

SARGEANT
PLANNING

DEVELOPMENT APPLICATION STAGE 1 Bagot Road Masterplan

213 Dick Ward Drive, Ludmilla, NT

Abstract

This Development Application is seeking a Development Permit for a Shop(s), Restaurant(s) and a Service Station over part Lot 5182 at 213 Dick Ward Drive.

November 2025

TABLE OF CONTENTS

1.0 Introduction.....	2
2.0 Site Location and Site- Context	9
3.0 History of Development and Proposal	12
3.1 Approved Masterplan.....	12
3.2 Proposal.....	13
3.2.1 Summary of Key Development Aspects	16
4.0 Planning Framework.....	25
4.1 Planning Act 1999.....	25
4. 2 NT Planning Scheme	35
5.0 Conclusion	52

1.0 Introduction

Sargeant Planning has been engaged by Citiland 1 Pty Ltd, (**the Applicant**) to prepare and submit this Development Application (**DA**), seeking consent for a Development Permit for Stage 1 of the proposed varied Masterplan SD37. (**the Masterplan**) (**Attachment 1**).

The DA is over land located at 213 Dick Ward Drive, Ludmilla, NT – Part Lot 5182 (**the site**). The site is zoned SD37 and includes part of the access road linking Dick Ward Drive and Bagot Road.

The Stage 1 development area reflects the metes and bounds/lot configuration of a concurrent varied subdivision (**Attachment 2**). The lot is identified as Stage 2a Lot 1 and has an approximate area of 4.05ha (**the lot**). The lot is regular in shape with frontage and access to Bagot Road and Fitzner Drive. The current approved subdivision plans are provided in **Attachment 3** for reference.

The consent seeks approval to use the lot for the following defined uses: Shop(s), Restaurant(s) and a Service Station as defined under the Northern Territory Planning Scheme 2007 (**the scheme**), and as illustrated in the detailed development plans (**Attachment 4**).

The proposed DA for the lot comprises the following key elements:

Shop(s)

- The plans illustrate (2) areas for shop(s) use within the principal building.
 - The larger tenancy (GFA -4130m²) is intended for a single use tenant and to be utilised as a supermarket and associated loading and unloading facilities 'click and collect' grocery pick up area.
 - The smaller area (1764m²) sleeves in part the larger tenancy, with Bagot Road frontage is to be utilised for a number of smaller shops. These would be internally partitioned within the identified space into smaller tenancies typically 100m² – 150m² dependent upon tenant requirements. These would be occupied by typical shop uses such as newsagent, general retailing of goods, grocer, travel agent, hairdresser, butcher etc. The application does not seek approval for the retail sale of liquor.

Restaurant(s)

- Three (3) tenancies are identified for restaurant use
 - Two (2) of these are located within the larger integrated shop use and are intended for convenience fast food and or larger restaurant use/ bakery. These tenancies are shown as (65 m² +255m²). The larger of these may be further partitioned depending on tenancy demand.
 - One (1) standalone Restaurant use is indicated as PAD Site 2 this is intended for a fast-food outlet and includes a drive through. This is indicated as approximately 270m².

Service Station

- One (1) x Service Station use is proposed (130m²)

And ancillary car parking and landscape works.

Access and Circulation

The proposed use is intended to operate as an integrated retail centre servicing the local catchment and is supported by a Traffic Impact Assessment (**TIA**) (**Attachment 5**). The centre derives principal vehicular access from a new intersection on Bagot Road. This intersection forms part ultimately of a new connecting road between Dick Ward Drive and Bagot Road. This road is located consistent with the covenant entered into between our client, City of Darwin (**CoD**) and the Northern Territory Government.

A secondary access is provided from Fitzer Drive. This is consistent with the approved and varied Masterplan, noting the specific alignment and connection location have been adjusted in the varied Masterplan to avoid conflicts with current crossovers (McDonalds), the safe operation of Daniels Street intersection, and the safe operation of the upgraded Fitzer Drive/Bagot Road intersection.

The internal roads are all private roads. These provide a legible framework for vehicles to access the proposed uses and associated carparking associated with these. These roads as illustrated in the Masterplan facilitate greater access and integration with future stages of the development and overall, Master planned development. The TIA illustrates service vehicles are able to access designated loading bays for the uses.

A total of 510 car spaces is provided in the designated carparking areas distributed around the lot and uses for convenient access. Five additional (5) spaces are provided for motorcycles, and six (6) bicycle racks are distributed at entries to the land uses. These spaces are in part protected by shade sails for comfort. Set down areas for passenger drop off, taxi and uber picks are also provided.

A dedicated loading bay is provided to the supermarket and for use by retailers, access from the new Access Road. Additional loading bays are also provided.

The development also delivers key and legible pedestrian links through and around the lot, contributing the improved accessibility. The external roadworks delivers safe pedestrian and active transport crossings/paths particularly to the Bus stop on Bagot Road. Various landscape treatments are also proposed to guide movements and add to user comfort i.e. shade/seating.

General Description and Design Approach

As noted above the proposal seeks use for Shops, Restaurants and a Service Station pursuant to the defined uses of the applicable Scheme. These uses are contemplated under the SD37 zoning and Masterplan for the site.

The development Stage 1 is best described collectively and in 'lay' language as a local shopping centre including supermarket, retail and fast-food outlets and service station.

These lay terms are not defined uses under the scheme and are provided to better explain the proposal and for community understanding.

As identified the uses are contemplated under the SD37 zoning and their spatial arrangement is guided by controls in the SD37 zone. The site assessment, updated TIA and contemporary design principles also inform the spatial design of the development and its assimilation into the local contextual setting.

The proposal provides for a series of buildings positioned to activate and engage the primary viewing corridor and internal use of the site. Through this the mass and scale of the changed landscape is managed. The new softscape/landscape treatments mitigate the landscape change through large areas of landscaping, retained species within the landscape palette and landscape elements to add interest and variety in form and function. Collectively the proposal delivers on function and provides a commercial edge to the main road. Built form and landscape treatments provide a high aesthetic outcome for the site.

The development seeks to activate and engage with the primary road frontage, through the 2 smaller scale uses fronting Bagot Road. Bagot Road is treated with layered landscaping to reflect the local native character influences and also reflect the proposed commercial development. The landscape treatments are also used to signify vehicular and pedestrian access to the site.

The larger shopping centre is splayed with smaller tenancies to activate the internal provide roads and also activate the Bagot Road frontage. It is also splayed by online collection and delivery servicing areas. These are orientated away from Bagot Road, the primary viewshed.

The shopping centre entry is defined by architectural features, extended roofline and the associated shaded car parks. This location is central to future stages and development in the Masterplan. The built form is low rise and adopts contemporary materials and finishes. Large areas of glazing are provided to the retail frontages for activation/visibility. Covered walkways and internal airconditioned circulation paths are provided for user comfort. Landscaped treatments, shop fronts and loading areas are proposed along the new access road in part to enable safe and adequate service vehicle access. Landscaping is dispersed throughout the lot to provide shade and scale to the built form.

Clear pedestrian and vehicle spines are provided to the use areas and entries to buildings. These as is illustrated in the varied Masterplan are designed to extend to the surrounding road networks and use areas in the Masterplan.

Landscaping and signage are to be provided to guide users through the site and to entries.

Further Approvals

We acknowledge further approvals are required for the development to commence including detailed civil and bulk earthworks, signage, landscaping, building works and works associated with external roads and drainage.

These future works/approvals are also associated with proposed drainage structures and the containment cell, within the RD zoned land, and the clearing and earthworks associated with this.

These future applications and works are the logical extension to any approval issued and would be accompanied by associated management plans and reports.

Please refer to the detailed design plans and Statement of Landscape Intent (**SLI**) contained in the varied Masterplan documents for more detailed information on each of these. We note that signage is assessed by the City of Darwin as a signage permit application and therefore the signage shown on the plans does not form part of this application.

A result of the development structures that are located within the height regulated areas for the RAAF Base Darwin DAA Plan under the Defence Regulation 2016 (Cth), an application has also been referred to the Department of Defence concurrently for approval of the structures.

The site benefits from investigations and several development permits dating back to 2014. These recognised the sites' strategic location in the northern suburbs, accessibility and ability to diversify employment and income for the Gwalwa Daraniki Association (**GDA**). The investigations led to the establishment of the Masterplan over part of portion 5182, identified as SD37 in the Scheme **Attachment 6**.

This Stage 1 DA is the first DA that seeks to enliven the site as approved and envisaged pursuant to the endorsed Masterplan and now proposed varied Masterplan (**Attachment 1**).

Various reporting was undertaken to demonstrate suitability for the original development of the site which is reflected in the original conceptual Masterplan/s. The conceptual Masterplan/s was also accompanied by a subdivision plan reflecting the specific uses areas (Area A and B) and establishing 5 lots. In respect to these 3 lots related to Area A with the lot boundaries positioned to align with conceptual future use areas and circulation (i.e. roads) paths, 1 for the central open space area (RD Zone Area) and 1 for Area B the industrial development. This staging is as outlined sought to be varied.

Subsequent to obtaining the approval development of the site has been delayed as a result of numerous external factors including economic conditions i.e. GFC, Covid-19, and an attempt to collaborate with Government Authorities in order to align development at the site with the development of surrounding land.

The applicant through this intervening period obtained various approvals to extend approvals. In this intervening period the subdivision aspect to the approval was also variously amended, to introduce staging and new lots to facilitate development of the site with the latest approved subdivision provided in **Attachment 3** and proposed varied plans illustrated in **Attachment 2**.

During this intervening period, the applicant also actively undertook relevant new investigations to address the various conditions which were attached to the originating approval. This included but is not limited to, establishing the required covenant over the new access road linking Bagot Road with Dick Ward Drive, investigating site contamination on site and developing a draft pollution abatement notice for development of the site and obtaining an Authority Certificate from the AAP (**Attachment 7**).

The applicant has actively sought to commence development on the site and engaged in various commercial in confidence discussions with future partners, lessees for use of the site. These have now enabled our client to look to develop part of Area A. This has triggered a broader review of the Masterplan, subdivision plan and the detailed plans for the first stage of development.

This DA is one(1) of three (3) which are lodged concurrently to provide consistency across the permits sought and also are in part administrative in that consequential changes arise from development and detailed design.

The three (3) applications which have been lodged concurrently are :

1. A variation to DP14/0831 to vary the lot and staging plans(**Attachment 2** plans).
2. A variation to the Masterplan for specific use zone SD37 endorsed by the consent authority on 19/9/2014(**Attachment 1** plans);and
3. This DA for Stage 1 for shops, restaurants and a service station.

In contemplating and preparing these applications consultation with various stakeholders has been undertaken specifically due to changes which have been identified affecting development of the site and updating various reports for the development.

The principal issue identified for development of the site as approved has been related to traffic and circulation. The original TIA) was undertaken in 2012. This is 13 years ago, and the consulting team acknowledged that the TIA utilises a 10-year planning horizon as a guideline for traffic modelling. The team was also aware of the general growth in traffic over this period and more recently and importantly traffic safety issues. This was particularly relevant for pedestrian movements at Bagot Road/ Fitzer Drive and Dick Ward Drive/Fitzer Drive.

The updated TIA revealed the need for a number of external road upgrades to account for the development as contemplated under SD37 and the Masterplan. The TIA also identified the need for improved active transport responses, traffic calming and other safety issues specifically for Fitzer Drive and its intersections with Bagot Road and Dick Ward Drive. Other internal layout and design issues were also identified for improving circulation, pedestrian movements.

This resulted in consultation with Departments of Lands Planning and Environment and Logistics and Infrastructure as well as CoD. This engagement identified a number of design issues to consider including black spot funding works to the intersection of Fitzer and Dick Ward Drive programmed to be undertaken by CoD late 2025.

With this information, the known controls of SD37 and applying more contemporary planning for integrated commercial retail centres a design review process was undertaken. This was informed by consultation, servicing constraints which were identified through consultation, contamination treatment approaches and actual development requirements from end users specifically for the proposed Stage 1 Development application. From this the varied Masterplan was developed. In developing the varied Masterplan consideration of the associated subdivision was given, resulting in the necessity to also vary this and staging of this to now reflect the new spatial layout and circulation of the varied Masterplan.

The resulting varied Masterplan as identified has spatially rearranged the internal arrangement of the future development areas and circulation system supporting this. This informed redesign is principally focused on Area A.

The varied Masterplan does not materially change development of the site as contemplated under SD37 nor introduce non-compliance with these controls. As the department is aware, no development change in land use i.e. development has occurred. This variation does not seek to vary the scale or extent of potential development which may be currently achieved under the current Masterplan.

As detailed our client is now able to progress development of the site to a varied Masterplan and aligning subdivision and realise the public benefits that arise from the development and specifically Stage 1 DA.

The development facilitated through the variations creates new employment land as is illustrated through this DA. These employment generating uses would result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. This includes youth employment opportunities with retail developments employing a large number of younger staff.

The proposed local centre is well positioned to serve the convenience needs of the local population and provides increased choice and allow for price competition and services for consumers.

The proposed variations and subsequent use of the land, as detailed through this DA for Stage 1 deliver significant road improvements to reduce speed and increase safety, result in improved amenity for the residents of Fitzner Drive and users of this road network. These works are also in the public benefit. Through development of the site new landscaping to the site and adjacent streets is proposed delivering safer pedestrian movement paths and a high amenity landscape interface to the surrounding community.

This application is submitted to through the NT development applications portal for a determination by the Development Consent Authority (**DCA**).

This Statement provides a brief history of the site and the approved development application, as well as an assessment against the relevant planning provisions of the Planning Act, the Scheme, including the specific zone code relevant to the site.

Details of the site, and development proposal are summarised in **Table 1** on the following page.

Table 1- Development Details	
Real Property Description	Lot 05182
Address	213 Dick Ward Drive, Ludmilla, NT
Primary Street Frontage (access)	Access Road
Secondary Street Frontage	Bagot Road
Previous Approvals / Applications	Masterplan Approval- SD37 DP14/0831 – Development Permit for subdivision of 6 lots
Zone	Specific Use Zone SD37
Proposed Land Uses	Shops(s), Restaurant(s) and Service Station
Attachments	<p>Attachment 1 – Varied Master Plan prepared by Sargeant Planning, dated 13 November 2025, and Statement of Landscape Intent, prepared by Sargeant Planning, undated).</p> <p>Attachment 2 Proposed Subdivision Plans, Prepared by Sargeant Planning, dated 12 May 2025.</p> <p>Attachment 3 – Development Permit DP14/0831</p> <p>Attachment 4 Proposal Plans, prepared by Thomson Adsett, various dates.</p> <p>Attachment 5 – Traffic Impact Assessment, prepared by Rytenschild Traffic Engineering dated 13 November 2025.</p> <p>Attachment 6 – The endorsed Master Plan, prepared by Planit Consulting Pty Ltd, dated 19 September 2014.</p> <p>Attachment 7 – Aboriginal Areas Protection Authority Certificate</p> <p>Attachment 8 Preliminary Site Investigation prepared by SLR dated October 2020.</p> <p>Attachment 9 - Detailed Site Investigation, prepared by SLR dated July 2021, and Sampling Analysis Quality Plan, prepared by SLR dated October 2020.</p> <p>Attachment 10 - Site Survey, prepared by Cross Solutions, dated 6 August 2025.</p> <p>Attachment 11 – Owners Consent.</p>

2.0 Site Location and Site- Context

This section of the report provides a brief overview of the site and provides the context of the surrounding development.

The site is located at 213 Dick Ward Drive, Ludmilla, NT and is legally known as Part Lot 05182 (**Figure 1**). Lot 05182 is a large, irregular shaped site of 219.3ha. The land is held under a long-term lease by the Gwalwa Daraniki Association, who have entered into a commercial agreement with the applicant to develop the land. Under the Scheme, the site is mapped as being multi-zoned -Restricted Development Zone (**RD**) and Specific Use Zone (**SD37**), however the Masterplan area is solely mapped as SD37.

The Masterplan covers the areas identified as Areas A & B (**Figure 2**) and bounded by Bagot Road, Dick Ward Drive, Totem Road and Fitzer Drive, which effectively seeks to facilitate Service Commercial uses within Area A, and Industrial uses within Area B.

The Masterplan area is located approximately 8km to the northeast of the Darwin CBD, is located between the suburban localities of Coconut Grove and Ludmilla, and directly west of the Darwin International Airport. To the south of Fitzer Drive is an existing residential neighbourhood. There is a light industrial area located to the north of Totem Road. The land located west of the subject site is generally undeveloped, with the exception of a residential community which is located at the southern end of the subject site and on the western side of Dick Ward Drive. A historical site is located adjacent to the northeastern corner of the site.

The Masterplan area incorporates a total area of 32.6ha, being 20.2Ha in the SD37 Zone and 13.4ha in the RD zone. In regard to the SD37 zone this occurs as Areas A and B. Area A is 17.17ha (inclusive of the access road) and Area B - 2.03ha. The Masterplan area is currently accessed from Fitzer Drive via an existing driveway/entrance road. Separate uncontrolled access points also previously existed until recent fencing. There is no change to the development area of Areas A and B through any of the variations and or development application.

This Masterplan area is currently undeveloped and does not comprise any significant buildings or structures. There are several informal maintenance tracks which extend through the property. An existing Service Station and McDonalds Restaurant are located on a separate lease/lot that fronts Bagot Road in the southern corner of the site. These uses gain access from Bagot Road and also via a cross over on Fitzer Drive with a reciprocal access easement along the northern boundary.

The subject Lot – proposed Lot 1 of the Subdivision DA (concurrently under assessment), is 4.05 hectares (**ha**) (**Figure 3**). The lot is broadened by a drainage easement in the northwestern corner, and benefits from the access easement along the boundary interface of Area A with the McDonalds Service /Station Lots. The of the Masterplan . The Stage 1 development and Lot 1 do not seek to utilise this easement. The future Stage 2 Lot 2 similarly does not seek to utilise this easement and gains access through the new private road to be created in Stage 1 Lot 1 works. The easement will however enable pedestrian access and will with the development of Stage 2 Lot 2 include new private open space/landscaped areas with new illuminated pathways.

The proposed use is intended to operate as an integrated retail centre servicing the local catchment and is supported by a TIA (**Attachment 5**). The centre derives principal vehicular access from a new intersection on Bagot Road. This intersection forms part ultimately of a new connecting road between Dick Ward Drive and Bagot Road. This road is located consistent with the covenant entered into between our client, Darwin City Council and the NT government.

A secondary access is provided from Fitzer Drive. This is consistent with the approved and varied Masterplan, noting the specific alignment and connection location have been adjusted in the varied Masterplan to avoid conflicts with current crossovers (McDonalds), the safe operation of Daniels St intersection, the safe operation of the upgraded Fitzer Drive/Bagot Road intersection. The internal roads are all private roads. These provide a legible framework for vehicles to access the proposed uses and associated carparking associated with these. These roads as illustrated in the Masterplan facilitate greater access and integration with future stages of the development and overall, Master planned development. The TIA illustrates service vehicles are able to access designated loading bays for the uses.

It is noted that this Stage 1 of the DA aligns with Stage 2(a) of the proposed varied Subdivision, which also includes, subsequent to future earthworks and tree clearing, the development of proposed Lot 4 in the subdivision for the remediation containment cell. The existing subdivision approval also contains a stage 1 which is not proposed to be altered through the variation process and merely establishes the master lot that subsequently creates land use development staging .i.e. Stage 1 of the subdivision is the same in the current approval and varied subdivision.

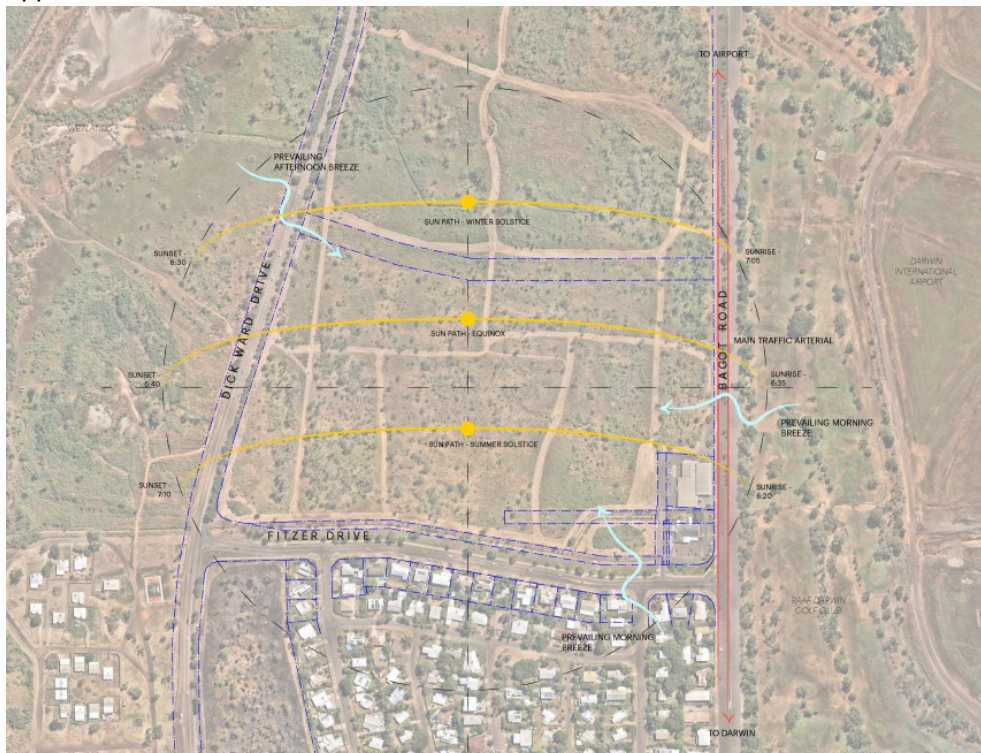


Figure 1: Aerial of 213 Dick Ward Drive / Site Analysis

Source: Architectural Plans, prepared by Thomson Adsett, dated 7 November 2025.

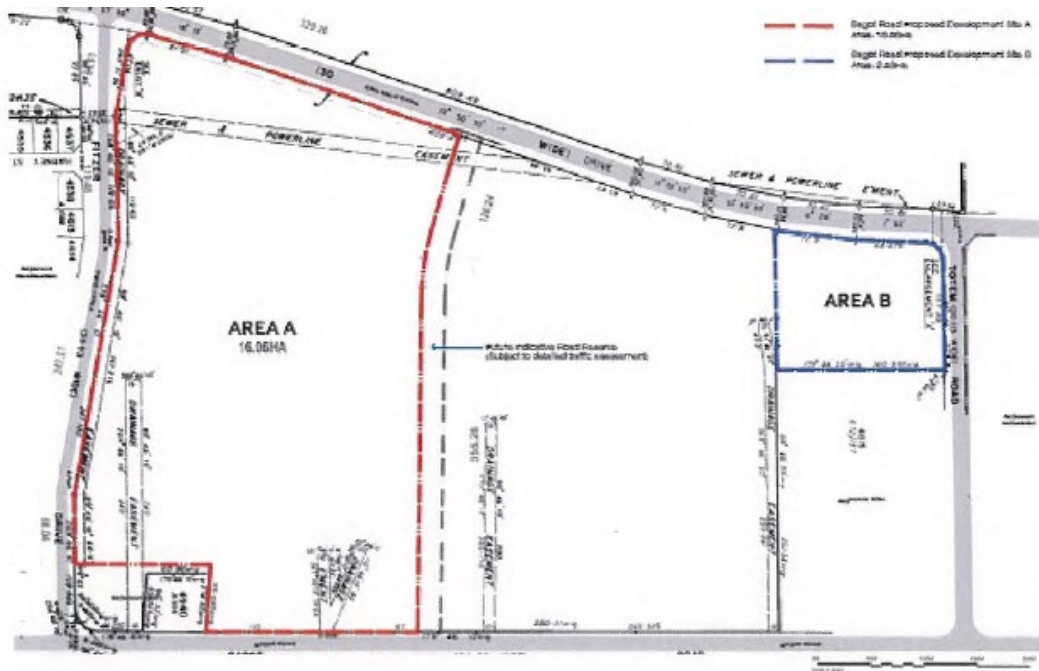


Figure 2: Area A and B

Source: Original Masterplan document

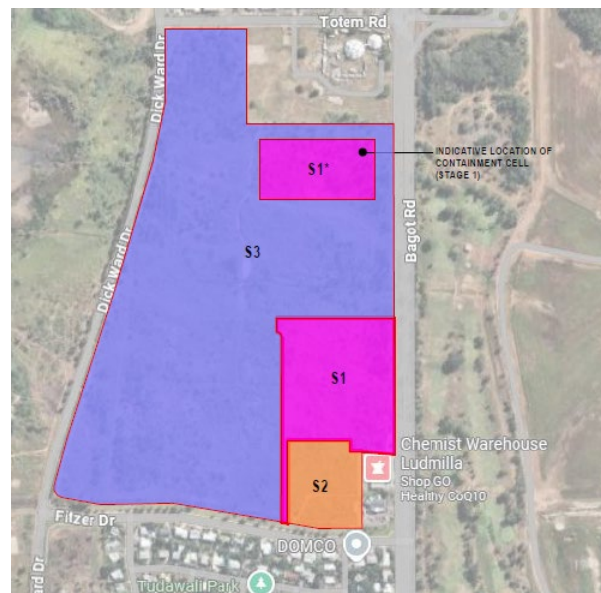
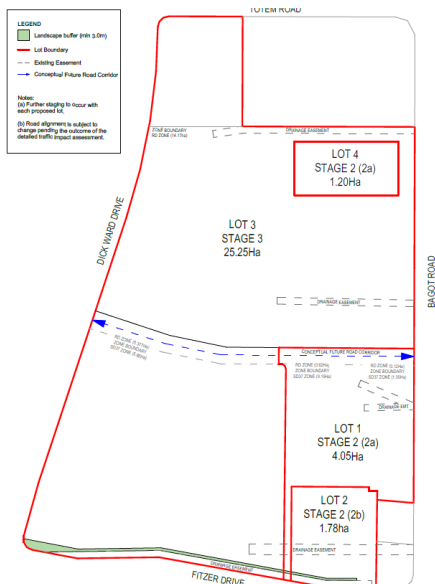


Figure 3: Proposed Stage 2 Lot 1 in the Variation to DP 14/0831 and staging for land use(S1) development .Lodged concurrently

Source: Proposed varied Subdivision Plans, prepared by Sargeant Planning dated 30 October 2025

3.0 History of Development and Proposal

The following section outlines a brief history of the development applications made on the site.

3.1 Approved Masterplan

The site benefits from several development permits and applications as outlined in **Table 2**.

Table 2: Approvals Summary	
Application No.	Development
Unknown.	The Planning Scheme was amended in 2011 to rezone part Lot 5182 from RD to SD37.
Masterplan for the Specific Use Zone SD37 endorsed by the 19/9/2014.	<p>The Masterplan establishes the foundations for the future development of the land and provides the framework for future decision-making. All future development will need to be in accordance with the relevant sections of the Planning Scheme, inclusive of SD37. The area that was rezoned, relates to two (2) distinct areas; A & B (Figure 2).</p> <p>Area A is to be used in accordance with the provisions of Zone SC (Service Commercial), and Area B is to be used in accordance with the provisions of Zone LI (Light Industry). Both areas are subject to a number of prohibited uses, which are listed in the schedule.</p>
DP14/0831 – Development Permit for subdivision of 6 lots	On 04 December 2014, Development Permit DP14/0831 was issued for the purpose of subdivision to create six lots, being five new lots, plus the balance of the lot, which is located to the west and south of the subject area. The subdivision included 3 allotments over the Part A area of SD37, with a single lot covering Part B area and a fifth lot covering the ROAD land. Multiple extension requests and variation applications have been approved.
DP14/0831D – Staging of subdivision	As identified a number of variations to the original subdivision have been submitted. DP14/083D sought and obtained consent for the sub staging of development. With those lots covering Area A being in Stage 1 inclusive of the access road and proposed lots 4 (Area B) and 5 being within the second Stage.
DP14/0831E – Sub staging	DP 14/083D was further varied to substage Stage 1 of the development. This established Stages 1A, 1 B and 1C. Stage 2 remained unchanged.

DP14/083G	<p>The variation sought is related to the timing of the condition 6 relating to Contamination and a Statement of Environmental Audit. Specifically, the variation to the condition seeks to enable the staged and progressive remediation and certification prior to any use occurring on the site. This approach provides the more practical and cost-efficient process in remediation of the site and also then establishing titles and development.</p> <p>Importantly this condition variation has highlighted that the Conditions Precedents as currently worded are not practical for the logical and orderly development of the site and best practice works have advanced since the original conditioning.</p>
DP14/083I	<p>This variation introduced additional staging of the subdivision to initially establish a single lot covering the land relevant to SD37. Stages 1 and 2 of the existing approval consequently became Stages 2 and 3. Noting the sub staging within Stage 2 (Stages 2 A, 2B and 2C).</p> <p>This was to enable a single title to be created which was not connected to the larger portion 5182 and thus enable independent funding to be secured for this new stage/lot.</p>

The following **Section 3.2** provides a description of the proposed changes, and the requisite justification.

3.2 Proposal

As outlined our client has actively sought to commence development on the site and engaged in various commercial in confidence discussions with future partners, lessees for use of the site. These have now enabled our client to look to develop part of Area A. This has triggered a broader review of the Masterplan, subdivision plan and the detailed plans for the first stage of development.

This DA is one (1) of three (3) which are lodged concurrently to provide consistency across the permits sought and also are in part administrative in that consequential changes arise from development and detailed design.

In contemplating and preparing these applications consultation with various stakeholders has been undertaken specifically due to changes which have been identified affecting development of the site and updating various reports for the development.

The principal issue identified for development of the site as approved and contemplated under SD37, has been related to traffic and circulation.

The original TIA was undertaken in 2012. This is 13 years ago, and the consulting team acknowledged that the TIA utilises a 10-year planning horizon as a guideline for traffic modelling. The team was also aware of the general growth in traffic over this period and more recently and importantly traffic safety issues. This was particularly relevant for pedestrian movements at Bagot Road/ Fitzer Drive and Dick Ward Drive/Fitzer Drive.

The updated TIA revealed the need for a number of external road upgrades were required to account for the development as contemplated under SD37 and the Masterplan. The TIA also identified the need for improved active transport responses, traffic calming and other safety issues specifically for Fitzer Drive and its intersections with Bagot and Dick Ward Drive. Other internal layout and design issues were also identified for improving circulation, pedestrian movements.

Other internal layout and design issues were also identified for improving circulation, pedestrian movements.

This resulted in consultation with Departments of Lands Planning and Environment and Logistics and Infrastructure as well as CoD. This engagement identified a number of design issues to consider including black spot funding works to the intersection of Fitzer and Dick Ward Drive programmed to be undertaken by CoD late 2025.

With this information, the known controls of SD37 and applying more contemporary planning for integrated commercial retail centres a design review process was undertaken. This was informed by consultation, servicing constraints which were identified through consultation, contamination treatment approaches and actual development requirements from end users specifically for the proposed Stage 1 Development application.

From this the varied Masterplan was developed. In developing the varied Masterplan consideration of the associated subdivision was given, resulting in the necessity to also vary this and staging of this to now reflect the new spatial layout and circulation of the varied Masterplan.

The DA for Stage 1 is consistent with the approved Masterplan, the clause requirements of Specific Use Zone SD37, and the relevant sections of the scheme. The proposed DA (**Figure 4**) comprise the following key elements:

Shop(s)

- The plans illustrate (2) areas for shop(s) use within the principal building.
 - The larger tenancy (GFA -4130m²) is intended for a single use tenant and to be utilised as a supermarket and associated loading and unloading facilities 'click and collect' grocery pick up area.
 - The smaller area (1764m²) sleeves in part the larger tenancy, with Bagot Road frontage is to be utilised for a number of smaller land uses. These would be internally partitioned within the identified space into smaller tenancies typically 100m² – 150m² dependent upon tenant requirements. These would be occupied by typical shop uses such as newsagent, general retailing of goods, grocer, travel agent, hairdresser, butcher etc. The application does not seek approval for the retail sale of liquor.

Restaurant(s)

- Three (3) tenancies are identified for restaurant use

- Two (2) of these are located within the larger integrated shop use and are intended for convenience fast food and or larger restaurant use/ bakery. These tenancies are shown as (65 m² +255m²). The larger of these may be further partitioned depending on tenancy demand.
- One (1) standalone Restaurant use is indicated as PAD Site 2 this is intended for a fast-food outlet and includes a drive through. This is indicated as approximately 270m².

Service Station

- One (1) x Service Station use is proposed (130m²)

And ancillary car parking and landscape works.

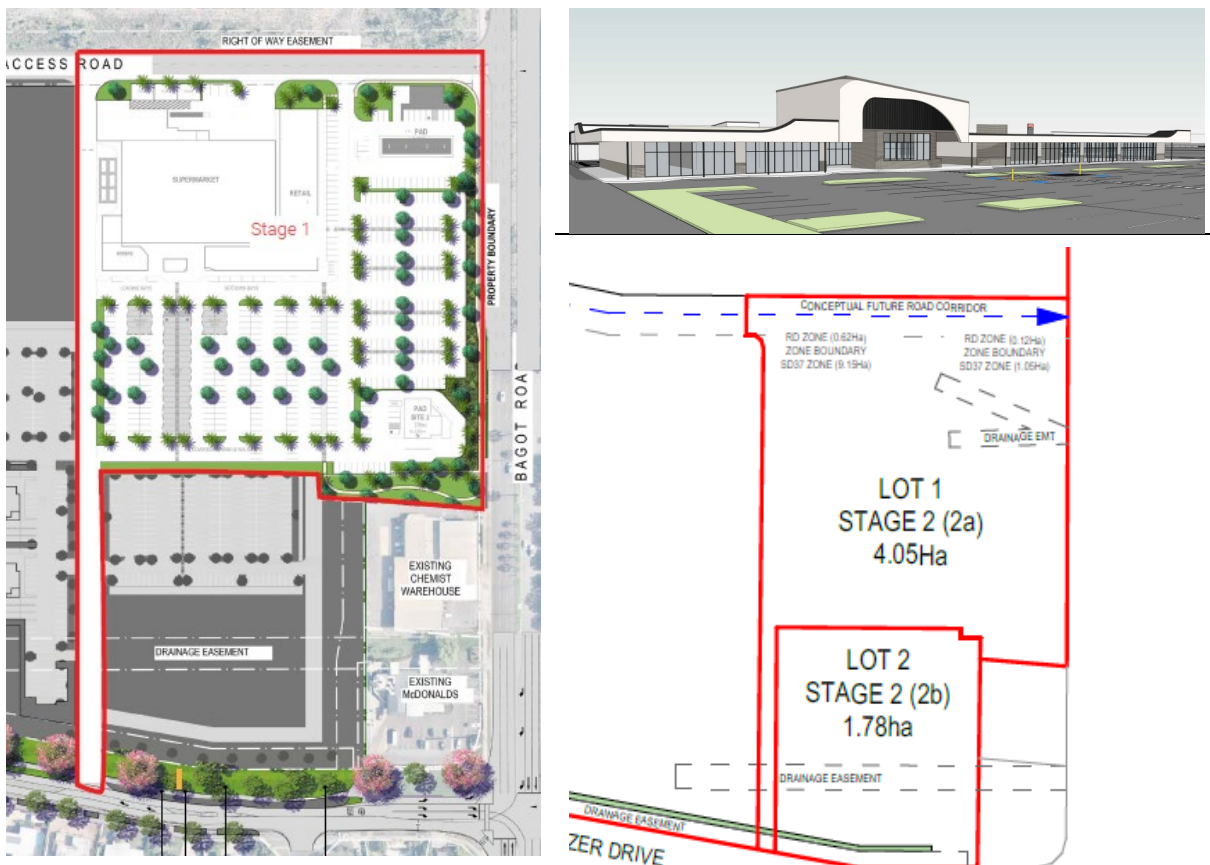


Figure 4- Various Plans

Source Statement of Landscape Intent, prepared by Sargeant Planning (undated), Architectural Plans, prepared by Thomson Adsett (Various dates), and: Proposed varied Subdivision Plans, prepared by Sargeant Planning dated 30 October 2025.

The detailed proposal plans are in **Attachment 4** with the SLI documentation in **Attachment 1**.

It is noted that signage is assessed by the CoD as a signage permit application and therefore the signage shown on the plans does not form part of the application.

3.2.1 Summary of Key Development Aspects

Traffic, Access and Carparking

As outlined in the introduction, the updated TIA revealed the need for a variation to the Masterplan to accommodate changes in traffic volumes and particularly safety issues at the intersections of Bagot Road and Fitzer Drive, and Fitzer Drive and Dick Ward Drive. We note the external changes are required to address the impacts from the Masterplan as approved and contemplated under the SD37 provisions and based on the updated TIA. Additionally, the proposed variation to the Masterplan reflects contemporary land use and planning principles.

The proposed amendments to the 2014 Masterplan are set out in this section, with images provided comparing both the endorsed and amended Masterplans.

Traffic Volumes / Safety and Changes

External influences and changes

The signalisation of Fitzer Bagot Road (Refer **Figure 5**) is required:

- To address background traffic growth and updated traffic generation and traffic generation from the Masterplan.
- For safe pedestrian crossing at Bagot Road and the intersection of Bagot Road/ Fitzer Drive.
- For safe access to the public transport bus stop on Bagot Road (in bound).
- To provide traffic calming in Fitzer Drive and potential deterrent to rat running

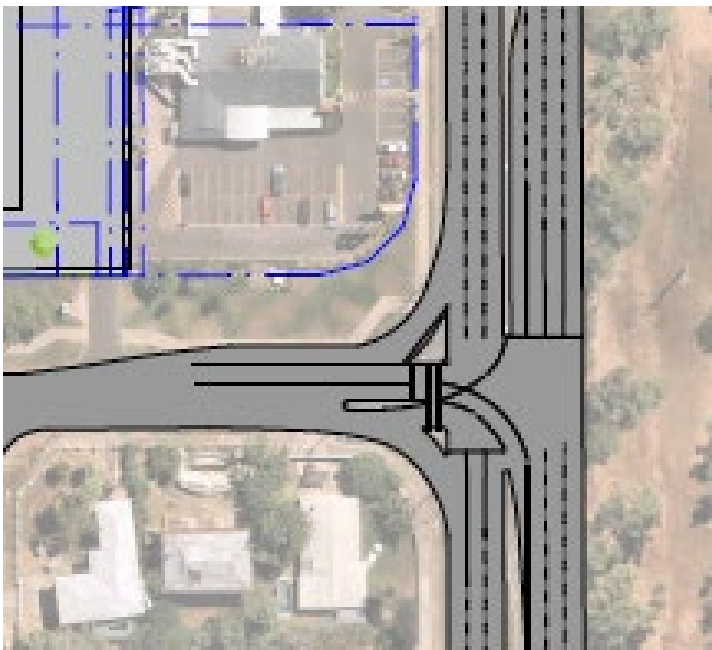


Figure 5: Fitzer Drive/ Bagot Road Intersection

Source: Traffic Impact Assessment, prepared by Rytenskild Traffic Engineering, dated 13 November 2025.

Internal changes

Relocation of Internal Access Road

The relocation of the internal access connector road shown in **Figures 6 and 7** parallel to Bagot Road are required to

- Avoid vehicle and pedestrian conflicts with existing crossover servicing McDonalds/Service Station and opposing intersection at Daniels Street.
- To determine a safe location on Fitzer Drive to enable new signalised intersection to operate effectively and within accepted guideline requirements. It is noted that new turn treatments / line marking proposed on Fitzer Drive.

It is noted that pedestrian connection retained at current location in the Masterplan, however a new landscape buffer treatment is proposed. Consequential variations reflected in the proposed varied Masterplan and connectivity plans (**Figures 8 and 9**).

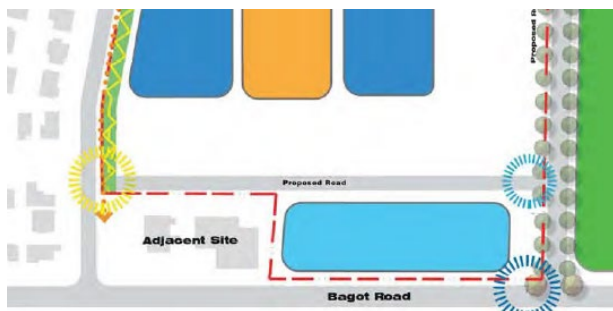


Figure 6: Indicative Land Use Plan

Source: The endorsed Masterplan, prepared by Planit Consulting Pty Ltd, dated 19 September 2014.

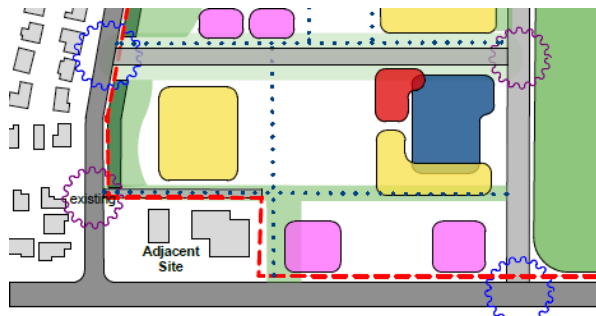


Figure 7: Indicative Land Use Plan

Source: Amended Masterplan prepared by Sargeant Planning, dated 30 October 2025

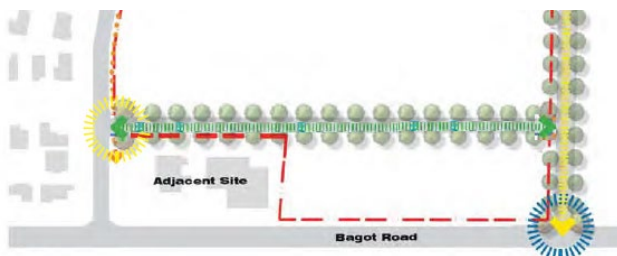


Figure 8: Indicative Built Area & Circulation

Source: The endorsed Masterplan, prepared by Planit Consulting Pty Ltd, dated 19 September 2014.

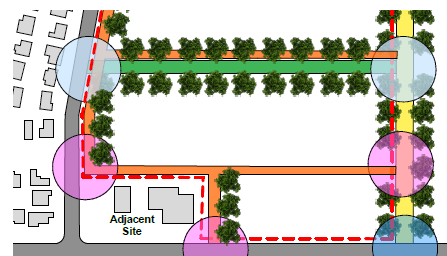


Figure 9: Indicative Built Area & Circulation

Source: Amended Masterplan prepared by Sargeant Planning, dated 30 October 2025

New intersection works to Dick Ward Drive and Fitzer Drive (**Figure 10**) are required to address safe turn movements and improve pedestrian connectivity/safety. We note new Black Spot funding secured by DCC for intersection works and is scheduled to commence shortly. DCC works to be integrated with design response additional intersection works are proposed but through future stages. These Black spot works seek to improve safety and for pedestrians.



Figure 10: • New intersection works to Dick Ward Drive and Fitzer Drive

Source: Traffic Impact Assessment, prepared by Ryterskild Traffic Engineering, dated 13 November 2025.

Approved and Proposed Masterplan

Updated SLI treatments (**Figure 11**) for Fitzer Drive are proposed accommodating road upgrades and incorporating pedestrian/active transport outcomes and providing improved visual amenity. The below images details these with the above indicating the extent of upgrades with Stage 1 DA.



Figure 11: New SLI treatments for Masterplan – Fitzer Drive and works delivered with Stage 1 DA

Source: SLI prepared by Sargeant Planning

We also note there are landscape treatment required under SD37 and subdivision approval to be provided internally within the site, these would be delivered as required prior to development of the site. Our client is seeking to implement these landscape works presently.

New SLI treatments for Masterplan– Fitzer Drive

There is a new Slip land /channelised left turn to and from Bagot Road to the Access Road, and a new Pedestrian connection to Bagot Road required for road safety and efficiency. Additionally, it provides for improved pedestrian and active transport integration/connectivity (Refer **Figures 12-14**).



Figure 12: Indicative Land Use Plan

Source: The endorsed Masterplan, prepared by Planit Consulting Pty Ltd, dated 19 September 2014.

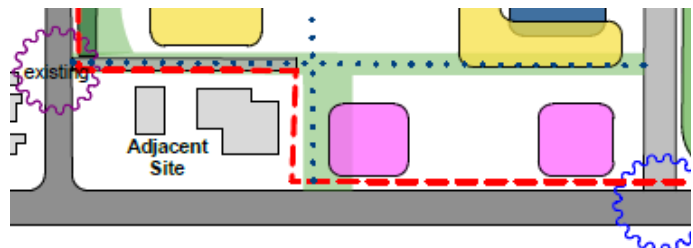


Figure 13: Indicative Land Use Plan

Source: Amended Masterplan prepared by Sargeant Planning, dated 30 October 2025



Figure 14: Landscape Buffer to Bagot Road

Source: SLI prepared by Sargeant Planning

As illustrated in the **Attachment 5** a total of 510 car spaces is provided in the designated carparking areas distributed around the lot and uses for convenient access. Additional spaces (five(5) are provided for motorcycles and various bicycle racks(6) are distributed at entries to uses. These spaces are in part protected by shade sails for comfort. Set down areas for passenger drop off, taxi and uber picks are also provided.

A dedicated loading bay is provided to the supermarket and for use by retailers, access from the new Access Road. Additional loading bays are also provided.

The development also delivers key and legible pedestrian links through and around the lot, contributing the improved accessibility. The external roadworks also deliver safe pedestrian and active transport crossings/paths particularly to the Bus stop on Bagot Road. Various landscape treatments are also proposed to guide movements and add to user comfort i.e. shade/seating.

TIA Modellings

The TIA (**Attachment 5**) supportive of the above changes has concluded as below. In undertaking the TIA consideration of the whole site and Masterplan has been conducted with the specific land uses proposed with Stage 1 DA. In relation to the Stage 1 DA:

- *the proposal provides a total of 510 spaces and therefore meets the minimum requirement of 396 spaces under the Planning Scheme.*
- *The car parking layout has been designed in accordance with the requirements of AS2890.1:2020, with typical dimensions as shown in Figure 8.1*
- *Swept paths for an Articulated Vehicle (AV) are shown in Figures 8.2-8.3 below, confirming that manoeuvring requirements are met.*

Please refer to the TIA for the tables and figures referred to in this excerpt.

In relation to the varied Masterplan:

- *The proposed development comprises a mixed-use commercial and light industry precinct with a Gross Leasable Floor Area (GLFA) of approximately 49,914m². Based on standard trip generation rates, the development is expected to generate approximately 1,667 vehicle trips during the AM peak hour and 2,331 trips during the PM peak hour.*
- *Vehicular access to the site will be provided via three connections, comprising of two intersections with Fitzer Drive and a left-in / left-out intersection with Bagot Road.*
- *SIDRA modelling indicates that the Dick Ward Drive / Fitzer Drive and Bagot Road / Fitzer Drive intersections are expected to experience significant operational constraints, including delays and queuing, under future design traffic volumes, irrespective of the proposed development.*
- *To address these operational constraints, the Applicant proposes to upgrade the Dick Ward Drive / Fitzer Drive and Bagot Road / Fitzer Drive intersections to signalised configurations. These upgrades will improve traffic efficiency and intersection performance and are considered appropriate for delivery as part of the development.*
- *The proposal includes a new public road linking Bagot Road and Dick Ward Drive. This road will reduce pressure on Fitzer Drive providing for through traffic and also allow service vehicles to access the site efficiently without impacting existing residents to the south of Fitzer Drive.*

Landscaping

The Statement of Landscape Intent (**SLI**) (**Attachment 1**) has been designed to address this historically disturbed site near Darwin Airport which currently detracts from local amenity. The design integrates the commercial development with its surroundings using the following key principles:

- **Contextual Integration:** Blends natural and commercial aesthetics using relocated native cycads and pandanus where possible

- Pedestrian Connectivity: Meandering paths with clear sightlines, seating nodes, and accessible frontages throughout
- Climate Comfort: Large shade trees, layered plantings, and strategic positioning for visual and thermal amenity
- Public Realm Enhancement: Transforms a neglected site into managed open space benefiting the wider community

Critically, Stage 1 landscaping formalises the entries from Bagot Road and Fitzer Dr with new pedestrian paths, feature palm plantings in carpark areas, stone plinth seating, and layered garden beds using readily available, functional species (**Figure 15 and 16**). The materials and plantings include stone seating, exposed aggregate paving, timber-grained aluminium furniture, and a palette of native Top End species including Pandanus, Livistona palms, and Corymbia combined with hardy ornamental groundcovers.



Figure 15: Masterplan Fitzer Drive upgrade

Source: Statement of Landscape Intent prepared by Sargeant Planning

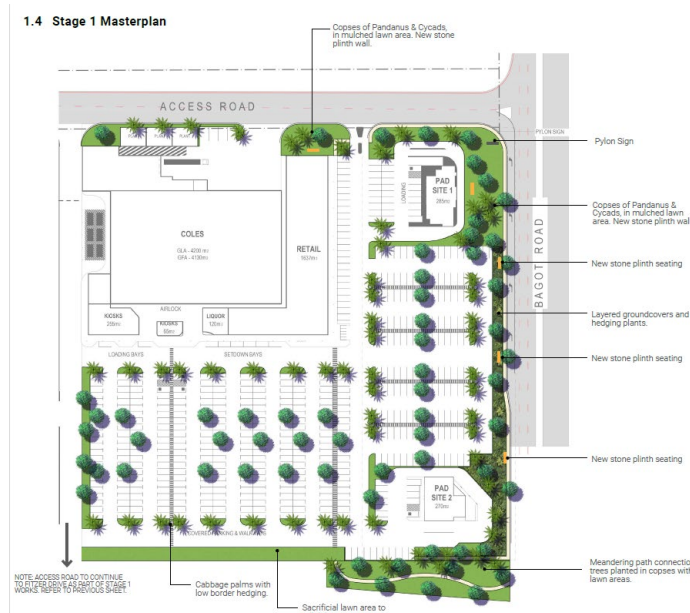


Figure 16: SLI Site plan

Source: Statement of Landscape Intent prepared by Sargeant Planning

Through the proposed landscape works high aesthetic and amenity interfaces are delivered to the surrounding residents and road network.

The landscape design intent is complimentary to the built form and framing the site. The intent builds upon the previous submitted internal 3m landscape works which is currently sought to be implemented. The landscape intent provides for passive surveillance and improved amenity to Fitzer Drive for residents and pedestrians achieving s5 SD37 provisions and other amenity provisions. A combination of shade structures and plantings are utilised within the carpark areas for amenity/aesthetics and shelter from sun/rain.

Architectural Design, Site layout and Building Height

The architectural design presents a contemporary retail aesthetic with a distinctive curved roof element over the supermarket (shop) entry, smooth rendered walls in painted finishes, silver birch-coloured face brick accents, Colourbond Surf mist metal roofing, and extensive tinted grey shopfront glazing.

The proposed development seeks a height variation from 8.5 metres to 10.9 metres (an exceedance of 2.4 metres) to accommodate the retail building architectural design features - including a distinctive curved roof element over the supermarket entry. We note the building is principally 6.6m in height and below the maximum height of the scheme. The extent of variation is limited in area and scale and as demonstrated is to provide a varied roof line and contribute to a varied and attractive frontage to the building. These design features are sought under the SD37 provisions and more contemporary design objectives.

Appropriate justification is provided in accordance with section 2.5 of the Scheme in **Table 4** of this Statement. A separate submission has been made to the Department of Defence due to the mapping of the site on the maximum height levels map for the RAAF Base Darwin DAA Plan under the Defence Regulation 2016.

The building sections demonstrate the relatively flat topography with minor level changes accommodated through retaining walls and strategic site grading. The site plan shows proposed access road improvements and intersection upgrades to facilitate traffic flow from both Bagot Road and the internal access road. The site the layout maximises parking efficiency with angled and perpendicular parking bays organized around the main retail building and service station and drive-thru restaurant site.

Contamination and Remediation

The due diligence for the Stage 1 DA included undertaking a Preliminary Site Investigation (**PSI**) (**Attachment 8**), and a subsequent Detailed Site Investigation (**DSI**) (**Attachment 9**). Ultimately a Remediation Action Plan (**RAP**) is required for the site- which is currently being finalised (as developed with the Northern Territory Environmental Protection Authority). The draft RAP proposes a containment cell in proposed Lot 4 of the subdivision variation lodged concurrently.

The RAP, under development, will now see surface material deposited in the onsite containment cell, if unexpected, contaminated material is found, it will also be placed in the containment cell. This containment cell, therefore, may provide an overall improvement in construction phase development outcomes. been fenced consistent with draft

RAP This fence seeks to protect the site from historical illegal dumping. Please refer to the Preliminary Site Investigation and Detailed Site Investigation (including SQAP)(**Attachments 8 and 9**).

The containment cell involves earthworks and tree clearing and is not for commercial use and is not a specific use. Post the decontamination of the site the cell is capped and landscaped. This is suited to the site given the ROAD zoning this is to occur within and does not impact on surrounding land uses or operation of the airport. The cell would be constructed immediately prior to earthworks for stage 1 and new compartments added as the site is progressively developed.

We note contamination on site is principally material dumped as a result of cyclone Tracey i.e. asbestos, and the onsite cell minimises movement of this material beneficial to the wider community. The approach to this material is also burial beneath carparking and other structures where possible leaving the material in situ. Other contaminants also occur on site as a result of illegal dumping with this to be either deposited in the cell or at an authorised centre.

The site contamination is not a result of the GDA or our client, who have as part of minimising further illegal dumping and contamination erected new fencing. This fencing also forms part of the responsible site management detailed in the draft RAP.

Services

Stakeholder discussions have been held with relevant stakeholders on behalf of the applicant by Byrne Consultants. The comments provided are detailed in **Table 3** in this statement. Ultimately the provision of utilities for the site is possible. Engineers are engaged to develop detailed design which will be submitted during the assessment of this DA and the future civil and earthwork design phases.

We note water is available to the site. It has been identified through the discussions that capacity constraints occur at the Ludmilla Sewerage Treatment Plant. To resolve this and enable the site to be developed on site disposal is proposed for the Stage 1 application, which has been considered acceptable. This will occur within proposed Lot 3 and within Area A. No disposal areas will occur within 10m of a property boundary and drainage lines and is disposed of via drip irrigation or mobile spray.

As is noted from the consultation broader discussions on addressing this constraint to development in the catchment is necessary and upgrades/partial upgrades will be further explored with government. As advised it there is planned growth within the service catchment is not reasonable or relevant for a single development in to undertake exclusively any capacity expansion.

Earthworks

As above, Engineers are currently developing the earthworks design for the site. A separate DA for earthworks will be lodged. As is detailed in the site survey plan (**Attachment 10**) the site is generally flat. The site will be profiled to ensure suitable drainage and interface with Bagot Road and adjoining roads and lots. These works would be undertaken in accordance with relevant sediment and erosion control NT provisions to prevent downstream impacts.

Similarly, all stormwater runoff from hardstand areas will be treated with a proprietary device or other feature i.e. treatment basin to ensure other contaminants and rubbish is contained and treated on site/ disposed of at an appropriate facility.

Vegetation Removal

All vegetation with Stage 1 is proposed to be removed. It is noted that regular uncontrolled fires occur on site, this has limited the site's environmental values and enabled weeds to become established furthering fuel/ fire intensity. As discussed in both the endorsed and amended Masterplan, there is limited vegetation of value on the site. The site does contain multiple stems of *Cycas armstrongii* a protected plant and pandanus which would subject to relevant permits be relocated into designated landscape and ROAD zoned areas on site.

Minor removal is also associated with the containment cell and drainage improvements within the RD zoned land is also contemplated and would be detailed in future clearing/earthworks plans documentation.

Public Benefit

As detailed our client is now able to progress development of the site to a varied Masterplan and aligning subdivision and realise the public benefits that arise from the development and specifically Stage 1.

The development facilitated through the variations creates new employment land. Additional employment would result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. This includes youth employment opportunities with retail developments employing a large number of younger staff.

The proposed local centre is well positioned to serve the convenience needs of the local population and provides increased choice and allow for price competition and services for consumers.

The proposed variations and subsequent use of the land deliver significant road improvements to reduce speed and increase safety, resulting in improved amenity for the residents of Fitzner Drive and users of this road network.

These are also in the public benefit. Through development of the site new landscaping to the site and adjacent streets is proposed delivering safer pedestrian movement paths and a high amenity landscape interface to the surrounding community.

4.0 Planning Framework

The following assessment demonstrates that the proposed variations are not inconsistent with relevant sections of the Act and the Scheme.

4.1 Planning Act 1999

Pursuant to sections 44(a) and 46(1) of the Planning Act a Development Permit is sought. **Table 3** below presents an assessment of the proposed Development Application against the Section 46 requirements of the Act.

Table 3: Planning Act 199 Assessment	
Planning Act 1999- Section 46	
(1) <i>The owner of land, or a person authorised in writing by the owner, may apply to the consent authority for consent to carry out a development on the land.</i>	Please find owners consent attached (Attachment 11).
(2) <i>An application under subsection (1) is to be in the approved form and accompanied by the prescribed fee.</i>	The application is made in the approved form, and the fee will be paid upon provision of tax invoice.
(2A) <i>An application under subsection (1) may be made by electronic transmission in the prescribed manner but must not be considered by the consent authority until the prescribed fee is paid.</i>	As above.
(3) <i>A development application is to contain the following:</i> <i>(aa) the name and contact details of:</i> <i>(i) the applicant and any person on whose behalf the application is made;</i> <i>and</i> <i>(ii) the owner of the land to which the application relates;</i> <i>and</i> <i>(iii) any person who entered into an agreement with a person referred to in subparagraph (i) or (ii) to acquire an estate or interest in the land to which the application relates; and</i> <i>(iv) any person with an interest prescribed by regulation;</i>	Please find owners consent attached (Attachment 11).
(a) <i>an assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land</i>	Refer to the assessment in Section 3 and Section 4.2 of this Statement (Table 4).

(b) <i>an assessment demonstrating how the proposed development will comply with an interim development control Order, if any, applying to the land;</i>	There is no interim development control order that applies to this site.
(c) <i>a statement specifying:</i> (i) <i>whether the proposed development is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019 ; and</i> (ii) <i>whether the proposed development has been referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019</i>	The development does not require referral to the NT EPA under Part 4, Division 3 of the Environmental Protection Act 2019. The NT EPA were consulted as part of the application history and our client is in the process of amended the Remedial Action Plan for the site.
(d) <i>an assessment demonstrating the merits of the proposed development;</i>	<p>The merits of the proposed development include:</p> <ul style="list-style-type: none"> • The DA will enliven the SD37 land and facilitate the economic and orderly development of this land, intended for commercial land uses. • The development is in the public interest, including that it will provide both construction phase, and operational employment opportunities, provide a meeting and shopping place for locals and visitors in the future development on site. • The proposal facilitates significant upgrades to the local road network improving the safety and efficiency of the local roads. This is particularly the case for residents on Fitzer Drive and the local Bagot /Ludmilla communities. • The architectural design presents a contemporary retail aesthetic. • The staged development enables the proposal to limit landscape change and enable waste to be adequately disposed on site. • Stage 1 of the associated subdivision will create the Lot 4 remediation/containment lot. Although this is not part of this DA it is an associated benefit. • Proposed landscaping is a critical improvement to the visual amenity of the area. <p>The development is in the public interest, including that it will provide both construction phase, and operational employment opportunities, provide choice and competition, provide increased social interaction and a provide a meeting place for locals in the food establishments, as well as shopping opportunities, remediate land. The amended and expanded landscaping provisions/proposals will improve the visual amenity of the surrounding area. The road upgrades improve vehicular and pedestrian safety.</p>

<p><i>(e) a description of the physical characteristics of the land and a detailed assessment demonstrating the land's suitability for the purposes of the proposed development and the effect of development on that land and other land;</i></p>	<p>Please refer to sections 3.2 of the amended Masterplan attached to this proposal (Attachment 1). A brief description of the site is provided in Section 2 of this Statement</p> <p>This Stage 1 DA is the first DA that seeks to enliven the site as approved and envisaged pursuant to the endorsed Masterplan and proposed amended Masterplan (Attachment 6 and 1). Various reporting was originally undertaken to demonstrate suitability for development of the site which is reflected in the conceptual Masterplan/s. The conceptual Masterplan/s was also accompanied by a subdivision plan reflecting the specific uses areas (Area A and B) and establishing 5 lots. In respect to these 3 related to Area A with the lot boundaries positioned to align with conceptual future use areas and circulation (i.e. roads) paths, 1 for the central open space area and 1 for Area B the industrial development.</p> <p>This Stage 1 is based upon varied Masterplan and subdivision plan within Area A which is suitable for development. The stage 1 application and lot are described herein in respect to suitable interface and impacts. The proposal results in multiple external improvements principally to the road network beneficial to the local residents and wider community, from a safety and efficiency perspective. This is particularly the case for residents on Fitzer Drive and pedestrians.</p> <p>The applicant also actively undertook relevant new investigations to address the various conditions which were attached to the originating approval. This included but is not limited to, establishing the required covenant over the new access road linking Bagot Road with Dick Ward Drive, investigating site contamination on site and developing a draft RAP for development of the site and obtaining an Authority Certificate from the AAPA (Attachment 7).</p> <p>The Stage 1 DA area is relatively flat largely cleared on vegetation of significance and suitable for the proposed use as proposed.</p>
<p><i>(f) a statement specifying the public facilities or public open space available in the area in which the land is situated, whether land for public facilities or public open space is to be provided by the developer and whether it is proposed that facilities or open space be developed by the developer;</i></p>	<p>The site is proximate to the following local parks/public open space:</p> <ul style="list-style-type: none"> - Tudawali Park- approximately 400m. - Karu Park – approximately 1 km. - Bagot Park- approximately 1.5km. <p>The SLI (Attachment 1) depicts the proposed casual seating areas within newly landscaped areas for visitors to the site.</p> <p>The proposal includes amenities for patrons to the businesses located within the site.</p> <p>The proposal is a commercial retail development and demand for open space is not normally associated with this form of development. Notwithstanding these large areas of private landscaped opens space are proposed for pedestrian accessibility and general landscape amenity. The proposal does include/propose various streetscape improvements as contemplated in the SD37 provisions and</p>

	developed for improved / safer pedestrian and active transport use and comfort for the community who walk and ride.
<i>(g) a statement specifying the public utilities or infrastructure provided in the area in which the requirement for public facilities and services to be connected to the land and whether public utilities or infrastructure are to be provided by the developer or land is to be provided by the developer for the provision of public utilities or infrastructure;</i>	<p>Stakeholder discussions have been held with relevant stakeholders on behalf of the applicant by Byrne Consultants. The comments demonstrate that ultimately the provision of utilities for the site is possible.</p> <p>The outcome of each is summarised below.</p> <p><u>Water Reticulation – Power Water Corporation (PWC)</u></p> <p>PWC requires a water reticulation loop at Bagot Road to be delivered as part of Stage 1. This will involve the following:</p> <ul style="list-style-type: none"> - A new Bagot Road crossing to connect to the existing DN375 watermain in the Bagot Road eastern verge. It is envisaged that this will be constructed with the new Bagot Road/External Service Road intersection. - Upgrade of the existing DN150 in the Bagot Road western verge to a DN225 and extend up to Stage 1. - Provide a DN150 service connection to Stage 1. <p>PWC advised that water headworks for the ultimate development are required to be determined in collaboration with PWC. As such, PWC has requested a meeting to discuss this further with Citiland.- PWC has also requested to be included in broader stakeholder discussions regarding road access to the site, as staging of road infrastructure will inform staging of new/upgraded water infrastructure required to support the ultimate masterplan.</p> <p><u>Sewer Reticulation – Power Water Corporation</u></p> <p>PWC confirmed that there is no residual capacity in the existing sewer network.</p> <ul style="list-style-type: none"> - Stage 1 would trigger the upgrade of the Ludmilla sewer pump station and associated sewer rising main upstream of the SPS. - PWC confirmed that the EP ratio used to calculate the sewer demand is appropriate for the proposed development. - PWC are not opposed to the temporary provision of an on-site secondary wastewater system, subject to the necessary approvals from the DLI being achieved. - In the context of the ultimate masterplan, PWC acknowledge that infrastructure contributions will likely be the preferred way forward to achieve good long-term outcomes for the area. - DoH and BAS understand there is no capacity in the sewer and are not opposed to an on-site treatment and disposal system for Stage 1 provided everything is engineered and constructed correctly. <p>As noted, Stage 3, within Area A, is to be utilised for on-site disposal.</p>

	<p><u>Power – Power Water Corporation</u></p> <ul style="list-style-type: none"> - PWC has previously indicated that power is not available for the proposed Bagot Road development, and that an additional electrical feeder and a substation shall be required to allow the development to proceed. - The headworks scope is unknown until PWC undertakes a planning study for the development. This is required to be initiated by the preparation and submission of a Negotiated Connection Agreement to PWC. <p><u>Stormwater Management – City of Darwin</u></p> <ul style="list-style-type: none"> - Upstream flows external to the site can be routed around the site and are not required to be mitigated. - Development flows to the receiving land west of Dick Ward Drive are acceptable to DLPE) given the close proximity of the development to the coast. - Should CoD require flows from the development site to be mitigated, DLPE are not opposed to the provision of a dry detention basin.
<p><i>(h) an assessment of the potential impact on the existing and future amenity of the area in which the land is situated;</i></p>	<p><u>Traffic</u></p> <p>Refer to TIA (Attachment 5) and comments at Section 3.2.1. of this Statement.</p> <p><u>Acoustics</u></p> <p>It is unlikely that potential operational noise impacts from the development, including vehicle movements, loading/unloading activities, mechanical plant, and drive-through operations will exceed relevant noise criteria. The Planning Commission is able to condition mitigation measures including operating hours for deliveries.</p> <p>Ongoing operational noise management will be implemented in accordance with an Operational Noise Management Plan.</p> <p><u>Visual Amenity</u></p> <p>The development has been designed to enhance visual amenity through high-quality architectural treatment, appropriate building materials, and integrated landscaping. Critically, Stage 1 landscaping formalises the entries from Bagot Road and Fitzner Dr with new pedestrian paths, feature palm plantings in carpark areas, stone plinth seating, and layered garden beds using readily available, functional species (Figure 5 and 6). The materials and plantings include stone seating, exposed aggregate paving, timber-grained aluminium furniture, and a palette of native Top End species including Pandanus, Livistona palms, and Corymbia combined with hardy ornamental groundcovers.</p>

	<p><u>Dust</u> Potential dust generation during construction will be managed through the implementation of a Construction Environmental Management Plan (CEMP). Conditions of consent can be applied in relation to this matter.</p> <p><u>Erosion and Sediment Controls</u> Erosion and sediment controls will be implemented throughout the construction phase in accordance with Best Practice Erosion and Sediment Control guidelines and the requirements of the local authority. Conditions of consent can be applied in relation to this matter.</p> <p><u>Underground Petroleum Storage Systems</u> The service station component will incorporate Underground Petroleum Storage Systems (UPSS) designed, installed, and operated in accordance with the relevant Australian Standards and Environmental Protection (Underground Petroleum Storage) Regulations. Conditions of consent can be applied in relation to this matter.</p> <p><u>Ecological</u> An Ecological Assessment was undertaken to identify ecological values and assess potential impacts. The site burns and has been subject to illegal dumping over a long period of time. Area A was found to be a highly disturbed patch of land, infested with gamba grass and other weed species. However, there are still patches of native vegetation, with three (3) main vegetation communities found onsite, including Melaleuca Woodland, Eucalypt Woodland, and Mixed Woodland. There are also smaller patches where Pandanus or Gamba grass, along with areas for access to easements, and street trees planted along the border with Dick Ward Drive. The site has been used as a general dumping ground for cars, household appliances, and building spoil which may require investigation for asbestos. In summary, the ecological condition of the site is not pristine and holds poor conservation value. The site is highly disturbed by weeds, rubbish, busy traffic, and general human impacts. Armstrong's Cycads (vulnerable under the NT TPWC Act 2000) were identified within the project area, however, only in low numbers.</p> <p>Area B contains a small patch of native remnant vegetation that is highly impacted by weeds, traffic, rubbish, and fire. The Darwin Cycad (<i>Cycas armstrongii</i>), listed as vulnerable under the TPWC Act, is abundant within the site and efforts towards translocation of larger individuals are recommended (under permit from Parks and Wildlife NT).</p> <p>There are three (3) main vegetation communities found onsite,</p>
--	--

	<p>including Eucalypt Woodland, Pandanus communities, and Introduced Species (and cleared areas). The assessment highlighted a few constraints to the development proposal, including vulnerable species Armstrong Cycad, Gamba Grass and Mission Grass infestation, a drainage channel adjoining the southern boundary of the site, and archeological points of interest. In summary, the ecological condition of the site is not in good condition as it is highly disturbed by weeds, rubbish, busy traffic, and general human impacts.</p> <p><u>Acid Sulfate Soils</u></p> <p>A review of the Atlas of Australian Acid Sulfate Soils (CSIRO Land & Water, 2011) and DENR Natural Resource Maps online database (DENR, 2020) indicated the site does not exist within an area considered to be impacted by ASS. Common occurrence of ASS is noted on the tidal mud flats approximately 500 m to the west of the site.</p> <p><u>Social</u></p> <p>The development will deliver positive social and economic benefits to the local community by providing essential services, employment opportunities, and improving access to retail goods and services. The development will create approximately [65 -100] construction jobs and [35] ongoing permanent employment positions, with over 100 part time casual positions across various skill levels. The centralised location will reduce travel distances for residents accessing daily needs, promoting social equity and reducing vehicle kilometres travelled. The development's design incorporates Crime Prevention Through Environmental Design (CPTED) principles including good sightlines, lighting, and natural surveillance to enhance public safety and amenity.</p> <p><u>Contamination</u></p> <p>A PSI has been undertaken to assess the potential for site contamination based on current and historical land uses (Attachment 8). The PSI identified the need for a Sample Analysis and Quality Plan and DSI (Attachment 9). The DSI identified:</p> <p><i>....remediation works including site validation will be required within the site to address Condition 6 of the Development Permit (DP14/0831) prior to any construction works commencing.</i></p> <p><i>The remediation will be required to address asbestos and limited priority metals contamination identified within the fill material and stockpiles located across the site.</i></p> <p>The RAP is being drafted, and the NT Environmental Protection Authority have been consulted in this process.</p>
--	--

	<p><u>Aboriginal Cultural Heritage</u></p> <p>An Authority Certificate has been obtained from the Aboriginal Areas Protection Authority (AAPA), to ensure compliance with the Aboriginal Sacred Sites Act. (Refer Attachment 7).</p> <p><u>Summary</u></p> <p>The proposal is not expected to have any additional significant negative impacts on the amenity of the area from that which is currently contemplated through implementation of the current approved Masterplan and SD37 provisions.</p> <p>Notwithstanding this the TIA has identified the need for, as a result in the timeframes between original approval and the current application(s), a deterioration in the amenity of the immediate locality from increased traffic/speed and rat running. The proposal addresses these through new external works and increases landscape treatment and open space separation</p> <p>As noted, no significant impact on amenity is anticipated by development of the site considering:</p> <ul style="list-style-type: none"> • The proposal seeks amendment to facilitate improved traffic outcomes to address amenity issues. • New and expanded landscape treatment are proposed through development of the Masterplan particularly to Fitzer Drive. • The proposal does not introduce new impacts that affect the operation of the airport. • Proposed Lot 4 in the Variation to the Development Permit for the Subdivision (DP14/0831) is proposed to create a containment cell for spoil found on site that requires remediation. Thus, reducing truck movements and associated impacts external to the site. • The proposal demonstrates/justifies compliance with the requirements of clause 11 (Refer Attachment 1). .
<p>(j) <i>an assessment of the benefit or detriment to the public interest of the development;</i></p>	<p>The proposal is in the public interest for the reasons outlined above in this report. With consideration to Section 51(1)(p) of the Act, the proposal is consistent with community safety through crime prevention principles in design, per the assessment provided below.</p> <p><u>Surveillance</u></p> <p>The proposed development is oriented towards the carparking area., which will form part of the public realm. The commercial premises' feature doors and windows that provide adequate surveillance of public spaces and adjacent streets. Public seating is placed along the Bagot Road Frontage which provides opportunity for further casual surveillance.</p>

	<p><u>Sightlines</u></p> <p>There are clear sightlines along proposed driveways within the site.</p> <p>The proposed landscaping does not create a barrier or restrict sightlines.</p> <p><u>Lighting</u></p> <p>It is understood that there will be adequate lighting to illuminate internal driveway areas and the site more generally.</p> <p>The lighting proposed is not anticipated to be blocked by mature vegetation. It is anticipated that lighting will be well maintained and promptly replaced if damaged or not functioning.</p> <p>All lighting internal is to be contained within the site through the use of hoods and screens to avoid impacts on surrounding residential areas and or aircraft operations.</p> <p><u>Signage and Wayfinding</u></p> <p>The proposal provides legible pedestrian and vehicle movement paths in and adjacent to the site. The development and its visual permeability integrate into the urban fabric and contributes to broader wayfinding.</p> <p>Signage typical of the use is proposed including pylon signage and signage to buildings/tenancies.</p> <p><u>Movement Predictors and Entrapment Locations</u></p> <p>As detailed new clear pedestrian circulation paths have been incorporated into the varied Masterplan and in part delivered through DA Stage 1. These are designed to have clear site lines to destinations and have high visibility within the development.</p> <p>Alternative pedestrian routes are catered for in the development.</p> <p>In summary, the amended Masterplan will not prevent future DAs from being submitted that are consistent with CPTED principles. In summary, the application is consistent with CPTED principles.</p>
<i>(ja) in the case of a proposed subdivision or consolidation of land in a Restricted Water Extraction Area – the information required by section 14C(1) of the Water Act 1992 ;</i>	Not applicable.
<i>(k) in the case of a proposed subdivision of land on which a building is situated – a report from a building certifier within the meaning of the Building Act 1993 as to whether the building will cease to comply with the</i>	Not applicable.

<i>Building Act 1993</i> if the proposed development were to proceed;	
<p>(l) for the development of land proposed to be the scheme land of a proposed or existing scheme, or the development of existing scheme land – a plan in the approved form specifying:</p> <p>(i) any information about any building that is, or will be, situated on the scheme land (including, for example, information about the structural integrity and fire safety of the building); and</p> <p>(ii) if any part of the development is subject to changes that are allowed by regulation –</p> <p style="padding-left: 40px;">details about that part as required by regulation; and</p> <p>(iii) any other information prescribed by regulation about the development.</p>	Not applicable.

Based on the above assessment, the proposal is consistent with the requirements for a Development Permit generally. Based on the above assessment, the proposal is consistent with the relevant sections of the Planning Act. The following **Section 4.2** demonstrates compliance with the Scheme.

4.2 NT Planning Scheme

Section 46(3)(a) of the Act states that:

- 3) *A development application is to contain the following:*
 - a. *an assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land.*

It is noted that in Section 1.2 of the Northern Territory Planning Scheme 2020 (**the 2020 Scheme**) identifies that the site is subject to its provisions. However, Section 4.2 of Schedule 1 to the 2020 Schemes is as follows:

The Specific Use Zones listed in the Table to this Schedule are subject to the relevant requirements contained in the former Northern Territory Planning Scheme (2007)

The zoning map for the site is provided below.

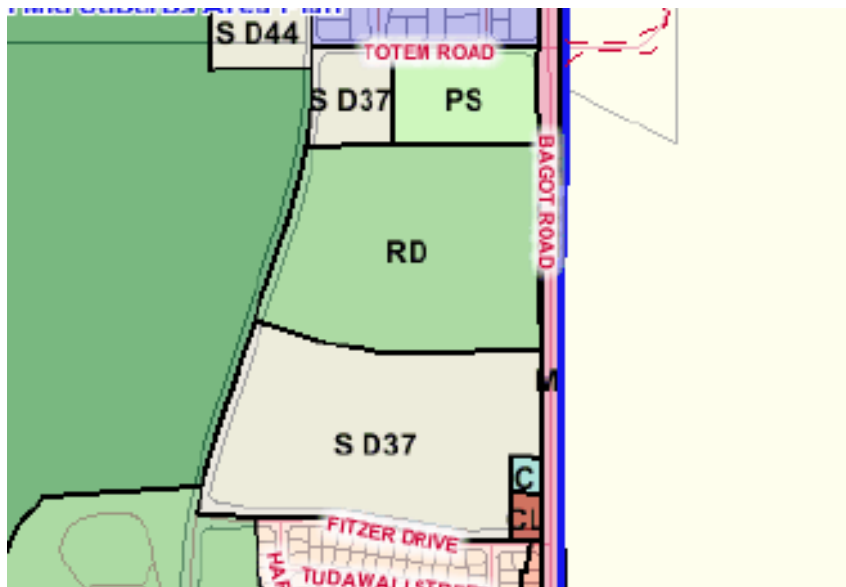


Figure 17: Zoning map of 213 Dick Ward Drive

Source: NT Land Information System.

This section of the Statement addresses the 2007 Scheme as it applies to the SD37 land.

Table 4: Planning Scheme 2007 Assessment	
Provision	Assessment
PART 1	
1.2 Application	The site is located within the Northern Territory and thus subject to the provisions of the Scheme.
2.1 Zones	The zone relevant to the application is the SD37 Zone.
2.2 Permitted, Self Assessable, Discretionary and Prohibited Development	<p>The following definitions are excerpted from Part 1:</p> <ul style="list-style-type: none"> - shop means premises used for the display and sale by retail or for hire of goods or services but does not include a restaurant, retail agricultural stall, service station, showroom sales or vehicle sales and hire; - restaurant means premises (other than a shop, or part of a hotel or a motel) in which meals are served to the public whether or not the premises provides a drive-through service or requires a licence under the Liquor Act; - service station means premises used for the sale by retail of fuels, oils and other products for use in connection with the operation of motor vehicles, whether or not it includes convenience shopping, but does not include a fuel depot, motor repair station or motor body works; <p>Section 2.2 4(a) of the Scheme requires that land uses listed as discretionary require consent. These three (3) land uses are all discretionary, and thus this application seeks consent for shops, restaurants and one service station(as further detailed in this submission).</p> <p>These land uses require assessment of the following clauses of the scheme:</p> <ul style="list-style-type: none"> • Shop & Restaurant 6.4, 6.5.1, 6.6, and 8.2 • Service Station 6.4, 6.5.1, 8.1.4. <p>These clauses are addressed within this table.</p> <p>As identified, this is an application made pursuant to the 2007 Planning Scheme, as required by the SD37 zone. For comparison, the current 2020 Planning Scheme provides the following relevant definitions:</p> <ul style="list-style-type: none"> • <i>food premises-café / take away means small-scale premises (other than a barsmall) used for the preparation and sale of food and drinks that may be either taken away or consumed at seating on the premises; food premises</i> • <i>fast food outlet means premises used for the preparation and sale of food and drinks primarily packaged to be taken away for consumption off premises that incorporate a drive-through service, and may include the provision of seating for the consumption of food on the premises; food premises-restaurant means premises (other than a bar-public, bar-small, shop, or part of a hotel/motel), used for the preparation, sale and service of food and drinks for</i>

Table 4: Planning Scheme 2007 Assessment

	<p><i>consumption primarily on the premises where seating is provided, and may include the ancillary provision of take-away food;</i></p> <ul style="list-style-type: none"> <i>service station means premises used for the sale by retail of fuels, oils and other products for use in connection with the operation of motor vehicles, whether or not it includes convenience shopping, but does not include a fuel depot, motor repair station, motor body works, or shopping centre. The use can include, where ancillary, a food premises-café / take away and shop;</i> <i>shop means premises used for the display and sale by retail or for hire of goods or to provide services, and may include where ancillary an office, but does not include a food premises-café / take away, food premises-fast food outlet, food premises-restaurant, retail agricultural stall, service station, shopping centre, showroom sales or vehicle sales and hire;</i> <i>shopping centre means an integrated complex of three or more individual tenancies that is comprised primarily of shops;</i> <p>Under the 2020 Planning Scheme, the proposal would likely be defined as including:</p> <ol style="list-style-type: none"> 1. Shopping centre (the main integrated complex comprising the two (2) x shops and two (2) x food premises /café). 2. Service Station. 3. Fast food outlet= Impact Assessable. <p>All land uses would be impact assessable. A standalone DA for a food premises/café-takeaway would be permitted. None of these uses are prohibited.</p>
2.4 Specific Use Zones	The site is zoned SD37, which is described in Schedule 1 (Specific Use Zones). The proposal is considered consistent with the purpose of and controls of SD 37.
PART 2	
4.0 Planning Principles and Framework	The proposed variations remain consistent with the planning principles in this Part, as they relate to the Darwin region in Section 4.2.
PART 3 – Index of Zones	
5.9 Zone SC – Service Commercial	Clause 3 of the SD37 zone provisions identifies that Area A is to be used in accordance with the provisions of this zone. An assessment against relevant provisions of this zone are contained in this table.
PART 4 – General assessment Criteria	
6.1 1. The purpose of this clause is to ensure that the height of buildings in a zone is consistent with development provided for by that zone.	Section 6.1.1 (4) limits the maximum building height (MBH) to 8.5m. The proposed development seeks a height variation from 8.5 metres to 10.9 metres (an exceedance of 2.4 metres) to accommodate a distinctive curved roof element over the shop (supermarket) entry.

Table 4: Planning Scheme 2007 Assessment

<p>2. <i>This clause does not apply within Zones CB or DV or TC or to education establishments or hospitals within zones CL or CP or, subject to clause 7.1, Zone C</i></p> <p>3. <i>The height of any point of a building is to be measured from ground level vertically below that point and includes the height of a mound specifically provided or made to elevate the building.</i></p> <p>4. <i>Unless expressly provided by this Planning Scheme, the height of any part of a building is not to exceed 8.5m above the ground level, unless it is:</i></p> <p>(a) <i>a flag pole, aerial or antenna; or</i></p> <p>(b) <i>for the housing of equipment relating to the operation of a lift.</i></p>	<p>Section 2.5 of the Scheme enables the Consent Authority to exercise discretion in relation to standards in Part 4, where they are satisfied that special circumstances justify the giving of consent. This variation to the MBH is justified on the following grounds.</p> <p>The curved roof feature is a distinctive architectural element that creates visual interest and a recognisable entry statement for the shop (supermarket), elevating what may otherwise be a utilitarian box-form retail building. This design element humanises the building scale through deliberate articulation, assists customer wayfinding along Bagot Road and demonstrates investment in design quality beyond minimum compliance. The curved feature is proportionate to the overall building mass and reads as an integrated architectural expression that contributes positively to the evolving streetscape character.</p> <p>The 2.4-metre variation (approximately 28% above the prescribed limit) is modest in quantum and necessary to accommodate both the architectural curved roof element.</p> <p>The proposed height is contextually appropriate to the locality's emerging commercial character and generates no material amenity impacts on adjoining properties in terms of overshadowing, visual bulk, or privacy loss. The building is set back from boundaries with substantial car parking areas buffering adjacent sites, further mitigating any potential scale impacts.</p> <p>The height variation is limited in its spatial extent, with the curved roof element affecting only the supermarket entry zone (approximately 10-15% of the building frontage) rather than the entire building. The balance of the structure maintains a lower profile typically 6.6m in height, ensuring the variation represents a targeted architectural feature rather than an overall building mass increase. This limited impact demonstrates design sensitivity and proportionate response to site opportunities.</p> <p>Performance-based planning assessment recognises that numerical height controls serve to achieve amenity outcomes rather than being absolute standards. Where commercial contexts present no sensitive interfaces and where architectural merit enhances urban design quality, modest variations are appropriate. The proposed 10.9-metre height, including the distinctive curved roof element, delivers superior architectural outcomes, and contributes positively to the Bagot Road commercial corridor without adverse amenity impacts.</p> <p>Accordingly, the height variation to 10.9 metres is justified by the commercial site context, modest quantum of exceedance, architectural design merit, functional operational requirements, and absence of amenity impacts on adjoining properties.</p>
<p>6.4 Plot Ratio</p> <p>6.4.1 Plot Ratio</p> <p>1. <i>The purpose of this clause is to provide for development that will, in</i></p>	<p>Plot ratio means the floor area divided by the area of the site.</p> <p>The total site area is 4.05ha. The total Gross Floor Area is 6777m². The proposal is thus compliant with the requirement for a total plot ratio of 1.</p>

Table 4: Planning Scheme 2007 Assessment

<p><i>terms of building massing, be compatible with adjacent and nearby development.</i></p> <p><i>2. Development of sites within: • Zone TC other than in the Municipality Darwin; or • Zone C; or • Zone SC; should not exceed a plot ratio of 1.</i></p> <p><i>3. Sub-clause 2 does not apply to a residential building development other than a hostel.</i></p> <p><i>4. Development of sites within Zone TC in the Municipality of Darwin should not exceed a plot ratio of 3</i></p>	
<p>6.5.1 Parking Requirements</p> <p><i>The purpose of this clause is to ensure that sufficient offstreet car parking, constructed to a Standard and conveniently located, is provided to service the proposed use of a site</i></p>	<p>A total of 510 car spaces is provided in the designated carparking areas distributed around the lot and uses for convenient access. Additional spaces (five(5) are provided for motorcycles and various bicycle racks(6) are distributed at entries to uses. These spaces are in part protected by shade sails for comfort.</p> <p>Set down areas for passenger drop off, taxi and uber picks are also provided.</p> <p>The carpark areas are landscaped and or include shade structures form amenity and shelter/shade.</p> <p>In regard to 6.5.1</p> <ol style="list-style-type: none"> (1) The geometric layout of the proposed parking facilities has generally been designed to comply with the relevant requirements specified by AS2890.1. AS Standards and conveniently located to use areas. (2) Carparking has been provided within an integrated complex and for use by all users. A pooled approach to parking is provided. As shown in Table 8.1 of the TIA, the proposal meets and exceeds the minimum requirement of 396 spaces under the Planning Scheme. An additional 114 car spaces are provided with Stage 1. This excess is provided in regard to the subsequent Stage 2 of the development.
<p>6.6 Loading Bays</p> <p><i>The purpose of this clause is to provide for the loading and unloading of vehicles associated with the use of land.</i></p> <p><i>2. A general industry, hospital, hotel, licensed club, light industry, motel, office, restaurant, shop, showroom sales, transport terminal or warehouse use or development on a site must provide areas wholly within the site for</i></p>	<p>A dedicated loading bay is provided to the supermarket and for use by retailers, accessed from the new Access Road. Additional loading bays are also provided.</p> <p>In accordance with the NT Planning Scheme 2007, Clause 6.6 – Loading Bays, the development provides the following:</p> <p>Loading Bay Dimensions: Each loading bay is designed to meet the minimum requirements of 7.5m by 3.5m, with a vertical clearance of at least 4m.</p> <p>Access: Driveways and internal circulation areas provide adequate access to each loading bay for safe and efficient vehicle movements.</p>

Table 4: Planning Scheme 2007 Assessment

<p>loading and unloading of vehicles at the ratio of:</p> <p>(a) if for a general industry, hospital, hotel, licensed club, light industry, motel, showroom sales, transport terminal or warehouse use or development: i. 1 loading bay for a single occupation of a net floor area of 10 000m² or less; and ii. 1 loading bay for every 5 000m² of net floor area or part thereof in excess of 10 000m² ; or</p> <p>(b) if for an office, restaurant or shop use or development, 1 loading bay for every 2 000m² of the total net floor area.</p> <p>3. A loading bay is to:</p> <p>(a) be at least 7.5m by 3.5m; (</p> <p>b) have a clearance of at least 4m; and</p> <p>(c) have access that is adequate for its purpose</p>	<p>The proposal accommodates service vehicles up to the size of an Articulated Vehicle (AV), consistent with the Austroads Guide to Traffic Management – Part 12: Traffic Impacts of Developments. Swept path analysis demonstrates that an AV can satisfactorily access, manoeuvre, and exit the site without impacting other on-site operations.</p> <p>Swept paths for an Articulated Vehicle (AV) are shown in Figure 8.1 confirming that manoeuvring requirements are able to be met.</p>
<p>6.7 Signs</p> <p>Alice Springs, Darwin, Palmerston, Katherine and Tennant Creek municipal councils control the erection of signs</p>	<p>One (1) 10m high Pylon sign is proposed as part of the development, however the CoD assesses sign permit applications. On this basis, the signage does not form part of the application. Additional signage for tenancies and branding would be provided.</p>
<p>6.9 Land in Proximity to Airports</p> <p>1. The purpose of this clause is to:</p> <p>(a) minimise the detrimental effects of aircraft noise on people who reside or work in the vicinity of an airport;</p> <p>(b) prevent any new use or intensification of development on land that would prejudice the safety or efficiency of an airport; and</p> <p>(c) retain the non-urban character of the land.</p> <p>2. Despite anything to the contrary in this Planning Scheme, in Zones A, RL, R, CP, CN, ROAD, WM and FD, the use or development of land near an airport that is subject to the Australian Noise Exposure Forecast (ANEF) 20 unit value</p>	<p>1.</p> <p>(a) Buildings will be constructed to comply with AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction'. Refer to comments below at subclause 6.9(3).</p> <p>(b) The SD37 zone envisaged the development of the site. It is unlikely that the proposed development will prejudice the safety or efficiency of Darwin airport.</p> <p>(c) THE SD37 envisaged the development of the site for commercial land uses in accordance with the Service Commercial Zone. The proposal is discretionary, and thus capable of being granted consent. The SD37 zoning retains a large central RD zone area for retention of the non-urban character. We note clearing and earthworks will occur in this area however disturbed areas would be suitably rehabilitated/landscape to retain an non-urban character.</p> <p>2. Not applicable.</p>

Table 4: Planning Scheme 2007 Assessment

contour line or greater as defined on the ANEF maps produced by the Department of Defence (as in force from time to time), requires consent.

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

4. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

5. Use or development of land is not to be of a nature that attracts Birds or bats to an extent that prejudices the safe operation of an airport.

6.12 Landscaping

1. The purpose of this clause is to ensure that landscaping on a site complements and enhances the streetscape, is attractive, water efficient and contributes to a safe environment.

3. The site is subject to ANEF zones 25-35. The Australian Standard AS 2021 – 2000 Table 2.1. This has been superseded by AS 2021:2015. The table lists commercial buildings with an ANEF of 25-35 as conditionally acceptable.

Building Type	ANEF Zone of site		
	Acceptable	Conditionally Acceptable	Unacceptable
House, home unit, flat, caravan park	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hotel, motel, hostel	Less than 25 ANEF	25 to 30 ANEF	Greater than 30 ANEF
School, university	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
Commercial building	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
Light industrial	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
Other industrial	Acceptable in all ANEF zones		

The proposed buildings are capable of being constructed in accordance with relevant requirements.

4. It is not anticipated that the lighting associated with the development will have an impact on the safe operation of Darwin airport. Conditions of consent can be applied in relation to this matter. All evening lighting is to contain hoods to direct and limit light spill and no direct lighting within the RD zoned land is proposed.
5. It is not anticipated that the development will have an impact on the safe operation of Darwin airport in relation to the attraction of Birds or bats. Conditions of consent can be applied in relation to this matter.

Refer to **Attachment 1**.

1. The design integrates the commercial development with its surroundings using the following key principles:

- Contextual Integration: Blends natural and commercial aesthetics using relocated native cycads and pandanus where possible
- Pedestrian Connectivity: Meandering paths with clear sightlines, seating nodes, and accessible frontages throughout.
- Climate Comfort: Large shade trees, layered plantings, and strategic positioning for visual and thermal amenity
- Public Realm Enhancement: Transforms a neglected site into managed commercial space benefiting the wider community.

Table 4: Planning Scheme 2007 Assessment

<p>2. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.</p> <p>3. Landscaping should be designed so that</p> <p>(a) planting is focussed on the area within the street frontage setbacks and communal open space areas and uncovered car parking areas;</p> <p>(b) it maximises efficient use of water and is appropriate to the local climate;</p> <p>(c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;</p> <p>(d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;</p> <p>(e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;</p> <p>(f) the layout and choice of plants permits surveillance of public and communal areas; and</p> <p>(g) it facilitates on-site infiltration of stormwater run-off.</p> <p>4. The quality and extent of the landscaping consented to should be maintained for the life of the development.</p>	<p>2. Stone plith seating is provided strategically throughout the proposed landscape design as are hard stand areas for gathering.</p> <p>3. (a) The SLI depicts sufficient planting in setback areas, with appropriately spaced planting throughout the car park area, consistent with the intent of the Masterplan.</p> <p>(b) The use of local species is consistent with efficient water use and local climatic considerations.</p> <p>(c) Landscaping has been designed to address this historically disturbed site near Darwin Airport which may be considered detracts from local amenity. There is no known landscape strategy for the area.</p> <p>(d) Relocated native cycads and pandanus are proposed where possible.</p> <p>(e) The landscaping proposed where possible assists with energy conservation without impacting casual surveillance opportunities, sightlines, or creating onerous maintenance burdens.</p> <p>(f) The proposed plantings will not detract from casual surveillance opportunities.</p> <p>(g) the landscaping will contribute to on-site infiltration.</p> <p>4. The proposed landscaping is able to be adequately maintained within this private commercial complex. As noted external landscape improvements are also proposed utilising appropriate native and exotic species to provide a high amenity interface and comfort for pedestrians/active transport enthusiasts.</p>
<p>6.16 Excavation and Fill</p> <p>1. The purpose of this clause is to ensure that the excavation or filling of land does not adversely affect adjacent land or waters, or the quality of adjacent waterways, and associated riparian areas and is suited to the intended future use of the site.</p>	<p>The development site is capable of being suitably formed by way of fill. As detailed in the site survey the site is generally flat. Further detailed design is currently being undertaken as required for a DA. A separate DA will be lodged for earthworks. The site is to be profiled with Bagot Road to ensure suitable interface these earthworks are contained within Area A, which is contemplated for development.</p>

Table 4: Planning Scheme 2007 Assessment

<p>2. <i>The excavation or filling of land, other than that normally required in association with the construction of a building, swimming pool, ornamental pond or the like, requires consent.</i></p> <p>3. <i>An application for consent to excavate or fill land should:</i></p> <p><i>(a) demonstrate the suitability of the site for the proposed future use;</i></p> <p><i>(b) include a hydrological assessment of potential upstream and downstream impacts of the excavation or filling;</i></p> <p><i>(c) specify a plan of management to control erosion and sedimentation, particularly of creeks and riparian areas; and</i></p> <p><i>(d) specify measures to prevent the creation of mosquito breeding areas.</i></p>	<p>Other minor clearing and earthworks are located in the ROAD zoned land for the containment cell and stormwater drainage improvements. These are to be designed to not result in actionable damage. As noted the site is unfortunately subject to regular uncontrolled wildfires from vandals and typically near/on territory day.</p> <p>Consent for earthworks is a future application and or is able to be provided with this application post lodgement. These earthworks plans and associated management plans are details which are able to be conditioned.</p>
<p>8.1.4. Service Stations</p> <p>1. <i>The purpose of this clause is to ensure that service stations do not, because of appearance or the emission of fumes or noise, unreasonably affect the use and enjoyment of adjacent land.</i></p> <p>2. <i>A site may be developed for a service station only where:</i></p> <p><i>(a) fuel bowzers and any motor repair station associated with the service station, are located at least 20m from any residential or commercial development and visually screened from that development;</i></p> <p><i>(b) fuel bowzers are not closer than 3m to the edge of a road reserve;</i></p> <p><i>(c) the design of the site is such that:</i></p> <p><i>i. vehicular access and egress does not create a traffic Hazard on adjacent roads</i></p> <p><i>; ii. vehicular crossings of the footpath are not more than 9m wide, nor closer than 6m to another vehicular crossing and not closer than 15m to a road intersection; and</i></p>	<p>1. The site presents an optimal location for the proposed service station – separated from residential land uses, adjacent to a main road (Bagot Road), and will be suitably screened with intelligent landscaping.</p> <p>The use is not a prohibited use in the zone given it is not on land adjoining or opposite residential land, with the existing service station located between this proposed use and the residential areas on Fitzer Drive. The proposed service station is hundreds of meters away.</p> <p>2. (a) The fuel bowzers are located greater than 20 m from residential development and suitably screened by way of internal landscaping, and in addition, are separated by existing commercial development south of the site. The adjacent commercial development internal to the site will also be screened by landscaping as depicted in the SLI.</p> <p>(b) Fuel bowzers are greater than 3m from the road reserve.</p> <p>(c) The service station is accessed internally within the development and does not impact on the public roads and their operation. The use is supported by swept path analysis demonstrating movement of tanks does not impact on other road users internally and externally.</p> <p>ii. The service station is accessed internally form the private road network with the access approximately 10m from the intersection with the new access road.</p>

Table 4: Planning Scheme 2007 Assessment

<p><i>iii. inlets to bulk fuel storage tanks are situated so that tankers discharging fuel stand wholly within the site.</i></p> <p><i>(d) if the site is within a 1% AEP flood event or storm surge, the service station is designed to withstand the flood event or storm surge without risk of pollution.</i></p>	<p>iii. Complies</p> <p>(d) The location of the proposed service station is not mapped as land subject to flooding, nor storm surge. It is noted that part of the overall site is mapped as such. Future Stage DA's will address flooding and storm surge with the submission of engineering reports.</p>
<p><i>8.2 Commercial and other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T</i></p> <p><i>1. The purpose of this clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.</i></p>	<p>The proposed development demonstrates a high-quality, site-responsive design in consideration of the site's strategic location. The design is both attractive and pleasant, contributing positively to the public realm and creating a safe commercial environment through the following measures:</p>
<p><i>2. The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:</i></p>	<p>The proposal provides for a series of buildings positioned to activate and engage the primary viewing corridor and internal use of the site. Through this the mass and scale of the changed landscape is managed. The new softscape/landscape treatments mitigate the landscape change through large areas of landscaping, retained species within the landscape palette and landscape elements to add interest and variety in form and function. Collectively the proposal delivers on function and provides a commercial edge to the main road. Built form and landscape treatments provide a high aesthetic outcome for the site.</p> <p>The development seeks to activate and engage with the primary road frontage, through the 2 smaller scale uses fronting Bagot Road. Bagot Road is treated with layered landscaping to reflect the local native character influences and also reflect the proposed commercial development. The landscape treatment is also used to signify vehicular and pedestrian access to the site.</p> <p>The larger shopping centre is sleaved with smaller tenancies to active the internal provide roads and also activate the Bagot Road frontage. It is also sleaved by online collection and delivery servicing areas. These are orientated away from Bagot Road, the primary viewshed.</p> <p>The shopping centre entry is defined by architectural features, extended roofline and the associated shaded car parks. This location is central to future stages and development in the Masterplan. The built form is low rise and adopts contemporary materials and finishes. Large areas of glazing are provided to the retail frontages for activation/visibility. Covered walkways and internal airconditioned circulation paths are provided for user comfort.</p>

Table 4: Planning Scheme 2007 Assessment

<p><i>(a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;</i></p> <p><i>(b) be sympathetic to the character of buildings in the immediate vicinity;</i></p> <p><i>(c) minimise expanses of blank walls;</i></p> <p><i>(d) add variety and interest at street level and allow passive surveillance of public spaces;</i></p> <p><i>(e) maximise energy efficiency through passive climate control measures;</i></p> <p><i>(f) control on-site noise sources and minimise noise intrusion;</i></p>	<p>Specifically, to the controls</p> <p>(a) There are no significant vistas in the vicinity of the site. Notwithstanding, the proposal enhances the visual amenity of the area, by removing the potential for illegal dumping, activating the streetscape, and providing climate considerate and contextually appropriate landscaping. The proposal positively contributes to the streetscape character of the adjoining roads and vistas from and along these.</p> <p>(b) The development's scale, built form, and commercial function are consistent with the established character of the Bagot Road corridor. The contemporary architectural treatment with quality materials elevates the design beyond typical utilitarian structures in the locality while remaining contextually appropriate.</p> <p>(c) The building design incorporates extensive shopfront glazing, articulated elevations with material variation (rendered walls, face brick, and glazing), and the distinctive curved roof feature to break down wall planes and eliminate monotonous blank facades. Service areas are located away from primary street frontages, and walls facing public spaces feature window openings, material changes, and architectural detailing.</p> <p>(d) The ground floor features extensive tinted glazing along the supermarket frontage providing transparency and passive surveillance of car parking areas and street frontages, with human-scaled entry elements including the curved roof canopy creating visual interest. The inclusion of separate retail tenancies introduces built form diversity and multiple active frontages rather than a single monolithic structure.</p> <p>The delivery of multiple built form elements reduces the mass of the built form adding variety to the streetscape</p> <p>(e) The design incorporates climate-responsive measures appropriate to Darwin's tropical climate including generous roof overhangs and covered walkways for solar shading, tinted glazing to reduce heat gain while maximizing natural light, building orientation to minimize western exposure, and mechanical ventilation systems suited to large-format retail operations.</p> <p>Landscape features/elements also contribute to the responsive climatic design such as the inclusion of shaded paths and opportunity to stop and rest.</p> <p>(f) The commercial retail use will generate minimal external noise, with all mechanical plant to be roof-mounted and acoustically screened, and the building design incorporating acoustic</p>
--	--

Table 4: Planning Scheme 2007 Assessment

<p><i>(g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;</i></p> <p><i>(h) minimise use of reflective surfaces;</i></p> <p><i>(i) provide safe and convenient movement of vehicles and pedestrians to and from the site;</i></p> <p><i>(j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;</i></p> <p><i>(k) provide protection for pedestrians from sun and rain;</i></p> <p><i>(l) provide for loading and unloading of delivery vehicles and for refuse collection;</i></p>	<p>treatment to address aircraft noise intrusion from Darwin Airport in accordance with AS 2021 requirements. Loading and service areas are located away from sensitive interfaces and screened from public view.</p> <p>(g) All rooftop mechanical plant, air conditioning equipment, and service infrastructure will be concealed behind roof parapets and architectural screening elements, with ground-level service areas enclosed within designated zones.</p> <p>(h) The material palette comprises predominantly non-reflective finishes including smooth rendered walls in painted finishes, face brick with matte texture, and Colourbond metal roofing in Surf mist, with shopfront glazing specified in tinted grey to reduce reflectivity and glare. Landscaped areas within the carparking also contributes to shaded surfaces.</p> <p>(i) The site layout provides clear separation between vehicle and pedestrian circulation, with defined pedestrian pathways from car parking to building entries, proposed intersection upgrades to Bagot Road and the internal access road, and 510 car parking spaces arranged in logical, easily navigable bays. The development includes dedicated loading bays separated from customer parking areas to minimize conflicts between service vehicles and shoppers.</p> <p>Pedestrian movements through the site are catered for in clear spines for safety and legibility.</p> <p>(j) The development provides continuous accessible pathways compliant with AS 1428.1 from car parking areas to all building entries, with covered walkways providing weather protection and level access throughout the site. Pedestrian connections to Bagot Road footpaths and the internal access road network are integrated into the site layout. Pedestrian movements through the site are catered for in clear spines for safety and legibility</p> <p>(k) Extensive covered walkways and generous building overhangs provide comprehensive weather protection for pedestrians traversing the site. The landscape design and intent for external roads considered comfort for pedestrians and active transport users through shade and seating for rest.</p> <p>(l) The development includes dedicated loading bays located at the rear of the supermarket building, separated from customer</p>
--	---

Table 4: Planning Scheme 2007 Assessment

<p><i>(m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;</i></p> <p><i>(n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and</i></p> <p><i>(o) provide bicycle access, storage facilities and shower facilities.</i></p>	<p>circulation areas and sized to accommodate large delivery vehicles including articulated trucks. Additional loading bays are placed adjacent to the other tenancies. Dedicated refuse collection areas are integrated within the service zone with appropriate screening from public view.</p> <p>(m) Landscaping is incorporated throughout car parking areas to break down hardstand expanses and provide shade, along street frontages to enhance visual amenity, around pad sites to define spaces, and at site boundaries to screen service areas. Green spaces soften the built form and contribute to a pleasant customer environment.</p> <p>The proposal also incorporates shade sail structures in part of the carpark areas for greater weather protection.</p> <p>(n) The proposal includes amenities which will be available to customers.</p> <p>(o) The proposal includes six (6) bicycle racks.</p>
<p>3. A development application must in addition to the matters described in sub-clause 2, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide (as amended from time to time) produced by the Department of Lands and Planning.</p>	<p>The development demonstrates comprehensive integration of CPTED principles and compliance with the Community Safety Design Guide through:</p> <ul style="list-style-type: none"> ✓ Maximized passive surveillance via extensive glazing and active frontages ✓ Clear sightlines throughout car parking and pedestrian areas ✓ Activity generation through retail uses and multiple tenancies ✓ Comprehensive lighting strategy meeting relevant Australian Standards ✓ Safe car park design avoiding entrapment locations ✓ Clear wayfinding and signage throughout ✓ Building design avoiding blank walls and concealment opportunities ✓ Commitment to ongoing management and maintenance ✓ Appropriate commercial use for the location and context <p>The development provides a safe, well-designed commercial environment that contributes positively to community safety in the Ludmilla area and satisfies the objectives of the Community Safety Design Guide.</p>
<p>Part 7 Transport & Infrastructure</p>	
<p>13.2 Land Adjacent to Main Roads</p>	<p>The proposal provides assessment for works to Bagot Road including the new intersection and signalisation works.</p> <p>The proposal does not impact on drainage of the main road, with all easements retained and a new stormwater network to be delivered.</p>

Table 4: Planning Scheme 2007 Assessment

Schedule 1

<p><i>Part Lot 5182, Town of Darwin (213 Dick Ward Drive, Ludmilla).</i></p> <p><i>1. The purpose of this zone is to provide for development that:</i></p> <p><i>(a) preserves the amenity of adjoining residential areas;</i></p> <p><i>(b) minimises the negative impacts of being exposed to aircraft noise; and</i></p> <p><i>(c) preserves the safety and maintains the curfew free operation of the Darwin International Airport</i></p>	<p>(a) The layout has been designed with consideration for the surrounding residential areas. The site is separated by the existing commercial development to the south, as well as the required landscaping buffer. There is ample landscaping proposed to soften the visual impacts of the development, whilst maintaining opportunities for casual surveillance and manoeuvrability with minimal maintenance.</p> <p>(b) Refer to comments at Clause 6.9 in this table.</p> <p>(c) Refer to comments at Clause 6.9 of this table</p>
<p><i>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.</i></p>	<p>There is no proposed change to the area of part Lot 5182 subject to this clause.</p>
<p><i>3. Area A is to be:</i></p> <p><i>(a) used with or without consent in accordance with the provisions of Zone SC (Service Commercial); (refer to scheme for full list)</i></p> <p><i>(b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:</i></p> <p><i>(c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme</i></p>	<p>As outlined earlier in this table, Section 2.2 4(a) of the Scheme stipulates that land uses listed as discretionary require consent. This application seeks consent for two (2) shops, three (3) restaurants and one (1) service station- all discretionary land uses in this zone.</p> <p>It is noted that Clause 3(b) notes that a service station is prohibited if it is located on land adjoining or opposite a residential zone.</p> <p>Land to the south of the site is residential, however is separated and screened from the site by:</p> <ul style="list-style-type: none"> - Fitzer Drive - The required landscaping buffer, and - Lot 2 of the Masterplan, and - The existing McDonalds' and Chemist development. <p>The clause could be construed as intending to minimise impacts from a service station on residential development. On this basis the exception is not relevant to the proposal.</p>
<p><i>4. Area B is to be:</i></p> <p><i>(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></p>	<p>No development is proposed in Area B.</p>

Table 4: Planning Scheme 2007 Assessment

<p><i>(c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme</i></p>	
<p>5. Development of Area A is to protect the residential amenity of the adjoining Ludmilla community by:</p> <p>(a) providing a vegetated landscaping buffer Fitzer Drive, which will include the existing 10m drainage easement that runs along the property boundary. Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority; or</p> <p>(b) providing a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping;</p> <p>(c) meeting the requirements of Clause 6.12 of the NT Planning Scheme;</p> <p>(d) designing buildings to have an active frontage to Fitzer Drive that allows for the passive surveillance of the landscape buffer; and</p> <p>(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.</p>	<p>(a) The proposal does not alter any development aspects involving the required landscaping buffer to Fitzer Drive or the 10m drainage easement. We note this buffer is to be provided prior to clearance of the subdivision. As detailed in the submission additional landscape areas and treatments are proposed to Fitzer Drive for amenity and aesthetics. These are staged with the delivery of the road improvements to Fitzer Drive to slow speed reduce rat running and improve safety. This is particularly the case for pedestrian and active transport movements.</p> <p>(b) The proposed development does not adversely impact the ability to provide a landscaping buffer/ area or impact on the drainage easement. We note this buffer is to be provided prior to Part V clearance of the subdivision. As detailed additional landscape works are proposed for the Fitzer Drive frontage to improve amenity and aesthetics and for the comfort of pedestrians and active transport users.</p> <p>(c) Refer to assessment earlier in this table. Complies.</p> <p>(d) The site does not front Fitzer Drive, excepting the access easement. The shop (supermarket) is oriented towards Fitzer Drive, nonetheless.</p> <p>(e) The plans for this requirement have been approved. These works are scheduled to be undertaken commencing November.</p>
<p>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</p>	<p>This application includes a portion of the proposed access road referred to in this clause. The proposed supermarket (shop) and service station have a frontage to this road.</p> <p>The access road frontage has been activated by the inclusion of a stone plinth seating and other landscape treatments, building facades and screen service areas. The variety of treatments (Hard/soft) in addition to the positive and negative spaces created by the massing delivers an active frontage suitable to this future collector road.</p>
<p>7. Loading bays, storage facilities and waste storage utilities should be</p>	<p>Given the sites location far from Dick Ward Drive, the storage, loading bays and utilities will be unlikely be visible from this road.</p>

Table 4: Planning Scheme 2007 Assessment

screened from Dick Ward Drive by using a 8m landscaping buffer and other landscaping design techniques in Areas A and B to the satisfaction of the consent authority.	<p>The loading bays and plant for the supermarket are enclosed within the rear of the supermarket and will unlikely be visible from Dick Ward Drive.</p> <p>Loading bays for the restaurants and retail, service station is also similarly located away from this road.</p>
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.	<p>The site is not proximate to Dick Ward Drive. Nevertheless, the proposal includes architectural design features.</p>
<p>9. Building and lot designs are to demonstrate that they can be constructed to comply with:</p> <p>(a) AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction'; and</p> <p>(b) any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.</p>	<p>(a) As outlined earlier in this table, the proposed buildings will be capable of complying with the standard for commercial buildings.</p> <p>(b) There applicable height provisions for the site set out in the Defence (Areas Control) Regulations 1989 (Cth).A separate application will be lodged.</p>
10. 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.	<p>A Masterplan has previously been submitted and approved(Attachment 6). A concurrent application seeks to have endorsed a varied Masterplan (Attachment 1). This amended varied Masterplan aligns with the varied subdivision application and with this DA.</p> <p>These variations respond to changes in the locality principally traffic/roads and result in public benefit.</p> <p>There is no provision precluding amending or varying the Masterplan.</p> <p>The concurrent applications are submitted to demonstrate consistency with the provisions of SD37 and scheme. These are also submitted concurrently to demonstrate orderly development.</p>
<p>11. The Masterplan required at paragraph 10 is to outline how the requirements in this schedule are met (where applicable), and is to:</p> <p>(a) identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;</p> <p>(b) integrate parking areas with the pedestrian network;</p>	<p>The amended Masterplan (Attachment 1) addresses these requirements in detail. These requirements are to be assessed in the amended Masterplan. Of note:</p> <ul style="list-style-type: none"> - The required link for cyclists will be provided consistent with the intended staging of the 'connecting road' as reflected in the proposed staging and CP& Covenant document. - Detailed assessment of any intersection and road design will be, as required under the permit, undertaken with future applications. <p>Both the TIA, SLI and amended Masterplan illustrate improved and safe connectivity through and around the site. This is particularly relevant to pedestrian and cycle movements.</p>

Table 4: Planning Scheme 2007 Assessment

<p><i>(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;</i></p> <p><i>(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;</i></p> <p><i>(e) provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;</i></p> <p><i>(f) include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and</i></p> <p><i>(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.</i></p>	<p>Improved pedestrian connectivity and safety is delivered through the development facilitated by the varied subdivision.</p> <p>In regard to point d, the site has gained AAPA clearance. We also note the site is subject to regular fire and uncontrolled fires degrading the site and promoting weeds. The site does contain multiple stems of <i>Cycas armstrongii</i> and <i>pandanus</i> which would be subject to relevant permits relocated into designated landscape and ROAD zoned areas on site.</p> <p>e) an updated SLI has been provided in Attachment 1 detailing treatments for the site. The expressed intent would be further resolved through future DA's and detailed planting /construction plans.</p> <p>The Masterplan document addresses point e-g in regard to conceptual arrangement of built form and softscape areas.</p>
--	---

In summary, the proposed variation remains consistent with the relevant sections of the Planning Scheme 2007

5.0 Conclusion

This Statement outlines the history of the site and the approved development application and has provided an assessment against planning provisions of the Act the Northern Territory Planning Scheme 2007 including the specific zone code relevant to the site. This Statement of Effect demonstrates that the application is consistent with the requirements of the Planning Act, and the general controls and SD37 requirements as required by the Scheme.

This Stage 1 DA is the first DA that seeks to enliven the site as approved and envisaged pursuant to the endorsed Masterplan and proposed amended Masterplan. Various reporting was undertaken to demonstrate suitability for development of the site which is reflected in the conceptual Masterplan/s. The conceptual Masterplan/s was also accompanied by a subdivision plan reflecting the specific uses areas (Area A and B) and establishing 5 lots. In respect to these 3 related to Area A with the lot boundaries positioned to align with conceptual future use areas and circulation (i.e. roads) paths, 1 for the central open space area and 1 for Area B the industrial development. Both Masterplan and subdivision plans are sought to be concurrently varied with this DA to align all 3 aspect of development of the site.

This DA request is one (1) of three (3) which are lodged concurrently to provide consistency across the permits sought and also are in part administrative in that consequential changes arise from development and detailed design. The three (3) applications which have been lodged concurrently are :

1. A variation to DP14/0831 to vary the lot and staging plans.(as indicated in **Attachment 2**)
2. A variation to the Masterplan for specific use zone SD37 endorsed by the consent authority on 19/9/2014;(as indicated in **Attachment 1**)and
3. This Development Application for two (3) Shops, three (3) Restaurants and one (1) Service Station.

This development will transform a historically disturbed and neglected site near Darwin Airport into a vibrant commercial precinct that serves as both a meeting and shopping place for locals and visitors. The proposal enlivens the SD37 land and facilitates the economic and orderly development of this commercially-zoned area while significantly enhancing public amenity. The comprehensive landscaping approach uses native Top End species including Pandanus, Livistona palms, and Corymbia to create meaningful pedestrian connectivity through meandering paths, accessible frontages, and climate-responsive design with strategic shade tree placement. This represents a critical improvement to the visual amenity of the area, transforming what is currently an eyesore into managed open space that benefits the wider community.

The development is clearly in the public interest, providing significant employment opportunities both during construction and on an ongoing operational basis. Retail developments of this nature employ a large number of younger staff, creating valuable youth employment opportunities in the local area. The proposed local centre is well-positioned to serve the convenience needs of the local population, providing increased choice and enabling price competition that benefits consumers. The contemporary retail architectural design, featuring a distinctive

curved roof element and modern materials, will establish a quality commercial destination that supports the economic vitality of the Bagot/Ludmilla communities.

The proposal facilitates significant upgrades to the local road network with formalised entries from Bagot Road and Fitzer Drive, improved intersection designs, and enhanced pedestrian pathways that will improve safety and efficiency particularly for residents on Fitzer Drive and the local Bagot/Ludmilla communities. From an environmental perspective, the development addresses existing site contamination through the remediation work required, with an onsite containment cell (Lot 4 of the associated subdivision). The development preserves existing valuable vegetation, with plans to relocate cycads and pandanus into designated landscape areas, while maximising parking efficiency to serve the commercial uses.

A separate DA for earthworks will be lodged, as well as an application to the Department of Defence for structures over the Defence Regulation Height limit. Additionally, an application for a signage permit will be submitted to CoD. A range of additional future applications will control/regulate the development of the site, these however do not preclude an assessment and approval of this DA.

On balance, the application provides significant community benefit, delivering development on a strategically planned site that warrants favourable consideration from the DCA.