

# **NORTHERN TERRITORY OF AUSTRALIA**

## **PROPOSAL TO AMEND NT PLANNING SCHEME PA2008/0267**

Planit Consulting Pty Ltd has applied to the Minister for Lands and Planning to amend the NT Planning Scheme by rezoning part Lot 5182, Town of Darwin and part Lot 8630, Town of Nightcliff from Zone CN (Conservation) to Zone LI (Light Industrial).

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating to Zone CN (Conservation));
- extracts from the NT Planning Scheme relating to Zone LI (Light Industry);
- a locality map; and
- a copy of the application from Planit Consulting Pty Ltd.

The exhibition period is from Friday 19 February to Friday 19 March 2010.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday, 19 March 2010 and made to:

Nick Thorpe  
Senior Planner  
Strategic Lands Planning  
Department of Planning and Infrastructure  
GPO Box 1680  
DARWIN NT 0801; or

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

Fax: (08) 8999 7189 or

Hand delivered to Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin.

For more information please telephone 8999 3938.

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***

**NOTICE OF EXHIBITION OF PROPOSAL  
TO AMEND NT PLANNING SCHEME  
PA2008/0267**

I, Marj Morrissey, delegate for the Minister for Lands and Planning give notice under section 17 of the *Planning Act* of the following:

- (a) a proposal to amend the NT Planning Scheme, numbered PA2008/0267 as referred to in (e), is to be exhibited under Division 3 of Part 2 of the Act;
- (b) the amendment is to be exhibited at the following location:  
  
Offices of the Department Lands and Planning  
Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin
- (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 in respect of this exhibition should be made to:

Nick Thorpe  
Senior Planner  
Strategic Lands Planning  
Department of Lands and Planning  
GPO Box 1680  
DARWIN NT 0801 or

Fax: (08) 8999 7189 or

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

- (e) the proposed amendment is to the NT Planning Scheme, to rezone part Lot 5182, Town of Darwin and part Lot 8630, Town of Nightcliff on Dick Ward Drive from Zone CN (Conservation) to Zone LI (Light Industry) to facilitate the development of a light industrial precinct.

Dated

15 February

2010.

Marj Morrissey  
Delegate for the Minister for Lands and Planning

## 5.22 ZONE CN - CONSERVATION

1. The primary purpose of Zone CN is to conserve and protect the flora, fauna and character of natural areas.
2. Development is to be sensitive to the natural features and habitats of the zone and be so sited and operated as to have minimal impact on the environment.

**Demountable structures** require consent.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 6.9 controls the use and development of land within the ANEF 20 unit value contour adjacent to airports.

Clause 6.14 refers to land subject to inundation.

Clause 7.10.2 refers to **caravans**.

Clause 10.2 refers to the **clearing of native vegetation**.

Clause 13.5 refers to the erection of mobile telecommunication structures.

ZONING TABLE – ZONE CN

abattoir	x	
agriculture	x	
animal boarding	x	
bed and breakfast accommodation	x	
business sign	P	6.7
caravan park	x	
caretaker's residence	D	6.1, 6.5.1, 7.3, 7.10.3
car park	x	
child care centre	x	
community centre	x	
dependant unit	x	
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	x	
intensive animal husbandry	x	
leisure and recreation	x	
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	x	
place of worship	x	
plant nursery	x	
promotion sign	x	
recycling depot	x	
restaurant	D	6.1, 6.5.1, 6.6, 10.2
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	D	6.1, 6.5.1, 6.6, 8.1.1, 10.2
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

P = Permitted      D = Discretionary      x = Prohibited

## 5.11 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.
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.

**Demountable structures** require consent.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 6.14 refers to land subject to inundation.

Clause 7.10.2 refers to **caravans**.

Clause 9.1.1 describes standards for industrial developments.

Clause 11.1.1 refers to subdivision lot sizes in this zone and clauses 11.3.1 to 11.3.3 to subdivision design.

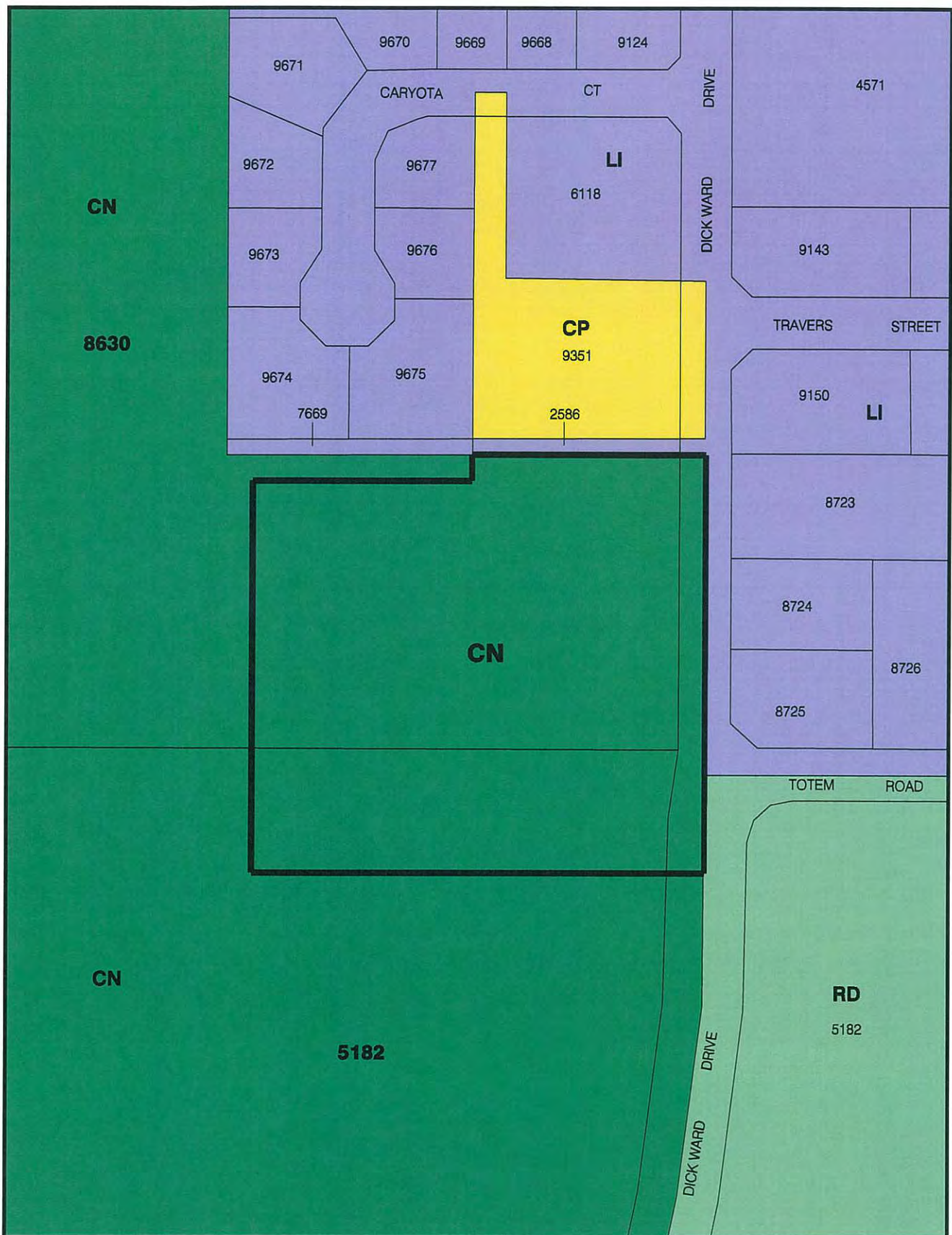
Clause 13.5 refers to the erection of mobile telecommunication structures.

ZONING TABLE – ZONE LI

abattoir	x	
agriculture	x	
animal boarding	D	6.1, 6.5.1, 9.1.1, 10.1
bed and breakfast accommodation	x	
business sign	P	6.7
caravan park	x	
caretaker's residence	P	6.1, 6.5.1, 7.3, 7.10.3
car park	P	6.1, 6.5.3, 9.1.1
child care centre	x	
community centre	D	6.1, 6.5.1, 9.1.1
dependant unit	x	
domestic livestock	x	
education establishment	D	6.1, 6.5.1, 9.1.1
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	D	6.1, 6.5.1, 6.6, 9.1.1
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.5.1, 9.1.1
licensed club	D	6.1, 6.5.1, 6.6, 9.1.1
light industry	P	6.1, 6.5.1, 6.6, 9.1.1
medical clinic	P	6.1, 6.5.1, 9.1.1
medical consulting rooms	x	
motel	x	
motor body works	P	6.1, 6.5.1, 9.1.1
motor repair station	P	6.1, 6.5.1, 9.1.1
multiple dwellings	x	
office	D	6.1, 6.5.1, 6.6, 9.1.1
passenger terminal	D	6.1, 6.5.1, 9.1.1
place of worship	D	6.1, 6.5.1, 9.1.1
plant nursery	P	6.1, 6.5.1, 9.1.1
promotion sign	D	6.7
recycling depot	D	6.1, 6.5.1, 9.1.1
restaurant	D	6.1, 6.5.1, 6.6, 9.1.1
retail agricultural stall	x	
rural industry	D	6.1, 6.5.1, 9.1.1
service station	D	6.1, 6.5.1, 8.1.4, 9.1.1
shop	D	6.1, 6.5.1, 6.6, 8.1.1, 9.1.1
showroom sales	P	6.1, 6.5.1, 6.6, 9.1.1
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	P	6.1, 6.5.1, 6.6, 9.1.1
vehicle sales and hire	P	6.1, 6.5.1, 9.1.1
veterinary clinic	D	6.1, 6.5.1, 9.1.1
warehouse	P	6.1, 6.5.1, 6.6, 9.1.1

P = Permitted D = Discretionary x = Prohibited





**NT PLANNING SCHEME - EXISTING ZONING**  
**PART LOTS 5182, TOWN OF DARWIN &**  
**6830, TOWN OF NIGHTCLIFF,**  
**DICKWARD DRIVE, LUDMILLA AND COCONUT GROVE**



**Northern  
Territory  
Government**

Department of Planning & Infrastructure

0 20 40 60 80 100m

Scale 1: 2000 @ A4



Date: 6/11/2009

Drawing Name: z/Drafting/Darwin/PSA\_Part Lots 5182\_Darwin & 6830\_Nightcliff.dgn







20<sup>th</sup> October 2009

The Chief Executive Officer  
Dept Planning & Infrastructure  
Northern Territory Government  
GPO Box 1680  
DARWIN NT 0801

Attention: Mr. Richard Day

TRIM REGISTERED	
Date	22/10/09 INT: E.H.
TRIM DOC:	DDP12009/200120369
TRIM FILE:	

Application to Amend Planning Scheme – Part Lot 5182 Dick Ward Drive, Darwin

Dear Sir,

We refer to the above and the application seeking rezoning of the land submitted in February 2008. We also refer to our recent meeting and wish to hereby amend our application as follows:-

1. Delete the westernmost separated portion of the rezoning proposal from the request to the department (consistent with Department advices). This leaves only that lease area immediately adjacent to the existing Light Industrial area fronting Dick Ward Drive adjacent to the eastern property boundary.

We have discussed the constraints relative to the site in our rezoning submission and acknowledge that the site is affected by storm surge as mapped. In this regards we note that the area in question is small and contiguous with existing developed areas (inclusive of the opposite side of Dick Ward Drive) and will not have any noticeable impact upon storm surge behaviour in the event that the site is filled and developed.

Please note that we have also amended the concept diagram submitted with the proposal such that it more accurately reflects the submitted traffic assessment (see attached copy).

We trust that the proposal will soon be advertised and to this end, we advise that we are in Darwin for the latter half of next week (28<sup>th</sup>, 29<sup>th</sup> & 30<sup>th</sup> October) should you wished to meet and discuss any concerns or other relevant matters.

If you have any questions relating to the proposal, please don't hesitate to contact our office on 02 6674 5001.

Yours Sincerely

Adam Smith  
Director  
Planit Consulting Pty Ltd

Enc.

**NEW SOUTH WALES**

Kingscliff  
PO Box 1623, Kingscliff NSW 2487  
Level 2, Kingscliff Central, 11-13 Pearl Street, Kingscliff  
Telephone: (02) 6674 5001  
Facsimile: (02) 6674 5003  
E-mail: [info@planitconsulting.com.au](mailto:info@planitconsulting.com.au)

**QUEENSLAND**

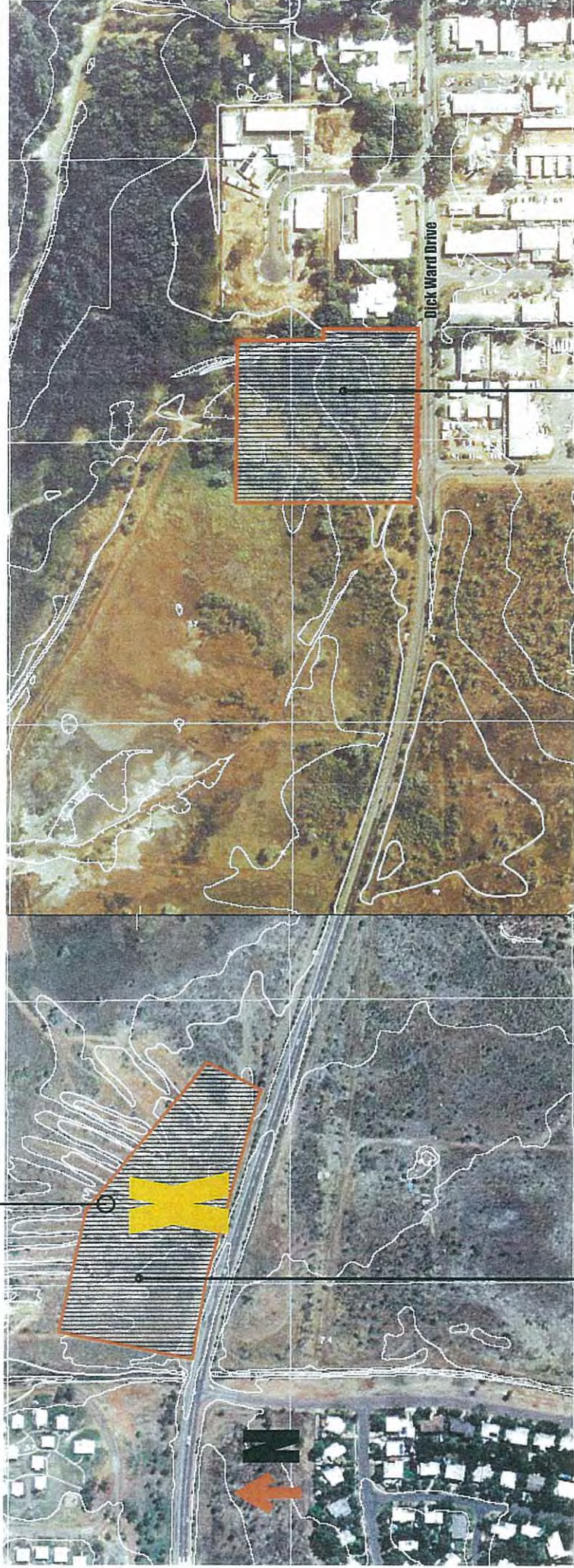
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**NORTHERN TERRITORY**

Darwin  
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ABN 20 099 261 711



— This land no longer part of the submitted rezoning proposal



Proposed Rezoning Parcels - Dick Ward Drive, Darwin

**PROPOSED INDUSTRIAL REZONING PLAN**

PROJECT: DICKWARD DRIVE NIGHTCLIFF - DARWIN

CLIENT: GWALWA DRANIKI

REF:

DATE: FEBRUARY 2008

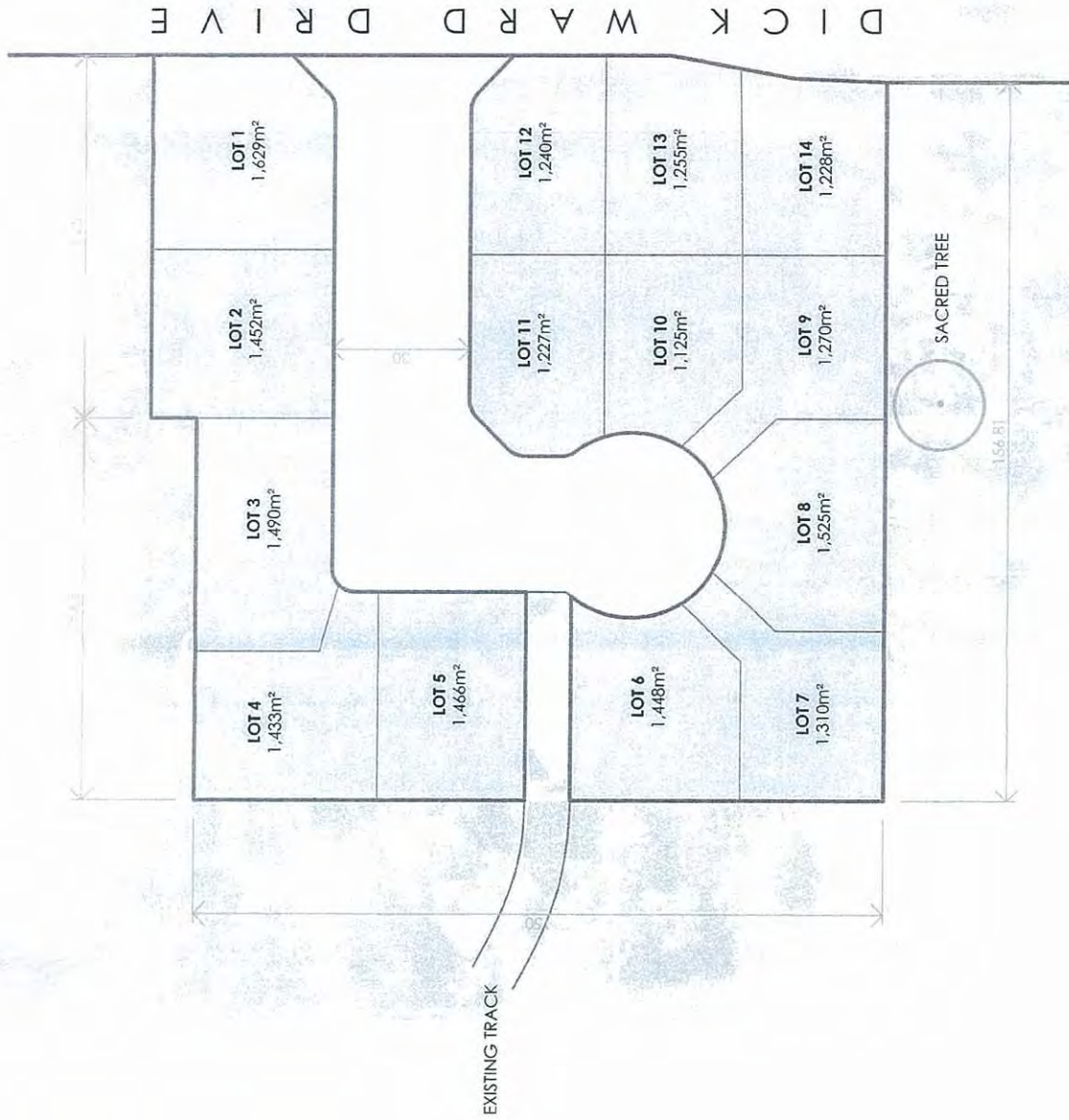


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LOCATION MAP



# PROPOSED INDUSTRIAL REZONING PLAN

CLIENT: ARNHEM ESTATES PTY LTD

DICK WARD DRIVE NIGHTCLIFF - DARWIN

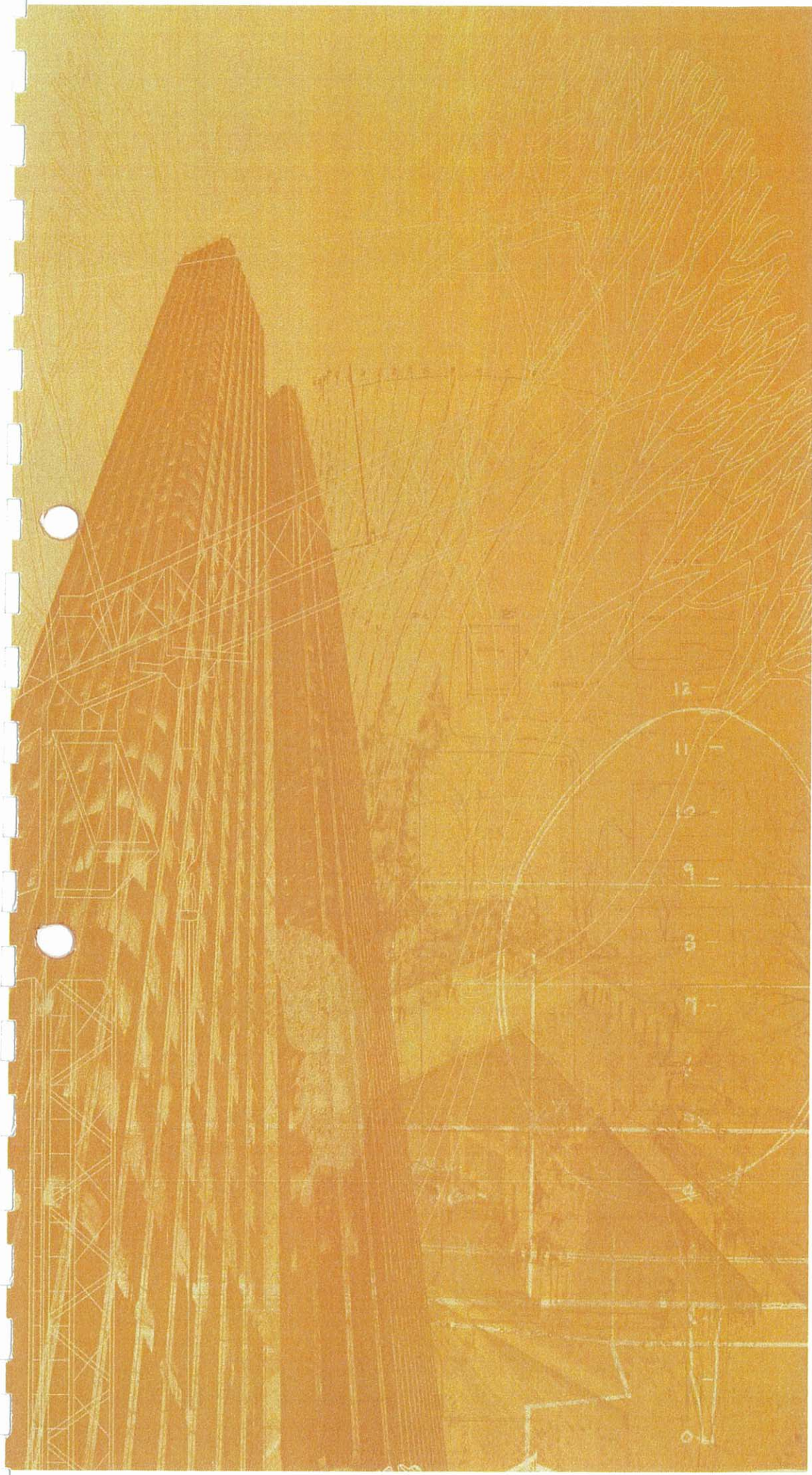
DATE: AUGUST 2009





# Amendment to the Northern Territory Planning Scheme

Rezoning Submission on behalf of the Gwoldwa Darruk Association



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SUBMISSION SEEKING AMENDMENT TO PLANNING SCHEME  
Part Lot 5182, Dick Ward Drive, Darwin  
February 2008

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

		Date
Author	LN	04/07/07
Reviewer	AS & LN	06/02/08

Amendments

✉ PO Box 1623 Kingscliff NSW 2487  
☎ Phone: 02 66745001  
☎ Fax: 02 66745003  
✉ [info@planitconsulting.com.au](mailto:info@planitconsulting.com.au)

New South Wales – Queensland – Australia



## Section **R1**

### **Copyright & Usage Note**

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The content of this report was prepared for the exclusive use of the proponent for the purposes of seeking the concurrence of the Northern Territory Planning Authority to carry out amendments to the Darwin Planning Scheme and is not to be used for any other purpose or any other person or corporation.

Planit Consulting Pty Ltd accepts no responsibility for any loss or damage suffered arising to any person or corporation who may use or rely upon this document.

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Planit Consulting Pty Ltd declares that it is bound by the ethical obligations of the Planning Institute of Australia and does not have, nor expect to have, a beneficial interest in the subject project.

**PLANIT CONSULTING PTY LTD<sup>®</sup>**

## Section **R2**

# General Introduction

### 2.1 BRIEF

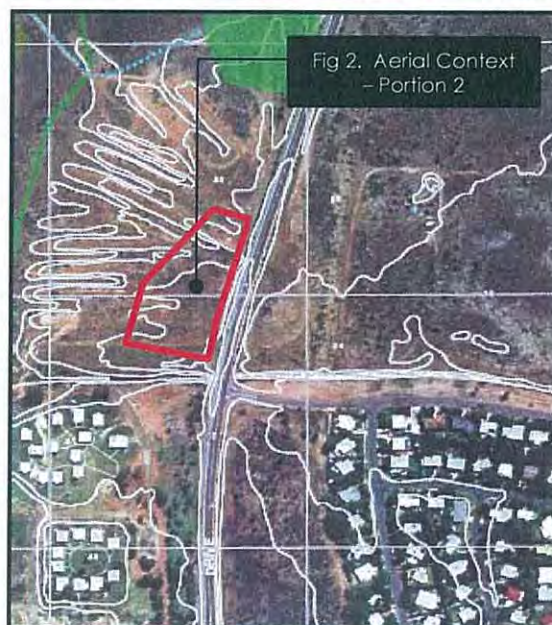
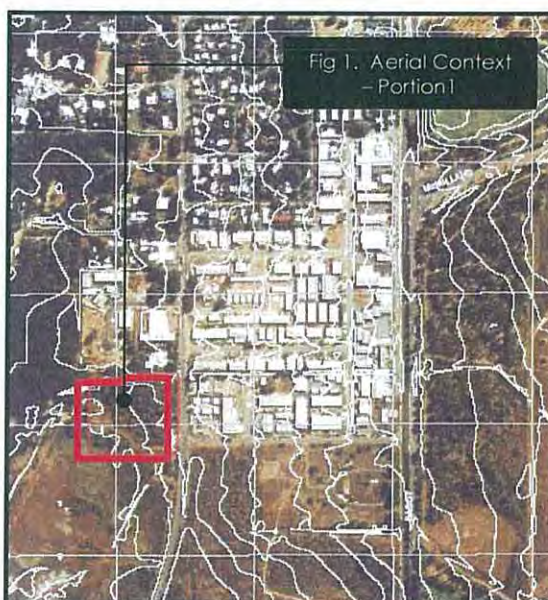
Planit Consulting has been engaged by the Gwalwa Daraniki Association Pty Ltd to prepare an application to amend the Northern Territory Planning Scheme in accord with the provisions of Division 2 of the Northern Territory Planning Act (as amended September 2005).

### 2.2 THE SUBJECT SITE

The property subject to this application is legally described as Lot 5182 on Perpetual Lease No. 671, Dick Ward Drive, Darwin.

The proposal incorporates two (2) spatially separated portions of Lot 5182. The portions provide a total surface area of approximately 75034m<sup>2</sup>, with each provided direct frontage to Dick Ward Drive.

The site is located approximately 8km to the north east of the Darwin CBD between the edge of the suburban locality of Coconut Grove (see Figure 1) and edge of the urban locality of Baggot (see figure 2).





It is noted, due to the similar characteristics in terms of regulatory controls, site opportunities and constraints; and the general context of the location, the portions have been treated as a single site for the purposes of this application.

### 2.3 OWNERSHIP

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

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

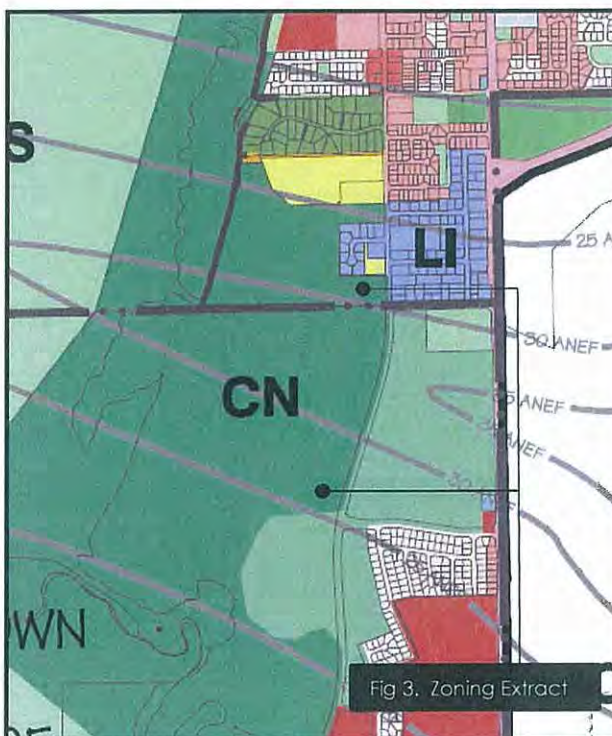
Authorisation to submit this application has been provided in accord with the requirements of the Act.

### 2.4 CURRENT & PROPOSED ZONING

The site is currently zoned CN (Conservation) pursuant to the Northern Territory Planning Scheme 2006. An excerpt of the existing zoning is shown within figure 3.

The current CN zoning is directly related to the sites proximity to the adjoining foreshore riparian corridor to the west and not directly related to any stand alone natural or conservation significance.

It is proposed as part of this rezoning submission that the zoning of the site be changed to LI light industry.



### 2.5 PRE-SUBMISSION CONSULTATION & COMMENTS

Consultation has been carried out with the following individuals / authorities within the preparation of this submission:-

- a. NT Planning Authority Officers





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### c. Network Planning Services (Traffic)

It is expected that this proposal will be forwarded to the relevant representatives for further and formal comment.

Within these discussions, the following key issues (with associated comments) were identified.

#### i. Aircraft Noise & Airport Operational Conflicts

**comment:** The current zoning attempts to be reflective of the existing ANEF contour lines implemented by the Darwin International Airport.

The Airport has recently undertaken a new masterplan that is reflective of technological advances in aircraft manufacture and noise management. In this respect, the fundamental basis of this submission is that the noise restrictions underpinning the current land use zonings are unreasonable and unduly sterilise the use of the subject sites.

The new ANEF lines have been reflected in the recently completed NT Planning Scheme.

Further comment in this regard is made within the body of this submission.

#### ii. Traffic management

**comment:** The subject site represent relatively small parcels of urban fringe land. The site enjoys easy access to Dick Ward Drive; however the ability to enter and exit the site requires careful consideration. In this regard detailed assessment of traffic management measures has been undertaken and is attached for review. This assessment factors in future development scenarios and provides guidance to suggested management measures that the proponent would be required to implement in the event of future development proposals.

#### iii. Vegetation Clearing

**comment:** The site possesses a fragmented and disturbed vegetation cover. The entrance to the existing Gwalwa Daraniki operations and the use of the land for a variety of purposes has resulted in the site possessing vegetation predominantly consisting of introduced species and invasive weeds. Very little of the site comprises native species.

## 2.6 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 on the given contact numbers:-

✉ PO Box 1623 Kingscliff NSW 2487  
☎ Phone: 02 66745001  
☎ Fax: 02 66745003  
✉ [info@planitconsulting.com.au](mailto:info@planitconsulting.com.au)

✉ PO Box 206 Nobbys Beach QLD 4218  
☎ Phone: 07 55261500  
☎ Fax: 07 55261502  
✉ [admin@planitconsulting.com.au](mailto:admin@planitconsulting.com.au)

## 2.7 INFORMATION PROVIDED

Accompanying this application is a number of documents aimed at informing those charged with assessment of the submission with a clear and informed view of the development concept proposed. In particular, considered detail has been provided in relation to the following:-

1. Rezoning Plan
2. Traffic Analysis
3. Planning Assessment

Further detail pertaining to this submission is provided within the following sections.

Section **R3**

## **ESD Principles & Commitments**

The fundamental objectives to be sought by this submission have been arrived at with reference to ESD principles. In particular, the following has been considered within the evolution of this rezoning submission.

### **PRECAUTIONARY PRINCIPLE**

The *Protection of the Environment Administration Act, 1991*, defines the precautionary principle as follows:-

*'if there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation'*

In this regard, the predicted impacts are relatively minor and can be suitably mitigated as detailed in the body of this submission.

### **INTER-GENERATIONAL EQUITY**

Inter-generational equity requires that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for benefit of future generations.

The proposed land use designations are considered to be consistent with the promotion of inter-generational equity by enhancing and ensuring the provision of services and facilities commensurate with community needs and vitality.

### **CONSERVATION OF BIOLOGICAL DIVERSITY AND MAINTENANCE OF ECOLOGICAL INTEGRITY**

Biological diversity refers to the diversity of genes, species, populations, communities and ecosystems and the linkages between them. Maintenance of a biological diversity will ensure life support functions and is considered to be a minimal requirement for inter-generational equity.

The impact of the proposal has been considered at this rezoning stage.

Section **R4**

## Land Use Concept & Zoning Designation

### 4.1 INTRODUCTORY DESCRIPTION

This submission seeks to provide the fundamental planning basis under the NT Planning Act to facilitate the reasonable development of the land in accord with the attached rezoning plan. In particular, the site has been identified as suitable for the purposes of light industry uses.

The proposal seeks to establish a LI Light Industry zoning over the subject site. Conceptual rezoning plans identifying indicative internal road layouts have been prepared. It is however very important to note that the internal layout concept presented has been prepared largely to model traffic impacts and to assist in understanding the viability of the site as opposed to indicating a potential development configuration.

The conceptual plans and the rezoning submission as a whole has been prepared in the context of the following:-

- a. Identifying and managing existing environmental constraints;
- b. Identifying and managing existing serviceability constraints, inclusive of traffic and essential infrastructure components;
- c. Siting light industry development where accessibility is high and in proximity to existing and proposed traffic management measures;
- d. Identifying and addressing commercial viability and maintaining the viability of existing light industrial operations within the service catchment;
- e. Identifying and addressing the statutory planning objectives relative to the sites;
- f. Identifying and addressing the alternative uses of the subject lands; and
- g. Identifying and addressing the 'triple bottom line' viability of sustainable opportunities.





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SUBMISSION SEEKING AMENDMENT TO PLANNING SCHEME  
Part Lot 5182, Dick Ward Drive, Darwin  
February 2008

The Gwalwa Daraniki association, in accord with discussions regarding the tenure of the land and the future allocation of profits resulting from ventures such as this, will coordinate an independent committee which will manage all proceeds in the form of a trust. The proponent would be happy to discuss this in depth with the department should it wish to gain further information in this regard.

Further detail relating to the rationale underpinning this submission is contained within Section 6.0.

Appendix A to this submission contains graphical representation of an indicative zoning and internal road layouts for the purposes of this rezoning submission.

✉ PO Box 1623 Kingscliff NSW 2487  
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New South Wales – Queensland – Australia

## Section **R5**

# Site Details & Constraints

### 5.1 THE SUBJECT SITE

The property subject to this application is legally described as Lot 5182 in Crown Perpetual Lease No.671. The registered leasee of this land is the Gwalwa Daraniki Association.

The proposal incorporates two (2) spatially separated portions of lot 5182. The portions comprise a total area of approximately 75034m<sup>2</sup>. Due to the portions containing similar characteristics in terms of regulatory controls, site opportunities and constraints; and the general context of the location, the portions have been treated as a single site for the purpose of this application.

The site is bound by Dick Ward Drive to the east; and conservation area to the west and south. While to the north, the site adjoins existing light industry, community purpose and conservation zoned lands.

The site is contained within the 25 & 30 ANEF lines associated with the Darwin International Airport. Additionally, the site currently contains limited or fragmented vegetation cover consisting mainly of scrub regrowth and invasive weeds.

### 5.2 THE SITES & SURROUNDS

The site is broadly bound to the west by additional land under the control of the Gwalwa Daraniki Association; to the east by lands under the control of the Gwalwa Daraniki Association (between Bagot Road and Dick Ward Drive), the Darwin International Airport and Golf Course; to the north by existing industrial and residential lands; and to the south by vacant leasehold land and existing freehold residential allotments in the vicinity of Fitzler Drive. Fig. 4 depicts the site in the wider context.

Dick Ward Drive (Council controlled) is a significant road and provides direct access from the Darwin CBD to the northern suburbs, airport and surrounding commercial facilities. Accordingly, there is at least some form of commercial rationale behind the use of the site for higher order development.



Fig 4. The Subject Sites

Of note, the immediate surrounding area (to the south) is serviced by way of large portion of vacant leasehold land under the management of the Gwalwa Daraniki Association. Also to the south is an existing restricted development zoned land located between Bagot Road and Dick Ward Drive. This land is the subject of a current rezoning proposal and is also under the management of the Gwalwa Daraniki Association.

Development directly adjoining to the north and east of the site are overwhelmingly characterised by existing light industry, service commercial development and limited residential uses. This existing light industry and commercial uses are consistent with the constraints imposed by the neighbouring airport development.

Adjacent to the south east of the site is an existing golf course and new retail and commercial development associated with the Darwin International Airport. This development includes the new 'Bunnings' development, which has been established concurrent with improved

traffic management measures as identified within the attached traffic impact assessment.

The staged commercial redevelopment of significant portions of Airport land has commenced. With reference to the Darwin International Airport Masterplan, this development has been split into 3 precincts, as follows:-

- The **Bagot Road Totem Road Development Precinct** which includes a land area of approximately 35 hectares and borders Bagot and McMillan Roads. This precinct can be developed in isolation and will target commercial business's, warehouse and show-room style accommodation and retail uses.
- The **McMillan's/Charles Eaton Drive Precinct** which includes an area of approximately 21 hectares and will be developed to incorporate restaurants, medical suites and childcare facilities as well as retail and other commercial business uses.
- The **Airport Terminal Precinct** which includes an area of approximately 44 hectares and will be developed to include the hotel/resort development, a high-technology park and terminal and business parking. These development precincts will all be linked via a single spine road with its main entry and exist at the Bagot and Totem Road intersections. This road will provide direct internal access to the airport's development land and its terminal precinct and will allow airport users direct and convenient access to and from the airport. It is believed this will further enhance the value and development potential of the airport land.

It is noted that a large portion of the development precincts identified above is contained within the 25 to 30 ANEF lines pursuant to the 2024 forecast. The latter providing further demonstrated evidence that some forms of complimentary development can occur in such areas.

### 5.3 PHYSICAL CHARACTERISTICS

The site is largely unencumbered by physical constraints. **In this regard the site provides for a relatively low slope of less than 2.5%** and no substantial environmental or physical characteristics that would preclude the development of the land. Investigations in relation to the land have been carried out and in this regard have confirmed the suitability of the site. In particular, the site has been assessed in terms of and in the context of the following:-

- a. Drainage;
- b. Groundwater;
- c. Fire Danger;
- d. Soils;
- e. Vegetation;
- f. Storm Surge; and
- g. Water Logging



### 5.3.1 Soils Landscape

The subject land comprises red and yellow massive earths common in the Darwin area. The 'site' is generally well drained, with the exception of some smaller areas to the west, where drainage is compromised by Dick Ward Drive. This characterisation is common to each of the precincts described earlier in this submission.

### 5.3.2 Fauna & Flora

The site contains limited scrub regrowth dominated by commonly distributed species and invasive weeds.

### 5.3.3 Drainage and Groundwater

The site is higher than surrounding lands as demonstrated by the provision of the existing access path through the Aboriginal Crab Farm venture and the prevailing drainage patterns. The excerpt provided to the right shows existing site contours and demonstrates that a small portion of the northern boundary drains the site and evidently some of the drainage from the opposite side of Dick Ward Drive through to the west.

This small drainage line does not provide for any imposition on the remainder of the allotment, which when compared with the surrounding areas is relatively high. Some concern was raised by departmental offices that the site possesses a conservation zoning due to



Fig 5. - Subject Site Nb. Existing drainage line





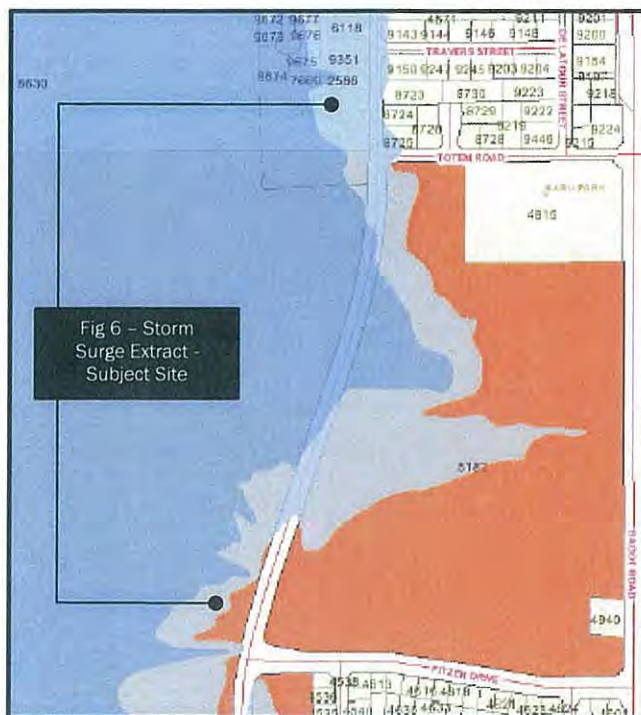
the presence of marine vegetation i.e. mangroves. However, in this regard, the site is too elevated and does not by way of review of existing vegetation, possess any such characteristics.

### 5.3.4 Fire Danger

For large parts of the year the site presents as a dry and fire prone area of regrowth. The development of the site for the purposes identified would address both the risk and unsightly nature of the property.

### 5.3.5 Storm Surge

The subject portion of Lot 5182 is identified as partial located within both the primary and secondary storm surge areas, refer fig 6.



### 5.3.6 Water Logging

The subject site is indicated as Class 1 – Nil to low levels of water logging. An extract is provided right from the Department of Planning and Infrastructure water logging maps. This broad mapping does not recognise that the site is elevated above surrounding parcels and does not provide any evidence of wet soils or water logging, refer fig 7.





#### 5.4 TRAFFIC & ACCESS

The subject site directly adjoins Dick Ward Drive and is in close proximity to the following roads:

- Bagot Road;
- Totem Road;
- Fitzer Drive.

Bagot Road is a major arterial road providing for through travel between the Stuart Highway to the south and the northern suburbs of Darwin including the Darwin Airport. Recent traffic counts indicate that Bagot Road currently carries in the order of 35,000 vehicles per day.

Bagot Road is generally a six lane divided road with major intersections controlled by traffic signals or grade separated ramps, however, there are some priority controlled intersections located in the vicinity of the site including the Fitzer Drive intersection.

Dick Ward Drive functions as a two lane Sub-Arterial road and provides for north-south travel between Coconut Grove and Fannie Bay. Recent traffic counts indicate that Dick Ward Drive currently carries in the order of 10,000 vehicles per day. It is a two lane undivided road with a 70km/h speed limit.

Intersections are generally priority controlled with Austroads Type C style turning treatments. Fitzer Drive is located at the southern end of the proposed commercial / light industrial precinct. It extends between Bagot Road and Dick Ward Drive and functions as a Residential Collector Road. Recent traffic counts indicate that Fitzer Drive currently carries in the order of 4,000 vehicles per day.

All movements are allowed at the Bagot Road / Fitzer Drive intersection. To the north of the site, Totem Road extends between Bagot Road and Dick Ward Drive. It carries in the order of 5,000 vehicles per day, and functions as an Industrial Collector Road. Its intersection with Dick Ward Drive is a priority T junction, with a dedicated right turning lane provided for traffic turning right into Totem Road. The Bagot Road / Totem Road intersection is controlled by traffic signals, with a 'seagull' style treatment provided for southbound traffic.

Images of existing road conditions in the vicinity of the subject site are shown in Figure 4.2. Road Network Performance Dick Ward Drive currently operates at approximately Level of Service B. Priority intersections are generally performing satisfactorily; however, the Totem Road intersection experiences isolated levels of congestion during the afternoon peak period.



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The Dick Ward Drive / Fitzner Drive intersection appears to operate satisfactorily during each peak period with queue lengths rarely exceeding three vehicles. The Bagot Road / Totem Road intersection also appears to be operating satisfactorily during peak periods, with queue lengths on Totem Road reaching a maximum of 10 vehicle lengths during the afternoon peak period.

### **Public Transport**

Public bus services currently use Dick Ward Drive. Bus stops are located in the vicinity of the residential neighborhood at the southern end of the subject site.

### **Road Planning**

The Department of Infrastructure and Planning has recently approved an application for a Bunning's Warehouse to be located on the eastern side of the Bagot Road / Totem Road intersection.

A proposed new road connection extending from the Totem Road signals will service the Bunning's development. This road will ultimately be extended to service future industrial development to the north east. The road will also provide an indirect access to the Darwin Airport. As part of the Bunning's project, the Bagot Road / Totem Road intersection is planned to be upgraded as shown within the attached Traffic assessment.

### **Projected Future Traffic Conditions**

It is estimated that future traffic growth will occur at a rate of approximately 3% per annum. Consequently, it is estimated that Bagot Road will carry in the order of 47,000 vehicles per day by the year 2017, and Dick Ward Drive will carry in the order of 14,000 vehicles per day by the year 2017.

## **5.5 CULTURAL HERITAGE**

The site provides for the access to the existing Crab Farm and aboriginal land to the west of the site. This access can be at all times maintained as demonstrated in the attached development concept. The site is also in close proximity to an existing sacred tree which will be protected from impact by way of physical separation. The Gwalwa Daraniki are the proponents of this rezoning and as such are cognisant of the need to preserve these surrounding assets.

## **5.6 PROXIMITY TO LOCAL SERVICES**

The site is well located in proximity to existing services and also to compliment existing light industrial areas subsequent to development. No constraints are evident in this regard.

The site is suitably located to the airport and arterial transport routes so as to enable future industrial needs.

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## **The Proposal and its Context**

### **6.1 BACKGROUND & DISCUSSION**

#### **6.1.1 Introduction**

The subject site has been the subject of extensive commercial interest for a number of years. In this regard, the proximity of the site to higher order transport links, its relatively unconstrained nature, the changing planning and land use context, increased airport usage and the increasing population and demand for industrial services have added considerable weight to this interest.

Of significant importance is the improved technology associated with aircraft and the acknowledged improvements associated with ANEF reduction within the immediate local context.

The continuation of the Conservation zoning designation for the land is unjustified, thereby warranting replacement.

#### **6.1.2 Economic Justification**

Darwin is booming and demand for industrial land within close proximity to services and infrastructure is extremely high. This fact is indisputable.

The Gross State Product (GSP) of the Northern Territory has grown from \$7364m in 1995-96 to \$10418m in 2004-05, with industry sectors contributing \$9865m (95%) of this total. In 2004-05, the Territory economy grew by 3.6%, well above the national average of 2.3%.

The development of major projects has resulted in continued strengthening of the Northern Territory economy, whilst investment by private businesses remains at historically high levels. Stronger population growth has supported increased residential construction activity, with a 25.9% rise in housing investment.

Economic forecasts for the next five years predict higher than the national average growth rates for the Territory, with an average GSP growth of 4.4% per annum forecast to 2009-10. This can only be complimented by





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the Darwin Waterfront development and the continued mining and energy sector projects underway and planned for the local area.

In the medium to longer term, development of off-shore oil and gas reserves have the potential to further drive investment and economic activity in the Territory. Future mining-related opportunities also exist in uranium, lead, zinc, silver, bauxite, gold and manganese.

**Perhaps the most significant feature of this proposal is the integration of the Gwalwa Daraniki into the development of the proposal, which will see the further enhancement of the Association's self sustainability, particularly as it relates to meaningful employment. The profits associated with the use of the land may best be managed by way of a suitably formed trust, which could oversee the use of any monies generated so as to ensure that they are not wasted or indeed lost to unsuitable ventures.**

**In its current state, the land is incapable of any direct or indirect employment generation.**

## 6.2 THE PROPOSAL

As stated previously, this submission seeks to rezone the site to LI light industry to put in place the framework to allow for the medium term industrial development of the subject area. This proposal, in a wider context, seeks to confirm the significance of the site in not only providing additional industrial land but also in providing it in a consolidated manner with that of existing light industrial uses within the locality.

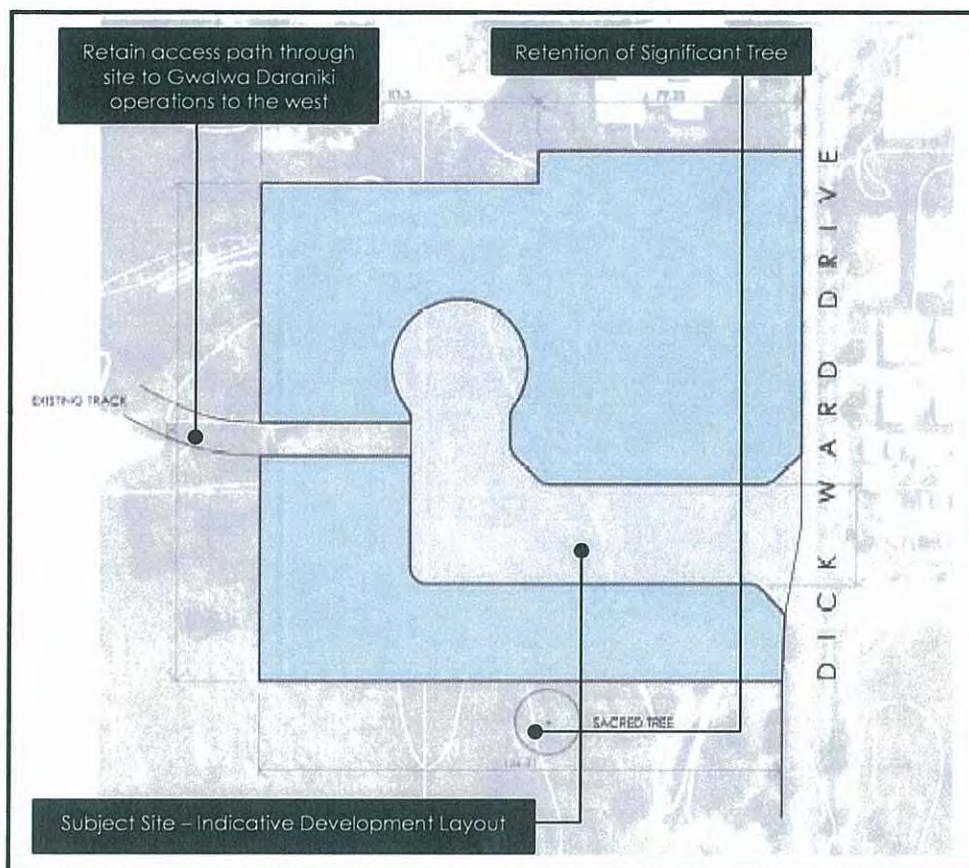
The proposal, as referenced within the attached plans, incorporates the rezoning of the site from CN Conservation to LI light industry. It is pertinent to note that the internal roadway layout concept identified is indeed conceptual and does not reflect development intent by the proponent. An extract is provided below:-

*Continues next page.....*



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Section **R7**

## Statutory Context & Considerations

A thorough review of the following documents has underpinned and framed the contents of this submission. In particular, the following documents have been referred to:-

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

A detailed analysis of the proposal has been undertaken in relation to the documents identified above.

This analysis is central to the justification for the rezoning of the land and provides for the following:

### **7.1 The Land Use objectives for Land in the Vicinity of the Darwin Airport**

The document referred to above 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:-

*Continues next page.....*



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## 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.*

**Comment: The proposed rezoning is entirely consistent with the ANEF lines contained within the recently released Darwin International Airport Master Plan.**

## 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 proposed rezoning is entirely consistent with the ANEF lines contained within the recently released Darwin International Airport Master Plan. The current zoning was implemented prior to the release of updated ANEF noise contour lines.**

## 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 is entirely consistent with the ANEF lines contained within the recently released Darwin International Airport Master Plan. The current zoning was implemented prior to the release of updated ANEF noise contour lines.**

## 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, given that rezoning only is requested. 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: The proposed attached land use concept plan does not incorporate any uses that will pose direct conflict with the airports operations. Development consent will need to be sought at which time further more detailed assessment of this matter can be undertaken.**

The proposal is considered to be entirely consistent with the requirements of the Land Use Objectives for Land in the Vicinity of Darwin Airport.

## 7.2 NORTHERN TERRITORY PLANNING SCHEME 2006 & DARWIN INTERNATIONAL AIRPORT MASTER PLAN

It is proposed to rezone the site from CN conservation to LI light industry. Looking at the current zoning of CN conservation the purpose and intent of this zone is as follows:-

1. The primary purpose of zone CN is to conserve and protect the flora, fauna and character of natural areas.
2. Development is to be sensitive to the natural features and habitats of the zone and be so sited and operated as to have minimal impact on the environment.

Clearly, the objectives of the current zoning are related to preserving natural amenity and conserving natural assets. The need to maintain such properties when they exist is acknowledged; in this regard it is clear that the site currently contains mainly scrub regrowth which contributes little in the way of environmental value. As such the existing CN conservation zoning sees an undue constraint upon the appropriate use of the site and limits the provision of additional industrial land in a consolidation manner within the locality.



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Permissible uses associated with this zone, include as follows (refer table on following page):-

ZONING TABLE – ZONE CN

abattoir	x
agriculture	x
animal boarding	x
bed and breakfast	x
business sign	P 8.7
caravan park	x
caretaker's residence	D 8.1, 8.5.1, 7.3, 7.10.3
car park	x
child care centre	x
community centre	x
dependant unit	x
domestic livestock	x
education establishment	x
fuel depot	x
general industry	x
group home	x
home based child care centre	x
home based contracting	x
home occupation	P 7.10.7
horticulture	x
hospital	x
hostel	x
hotel	x
intensive animal husbandry	x
leisure and recreation	x
licensed club	x
light industry	x
medical clinic	x
medical consulting rooms	x
motel	x
motor body works	x
motor repair station	x
multiple dwellings	x
office	x
passenger terminal	x
place of worship	x
plant nursery	x
promotion sign	x
recycling depot	x
restaurant	D 8.1, 8.5.1, 8.8, 10.2
retail agricultural stall	x
rural industry	x
service station	x
shop	D 8.1, 8.5.1, 8.8, 8.1.1, 10.2
showroom sales	x
single dwelling	x
stables	x
supporting accommodation	x
transport terminal	x
vehicle sales and hire	x
veterinary clinic	x
warehouse	x

P = Permitted D = Discretionary x = Prohibited

The only permissible uses identified upon the site are limited to low intensity shop, restaurant and home occupation uses. This rezoning proposal seeks to broaden the range of permissible uses significantly, with uses to be dictated by the permissibility table for the LI Light Industry Zoning Table contained within the Northern Territory Planning Scheme 2006.

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The Zoning table applicable to the LI Light Industry Zone is replicated below:-

ZONING TABLE – ZONE LI

abattoir	x	
agriculture	x	
animal boarding	D	5.1, 6.5.1, 9.1.1, 10.1
bed and breakfast	x	
business sign	P	6.7
caravan park	x	
caretaker's residence	P	5.1, 6.5.1, 7.3, 7.10.3
car park	P	5.1, 6.5.3, 9.1.1
child care centre	x	
community centre	D	5.1, 6.5.1, 9.1.1
dependant unit	x	
domestic livestock	x	
education establishment	D	5.1, 6.5.1, 9.1.1
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	D	5.1, 6.5.1, 6.8, 9.1.1
intensive animal husbandry	x	
leisure and recreation	D	5.1, 6.5.1, 9.1.1
licensed club	D	5.1, 6.5.1, 6.8, 9.1.1
light industry	P	5.1, 6.5.1, 6.8, 9.1.1
medical clinic	P	5.1, 6.5.1, 9.1.1
medical consulting rooms	x	
motel	x	
motor body works	P	5.1, 6.5.1, 9.1.1
motor repair station	P	5.1, 6.5.1, 9.1.1
multiple dwellings	x	
office	D	5.1, 6.5.1, 6.8, 9.1.1
passenger terminal	D	5.1, 6.5.1, 9.1.1
place of worship	D	5.1, 6.5.1, 9.1.1
plant nursery	P	5.1, 6.5.1, 9.1.1
promotion sign	D	6.7
recycling depot	D	5.1, 6.5.1, 9.1.1
restaurant	D	5.1, 6.5.1, 6.8, 9.1.1
retail agricultural stall	x	
rural industry	D	5.1, 6.5.1, 9.1.1
service station	D	5.1, 6.5.1, 9.1.4, 9.1.1
shop	D	5.1, 6.5.1, 6.8, 8.1.1, 9.1.1
showroom sales	P	5.1, 6.5.1, 6.8, 9.1.1
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	P	5.1, 6.5.1, 6.8, 9.1.1
vehicle sales and hire	P	5.1, 6.5.1, 9.1.1
veterinary clinic	D	5.1, 6.5.1, 9.1.1
warehouse	P	5.1, 6.5.1, 6.8, 9.1.1

P = Permitted D = Discretionary x = Prohibited

This request to rezone portions of Lot 5182 seeks to utilise all existing planning controls and established objectives and purposes applicable to the light industry zoning. In this regard it is considered the site can effectively meet the Purpose of the LI light industry zoning identified as follows:-

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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.
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.

Given the sites location within close proximity to an established light industry precinct, the spatial separation afforded to existing residential uses and the existing successful integration of light industry and conservation uses located to the north of the site, it is considered the site can effectively provide for the development activities as envisaged for the light industry zonings.

With regard to purposes 2 and 3 it is considered that any future development on site will require a development application to be submitted which will need to be in accord with all development controls applicable to industrial development including but not limited to the Northern Territory Planning Scheme 2006.

### 7.3 AUSTRALIAN STANDARD 2021 - Acoustics & Aircraft Noise Intrusion

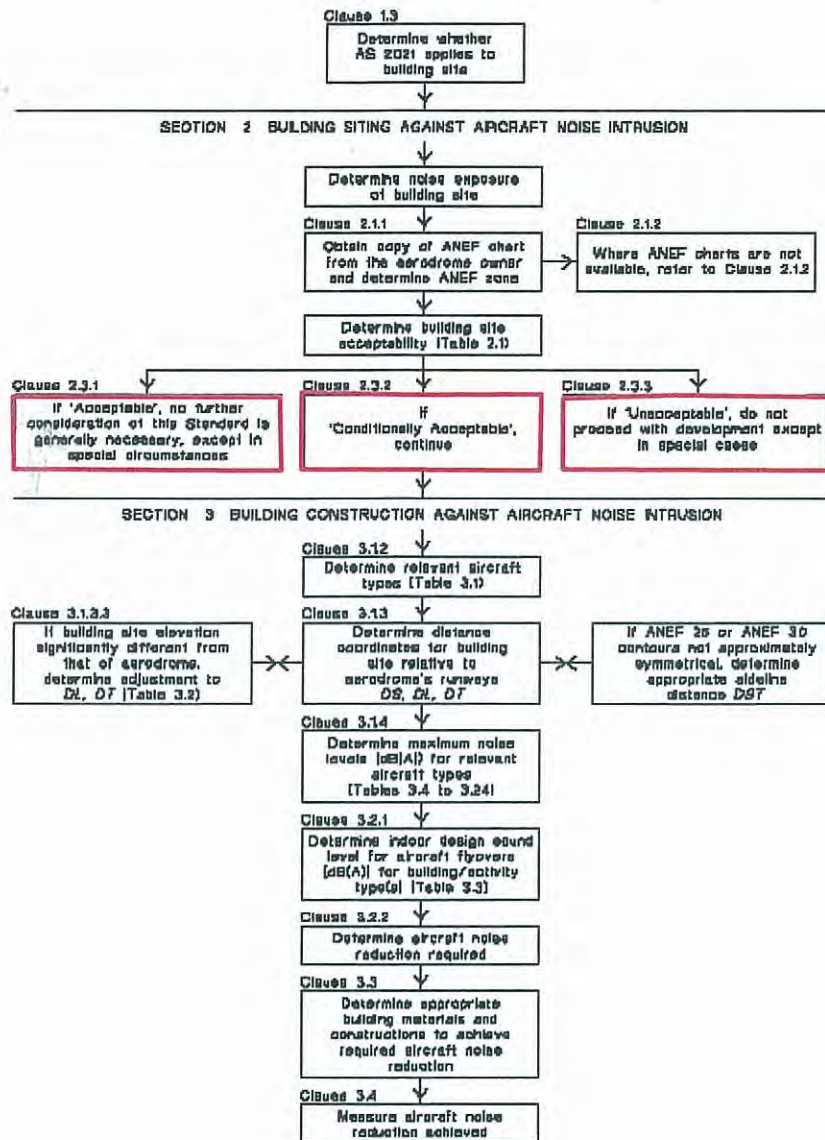
The Australian Standard stipulates a three tiered approach to determining the suitability of siting development within proximity to airports. Typically, the standard nominates in certain areas where development can be 'acceptable', 'conditionally acceptable' or 'unacceptable'.

Many planning schemes call up the Australian Standard directly as an incorporated document. In this instance, the flow chart associated with the standard should be utilised as a means of determining whether a proposal requires particular amelioration or whether a proposal should be entertained due to existing acoustic constraints.

The flow chart contained within the Australian Standard is as follows:-

Continues next page.....





Section 2.3 of the Australian Standard goes on to further explain the rationale behind those uses defined as acceptable etc. In this regard, the Australian Standard states, inter alia:-

## 2.3 ACTION RESULTING FROM ACCEPTABILITY DETERMINATION

### 2.3.1 Acceptable

If from Table 2.1, the building site is classified as 'acceptable', there is usually no need for the building construction to provide protection specifically against aircraft noise. However, it should not be inferred that aircraft noise will be unnoticeable in areas outside the ANEF 20 contour. (See Notes 1, 2 and 3 of Table 2.1.)

### 2.3.2 Conditionally acceptable

If from Table 2.1, the building site is classified as 'conditionally acceptable', the maximum aircraft noise levels for the relevant aircraft and the required noise reduction should be determined from the procedure of Clauses 3.1 and 3.2, and the aircraft noise attenuation to be expected from the proposed construction should be determined in accordance with Clause 3.3 (see Notes 1 and 3 of Table 2.1).

### 2.3.3 Unacceptable

If, from Table 2.1 the building site is classified as 'unacceptable', construction of the proposed building should not normally be considered. Where in the community interest redevelopment is to occur in such areas, e.g. a hotel in the immediate vicinity of an aerodrome, refer to the notes to Table 2.1.

When cross referenced with the 2024 ANEEF lines now contained within the Darwin International Airport Master Plan, the permissibility table included below now incorporates several uses that are capable of being carried out in accord the Australian Standard and as a result, also in a manner consistent with the aims and objectives of the planning scheme relating to land adjacent or in proximity to the Darwin Airport. It is acknowledged that the 'broad' headings identified in the table to the standard do not specifically correspond to the definitions contained within the Planning Scheme.

<b>Building Type</b>	<b>Acceptable</b>	<b>Conditional</b>	<b>Unacceptable</b>
<i>House, home unit, flat, caravan park</i>	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
<i>Hotel, motel, hostel</i>	Less than 25 ANEF	25 to 30 ANEF	Greater than 30 ANEF
<i>School, university</i>	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
<i>Hospital, nursing home</i>	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
<i>Public building</i>	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
<i>Commercial building</i>	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
<i>Light industrial</i>	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
<i>Other industrial</i>	All ANEF zones	All ANEF zones	All ANEF zones

As identified above and within Northern Territory Planning Scheme the site is contained within the 25 and 30 ANEF contour lines and as such is confirmed that potential light industry uses on the site fall within the Acceptable and Conditional categories. It is considered that built form attenuation measures would be sufficient to address the matters raised for light industry uses operated within the 30 ANEF contour line.



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The Consent Authority should ensure that at all times any future development incorporates relevant noise attenuation measures as also outlined within the Australian Standard.





## Section **R8**

### **Conclusion**

The proposed rezoning seeks to provide additional light industry land while consolidated within the existing light industry precinct located within the locality. 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.*

Pre lodgement consultation has been carried out in conjunction with detailed environmental and carrying capacity analysis. In this context, the concerns raised to date have been suitably addressed within the body of this submission.

**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**  
February 2008

Appendix **A**

## **Zoning Plan & Conceptual Diagrams**

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