, Department of Lands, Planning and the Environment is to be notified.

#### 1.4 OWNERSHIP

The subject property is in the ownership of the following individuals / corporations:-

Lot No	Owner
5182	Gwalwa Daraniki Association under Perpetual Lease No.671.

Authorisation to submit this application has been provided in accord with the requirements of the Act.

#### 1.5 APPROVALS SOUGHT

This application seeks Development Consent to add further uses to those already permitted in Specific Use Zone SD37.

#### 1.6 ADVERTISING / NOTIFICATION

The proposal will require public notification and advertising as per Department of Lands, Planning and the Environment policy. As a result, the applicable fees have been included with this submission.



## 1.7 FURTHER INFORMATION

We advise that the proponent and their representatives wish to engage in open dialogue during the assessment of this submission and to this end are open to meet and / or discuss further, any of the elements directly or indirectly related to this submission.

Please do not hesitate to contact our office at any time.



PO Box 800 Darwin NT 0801



Phone: 08 8981 5870



Fax: 08 8942 1968



[info@planitconsulting.com.au](mailto:info@planitconsulting.com.au)

Offices also at Nobby's Beach and Kingscliff

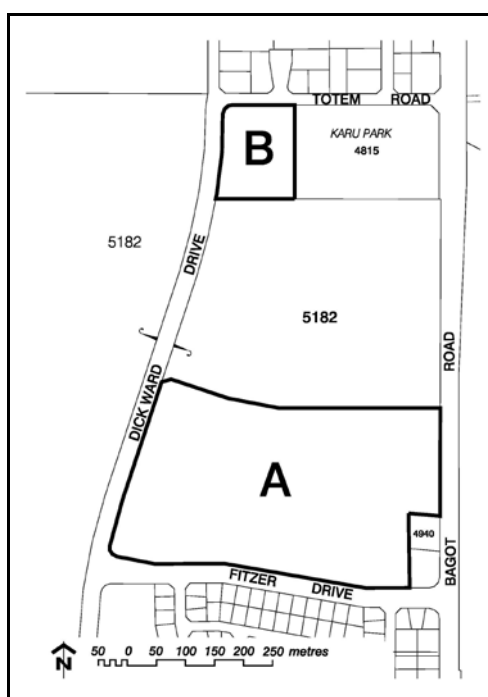


## The Proposal and Context

### 2.1 EXISTING USES

The subject site is zoned Specific Use Zone SD37, pursuant to the NT Planning Scheme. The purpose of this zone is to provide for development that preserves the amenity of adjoining residential areas, minimises the negative impacts of being exposed to aircraft noise, and preserves the safety and maintains the curfew free operation of the Darwin International Airport.

The parts of Lot 5182 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.



**Area A** is to be used with or without consent in accordance with the provisions of Zone SC (Service Commercial). The following uses, however, if proposed as the primary or ancillary use are currently prohibited within this area:

- |                               |                                                                                            |                                                                                      |
|-------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| i. animal boarding;           | xii. motor body work where located on land adjoining or opposite a residential zone;       | xvii. residential building;                                                          |
| ii. car park;                 | xiii. motor repair station where located on land adjoining or opposite a residential zone; | xviii. restaurant;                                                                   |
| iii. education establishment; | xiv. office except where ancillary to the primary use;                                     | xix. service station where located on land adjoining or opposite a residential zone; |
| iv. home based contracting;   | xv. place of worship;                                                                      | xx. supporting accommodation;                                                        |
| v. home occupation;           | xvi. passenger terminal;                                                                   | xxi. transport terminal; and                                                         |
| vi. hostel;                   |                                                                                            | xxii. veterinary clinic.                                                             |
| vii. hotel;                   |                                                                                            |                                                                                      |
| viii. leisure and recreation; |                                                                                            |                                                                                      |
| ix. licensed club;            |                                                                                            |                                                                                      |
| x. medical clinic;            |                                                                                            |                                                                                      |
| xi. motel;                    |                                                                                            |                                                                                      |



**Area B** is to be used with or without consent in accordance with the provisions of Zone LI (Light Industry). The following uses, however, if proposed as the primary or ancillary use are also currently prohibited within this area:

- |                               |                                                       |
|-------------------------------|-------------------------------------------------------|
| i. car park;                  | ix. office except where ancillary to the primary use; |
| ii. community centre;         | x. place of worship;                                  |
| iii. education establishment; | xi. passenger terminal;                               |
| iv. home based occupation;    | xii. restaurant;                                      |
| v. hotel;                     | xiii. residential building;                           |
| vi. leisure and recreation;   | xiv. rural industry; and                              |
| vii. licensed club;           | xv. veterinary clinic.                                |
| viii. medical clinic;         |                                                       |

## 2.2 THE PROPOSAL

This submission seeks to amend Specific Use Zone SD37, to permit the following uses as *Discretionary* uses in both **Area A** and **Area B**:

- i. car park – **A & B**;
- ii. leisure and recreation – **A & B**;
- iii. licensed club – **A**;
- iv. medical clinic – **A**;
- v. office – **A**;
- vi. place of worship – **B**;
- vii. restaurant – **A**; and
- viii. veterinary clinic **A & B**.

**Clause 3.0 (Definitions)**, of the NT Planning Scheme, defines the proposed uses as:

*"car park" means the parking of motor vehicles otherwise than as an ancillary use of land;*

*"leisure and recreation" means the provision indoors or outdoors of recreation, leisure or sporting activities and includes cinemas, theatres, sporting facilities and the like as a commercial enterprise but does not include a licensed club or community centre;*

*"licenced club" means premises used as club rooms which require a licence under the Liquor Act;*

*"medical clinic" means a building or place used by one or more medical practitioners, physiotherapists, dentists or persons ordinarily associated with health care, or their employees, but does not include a hospital;*

*"office" means a building or part of a building used for the conduct of administration whether public or otherwise, the practice of a profession, or the carrying on of mercantile, banking, insurance, legal, clerical or similar services, but does not include a home occupation;*

*"place of worship" means premises used as a church, chapel, mosque, temple, synagogue or place of religious instruction or worship or for the purpose of religious training;*

*"restaurant" means premises (other than a shop, or part of a hotel or a motel) in which meals are served to the public whether or not the premises provides a drive-through service or requires a licence under the Liquor Act; and*

*"veterinary clinic" means premises used for the medical treatment of animals, whether or not the animals are boarded there as part of the treatment.*



## 2.3 JUSTIFICATION

It is understood that the uses proposed as part of this application were prohibited from the site during the initial planning scheme amendment due to the limitations imposed by the Darwin International Airport. A thorough review of the following documents has been undertaken and frames the contents of this submission. In particular, the following documents have been referred to:-

- a. *The Land Use objectives for Land in the Vicinity of the Darwin Airport*
- b. *The Darwin International Airport Masterplan*
- c. *Northern Territory Planning Scheme 2006*
- d. *Australian Standard 2021*

The addition of car park, leisure and recreation, licenced club, medical clinic, office, restaurant, and veterinary clinic, is considered appropriate in Area A, as:

- Area A, is considered Service Commercial in nature, and each of the proposed uses is a Discretionary use in Zone SC (Service Commercial);
- regular car parking is already anticipated at the site, and the Masterplan includes provisions for ensuring the amenity of the car parking area fits in with the overall streetscape. Therefore a car park will not have any negative affect on the subject site;
- due to all proposed setbacks and setback treatments, the proposed uses are not anticipated to impact upon any neighbouring residents;
- all proposed uses will also have to comply with all airport guidelines and attenuation requirements;
- leisure and recreation and licenced club will offer nearby residents further recreational amenities within close proximity;
- medical clinic will offer nearby residents further health care facilities without the need to travel to distant suburbs;
- office space will offer further administrative space, within close proximity to other service amenities and could do well to service the industries proposed at the site;
- a restaurant is considered appropriate for the site, offering further choice in dining facilities. The McDonald's restaurant also sets a precedent for the area, and illustrates the appropriateness of restaurants at the location; and
- a veterinary clinic designed in accordance with the building requirements of the site will allow further health care to pets of local residents in the area, and is considered appropriate for the site.

The addition of car park, leisure and recreation, place of worship and veterinary clinic is considered appropriate in Area B, as:

- Area B, is considered light industrial in nature, and each of the proposed uses is either a Permitted or a Discretionary use in Zone LI (Light Industry);
- regular car parking is already anticipated at the site, and the Masterplan includes provisions for ensuring the amenity of the car parking area fits in with the overall streetscape. Therefore a car park will not have any negative affect on the subject site;
- due to all proposed setbacks and setback treatments, the proposed uses are not anticipated to impact upon any neighbouring uses, which are also light industrial in nature;
- leisure and recreation and licenced club will offer nearby residents of Nightcliff and Coconut Grove further recreational amenities within close proximity;
- place of worship offers further community purposes, to local residences of the area; and
- a veterinary clinic designed in accordance with the building requirements of the site will allow further health care to pets of local residents in the area, and is considered appropriate for the site.

This analysis is central to the justification for the added uses of the subject land.



### 2.3.1 The Land Use objectives for Land in the Vicinity of the Darwin Airport & The Darwin International Airport Masterplan

The *Land Use objectives for Land in the Vicinity of the Darwin Airport* document was adopted in 1997 and possesses the following objectives:-

1. *Minimise the detrimental effects of noise generated by aircraft operations on those who reside and / or work on land in the vicinity of Darwin Airport.*
2. *Preclude any new use or development of land which could prejudice the safety or efficiency of Darwin Airport; and*
3. *Prevent any worsening of the current situation with regard to land use compatibility.*

The following key provisions are identified within the above stated document. These being as follows:-

#### 1. NOISE

In this regard, the document states, inter alia:-

*Australian Noise Exposure Forecast (ANEF) units are adopted as the units by which noise impact is assessed. Noise impact is assessed by interpolation of the Noise Exposure Forecast Plan prepared in respect of Darwin by the Commonwealth of Australia.*

BUILDING TYPE	ACCEPTABLE	CONDITIONAL	UNACCEPTABLE
House, home unit, flat, caravan park	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hotel, motel, hostel	Less than 25 ANEF	25 to 30 ANEF	Greater than 30 ANEF
School, university	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
Commercial building	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
Light industrial	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
Other industrial	Acceptable in all ANEF zones	Acceptable in all ANEF zones	Acceptable in all ANEF zones

**Comment:** The proposed rezoning amendment is considered consistent with the ANEF lines contained within the Darwin International Airport Master Plan. The proposed uses that are listed are considered either acceptable or conditional development within the 25-30 ANEF contour and therefore this submission is deemed to be consistent. Furthermore, it is considered that built form attenuation measures would be sufficient to address any matters raised for the proposed uses operating at the site.

#### 2. REZONING

In this regard, the document states, inter alia:-

*Any proposal for the rezoning of land in the vicinity of Darwin Airport shall be consistent with the aims of this land use objective and the Building Site Acceptability Table Based on ANEF zones taken from Standards Australia Table 2.1, AS 2021-1994. If better than this standard is reasonably achievable then that option should be given consideration.*



**Comment:** The subject site has already been rezoned. The proposed rezoning amendment, however, is also considered consistent with the ANEF lines contained within the Darwin International Airport Master Plan. The proposed uses that are listed are considered either acceptable or conditional development within the 25-30 ANEF contour and therefore this submission is deemed to be consistent.

### 3. DEVELOPMENT

In this regard, the document states, inter alia:-

*Any proposal for the development of land in the vicinity of Darwin Airport shall be consistent with the aims and objectives of this land use objective and the Building Site Acceptability Table based on ANEF zones taken from Standards Australia Table 2.1, AS 2021-1994. If better than this standard is reasonably achievable then that option should be given consideration.*

**Comment:** The proposed rezoning amendment is considered consistent with the ANEF lines contained within the Darwin International Airport Master Plan. The proposed uses that are listed are considered either acceptable or conditional development within the 25-30 ANEF contour and therefore this submission is deemed to be consistent.

### 4. LIGHTING

In this regard, the document states, inter alia:-

*A consent authority will only approve of lighting associated with development on land within flight approach paths where that lighting is not likely to be prejudicial to the safe operation of Darwin Airport.*

**Comment:** No lighting detail is proposed at this stage. Any future development proposal submitted will be required to address lighting impacts upon the airports operations.

### 5. BIRD HAZARDS

In this regard, the document states, inter alia:-

*Land uses or development proposed to be located in close proximity to Darwin Airport that has the potential to attract birds shall require the consent of the consent authority. That consent will only issue where the proposed activity does not give rise to concerns that it will be prejudicial to the safe operations of Darwin Airport.*

**Comment:** No elements of the application would serve to increase levels of bird hazard. Any future development would require consent and therefore approval would need to be sought from the DCA.

The amendments proposed to the subject site are considered to be consistent with the requirements of the Land Use Objectives for Land in the Vicinity of Darwin Airport.

## 2.3.2 NORTHERN TERRITORY PLANNING SCHEME 2006

### Clause 6.9 (Land in Proximity to Airports)

*The purpose of Clause 6.9 (Land in Proximity to Airports), in the NT Planning Scheme, is to minimise the detrimental effects of aircraft noise on people who reside or work in the vicinity of an airport, prevent any new use or intensification of development on land that would prejudice the safety or efficiency of an airport, and retain the non-urban character of the land.*

**Comment:** As described previously, the proposed rezoning amendment is considered consistent with the ANEF lines, and are all listed as either acceptable or conditional development within the 25-30 ANEF contour lines and therefore this submission is deemed to be consistent. Furthermore, it is considered that built form attenuation measures would be sufficient to address any matters raised for the proposed uses operating at the site. The proposal will not result in any further intensification of the site, as development is already allowable due to current zoning allowances. As such the site is already anticipated to contain urban built form.



*Sub-Clause 2, of Clause 6.9 (Land in Proximity to Airports), states that despite anything to the contrary in this Planning Scheme, in Zones A, RL, R, CP, CN, RD, WM and FD, the use or development of land near an airport that is subject to the Australian Noise Exposure Forecast (ANEF) 20 unit value contour line or greater as defined on the ANEF maps produced by the Department of Defence (as in force from time to time), requires consent.*

**Comment:** the proposed uses will be limited to that of Area A and Area B only, and not to that of the RD zoned portion of the site.

*Sub-Clause 3, of Clause 6.9 (Land in Proximity to Airports), states that in determining an application for the use or development of land subject to the ANEF 20 unit value contour line or greater, the consent authority is to have regard to the Building Site Acceptability Table (Table 2.1) based on ANEF Zones taken from AS 2021 – 2000 as a guide to the type of use or development it may consent to.*

**Comment:** As previously stated, the proposed rezoning amendment is considered consistent with the ANEF lines contained within the Darwin International Airport Master Plan. The proposed uses that are listed are considered either acceptable or conditional development within the 25-30 ANEF contour and therefore this submission is deemed to be consistent. Again, it is considered that built form measures would be sufficient to address any matters raised for the proposed uses operating at the site.

*Sub-Clause 4, of Clause 6.9 (Land in Proximity to Airports), states that lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.*

**Comment:** No lighting detail is proposed at this stage. Any future development proposal submitted will be required to address lighting impacts upon the airports operations.

*Sub-Clause 5, of Clause 6.9 (Land in Proximity to Airports), states that use or development of land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport.*

**Comment:** No elements of the application would serve to increase levels of bird hazard. Any future development would require consent and therefore approval would need to be sought from the DCA.

## SPECIFIC USE ZONE SD37

*The purpose of this zone is to provide for development that preserves the amenity of adjoining residential areas, minimises the negative impacts of being exposed to aircraft noise, and preserves the safety and maintains the curfew free operation of the Darwin International Airport.*

As mentioned, the land uses proposed are considered consistent with the purpose and intent of this clause. Land uses permitted in Specific Use Zone SD37, are broken up into in either **Area A** or **Area B**.

**Area A**, is to be used with or without consent in accordance with the provisions of Zone SC (Service Commercial), while **Area B**, is to be used with or without consent in accordance with the provisions of Zone LI (Light Industry).

Pursuant to Clause 5.9 (Service Commercial), of the NT Planning Scheme, the uses proposed as part of this application in **Area A** (car park, licenced club, leisure and recreation, medical clinic, restaurant, and veterinary clinic), are all *Discretionary* uses in Zone SC (Service Commercial).

Pursuant to Clause 5.11 (Light Industry), of the NT Planning Scheme, the following uses proposed (car park, leisure and recreation, licensed club, medical clinic, restaurant, and veterinary clinic), in **Area B** are all either *Permitted* or *Discretionary* uses in Zone LI (Light Industry).

It is considered that the proposed uses are appropriate to the site as *Discretionary* uses, requiring consent. This ensures that each proposal can be assessed on a case by case basis, adding a further level of assurance to the suitability of the proposed use, in context with the overall development.



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Conclusion

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This submission seeks to amend Specific Use Zone SD37, to permit the following uses in both **Area A** and **Area B**:

- i. car park;
- ii. leisure and recreation;
- iii. licensed club;
- iv. medical clinic;
- v. office;
- vi. place of worship;
- vii. restaurant; and
- viii. veterinary clinic

The proposal effectively utilises the key characteristics of the site, being:-

- *proximity to a major transport route;*
- *proximity to existing industry uses*
- *ability to provide for structured and measured traffic management measures; and*
- *utilisation of land commensurate with its constraints and opportunities.*

The proposed amendment to the Northern Territory Planning Scheme 2006 is considered warranted and justified. Accordingly, the support and concurrence of the NT Planning Authority is respectfully requested.

*Planit Consulting Pty Ltd*  
*November 2014*



Your Reference: PA2014/0904

19<sup>th</sup> of February 2015

Ms. Sherry Cullen  
Department of Lands, Planning and the Environment  
GPO Box 1680  
Darwin NT 0801

**Re: Bagot Road, Rezoning Changes to SD 37 - PA2014/0904**

Dear Ms. Cullen,

To further our submission in regards to rezoning application PA2014/0904 to expand the uses allowable for Special Use SD37, we would like to submit additional information to support the proposal.

A review of the surrounding Special Zones subject to ANEF restrictions was made and the prohibited and permitted uses for those other zones were explored and cross-referenced. Zones SD42 A&B, SD43 and SD31 A&B are subject to similar ANEF constraints and the summary of permitted uses and prohibited uses are provided below. SD37 is highlighted in purple and contemplated uses are highlighted in grey.

**Zone / uses table**

	SD37 Part A	SD37 Part B	SD42 Part A	SD42 Part B	SD 43	SD 31 Part A	SD 31 Part B
Zone facilitation	Service Commer cial	Light Industry	Light Indust ry	Light industry	Light Industr y	Comm ercial	Comme rcial
ANEF	Most 25- 30 Part 30- 35	Part 25- 30 Part 30 - 35	25-30	20-25	20-25	25-30	25-30
Animal Boarding	X			X			
Car Park	X	X				P	P
Caretaker's				X	X		
Community Centre		X		X			
Educational Establishment	X	X	X	X	X		
Home Occupation	X	X		X	X		
Hostel	X						
Hotel	X	X		X	X	P	P
Leisure and Recreation	X	X		X	X	Indoor P	Indoor P



Licensed Club	X	X		X		P	P
Medical Clinic	X	X	X	X	X	P	P
Motel	X						
Motor Body work – adjoining res	X						
Motor Repair – adjoining res	X					P	P
Office ( except ancillary)	X	X		X		P	P
Passenger Terminal	X	X		X			
Place of Worship	X	X	X	X	X	P	P
Plant Nursery			X	X	x	P	P
Restaurant	X	X		X		P	P
Residential Building	X	X					
Rural Industry		X			X		
Service station – where adjoining res	X			X		P	X
Supporting Accommodation	X						
Transport Terminal	X						
Shop -except where compliant with 8.1.1				X		P ( no restrict ion)	P ( no restrictio n)
Showroom Sales						P	P
Vet Clinic	X	X				P	P
Bulk storage of flammable or hazardous materials)							X
Warehouse						P	P

X – Prohibited P – Permitted with consent

Of particular interest is SD31 A and B. The intent of this Special Zone is to be developed for the purpose of Commercial development. The area is within 25-30 ANEF which is similar to the subject site (SD37). It is acknowledged that a small part of SD37 is located within the 30-35 ANEF zone. However, as the area subject to those controls is minimal, no significant issues are expected.



The following uses are currently permitted in SD31 and not in SD37:

- Car parks;
- Hotel;
- Indoor Leisure and Recreation;
- Licensed Club;
- Medical Clinic;
- Offices;
- Place of Worship;
- Restaurant;
- Vet Clinic.

It would be unreasonable to permit these uses in one case and not in the other. In this regard, no detrimental effects on the Defense and Airport areas have been observed following the establishment of SD31.

Previous correspondence from referral authorities has noted several issues namely as follows: people intensive uses (safety – increased risk of accident), noise levels, height, lighting and reflectivity of building surface.

Many of the uses currently permitted on the site are people intensive such as shops, showroom sales and vehicle sales and hire. Uses such as Licensed Clubs and Place of Worship will generate a high number of people on the site but only for a short time intervals, thus reducing the risks of deaths in the unlikely event of a plane crash. Furthermore, the existing service station and the MacDonald restaurant uses located on Bagot Road have not been causing any prejudice to the airport to this date.

The *2010 Darwin Airport Masterplan* includes provisions for Service Commercial, Tourist Commercial and Commercial Uses. The location of those uses is within similar ANEF zones to the subject site and yet, uses prohibited on the site are permissible according to the table of uses. One only has to look at the Bunnings opposite the site which can be considered as being people intensive and yet is operational. Furthermore, the *2010 Darwin Masterplan* specifically mentioned that (p.44): “*With the exemption of the Restricted Area, no legislation or guidelines exists at the Commonwealth or Territory level governing permissible land uses with respect to aircraft crash risk* “. This double standard should not be accepted.

Other issues such as noise level, height, lighting and reflectivity of building surface are able to be mitigated with designs restrictions. Uses already permitted on the site are subject to those restrictions and it is not proposed that the contemplated uses be subject to any different criterion.

We believe that the rezoning application lodged should be looked at favorably and that other development of a similar nature such as SD31 and the commercial developments on the land subject to the *2010 Darwin Masterplan* set precedents for the same uses to be considered as acceptable for the SD37 area.





If you have any questions in regard to this matter please contact Julie Giguere of this office on 8981 5870.

Yours sincerely

**Julie Giguere**  
**Darwin Planning Manager**



22 May 2015

Please quote: 3082764 NS:dj  
Your reference: PA2014/0904

Mark Meldrum  
Director of Lands and Planning  
Department of Lands, Planning and the Environment  
GPO Box 1680  
DARWIN NT 0801

Dear Mr Meldrum

**Parcel Description:** Lot 5182 – Town of Darwin  
213 Dick Ward Drive, Ludmilla

**Proposed Development:** Amending Specific Uses Darwin No: 37 (SD37)

Thank you for the Development Application referred to this office 24 April 2015, concerning the above. This letter will be placed before the City of Darwin's, Town Planning Committee Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

Council objects to the inclusion of Offices (not ancillary to a primary use) and Medical Clinics and does not object to the remaining proposed uses nominated for Area A and Area B of the proposed Zone SD37; given that they are considered appropriate uses in commercial and light industrial areas.

The Draft Darwin Regional Land Use Plan 2014 and the Draft Darwin City Centre Master Plan were both developed to make Darwin more appealing to live, work and play; highlighting that the Darwin City Centre is the locality to conduct business. To support economic growth and the viability of the City, it is recognised that quality office space needs to be developed within the City Centre. The continued fragmentation of office uses across the municipality will result in increasing vacancy rates of office space and would likely place pressure on the viability of the City Centre as the traditional business district.

Berrimah Business Park has proven that businesses are prepared to relocate and operate outside of the City Centre, if there is a suitable alternate.

It is questioned why the provision of offices (not ancillary to a primary use) is required when office space in the City Centre is available? A similar argument would also apply to Medical Clinics in such areas.



The Draft Darwin Regional Land Use Plan 2014 identified a hierarchy of Activity Centres across the Greater Darwin Region; the subject site/area was not earmarked as a current or future Activity Centre.

Continued approval of uses such as offices and medical clinics from the City Centre and supporting Activity Centres places pressures on infrastructure and promotes increased vehicle dependency and would likely have a negative impact on the viability of those Centres.

It is also noted that Condition 3. of the Aboriginal Areas Protection Authority – Authority Certificate of the endorsed Master Plan states; “this certificate shall lapse and be null and void if the works in question or the proposed use is not commenced within 24 months of this Certificate. The date of the certificate is the 10 July 2012 and has therefore lapsed and was lapsed at the time of endorsing the Master Plan required by Zone SD37.

Given that Annexure A of the Certificate nominates sacred areas, it would be prudent to obtain a current Certificate and re-endorse the Master Plan in the interests of preserving Aboriginal Cultural Significance and to ensure that any future development would not disturb possible burial sites contained in the subject lot.

If you require any further discussion in relation to this application please feel free to contact me on 8930 0412.

Yours faithfully



**NADIA SMITH**  
**ACTING STRATEGIC TOWN PLANNER**



Nadia Smith

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**Subject:** FW: Lot Number 5182

**From:**

**Sent:** Thursday, 7 May 2015 11:04 PM

**To:** [planning.dlpe@nt.gov.au](mailto:planning.dlpe@nt.gov.au)

**Cc:** City of Darwin - Have your say; [electorate.nightcliff@nt.gov.au](mailto:electorate.nightcliff@nt.gov.au)

**Subject:** Lot Number 5182

Date: May 7, 2015

To: The NT Department of Land and Planning

**RE: Proposed Rezoning and Development of Lot 5182, Darwin**

I oppose the re-zoning and potential development of Lot Number 5182 for the following reasons:

1. The area is subject to primary and secondary storm surges in a cyclone or large storm event and the impact of rising sea levels. There are countless examples particularly in Queensland where poor development decisions seriously exacerbated the impact of major weather events in urban areas.
2. Lot 5182 as a "green belt" boosts property values – not an airport strip mall or light industrial developments.
  - a. The proposal for the site will negatively affect the neighbourhood's natural values and the home values in and around the proposed development.
  - b. Developing the site will increase water consumption, waste production, increase carbon emissions, noise levels and traffic and water pollution from contaminated runoff.
  - c. Darwin doesn't need another strip mall and light industrial development - there is an oversupply of industrial areas now in Winnellie and Coconut Grove - many empty and with the economy the way it is, no doubt there will be more. The development of the site with any additional light industry or shops will negatively impact existing retailers and businesses in neighbouring Coconut Grove.
  - d. Developing this land as proposed does not contribute to a more sustainable Darwin. <http://www.sustainabledarwin.com.au/>
3. Lot 5182 is directly under the Darwin International Airport flight path which is seeing an increasing number of light aircraft, helicopter and specifically large wide-bodied cargo, civil and military aircraft movements.
  - a. Increasing public usage under a busy flight path is irresponsible and shows zero regard for public safety. Building on this area will jeopardize the safety of operations at Darwin Airport which NT Airports have stated repeatedly in their submissions opposing the development proposals.
  - b. Given the increased noise and traffic during military exercises, military aircraft carrying ordinance will fly directly over this proposed development increasing the risk to public safety under and surrounding the take-off and landing flight paths.
  - c. The Australian Noise Exposure Forecast guidelines quoted by the proponent are not relevant for Darwin Airport.



- d. Increased risk of bird strikes - Darwin Airport already has the highest number of bird strikes in Australia. A built up area under the flight path will generate more radiant heat adding to the thermals and consequently will attract whistling kites. More birds = more bird strikes and potentially a serious aircraft incident. Destroying the bird habitat of Lot 5182 will also displace birds into bush land around the airport – also increasing bird strike risk levels.



**ENCL:** TOWN PLANNING COMMITTEE/OPEN  
**NO**

**AGENDA ITEM:** 9.2

### **STRATEGIC PLANNING ISSUES – JUNE 2015**

**REPORT No.:** 15TS0081 NS:dj **COMMON No.:** 2481144

**DATE:** 02/06/2015

**Presenter:** Strategic Town Planner, Cindy Robson

**Approved:** Acting General Manager Infrastructure, Drosso Lelekis

### **PURPOSE**

The purpose of this report is to provide an updated schedule of identified strategic Town Planning matters for referral to Town Planning Committee meetings.

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

1. Collaborative, Inclusive and Connected Community

#### **Outcome**

- 1.4 Improved relations with all levels of government and significant stakeholders

#### **Key Strategies**

- 1.4.2 Play an active role in strategic and statutory planning processes

### **KEY ISSUES**

- The Town Planning Committee focuses on strategic planning issues.
- This report presents an updated schedule of previously identified and known strategic town planning matters and the timeframes for reporting on these matters. The schedule is of known current issues and will be influenced by unforeseen strategic matters requiring consideration either directly raised by Council or via external parties such as the Northern Territory Planning Commission.
- Progress and updating of the schedule will be reported at Town Planning Committee meetings.

### **RECOMMENDATIONS**

THAT the Committee resolve under delegated authority:-

THAT Report Number 15TS0081 NS:dj entitled Strategic Planning Issues – June 2015, be received and noted.



## **BACKGROUND**

Council has resolved that Town Planning Committee Meetings would be held once every two months, with a focus on strategic town planning matters.

This report provides an updated schedule of previously identified strategic town planning matters and time frames for addressing these matters.

## **DISCUSSION**

The following table provides a list of matters that have been finalised and therefore will be removed from the next Strategic Planning Issues report:

<b>Issue</b>	<b>Issue Source</b>	<b>Comment</b>
Darwin City Centre Master Plan	<ul style="list-style-type: none"> <li>• City of Darwin</li> <li>• Northern Territory Government</li> <li>• Australian Government</li> </ul>	The final version of the Darwin City Centre Master Plan was endorsed by Council at the 2 <sup>nd</sup> Ordinary Council Meeting held on the 26 May 2015.
Greater Darwin Regional Land Use Plan	Northern Territory Planning Commission	<p>Council responded to the Community Consultation Report exhibited in November 2014.</p> <p>The Northern Territory Planning Commission are progressing the Land Use Plan.</p>
Building setbacks	City of Darwin	<p>City of Darwin officers presented a report to the Town Planning Committee Meeting in December 2014.</p> <p>A letter addressing Council's concerns was sent to the Minister for Lands, Planning and Environment in January 2015. Acknowledgement letters have been received at this stage. Upon receipt of further information (if received), Council will be notified.</p> <p>The Town Planning Committee received presentations from the Chairman of the Northern Territory Planning Commission and Department of Lands, Planning and the Environment at the April 2015 Town Planning Committee Meeting.</p>



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The following table provides a list of new strategic matters that have been raised by Elected Members since the previous update report was presented to the Town Planning Committee.

Issue	Issue Source	Date
Permeable land surfaces	City of Darwin	August 2015

The following table provides a list of strategic planning issues in which City of Darwin staff are currently working on, updates are as follows:

Issue	Issue Source	Date	Comment
Sea containers in residential zones	City of Darwin	July 2015	This issue will be dealt with in the review of City of Darwin Policy No. 041 – Land Use Planning – General that will be considered by the Environment and Infrastructure Committee.
Creation of Urban Development Policy and Strategy	City of Darwin	August 2015	A report will be prepared by City of Darwin officers for consideration at an Ordinary Council Meeting.
Contribution Plan for community facilities and open space	City of Darwin	August 2015	<p>The area plans currently being developed (through a Project Control Group with the Northern Territory Government) have a direct correlation to the contribution plans for community facilities and open space. Once the findings are exhibited, a report to the Town Planning Committee will be produced for consideration.</p> <p>Note: The Planning Commission are presenting to the Town Planning Committee Meeting regarding the Community Engagement Plan.</p>



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Issue	Issue Source	Date	Comment
Assessment criteria and definition for Serviced Apartments in the Northern Territory Planning Scheme	City of Darwin	October 2015	A report will be prepared by City of Darwin officers for consideration by the Town Planning Committee.
Car parking on the podium level	City of Darwin	December 2015	A report will be prepared by City of Darwin officers for consideration by the Town Planning Committee.
Universal Design Principles in planning and construction of new buildings	City of Darwin	December 2015	This report will be combined with the Development of an Age Friendly City report.
The Development of an Age Friendly City	City of Darwin	December 2015	This report will be combined with the Universal Design Principles in Planning and Construction of New Buildings report.
Urban infill and densification	Northern Territory Government	Ongoing	Area plans are currently being developed through a Project Control Group with the Northern Territory Government. The Planning Commission are presenting to the Town Planning Committee Meeting regarding the Community Engagement Plan.



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Car parking, Public Transport and alternative transport arrangements	City of Darwin	Ongoing	To be considered in light of the Darwin CBD Parking Strategy Review, CBD Traffic Study and City Centre Master Plan both during these projects and after their completion.
The height, bulk and over development of land in the Darwin CBD Zone	City of Darwin	Ongoing	To be considered in light of the combined outcomes of the Darwin City Centre Master Plan, Greater Darwin Regional Land Use Plan and the Northern Territory Planning Scheme Amendment to Clause 6.3 – Building Heights in Central Darwin.

### **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Town Planner

### **POLICY IMPLICATIONS**

Not assessed.

### **BUDGET AND RESOURCE IMPLICATIONS**

Not assessed.

### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not assessed.

### **ENVIRONMENTAL IMPLICATIONS**

Not assessed.



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### **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**CINDY ROBSON**  
**STRATEGIC TOWN PLANNER**

**DROSSO LELEKIS**  
**ACTING GENERAL MANAGER**  
**INFRASTRUCTURE**

For enquiries, please contact Cindy Robson on 8930 0528 or email:  
[c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).



# OPEN SECTION

TP06/7

## Town Planning Committee Meeting – Tuesday, 2 June 2015

### 10. INFORMATION ITEMS

Nil

### 11. GENERAL BUSINESS