

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 3rd June 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.

Part Lot 5182, Dick Ward Drive, Town of Darwin.

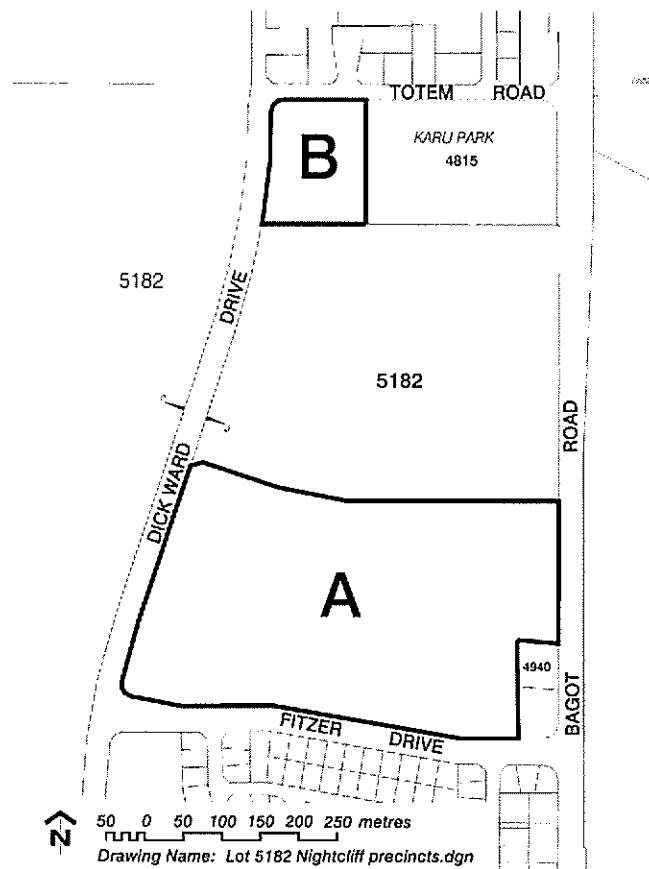
1. The purpose of this zone is to provide for development that:
 - (a) preserves the **amenity** of adjoining residential areas;
 - (b) minimises the negative impacts of being exposed to aircraft noise; and
 - (c) preserves the safety and maintains the curfew free operation of the Darwin International 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;	xiii. motor repair station where located on land adjoining or opposite a residential zone;
ii. car park;	xiv. office except where ancillary to the primary use;
iii. education establishment;	xv. place of worship;
iv. home based contracting;	xvi. passenger terminal;
v. home occupation;	xvii. residential building;
vi. hostel;	xviii. restaurant;
vii. hotel;	xix. service station where located on land adjoining or opposite a residential zone;
viii. leisure and recreation;	xx. supporting accommodation;
ix. licensed club;	xxi. transport terminal; and
x. medical clinic;	xxii. veterinary clinic.
xi. motel;	
xii. motor body work where located on land adjoining or opposite a residential zone;	
 - (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;	ix. office except where ancillary to the primary use;
ii. community centre;	x. place of worship;
iii. education establishment;	xi. passenger terminal;
iv. home 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;	

- (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.



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 June

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