

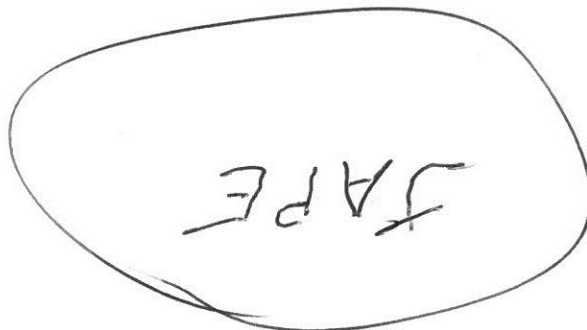
16 OFFICERS REPORTS

- 16.2 Proposed Masterplan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin Under Zone SD37 (Specific Use Zone No. (37) – LUPD2012/0030 Report No. 12TS0104 WS:fh (31/07/12) Common No. 1789927

Report Number 12TS0104 WS:fh attached.

Please Note:

* **Attachment A** is provided separately to Elected Members on a USB Stick. *



2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.2
 PROPOSED MASTERPLAN FOR PART LOT 5182 (213) DICK WARD DRIVE, TOWN OF DARWIN UNDER ZONE SD37(SPECIFIC USE ZONE NO. 37) - LUPD2012/0030
 REPORT No.: 12TS0104 WS:th COMMON No.: 1789927 DATE: 31/07/2012

Presenter: Manager Design, Planning & Projects, Drosso Lelekis
Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment, a Proposed Masterplan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin under clause 10 of Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030 **Attachment A**. This report addresses relevant Council issues and recommends that Council endorse comments to be provided to Strategic Lands Planning.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal:
 1. Achieve effective partnerships and engage in collaborative relationships.

Outcome:
 1.1 Improve relations with all levels of Government.

Key Strategies:
 1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin.

KEY ISSUES

- Council officers recommend not supporting the Masterplan until further details have been provided.

RECOMMENDATIONS

A. THAT Report Number 12TS0104 WS:th entitled, Proposed Masterplan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin for the Purpose of Endorsement Consideration Under Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030, be received and noted.

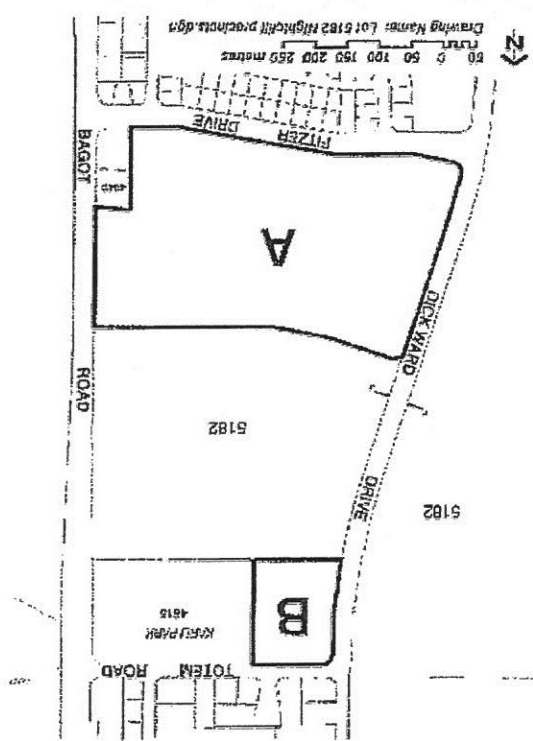
B. THAT Council endorse the draft submission to the Reporting Body, **Attachment B** to Report Number 12TS0104 WS:th entitled Proposed Masterplan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin under Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030.

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REPORT NUMBER: 12TS0104 WS:rh
SUBJECT: PROPOSED MASTERPLAN FOR PART LOT 5182, (213) DICK WARD DRIVE, TOWN OF DARWIN - REZONE FROM ZONES RD (RESTRICTED DEVELOPMENT) AND CL (COMMUNITY LIVING) TO THREE DISTINCT SPECIFIC USE ZONES. - ALTERED AND APPROVED AS: "REZONE PART LOT 5182 FROM ZONE RD (RESTRICTED DEVELOPMENT) TO PRELIMINARY

BACKGROUND

Site and Surrounds

The subject site includes two separate portions, Area A and Area B, of Lot 5182 (213) Dick Ward Drive, Ludmilla, Town of Darwin. The site is generally bordered to the west by Dick Ward Drive, to the south by Fitzier Drive, to the east by Bagot Road and to the north by Totem Road. The specific boundaries of Area A and Area B are shown in the diagram below. Only Area A and Area B are the subject of this Masterplan; the remaining land within Lot 5182 is not proposed for development and is not part of this Masterplan document.



Area A and Area B are currently vegetated, undeveloped sites. Portions of site have been disturbed and currently contain a variety of types of weed species and show signs of illegal dumping, including burned out cars and other waste materials.

The area across Dick Ward Drive from the site is undeveloped land within the storm surge zone, with an Aboriginal community area to the southwest of the site. The area to the south of the site across Fitzier Drive is developed with primarily single dwelling residential uses. Existing commercial development, including a McDonald's restaurant and a service station, sit 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. The sites to the north of the site across Totem Road are developed with light industrial uses.

The Masterplan provides basic guidance over the proposed major access points of the site, for both vehicles and pedestrians, and for the siting of building and parking on the site. Primary roadways are identified, including reorganisation of existing traffic flows at the Bagot Road and Fitzer Drive intersection. A new roadway is proposed to link Bagot Road and Dick Ward Drive with signalized intersections at both ends. An additional new roadway to the rear of the existing service station and McDonald's site, will connect the proposed new through road, to Fitzer Drive.

A single vehicular access to within the development site is proposed from Fitzer Drive, adjacent the existing McDonald's restaurant entrance. All other access points will be off the new roadways detailed above. An additional through road is proposed to link Area A to Area B from Totem Road. A cul-de-sac drive is proposed for the mostly light industrial area of Area B.

DISCUSSION

The Masterplan consultant has indicated willingness to work with Council and the other authorities regarding development of the Masterplan and incorporation of comments. Due to the size of the Bagot Road Masterplan and Development Design Guide for No. 213 Dick Ward Drive, Darwin, **Attachment A** is provided separately on a USB stick.



Despite the requirements within this zone for a Masterplan, there is no process within the Northern Territory Planning Scheme for adopting a Masterplan document. Therefore, this current Masterplan document has been provided to Council and other relevant service authorities, for comment at this time. At the time of lodgement of the first development application for the site, the final Masterplan will be submitted as part of that development application for subsequent adoption.

Clause 10 of SD37 specifies that "A Masterplan 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 Masterplan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed Masterplan". Clause 11 further specifies a variety of topics to be addressed by the Masterplan.

The specific controls of Zone SD37 are included at **Attachment A**.

Area A and Area B are the subject of a recent rezoning to Zone SD37 (Specific Uses), which provides a specific set of permitted and prohibited uses and development criteria for each site. The land between Area A and Area B remains undeveloped land in Zone RD (Restricted Development).

Site Development History

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The Masterplan also includes preliminary sign designs, detailed landscaping guidelines, a traffic assessment and ecological assessments of the site, including flora and fauna studies and soil types, each of which will be assessed in greater detail by experts in those fields. Signs and landscaping will be assessed by Council when specific applications are made regarding those features. Council's traffic consultants will provide more detailed comments on the traffic assessment. NRETAS will be the primary responsible authority for the quality and adequacy of the ecological assessments.

The Masterplan does not lock the developer into one single design for the internal site layout. Rather, the Masterplan provides location principles for the design of various site features, such as landscaping along building edges and within parking lots and shielding loading and service areas of buildings from public view. Further details, as discussed below are required before Council can support the proposed Masterplan.

Landscaping

The Landscaping Guidelines provided with the Masterplan are indicative only and detailed landscaping plans will be assessed by Council at application stage. Cross sections for the road verges are provided for both Fitzler Drive and Dick Ward Drive, however specific landscaping plans have not been provided at this stage.

The Masterplan notes that the proposed buffer to Fitzler Drive will include a 10 metre wide drainage easement which will include mounding and revegetation with plants from the 'rehabilitation landscape buffer planting' list included in the landscape guidelines attached to the Masterplan documentation. An 8 metre wide vegetated buffer will also be maintained along Dick Ward Drive. The landscape guidelines notes that an additional 3 metres of landscaping will be provided where considered necessary along these boundaries.

Site layout

The site layout appears to only have the backs of buildings and service areas facing Dick Ward Drive and Fitzler Drive. Consideration should be given to having some frontages or activation of these streets, particularly Dick Ward Drive. It is not considered a desirable planning outcome to have the rear of buildings facing major roadways within the community.

Security fencing is proposed around the site, primarily a 1.8m high chain mesh fence amongst intensive site landscaping. However, there are also pedestrian entrances proposed along the edges of the site, particularly from Fitzler Drive where there are no vehicular site entrances. The Masterplan is unclear on how the pedestrian entrances interact with the fencing and whether these pedestrian entrances will be gate or otherwise controlled. If gates are to be utilised, operational principles including, when the gates are locked and unlocked and who is responsible for monitoring of the passageways, needs to be addressed.

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PRELIMINARY

Any proposed signage for the site, including real estate signage, shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

Traffic and parking

Council is undertaking a review of the Traffic Study submitted with the Masterplan and is unable to provide final comments during the allotted comment period. However, it is required that an updated traffic study reflecting the actual internal subdivision and land uses be submitted for the approval of Council at the time of development application. Council also notes that final approval for the design of the road network will be provided at formal application stage, when full details are provided of internal roads within the subject site.

The following preliminary comments are provided in relation to traffic matters:

- Based on the plans provided, it appears that the proposed access road for Lot B intersects Totem Road, opposite the intersection of Durand Court and Totem Road. The proposed intersection, in close proximity with an existing T-intersection, may cause a traffic safety conflict point. Any intersections should comply with Council's Subdivision and Design Guidelines, to the satisfaction of the City of Darwin.
- It is requested that the Consent Authority requires the proposed through road, from Totem Road to Area A, be fully constructed to Area A at such time as Area B is developed, in order to adequately disperse traffic and service Area B.
- The Masterplan proposes restricting the Fitzer Drive and Bagot Road intersection to a left-in, left-out only intersection. Any changes that will affect access to the existing residential properties along Fitzer Drive, should be done under consultation with the existing Ludmilla community, the Northern Territory Government and Council.
- Council staff are concerned regarding the management and control of possible overflow parking along the surrounding roads, as the result of any onsite car parking shortfall. All car parking required for the proposed uses should be provided on-site.

Flora and Fauna

The application notes that the Masterplan area supports 3 distinct vegetation communities which it states are all common to the local region. Buffer strips along Dick Ward and Fitzer Drives will remain and be revegetated with existing endemic species from the site.

Armstrong's cycad (*Cycas armstrongii*) were found in low numbers within the northern boundary of both area A and B, as well as the central RD zoned land. This Species is listed as vulnerable under the TPWC Act 2000. The application notes that any cypads onsite to be removed will require a permit and be relocated in accordance with the Northern Territory Government's cycad management program. This was the only threatened species found during site inspections.

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The application notes that several sections of the site are dominated by a number of listed weeds including Gamba grass.

Ecology reports and a weed management plan have been included as attachments to the Masterplan. These reports should be assessed by the relevant Northern Territory Governments departments.

Storm Surge

It is noted in the Masterplan that approximately 10% of the site is within the secondary storm surge area.

Development within the secondary storm surge area is restricted in the Northern Territory Planning Scheme under clause 6.14 to such uses as open space, recreation, short stay tourist camping/caravan areas, industrial and commercial uses.

Specific uses for the site will be assessed at development application stage.

Notwithstanding the above, Council typically does not support any form of new development within storm surge areas as it has the potential to place people, and property at risk of injury and damage.

Existing residential interface

There are existing residential properties opposite the Masterplan area on Fitzner Drive. A cross-section elevation included in the landscaping guidelines in **Attachment A** to this report indicates that a landscape buffer will be provided to the Fitzner Drive street frontage, to maintain the residential character of the streetscape. Landscaped buffers will also be provided to Dick Ward Drive.

Detailed layout plans of the landscaping along Fitzner Drive have not been provided with the Masterplan, therefore it is difficult to determine if the interface between the existing residential area and the proposed land uses will be acceptable. The interface between the development site and the existing residential areas should be designed such that amenity is maintained for existing and future residents. The Fitzner Drive road verge and all other edges of the site should also provide a safe pedestrian and cyclist environment.

These interfaces should be designed to discourage parking along the road verge for uses within the proposed development by supplying sufficient parking on-site.

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Airport noise and operations
 The Masterplan 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.

Council officers consider that any development on the site should be undertaken in consultation with the Darwin Airport and other relevant authorities to ensure that the requirements of these authorities are met in regards to this development. Furthermore, copies of the relevant authority approvals/support are forwarded to Council.

Lighting and land uses that attract birds or bats will also be appropriately restricted.

Stormwater Drainage

The Masterplan notes that water sensitive urban design principles will be used in the design of stormwater management on site. A stormwater drainage channel is proposed to be maintained within the Fitzer Drive road corridor, further details of the onsite stormwater drainage system will be provided at subdivision application stage.

Summary

Council will have the opportunity to comment on any detailed development plans for the site, at the time of development application. However, by that stage, the overall design and layout for the site are likely to be locked in through the Masterplan, which is required under the details of the Specific zoning for the site, to be endorsed prior to development application stage. All development is then required to be in accordance with the Masterplan.

Detailed information in relation to traffic management, subdivision layout, landscaping and stormwater drainage is not provided in the Masterplan.

An invitation to the applicant is issued in the proposed response letter at **Attachment B** for them to meet with Council officers to discuss and resolve the issues raised in the letter.

CONSULTATION PROCESS

In preparing this report, the following parties were consulted:

- Team Coordinator Development & Waste Management and
- Design Team Leader.

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POLICY IMPLICATIONS

Applicants must adhere to the City of Darwin Policy Number 51 – Verges, City of Darwin Policy Number 42 – Outdoor Advertising Signs Code and the City of Darwin Subdivision and Development Design Guidelines.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget and resource implications for Council for this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no legal or legislative risks for Council for this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications that relate to Council for this application.

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.

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

For enquiries, please contact Cindy Robson on 89300528 or email: c.robson@darwin.nt.gov.au.

Attachments:

Attachment A: Masterplan, LUPD2012/0030
Attachment B: City of Darwin, Letter of Response to Development Assessment Services, dated 20/07/2012

Note:

Attachments A Due to the size of the Bagot Road Masterplan and Development Design Guide for No. 213 Dick Ward Drive, Darwin, is provided separately on a USB stick.

ATTACHMENT B

Please quote: 1789927 WS:fh
Your reference: LUPD2012/0030-(Preliminary)

Michael Holmes - Senior Planner
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801

Dear Mr Holmes

Parcel Description: Part Lot 5182, (213) Dick Ward Drive, Town of Darwin
Proposed Development: Consideration of Masterplan for Endorsement Under Zone SD37 (Specific Use Zone Darwin No. 37). LUPD2012/0030 – (Preliminary)

Thank you for the proposed Masterplan referred to this office on 13 June 2012, concerning the above. Council provides the following comments:

Council does not support the Masterplan in its current form

Council invites the applicant and relevant Northern Territory Government authority to discuss and progress Council's concerns, including but not limited to the following:

The proposed Masterplan includes options for the future potential subdivision of the site. As the final subdivision and internal road layout have not been fully resolved, Council's comments are limited only to the level of detail provided in the Masterplan. Council reserves the right to amend these comments when a detailed, formal application is lodged for subdivision and/or development of the subject land.

Traffic

Council is undertaking a review of the Traffic Study submitted with the Masterplan and is unable to provide final comments during the allotted comment period, due to time constraints. Notwithstanding this preliminary review, Council will require that the traffic study is updated to reflect actual subdivision and proposed land uses for the site as part of any future development applications. Council also notes that final approval for the design of the road network and the traffic study will be provided at formal application stage, when full details are provided of internal roads within the subject site.

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The following preliminary comments are provided in relation to traffic matters:

- i). Based on the plans provided, it appears that the proposed access road for Area B intersects Totem Road, opposite the intersection of Durand Court and Totem Road. The proposed intersection is in close proximity with an existing T-intersection and may cause a traffic safety issue. Any proposed intersections should comply with Council's Subdivision and Design Guidelines, to the satisfaction of the General Manager Infrastructure and must be covered within the updated traffic study to be provided for Council approval as part of the development application for the proposed land use on site.
- ii). Council requests that the Consent Authority require the proposed through road, from Totem Road to Area A, be fully constructed to Area A when Area B is developed, in order to adequately disperse traffic and service Area B.
- iii). The Masterplan proposes restricting the Fitzler Drive and Bagot Road intersection to a left-in, left-out only intersection. Any changes that will affect access to the existing residential properties along Fitzler Drive, should be done under consultation with the existing Ludmilla community, the Northern Territory Government and Council.
- iv). Council is concerned about the management and control of possible overflow parking along the surrounding roads, as the result of any onsite car parking shortfall. All car parking required for the proposed uses should be provided on-site.

Council will require a comprehensive Traffic Impact Assessment Report be prepared in accordance with the Austroroads document Guide to Traffic Management Part 12: Traffic Impacts of Developments.

Active Street Interfaces

The indicative site layout appears to have the backs of buildings and service areas facing Dick Ward Drive and Fitzler Drive. Consideration should be given to having some frontages or activation of these streets, particularly Dick Ward Drive. It is not considered a desirable planning outcome to have the rear of buildings facing major roadways within the community.

Fencing

Security fencing is proposed around the site, primarily in the form of a 1.8m high chain mesh fence amongst intensive site landscaping. However, there are also pedestrian entrances proposed along the edges of the site, particularly from Fitzler Drive where there are no vehicular site entrances. The Masterplan is unclear on how the pedestrian entrances interact with the fencing and whether these pedestrian entrances will be gated or otherwise controlled. If gates are to be utilised, operational principles, including when the gates are locked and unlocked and who is responsible for monitoring of the passageways, needs to be addressed.

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Signs

Any proposed signage for the site, including real estate signage, shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

Landscaping

Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin, and all approved works constructed to Council's requirements at the applicant's expense.

Storm Surge

It is noted in the Masterplan that approximately 10% of the site is within the secondary storm surge area.

Development within the secondary storm surge area is restricted in the Northern Territory Planning Scheme under clause 6.14 to such uses as open space, recreation, short stay tourist camping/caravan areas, industrial and commercial uses.

Notwithstanding the above, Council does not support any form of new development within storm surge areas as it has the potential to place people, and property at risk of injury and damage.

Existing residential interface

There are existing residential properties opposite the Masterplan area on Fitzler Drive. Detailed layout plans of the landscaping along Fitzler Drive have not been provided with the Masterplan, therefore it is difficult to determine if the interface between the existing residential area and the proposed land uses will be acceptable. The interface between the development site and the existing residential areas should be designed such that amenity is maintained for existing and future residents. The Fitzler Drive road verge and all other edges of the site should also provide a safe pedestrian and cyclist environment.

These interfaces should be designed to discourage parking along the road verge for uses within the proposed development by supplying sufficient parking on-site.

Airport noise and operations

The Masterplan 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.

Council considers that any development on the site should be undertaken in consultation with the Darwin Airport and other relevant authorities to ensure that the requirements of these authorities are met in regards to this development. Furthermore, copies of the relevant authority approvals/support should be forwarded to Council.

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Engineering Design

Engineering design and specifications for the proposed and affected roads, including street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, streetscaping and landscaping of nature strips shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works constructed to Council requirements at the applicant's expense.

The following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act may be applied to any future Development Applications for the site, as applicable.

- The location, design and specifications for proposed and affected crossovers shall be provided to the satisfaction of the General Manager Infrastructure, City of Darwin and at no cost to Council.
- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into Council's drainage network, and reinstatement works carried out, all to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin and at no cost to Council.
- Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be lined and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Any easements or reserves required for the purposes of stormwater drainage, roads, access for any other purpose shall be made available free of cost to the City of Darwin or neighbouring property owners.
- All developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Waste bin storage and pick up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed works on/over Council property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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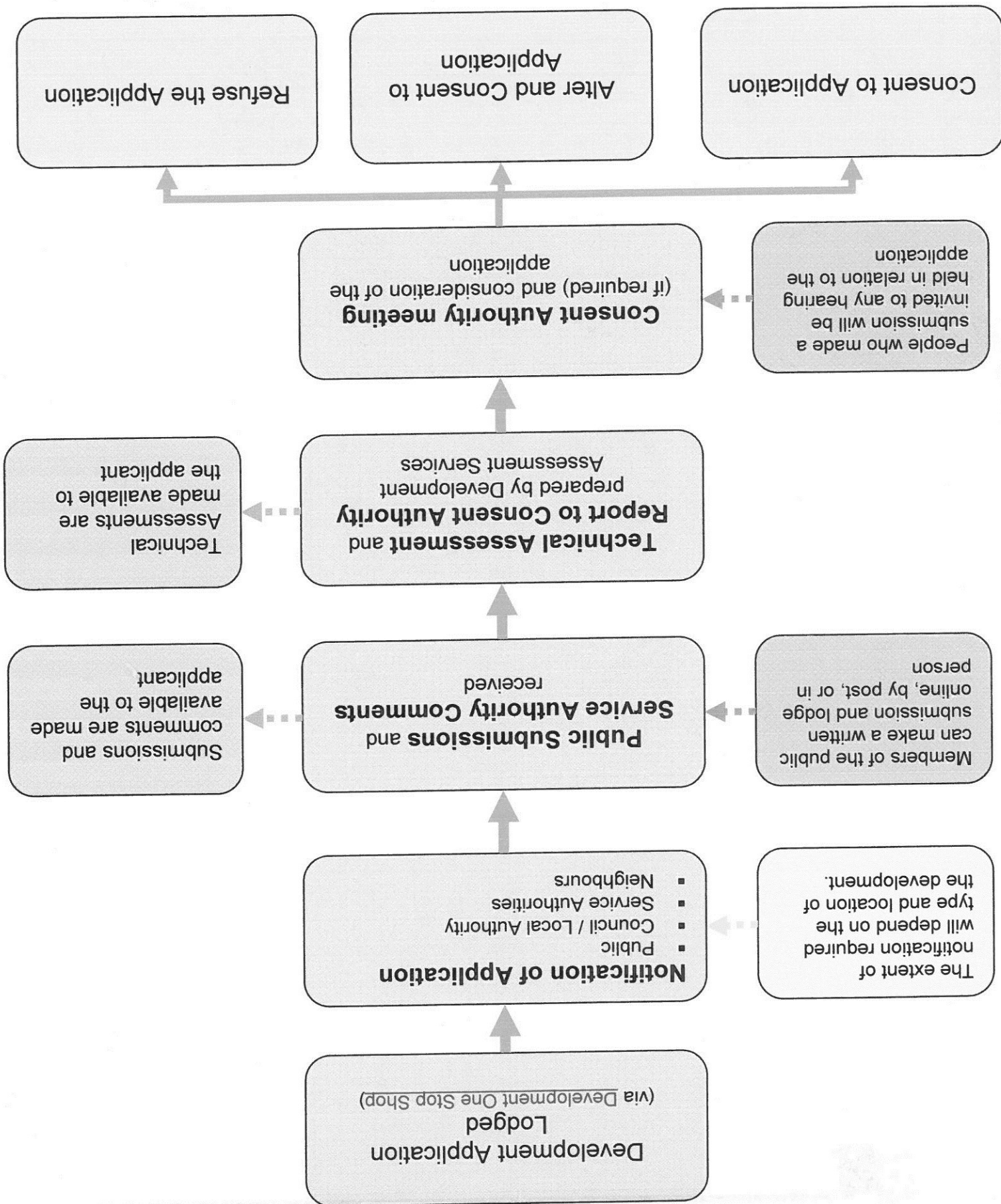
In considering this Masterplan, the applicable Reporting Body is requested to take into account any implications of the Disability Discrimination Act (Cth) or the Anti Discrimination Act (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application please feel free to contact me on 8930 0528.

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

cc: Planit Consulting



Note: An application may be deferred at any stage if further information is considered necessary to enable proper assessment of the proposal

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 184

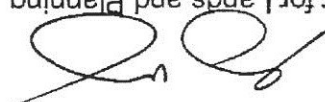
DARWIN LOCALITY

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, under section 28(1) of the *Planning Act*, give notice that –

(a) I have, under section 25(2)(c) of the Act, amended the NT Planning Scheme by rezoning part Lot 5182 Town of Darwin from Zone RD (Restricted Development) to Zone SD37 (Specific Use Zone Darwin No. 37); and

(b) copies of the amendment, (Amendment No. 184), are available from the Offices of the Department of Lands and Planning, Ground Floor, 38 Cavenagh Street, Darwin.

Dated *3rd Dec* 2011


Minister for Lands and Planning

NORTHERN TERRITORY OF AUSTRALIA

**Planning Act
Section 29**

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME

AMENDMENT No. 184

Part Lot 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla) is suitable for certain service commercial and light industrial activities that are not prohibited by SD37 (Specific Use Zone Darwin No. 37).
The proposed SD37 (Specific Use Zone Darwin No. 37) will facilitate land uses that could, subject to appropriate noise attenuation measures, address impacts of aircraft noise, whilst preserving the amenity of the nearby residential area.


GERALD FRANCIS MCCARTHY
Minister for Lands and Planning
3 / 6 / 2011

NORTHERN TERRITORY OF AUSTRALIA

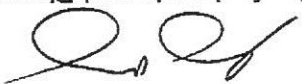
Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, GERALD FRANCIS MCCARTHY the Minister for Lands and Planning, under section 25(2)(c) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated  2011.

Minister for Lands and Planning



SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 184

1. Citation

This amendment to the NT Planning Scheme may be cited as
Amendment No. 184.

2. Definition

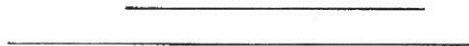
In this amendment –

"amending map" means the map, signed by the Minister for Lands and Planning and marked "NT Planning Scheme Amendment No. 184", deposited in the office of the Department of Lands and Planning, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme.

3. Amendment of Zoning Map

The NT Planning Scheme is amended by amending the zoning map relating to Town of Darwin to the extent of its inconsistency with the amending map in respect of the area of land shown on the amending map bounded by a thick black line and lettered **SD37** which is part Lot 5182, Town of Darwin.



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:

- i. animal boarding;
- ii. car park;
- iii. education establishment;
- iv. home based contracting;
- v. home occupation;
- vi. hostel;
- vii. hotel;
- viii. leisure and recreation;
- ix. licensed club;
- x. medical clinic;
- xi. motel;
- xii. motor body work where located on land adjoining or opposite a residential zone;
- xx. supporting accommodation;
- xxi. transport terminal; and
- xxii. veterinary clinic.

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

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

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- (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 10 metre 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 three metre 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 an eight metre 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.

