



Attachment B – Response to Submissions

February 2026

The following provides a full response to the public submissions.

As identified, for public submissions each is addressed and we have grouped issues, raised in the submission, where relevant and/or consolidated specific issues to points/relevant sentences/paragraphs. This is not to diminish individual submissions or the points raised within rather enable a succinct response to be made on a topic/issue.

We also note in responding to these public submissions, there appear to be multiple similar submissions or proformas/copied documents and again have sought to identify submitter(s) to particular issues/topics and the response and or not repeated responses provided or provided only a summarised response.

We refer within this submission response documents to various plans within Attachment C which have been updated to reflect agency and submitter comments. These include the Master plan document with supporting plans, The Master Plan plan set, subdivision plans and supporting plans, updated Architectural plans, updated SLI , addiotnal heritage information and the Engineering Plans and report.

Submission No/Name	Submission / Issue / Topic	Comment
1 – Nancy Jeffrey	Proforma Objection With dot points <ul style="list-style-type: none">• Environment• Safety/traffic and access• Cultural and heritage issues• Contamination• Scale and suitability of the development• Inconsistency with planning controls SD37 and neighbourhood	<p>In respect to the proforma dot points these issues have been addressed the proposal is unlikely to have an environmental impact due to the disturbed nature of the site, prevalence of declared /noxious weeds and regular burning. Protected plants impacts by works to be salvaged.</p> <p>The proposal results in improved traffic safety</p> <p>A cultural assessment was undertaken and AAPA clearance has been provided. We refer to Attachment C containing 3 letters concerning cultural heritage values from GDA, LN and LDC.</p> <p>Contamination is to be managed with draft RAP having been prepared and these are being updated to the current proposal for management</p>

		<p>The proposal is consistent with that contemplated under the approved Master Plan and SD 37 provisions</p> <p>The proposal as demonstrated is consistent with the SD37 controls</p>
	<p>and my reasons comments</p> <p>Heritage values and ceremonial land</p> <p>So many species of wildlife don't touch</p>	<p>We refer to the AAPA clearance and correspondence from GDA/Larakia Nation and the Larakia Development Corporation concerning heritage and values</p> <p>The site is able to be developed without significant cultural heritage impacts</p> <p>As noted over 50% of the site is to be retained as open space/landscaped open space including vegetated areas in the RD zoned area. Through vegetation retention and new plantings species diversity is unlikely to be significantly impacted.</p>
2 - Corey Chirgwin	<p>As per submitter 1 proforma dot points and</p> <p>My Comments</p> <p>significant cultural heritage ties</p> <p>Storm surge</p> <p>Contamination and unearthing PFAS/asbestos</p> <p>Aircraft noise</p> <p>Increase traffic</p> <p>Current zoning</p> <p>Values the greenspace/trees/nature and cooling</p>	<p>Refer to the correspondence from GDA,LN and LDC and AAPA clearance.</p> <p>The development is contained to the approved A and B which are required to be filled under the current approval.</p> <p>Contamination is to be dealt with through a new RAP which seeks to cap the contamination and / or relocate contaminated material to the designated tip or containment cell.</p> <p>No buildings within ANEF 35 and no residential uses on site. Noise may be a infrequent nuisance to patrons of the centre when outside</p>

		<p>Traffic is consistent with that contemplated under SD37 and the development of the site</p> <p>The site is appropriately zoned for the proposal.</p> <p>Development is consistent with the SD 37 provisions with 50% of the site retained as open space</p>
3 – Anna Reynolds	my family, will be directly affected, particularly by traffic safety, noise, and amenity impacts	<p>Amenity impacts are discussed in the reporting as noted the proposal is generally consistent with the provisions of SD37 and addresses those amenity requirements in the provisions. The proposal incorporates all required buffers and increases the extent of open space / landscaping to Fitzroy Dr. The proposal also results in increased building separation than required or currently approved. The proposal results in improved safety to vehicles and pedestrians and slower speed environment contributing to amenity.</p>
	New retail centre and lack of retail demand /impact assessment.	<p>We note the use is contemplated under the SD37 provisions and noted in the approved Master Plan.</p> <p>The site forms part of the strategic plan retail network and a economic impact assessment is not required. No supermarket based centre exists between the City and Nightcliff. This development will service this void in the catchment and is also convenient for tourists/travellers.</p> <p>A national operator has been signed to anchor the new supermarket.</p>

<p>What are the cumulative traffic, infrastructure and amenity impacts when three major commercial sites are linked by the Dick Ward Drive, Fitzer Drive and Bagot Road road network, and further connected by new internal roads within the development</p>	<p>The detailed TIA has considered the traffic impacts of the proposal and assessed these against current and planned conditions/volumes.</p>
<p>The intersections at Fitzer Drive / Bagot Road, and Fitzer Drive / Dick Ward Drive have already been identified as Black Spot locations, indicating recognised traffic safety concerns.</p>	<p>This issue is acknowledged and the proposal has reflected current conditions and is varied to account for the safety and traffic volume growth. The development does undertake road upgrades to improve safety and efficiency in the road network. Other works are undertaken by government agencies and the developer will contribute to these works.</p>
<p>ROAD FUNCTION AND AMENITY CONTEXT</p> <p>Dick Ward Drive is a two-lane undivided road. Fitzer Drive is a residential collector, a local residential road, not a commercial access route.</p> <p>The introduction of a supermarket-anchored retail centre, restaurants and a service station raises concern about:-</p> <ul style="list-style-type: none"> • concentration of retail traffic onto Fitzer Drive, a residential street • queuing and bottle necks on Fitzer Drive during peak periods, with impacts at the Fitzer Drive / Bagot Road and Fitzer Drive / Dick Ward Drive intersections • amenity impacts on Ludmilla residents including increased noise, exhaust and night-time activity 	<p>The issue raised are noted.</p> <p>The proposal delivers as its primary access the new access from Bagot Rd. A secondary access is approved to Fitzer Dr and is also utilised in the development and development as varied. The location of this has been amended to avoid conflicts and enable the signalisation of Bagot/Fitzer intersection.</p> <p>The development, ultimate, does not seek to concentrate traffic to Fitzer Dr rather split traffic to reduce impacts on Fitzer Dr and slow vehicle speed thereby improving safety deter current rat running impacts.</p> <p>As noted the Master Plan is approved for the site and an increase in activity/light/noise etc is contemplated and is envisaged to be consistent with that</p>

		which is allowed under SD37 and the approved Master Plan.
4 Anna Reynolds 2 nd submission	<p>Cultural heritage is acknowledged in the application material, but it is not reflected in the structure of the proposed amended Masterplan in a way that clearly influences layout, staging or the allocation of land uses.</p> <p>The issue here is not whether heritage is acknowledged, but whether it has influenced the design of what is now proposed.</p> <p>The Masterplan drawings and development layouts submitted with this application do not show burial places, exclusion zones, culturally restricted areas or heritage precincts.</p>	<p>In preparing the master plan consultation with GDA was undertaken. The development as varied is contained within the designated Areas A and B under SD 37. We also note the correspondence from GDA, LN and LDA concerning heritage values noting there is no design response requirement and these documents deal with burial sites. We also note the AAPA clearance.</p>
5 – Sonja Pastor	<p>Contamination</p> <p>The Preliminary Site Investigation and the Detailed Site Investigation together document extensive contamination across the site associated with historic land use and dumping.</p> <p>The investigations record that groundwater is present on the site and that surface water drains toward Ludmilla Creek and then into Darwin Harbour. This indicates the existence of pathways along which contaminants could be transported if soils or groundwater were disturbed or not adequately managed. The exhibited material does not explain how such risks are proposed to be controlled.</p>	<p>As detailed contamination assessments have been undertaken and addiotnal investigations will guide development of the site. A draft RAP has been prepared but is being updated to reflect the current approaches to decontamination and management of contaminated material. The proposal seeks to avoid mobilisation of contaminants through the proposed 1.5m - 2m fill cap over Area A and B. Surface material garbage and /or contamination material is to be disposed of at a licenced tip and or within the containment cell. The proposal does not seek to excavate the site and mobilise contaminant material and or groundwater contaminants.</p>
	<p>no design, construction details, engineering standards, barrier systems, or long-term management arrangements for a containment facility are included in the exhibited material.</p>	<p>The detailed design of the containment cell is being prepared and would accompany the RAP not the DA.</p> <p>SD37 does not relate to the RD zoned land</p>

	<p>There is also no explanation of why a containment facility is proposed in land described elsewhere as retained open space or how this use of land aligns with the stated objectives of SD37</p>	
	<p>None of the exhibited material addresses how a containment facility would perform during heavy rainfall, flooding, groundwater movement, or storm-surge conditions, despite the site's proximity to tidal waterways and seasonal flooding regimes.</p>	<p>The future structure is bunded, capped and lined to prevent surface and groundwater interaction.</p>
	<p>While correspondence refers to progress, the community's understanding is that responsibility for investigating contamination and developing and implementing a remediation strategy rests with the proponent</p>	<p>Correct and the applicant through the contracted experts are preparing this RAP.</p>
	<p>The Pollution Abatement Notice placed on exhibition is explicitly titled "Draft" and contains no issue date. It does not establish remediation methods, verification standards, or engineering requirements. The public is therefore unable to assess what conditions would ultimately apply to the site.</p>	<p>As noted the RAP is in a draft form and being finalised. As the applicant we do not know what conditions may be applied. The RAP is process outside of the Planning Act and DA process</p>
	<p>it is difficult to assess whether contamination can be safely managed, whether health risks to the community would be adequately controlled, or whether long-term environmental risks can be mitigated.</p>	<p>As noted a draft RAP has been prepared and consultation with the regulators will continue to enable development to occur.</p>
<p>Sonja Pastor 2nd Submission</p>	<p>This submission addresses storm-surge exposure and coastal-inundation risk in Development Application PA2025/0441</p>	<p>The site and influence of storm surge are not discounted and conditions precedent require those areas affected in Areas A and B be filled above the storm surge level. This</p>

		will occur. The development in Areas A and B will be filled to NT requirements.
	The submission discusses various other approaches / planning to storm surge	Noted
Sonja Pastor 3 rd Submission	This submission raises concerns about the way staging is being used in Development Application PA2025/0441 under SD37.	
	Staging only appears later in the subdivision permit history and was never part of the approved planning framework. The current application introduces a new staging structure at the same time as seeking endorsement of an amended Masterplan and a subdivision variation.	Noted
	This submission focuses on whether Stage 1 can be assessed in isolation given the overlay requirements for flooding and storm surge, the absence of whole-of-site information and modelling, and the way the proposed staging affects public notice, cumulative impact assessment and compliance with the Planning Act and the Planning Scheme. As a result, the Authority is being asked to assess Stage 1 without being shown how the later stages will affect flooding, drainage, access, vegetation loss or traffic across the site.	The application seeks development within an areas approved for development the Stage 1 application is contained within the previous approved development footprint and Area A under SD37. The decision to development Area A and B has been made and reflected in the SD37 controls and approved Master Plan. Stage 1 sites within the approved master Plan area and Area A.
	The introduction of built-form staging through the proposed amended Masterplan suggests that the changes are more substantial than a minor variation to the 2014 endorsed Masterplan. The staging now relied upon appears to form part of a broader restructuring of how development is organised under SD37. Given the extent of the changes proposed, including the introduction of a new staging	The variation and approval history are detailed in the application – these detail the approvals and evolution of the development /site development. These variations were assessed and approved. The current development application and variation to the subdivision and Master Plan are also assessed against the Planning Act s46 and 57. The assessment demonstrates

	<p>structure for built-form development, the amended Masterplan does not read as a minor variation of the 2014 document</p>	<p>the development and variation request are not in conflict with the planning provisions of the Act. As detailed the changes deliver the intended development envisaged for the site.</p>
	<p>Given the scale of the changes, there is a reasonable argument that the amended Masterplan should be publicly exhibited and assessed as a separate application, rather than being considered at the same time as the Stage 1 development</p>	<p>The application assesses both Masterplan and DA for Stage 1 the application has been exhibited. The application has been made pursuant tot the Planning Act and exhibited consistent with the Act requirements</p>
	<p>Because the 2014 Masterplan did not include any staging, the new staging structure has never gone through public exhibition or assessment as part of a Masterplan for SD37.</p>	<p>As outlined variations to the permits for the site have occurred in the evolution of the development. This has included prior exhibitions and has also involved assessment of and against the Master plan and SD37. A review of the applications would provide more detail than the overview. The applications inclusive of this on all have described and detailed how the Master plan is delivered in an orderly manner.</p>
	<p>“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...”</p> <p>This seems to means the earthworks occur before the construction of the Stage 1 retail centre. Despite this, the earthworks are not included or described in the Stage 1 DA. They are also not explained in the subdivision variation, and no modelling is provided showing how the proposed earthworks would change ground levels</p>	<p>This si correct detailed earthworks and civil plans are developed post approval to a known outcome. The application includes and has attached the draft earthworks and drainge plans. As noted the development of and defining of Area A and B has been approved, with reports accompanying the original application.</p>

	<p>or how those changes would affect drainage, flooding or storm-surge behaviour.</p>	
	<p>The Stage 1 application does not include a whole of site hydrological assessment or show how the required earthworks and filling that must occur before construction will affect flooding and drainage for Stage 1.</p>	<p>We refer to the draft reports/plans in Attachment C.</p>
	<p>The consent authority must be satisfied that tree clearing, earthworks and any filling required for the Stage 1 development will not worsen downstream flooding</p>	<p>Noted. We also note the downstream owners consent to the application and the property interface with the ocean/Darwin Harbour. The tidal influence on the allotment is substantive.</p>
	<p>By deferring key flood analysis to future stages, the consent authority is being asked to approve development without knowing whether risk is being redistributed across the site or onto neighbouring land. On the available information, it is difficult to see how Clause 3.6 can be satisfied.</p>	<p>Comment noted we also acknowledge the previous reporting demonstrating suitability of the development at this location, Condition Precedents attached to the approval ensure impacts do not arise. We also attach the updated bulk earthworks and drainage plans/report.</p>
	<p>As mentioned, the 2014 application presented the whole development for assessment at once. In contrast, the 2025 application uses staging and allows each stage to be lodged as its own DA.</p>	<p>The Master Plan is a condition requirement or development of SD37. The application addresses the Master Plan as varied. The application also addresses the Stage 1 application. The assessment is clear and details in reports integrate as does the Master Plan, Subdivision and land use change components.</p>
	<p>When only one stage is exhibited, it becomes difficult to consider the cumulative impacts of the whole development, including storm-surge and flood risk, loss of tree canopy, increased traffic and pressure on services. The attachments submitted with Stage 1 address these matters only for Stage 1 and rely on studies prepared for</p>	<p>An approved Master Plan exist for the site. The assessment of this considered the site in totality. The current application addresses changes to the Masterplan and the stage 1 application as required under the Planning Act. The approved Master Plan has been conditioned and aspects to</p>

	the 2014 development application for the same SD37 site, which was not approved.	this the conditions precedents have been submitted.
	Both Clause 3.6 (Flooding) and Clause 3.7 (Land Subject to Storm Surge) require the consent authority to be satisfied that development does not increase flood or surge risk, does not transfer risk to neighbouring land, allows safe access and has adequate drainage and service capacity.	Current condition precedents exist to address this issue and responses provided to planning.
	The exhibited application shows that the engineering and drainage design has been deferred to later stages and is not included in the Stage 1 material	Current condition precedents exist to address this issue, and responses have been provided to planning addressing this issue. Notwithstanding this attached at draft bulk earthworks and drainage plans.
	Sections 47–49 require that the development application being proposed is exhibited so the public can understand the full proposal. When a development is broken into stages, the public cannot see the full traffic generation, the full loss of tree canopy, the full flooding footprint, the full servicing and access pattern or the full environmental impact. This is why cumulative effects are ordinarily considered together, because the Act assumes the whole development is exhibited, not only staged parts of it.	As noted SD 37 exists over the site, the Master Plan has been approved and was supported by detailed assessment and was approved. Total site assessment has been undertaken. The history to the development and its evolution/history is outlined in the application providing the public with an understanding of the process and approvals. This illustrates the proposal has been variously assessed and various approvals issues. This application seeks to and in accordance with the Planning Act vary the Master Plan, vary the staging and propose the first stage of the contemplated land uses for the site within the approved areas for this form of development. The proposal has been exhibited consistent with the Planning Act requirements.

	<p>Splitting one coordinated project into separate stages undermines the public-notice process and reduces meaningful public input.</p>	As above. We note the report does address coordinated and orderly development of the site to realise the ultimate master plan.
	<p>Although the Act allows development to be approved in stages, each stage must still meet the Planning Scheme requirements independently. A stage cannot be approved if it leads to an outcome that breaches the Scheme, including increasing flood or storm-surge risk or relying on later approvals to resolve non-compliance. If Stage 1 cannot demonstrate overlay compliance on its own because flood and storm-surge assessments are deferred, then approval is problematic.</p>	Noted. Stage 1 is not affected by Storm surge. The draft drainage plan for stormwater is attached
	<p>Stage 1 cannot be assessed on its own because it depends on earthworks, filling and the new staging structure introduced through the amended Masterplan and the subdivision variation... the cumulative impacts of the whole proposed development cannot be assessed</p>	Stage 1 sits within an approved Master plan for the site consisting of uses contemplated and within the areas approved for such development. The application details the specific and broader aspects to development of the site and its orderly integration with the larger Master Plan as varied. As noted CP exist for the approval and new conditions to any approval may be added.
Sonja Paster 4 th Submission	<p>I object to approval of Development Application PA2025/0441, including endorsement of the Amended Masterplan under SD37, on the basis that, having reviewed the publicly exhibited environmental documents, I am not satisfied that the material provided is current, aligned to the development now proposed, or sufficient to support a planning decision in 2025.</p>	Noted. The application contains the original assessment of the site. The site has been as noted regularly burnt over the period and has notices to clear for safety. Weeds are prevalent. The ecological values of the site have not substantially changed from the original assessment with the site regularly reviewed, albeit an increase in exotic grass and weed cover. The site does salvage protected plants cycad and other non protected native species for reuse in

	<p>landscape works. The proposal does retain 50% of the site as open space and this would retain existing vegetated areas and not significantly diminish ecological values.</p> <p>Development and clearing of the site has been considered and deemed suitable. The master plan and stage 1 do not vary previous impacts. Some clearing is required and contemplated in the RD zone for drainage improvements and contamination treatment/containment cell.</p>
	<p>no updated ecological or stormwater assessment specific to the Amended Masterplan has been exhibited</p> <p>We refer to the above. Attached is the preliminary draft stormwater drainage plans. All drainage is to be managed in accordance with NT requirements.</p>
	<p>The exhibited material does not describe the Amended Masterplan as a distinct proposal, nor does it identify which conclusions from earlier work have been reviewed, tested or revised in light of the changed development concept.</p> <p>As above the proposal varies the development within the previously approved areas.</p>
	<p>This mismatch is also evident in the development expectations described in the Kulaluk–Minmarama Land Assessment Report (2023), which states that land within Specific Use Zone SD37 and SD44 is capable of supporting “limited service commercial and light industry type development.” The amended masterplan now proposes a substantially more intensive retail and commercial configuration. The environmental documentation on which the application relies was not prepared with those development parameters in mind.</p> <p>This report relates to the balance areas of the GDA land.</p> <p>The proposal as clearly outlined has been varied with an element of this being the increase in open space/landscaped open space from that currently approved. A decrease in scale and intensity is proposed</p>
	<p>The environmental documentation relied upon by this application was prepared when the original</p> <p>This statement is inconsistent with the Planning Act and incorrect. The application</p>

	<p>approval was assessed under the NT Planning Scheme 2007, which largely focused on zoning permissibility and engineering considerations.</p> <p>The current proposal is being assessed under the NT Planning Scheme 2020, which introduces a broader and more contemporary environmental framework.</p>	<p>is to be assessed under the 2007 scheme. Comments on the current scheme are also provided and demonstrate the proposal remains consistent with the intent of the original approval.</p> <p>As detailed above the proposal as clearly outlined has been varied with an element of this being the increase in open space/landscaped open space from that currently approved. A decrease in scale and intensity is proposed.</p>
	<p>The exhibited documentation does not show that the earlier environmental material has been reviewed against the current planning framework or updated accordingly. Nor does the application explain how assessment undertaken under the earlier scheme can be taken to satisfy expectations under the NT Planning Scheme 2020.</p>	<p>As stated the site has been regularly reviewed and addressed in the various applications over the site.</p> <p>Assessment of the proposal is against the 2007 scheme as required under the Planning Act.</p>
	<p>Ecological documentation reflects site conditions at the time surveys are undertaken.</p> <p>Vegetation condition, species presence and hydrological function may change through disturbance, drainage modification and surrounding urban activity.</p> <p>The ecological reports relied upon by the application are dated September 2014. The application does not indicate that updated field surveys have been undertaken to confirm present-day conditions.</p>	<p>As noted the site has since the originating assessments been regularly burnt diminishing ecological values on site and enabling increased grass and weed cover.</p> <p>As also noted the site has been regularly reviewed and assessed with the subsequent applications over the site. The values of the site have not materially changed from the original assessment and no significant ecological impacts would arise from development.</p>
	<p>The stormwater management plan relied upon by the application is dated November 2012 and was prepared for a substantially different site layout.</p>	<p>This statement is incorrect. The Master Plan relates to and is within Areas A and B. The Master Plan as noted above resulting in a decrease in scale and intensity of</p>

	<p>The Amended Masterplan introduces changes in site coverage, built form and surface treatment. The exhibited documentation does not include stormwater modelling or assessment aligned to the revised layout.</p>	<p>development through the increase in open space within areas previously approved for development.</p>
	<p>Because water leaving the site flows into surrounding waterways, it is not clear from the exhibited material how stormwater volumes, water quality and flow paths have been reconsidered for the proposal now under assessment.</p>	<p>The discharge points and volume of stormwater leaving the site are unchanged by the proposal. The proposal has also accommodated all upstream drainage easement requirements.</p>
	<p>Drainage influences contaminant movement. Stormwater systems act as transport pathways. Ecological condition is influenced by hydrology. The exhibited material does not show how these interactions have been considered together.</p>	<p>As noted draft stormwater plans are attached. All stormwater is treated to meet NT water quality requirements from the development.</p>
<p>6 – Maria Grujici</p>	<p>I am writing to object to Development Application PA2025/0441 due to serious unresolved PFAS contamination risks that directly affect residents of Ludmilla, our gardens, children, and local food production</p> <p>The development documents do not demonstrate how PFAS will be contained on-site or prevented from entering our waterways.</p>	<p>Noting the concerns, the application does not involve land external to the application, nor control discharges from the Darwin airport.</p> <p>The proposal does not introduce PFAS and seeks to avoid PFAS mobilisation. This is achieved through capping of the site and avoidance of excavations below the water table. Drainage from upstream catchment will continue to discharge onto the site as enabled under various easements. The development as noted does not extend to or influence upstream activities.</p>
	<p>This land floods. Every resident in Ludmilla knows the area becomes saturated during the wet season. Disturbing PFAS-impacted soil on land with storm water flow paths and shallow groundwater creates a severe risk that</p>	<p>As noted the proposal does not introduce PFAS and seeks to avoid PFAS mobilisation. This is achieved through capping of the site and avoidance of excavations below the water table.</p>

	<p>contamination will spread into:</p> <ul style="list-style-type: none"> • neighbouring residential areas • gardens where people grow fruit and vegetables • Ludmilla Creek, Rapid Creek, and Darwin Harbour <p>No evidence is provided showing how stormwater, floodwaters, or rising groundwater will be safely managed during construction or operation.</p>	<p>Drainage from upstream catchment will continue to discharge onto the site as enabled under various easements. The development as noted does not extend to or influence upstream activities.</p>
	<p>The Detailed Site Investigation confirms PFAS in soil and groundwater. The DSI (Attachment 9) again confirms the presence of PFAS, including areas that require remediation. Yet no remediation plan has been provided.</p>	<p>As identified the RAP for the site is being updated and is to be addressed separate to the DA.</p>
	<p>No Remedial Action Plan — no assurance of safety. There is no Remedial Action Plan, no engineering design, no methodology, and no demonstration that proposed future uses can safely occur on contaminated land. Proceeding without remediation is unsafe for nearby residents and future occupants.</p>	<p>As identified the RAP for the site is being updated and is to be addressed separate to the DA.</p>
	<p>The proposed PFAS containment cell (from the Lot 4 materials) is not demonstrated to be safe. The Amended Masterplan references a containment cell for contaminated material. However:</p> <ul style="list-style-type: none"> • no engineering design is provided • no liner system, seepage controls, monitoring, or long-term management is shown • no justification for placing a contamination cell in RD-zoned or open-space land • no guarantee has been given that PFAS would not leach into groundwater <p>PFAS is persistent, mobile, and does not break down. Without detailed designs, a containment cell may become a long-term source of pollution.</p>	<p>As identified the RAP for the site is being updated and is to be addressed separate to the DA. This includes design of the containment cell which is to be impervious to infiltration and suitably lined to prevent discharges.</p> <p>The containment cell is located in the RD zone land which has restrictions on what can occur including development. The cell is located within the site to avoid potential for impacts external to the property or spills.</p>
	<p>Risks to residents — local behaviour patterns increase PFAS exposure. In Ludmilla, many residents:</p> <ul style="list-style-type: none"> • grow their own fruit, herbs, and 	<p>Noted.</p>

<p>vegetables • keep chickens • compost and use local soil • spend significant time gardening • have young children who play outside, dig in the dirt, or play near drainage areas</p>		
<p>Because PFAS exposure is cumulative, and because so many households in this area rely on garden produce, this contamination poses real practical risks to daily life</p>		<p>Noted. As identified the proposal does not introduce PFAS to the site and through the RAP will seek to avoid any mobilisation from development. We as noted do not control upstream discharges.</p>
<p>Children are particularly vulnerable Children: • play in the soil • explore gardens • use outdoor water play • may ingest soil/dust while playing No part of the application addresses children's exposure pathways, despite their well known vulnerability.</p>		<p>There has been no development on site and the proposal as noted does not introduce and is to be designed to avoid mobilisation of PFAS. We do not control upstream drainage, nor children in this application.</p>
<p>PFAS is a recognised land-use hazard in Darwin. Darwin has already been part of the national PFAS class action settlements in the Federal Court. PFAS in Darwin is legally acknowledged to affect property values, health, and land use. Approving this Masterplan without resolving contamination goes against this established context.</p>		<p>As noted a RAP is to be developed for the site. The development would be undertaken consistent with the Waste Management and Pollution Control Act (the WMPC Act) and regulated by the NTEPA. As noted the proposal has been assessed and deemed appropriate for the site subject to controls and conditions. The applications are consistent with the outcomes envisaged for SD37 and generally the current approvals.</p>
<p>Approving a Masterplan now pushes risk into the planning system Endorsement creates an expectation that development will proceed—even though the contamination has not been assessed, designed or remediated. This places future residents, authorities, and the community at unacceptable risk</p>		<p>As noted there is an approved Master Plan. The proposal varies this. The Master plan does require a RAP to be prepared.</p>

Maria Grujicic 2 nd submission	<p>Since the block was fenced, residents have experienced a tangible loss of amenity, connection, and cooling. Aircraft noise, traffic noise, and heat have increased in recent years to the point where I often cannot talk on the phone due to jet activity. I am concerned that clearing more vegetation will intensify heat and noise exposure for surrounding homes, including my family.</p>	<p>The fencing is required to prevent further contamination of the site and does not require approval.</p> <p>It is unclear how the fencing has impacted amenity as this is a style of fencing that exists in the locality and on Tudawali St. As noted the owners have an ability to fence the property.</p> <p>The fencing is permeable there is no change to temperatures arising from this.</p> <p>Residents in Ludmilla do experience aircraft noise. The latest airport plan and ANEF contours would see an increased number of residents impacted by noise. We note the community is also within the acoustic environment of 2 collector Rds.</p> <p>The proposal does include clearing and is contemplated by the current approval of the Master Plan. The varied Master plan does increase the open space and landscaped open space thereby reducing any heat impact when compared to the approved Master Plan</p> <p>As noted the site is designated for retail commercial and industrial uses under the planning scheme and has an approved Master Plan to deliver the envisaged development form. The varied Master plan has increased building separation from Fitzer Drv through additional open space. It is unlikely the proposal would result in noise impacts beyond that contemplated or enabled by approved uses for the site.</p>
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	<p>This development threatens not only ecological and planning values but also the social, cultural, and emotional fabric of a long-established neighbourhood. I want future generations—my daughter, my nieces, nephews, and their children—to experience the same outdoor spaces that shaped my childhood.</p>	<p>The site is not a public park and has levels of contamination requiring its fencing and avoiding additional illegal dumping of waste. The site has approval for a retail commercial and industrial development under the planning scheme and has an approved Master Plan to deliver the envisaged development form.</p> <p>The owners of the land are supportive for the development to occur.</p>
	<p>In my view, the development does not protect residential amenity, does not respect the intent of SD37, and does not align with the principles of the Darwin Mid Suburbs Area Plan.</p>	<p>Noted SD37 is clear in its envisaged outcomes as illustrated in the approved Master Plan. The proposed applications remain consistent with the envisaged outcomes and maintain amenity, comply with the various sections which deal with amenity and deliver significant public benefit to local residents and the wider community.</p>
	<p>SD37 applies specific planning controls to this land because it directly adjoins established residential areas. Those controls regulate the type, scale and layout of development in order to manage impacts on nearby homes. In my view, the proposal does not reflect the intent of those controls, given its scale, the amount of traffic it will bring, and 24-hour activities beside existing residences</p>	<p>We refer to the application and comments contained herein. As detailed assessment of the proposal against the provisions of SD37 and the scheme has been undertaken and as illustrated we have explicitly considered amenity impacts to the adjoining residential area as required under subclause 1 (a) of SD37.</p> <p>As noted adjoining residential areas currently overlook an area which is not maintained, contaminated, utilised as an illegal dump and regularly burnt. The residents adjoining residential areas have also subsequent to Approval of the Master Plan experienced increased traffic, rat</p>

	<p>running and a deterioration in road safety for vehicles and pedestrians.</p> <p>There has also been an increase in the number of residents impacts now situated within the ANEF 25 -30 contour as per the ANEF Darwin 2043 under the airport masterplan.</p> <p>The scheme defiens amenity as</p> <p><i>"amenity"</i>, in relation to a locality or building, means any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable.</p> <p>As per the definition and when viewed objectively there are a number of conditions/factors which are not considered to be pleasant or enjoyable or contribute to the qualities of the locality. Notwithstanding this we appreciate residents chose to live there and maybe enamoured to there homes and suburb.</p> <p>As noted an approved Master Plan exists for the site and there would as a consequence of development consistent with approval and under the SD37 including those land uses contemplated, be clearing of the site, increased traffic, lighting, new landscaped areas new shops.</p> <p>To address the change that would occur SD 37 when viewed in totality outlines how amenity, subclause 1(a) is to be preserved.</p> <p>It;</p>
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		<ul style="list-style-type: none">○ Defines the locality of where development may occur in the parcel – Areas A and B in sub clause 2 The proposal is consistent with this○ it lists uses which may not occur in sub clause 3 and 4 The proposal does not seek to introduce identified prohibited land uses○ lists criteria in sub clause 5 to protect the residential amenity including subclause 5(a) provision of a 10m landscape buffer to Fitzer Dr which includes the drainage easement. This is provided. The varied Master Plan provides for an increased landscape area / buffer to Fitzer Dr than approved or required under this control○ Subclause 5(b) provide a minimum 3m landscaped area adjacent to the northern side of the drainage easement within Area A.... This is to be provided as per the approved plan and is accommodated in the varied Master Plan in
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		<p>the expanded landscape treatment to Fitzer Drv</p> <p>Subclause 5 (c) meeting the requirements of Clause 6.12 of the scheme(Landscaping)</p> <p>The SLI demonstrates compliance with the requirements or an ability to comply is able to be made as it relates to works undertaken post the approval.</p> <p>Sub clause 5(d) Building to have an active frontage to Fitzer Drv that allows for the passive surveillance of the landscape buffer.</p> <p>The Master Plan enables passive surveillance of the landscape buffer</p> <p>Subclause 5(e) the landscape 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>This would occur</p> <ul style="list-style-type: none">○ It calls for, in sub clause 10 a Master Plan to be prepared before development commences...
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		<p>A Master Plan has been previously approved the varied Master Plan as detailed above delivers the required landscape buffer and increases the size of this landscaped buffer open space. It can be deduced that amenity would be further preserved through this variation.</p> <ul style="list-style-type: none">○ It calls for within subclause 11(c) the master plan to 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 <p>We refer to the responses herein. As detailed the varied Master Plan better achieves compliance with this provision than the approved Master Plan. This is in part related to the time period which has elapsed between original approval and current conditions. The proposed works to Fitzer Drv, remove conflicts with the ingress/egress points of the approved Master plan, improve road safety and reduce road speed. These improvements and beneficial impacts to</p>
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		<p>amenity occur through Stage 1 of the application and are complementary to works that CoD are undertaking to address the current unsafe pedestrian movements across Fitzer and Dickward Dr and planned signalisation of Fitzer Dr/Bagot Rd. The development as identified will also contribute to signalisation of The Dickward Dr/Fitzer Dr intersection with subsequent Stage 3.</p> <p>The proposal as detailed in the SLI also delivers an integrated pedestrian network through the site and to surrounding paths. Upgrades to this pedestrian/active transport network are also delivered through development of the site.</p> <ul style="list-style-type: none">○ for concept designs be prepared that illustrate the landscape treatments for Area A and B○ An Updated SLI for Area A of the Master Plan has been provided addressing the variation to the approved Master Plan and addressing the Stage 1 application○ It calls for within subclause 11(f) for the Master Plan to include drawings that show how the
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		<p>landscaping buffer and built form adjacent to Fitzer Dr will be designed</p> <p>The updated varied Master Plan, Architectural details and SLI provide these details</p> <p>As illustrated and detailed in the reports the application has demonstrated that the master plan will provide for development that preserves the amenity of adjoining residential areas consistent with sub-clause 1 (a) of SD37 and other guiding provisions within SD37 and as would be consistent with that envisaged. The proposal addresses aspects which have led to actions/activities which have diminished amenity i.e. rat running, speeding, unsafe intersections etc.</p>
	<p>The presence of existing commercial lots (McDonald's and the chemist) does not remove the reality that a 24-hour service station, lighting, and tanker activity will be experienced directly by residents on Fitzer Drive.</p>	<p>These uses exist and have been approved. The impacts arising from these are not associated with the application. The impacts arising from these uses does go to characterising the current amenity as does noise from the 2 collector Rds, aircraft noise, speeding.</p> <p>The Master Plan as varied does seek to provide increased building separation and open space/landscaped open space between future uses and Fitzer Dr. The minimum separation of buildings is approximately 55m to Fitzer Dr or 70m to dwellings.</p>
	<p>Because no dedicated noise report was included in the exhibited documents, I am not satisfied that noise impacts have been properly assessed.</p>	<p>As noted there exists an approved Master Plan for the site enabling a large scale commercial/retail development opposite the</p>

	<p>There is no detailed assessment of:</p> <ul style="list-style-type: none"> •24-hour fuel station traffic •refrigeration and mechanical plant •late-night restaurant activity •the cumulative effect of aircraft noise combined with new commercial activity •the loss of vegetated sound buffers <p>Based on my lived experience of increasing aircraft and traffic noise, I am concerned that the proposal will reduce residential amenity</p>	<p>residents of Fitzer Dr and also accessed from Fitzer Dr.</p> <p>The proposed service station is not located within the acoustic environment of the residents the proposed service station is located approximately 370m to the closest residence. These closest residence are within the ANEF 25-30 contour are and have the existing service station and McDonalds located between them and the proposed future service station. These closest residence are also within the acoustic environment of Bagot Rd.</p> <p>We acknowledge traffic on Fitzer Dr and the development has accommodated features to address traffic on this road and redirect traffic/ spilt traffic to minimise impacts. As noted there is also the new increased separation between the use and residents to assist in maintain amenity.</p> <p>The use would be conducted to avoid acoustic impacts/nuisance with all plant and machinery screened and treated to avoid impacts.</p>
	<p>The existing vegetation provides shading, cooling sound absorption, wildlife habitat, and a psychological buffer for residents. I am concerned that removing this vegetation will increase heat exposure and reduce amenity for surrounding homes.</p>	<p>We refer to above responses and note an Approved Master Plan exists for the site this contemplates removal of all vegetation within Areas A and B under the SD37 provisions and plan.</p> <p>The Master Plan as varied does go to addressing the concern through retention of additional areas of the site as open</p>

		space/landscaped open space, particularly to the Fitzer Dr frontage.
	<p>The TIA does not adequately address real-world local conditions, including:</p> <ul style="list-style-type: none"> • high-speed cut-through traffic • school pedestrian movements • narrow road geometry • congestion already experienced in 2025 <p>I now often travel via Nadpurna Street because of traffic conditions on Dick Ward Drive and Fitzer Drive.</p>	<p>The TIA notes these issues and acknowledges the unsafe intersections and efficiency issues. The TIA recommends a number of road improvements to address this and deter the 'rat-running' on Fitzer Dr.</p> <p>As noted CoD are undertaking works in the intersection of Fitzer Dr / Dickward Dr to address pedestrian safety. These impacts issues are occurring in the absence of development. As noted the development as detailed in the planning application and TIA seeks to improve the safety efficiency and amenity of Fitzer Dr for road users and pedestrians/active transport users.</p>
	<p>The TIA classifies Fitzer Drive as a Residential Collector Road, and the application proposes a new internal access road that does not currently exist. Both the road works and the internal access road are necessary only to accommodate traffic generated by the development and are not community-initiated improvements. I am concerned about:</p> <ul style="list-style-type: none"> • increased rat-running through Ludmilla • fuel tanker movements at peak times • reduced pedestrian safety once vegetation is removed 	<p>The proposal delivers as currently approved a new link connector between Fitzer and Dickward Dr and a secondary access to Fitzer Dr.</p> <p>Background traffic has been assessed with the Stage 1 application, a contemplated use. The assessment identified a need to upgrade intersections. The assessment also identified unsafe pedestrian movements, speed and rat running on Fitzer.</p> <p>The second access is provided to split traffic between the accesses to Fitzer thereby directing traffic more efficiently to Dickward Dr and Bagot Rd. This traffic quantity is not changed between the approved and proposed varied Master Plan. The varied plan reduces impacts.</p>

		<p>This second road is also positioned and designed to slow traffic and deter 'rat running'. The road treatments ultimately improve road safety.</p> <p>The fuel tanker is illustrated as able to access the site through the new collector link road safely and more directly than deterring through Fitzer Dr.</p> <p>All pedestrian paths and upgrades have considered CEPTED provisions.</p>
	<p>Introducing:</p> <ul style="list-style-type: none"> • 510 parking spaces • multiple conflict points • fuel tanker access • a major internal movement spine <p>...does not appear to align with the intention of creating or maintaining a safe, low-speed suburban environment.</p>	<p>In respect to parking and parking spaces this is regulated in the planning scheme. The number is to accommodate the Master Plan demand</p> <p>As detailed the varied master plan seeks to reduce current conflicts of the current access to Fitzer and accommodate the necessary road works for the to be signalised intersection. The second access also provides a traffic feature to slow traffic and minimise traffic conflicts.</p> <p>The internal spine to enable users of the centre to exit at the various nominated locations and avoid concentration of traffic through a single point.</p> <p>Collectively the design features of the varied Master Plan and outlined traffic improvements are designed to deliver a safer and lower speed environment on Fitzer Dr and local road network.</p>
	<p>The ecological reports included in the application are limited in scope. In my view:</p> <ul style="list-style-type: none"> • the assessment 	<p>Concerns noted. The proposal does retain over 50% of the site as open space and</p>

<p>does not include seasonal studies, •there is no long-term ecological monitoring, and •ecological connectivity is not adequately addressed. Given the block's use by bandicoots, reptiles, and bird species over many years, I am concerned that clearing will reduce biodiversity and contribute to ecological degradation.</p>	<p>also includes salvage of native species for reuse in the landscaping. The proposal also will result in management of the site to remove pest species/weeds that degrade the sites values. No significant conservation impacts are likely to arise. As noted the proposal varies an approved Master Plan, which includes a lower open space component.</p>
<p>The presence of the containment cell highlights the sensitivity of the wider site. I am concerned that future excavation, disturbance, or maintenance associated with the commercial development may introduce unnecessary risks to residents.</p>	<p>The site is contaminated and a RAP is to be prepared. This uncontrolled site will post development be managed. This includes as has been noted fencing the site to prevent illegal dumping.</p> <p>As outlined we seek to cap the site and not excavate unless necessary to avoid mobilisation.</p>
<p>The applicant asserts that the site does not front Fitzer Drive. However, in practical terms, the access easements and internal road configuration create functional frontage and direct commercial movement toward Fitzer Drive. I am not satisfied that the staged buffer meets the intent of DP14/0831 or the intent of SD37 to protect residential amenity.</p>	<p>The Master Plan does front Fitzer Dr. Stage 1 does have an access to Fitzer Dr and the proposal includes landscape works along Fitzer Dr. The proposal will establish as is required the landscape buffer on Fitzer Dr prior to use. The proposal will also do new and addiotnal landscape treatments that further address aesthetics and amenity for residents and users of Fitzer Dr.</p>
<p>Based on CPTED principles and my understanding of the area, I am concerned that replacing dense vegetation with large, open carparks may increase vulnerability to: •after-hours loitering •vehicle break-ins •noise and disturbance In my view, the proposed layout does not align with community safety objectives</p>	<p>The development will result in an uncontrolled site where illegal and unsafe activities occur now to a managed urban outcome. The centre would contain security and lighting for safety as well as clear sight lines and various alternate routes for pedestrian users.</p>

	<p>The proposed Masterplan variation: •changes access patterns, •reconfigures the subdivision layout, •introduces a service station not previously contemplated, •intensifies traffic, and •shifts vegetation protection areas. In my view, this is not a minor variation. I am concerned that approving it would undermine planning scheme integrity.</p> <p>A service station is a contemplated use under SD 37.</p> <p>No change in traffic volumes is occasion by the varied master plan with the varied master plan providing increased permeability and not concentrating flows as is contemplated under the approved Master Plan.</p> <p>The development does not alter vegetation protection areas with Areas A and B to be cleared. Minor clearing is required and has always been contemplated in the RD land for drainage and contamination treatment. Disturbed areas in the RD land would be rehabilitated. The proposal provides for salvage of native plants and increases the area of open space and thus tree planting.</p> <p>The Master plan as varied it is considered is generally the same as that approved.</p>
	<p>There is no demonstrated public need for another service station or cluster of fast-food restaurants, given the number of nearby centres in Parap, Fannie Bay, Bagot Road, Woolner, and Coconut Grove. Residents repeatedly express support for:</p> <ul style="list-style-type: none"> •retaining vegetation •reducing heat •maintaining neighbourhood character •reducing traffic <p>As outlined in the reporting the site has the benefit of appropriate zoning and an approved Master Plan and has been working towards development of the site. The proposal it is considered would deliver a net community benefit with substantive positive impacts including the following;</p>

	<p>pressures I do not accept that private commercial benefit equates to public interest</p>	<ul style="list-style-type: none">• Activation of the SD37 zone area and the strategic outcomes sought through the zone• Management of the site and maintenance / enhancement of the aesthetics/amenity of the area• Improving in the range of retail facilities that would be available to residents• The retail facilities would improve choice of location and allow for price competition• Creation of new employment generating landuses both during construction 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.• Deliver and drive upgrades in the surrounding road network improving<ul style="list-style-type: none">- Road safety and efficiency- Reducing speed and 'rat running' on Fitzer Dr- Pedestrian and active transport safety• Provide a landscape setting for the development improving amenity and aesthetics to road users and surrounding residents
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		<ul style="list-style-type: none">• Deliver increased landscaped open space and separation of commercial uses from residential areas minimising impacts above that contemplated under the planning controls to preserve/improve residential amenity and address urban heat issues• Providing the traditional owners with improved economic independence• Retention of protected plants and their reuse within site landscaping to minimise impacts to biodiversity• Remediation of the site including;
	Strategic Planning Alignment The Darwin Mid Suburbs Area Plan emphasises: •reducing urban heat •protecting vegetation •improving walkability •maintaining amenity •preserving ecological corridors In my view, the development does not appear to align with these principles. I am concerned that clearing this bushland will worsen heat-island effects already being felt in the suburb. We can no longer spend as much time outdoors as we once did because of rising heat levels.	The proposal is assessed against the 2007 Planning Scheme and SD 37 provisions. Notwithstanding this we note This Area Plan does not prevent the use of land consistent with the current town planning zone that applies to a site. The Area Plan also reflects the land use intent

		 <p>Extract District Level Land Use Plan. With the principle of the plan also referencing SD37 The submission response has addressed •protecting vegetation •improving walkability •maintaining amenity •preserving ecological corridors ed</p>
Maria Grujici – 3 rd submission	<p>I submit this objection to the proposed development described in PA2025/0441 on the grounds that the proposed retail-service station / commercial use at this location would pose significant and unacceptable risks, including: foreseeable alcohol-related harm, pedestrian safety risks, and disproportionate impact on vulnerable residents, particularly members of Indigenous communities.</p>	<p>We note the proposal does not seek a bottle shop or liquor outlet. The proposal provides a well connected network of paths through the site and connecting with external paths. This includes improvements to and or new landscaping, lighting and seating for pedestrian safety and comfort.</p> <p>The proposal has the consent of GDA. The proposal provides a mechanism for funding the local community and provides opportunities for employment</p>
	<p>While this application does not currently include a liquor outlet, approving the infrastructure lowers regulatory and practical barriers for future liquor licence applications — effectively creating</p>	<p>The proposal does not propose a liquor outlet.</p>

	<p>conditions that enable alcohol retail near vulnerable communities</p>	
	<p>Documented Crashes Near the Development Site</p> <p>incidents highlight the existing hazards for both drivers and pedestrians, especially near bus stops, residential zones, and walking routes used by children and vulnerable residents.</p>	<p>We note the current unsafe road conditions surrounding the site and on Fitzer Dr. The proposal seeks to address this and identifies these problems. New signalisation, speed controls and improved pedestrian networks are delivered through the development of the site.</p>
	<p>Territory-wide Pedestrian Risk — Disproportionate Impact on Indigenous and Vulnerable People. Approving a large retail centre and service station here is inconsistent with known high pedestrian fatality rates, exacerbates existing hazards, and neglects the duty of care to residents, including children, the elderly, and other vulnerable members of the community.</p>	<p>The site is appropriately zoned and a Master Plan exists for the site. The varied Master Plan addresses the change in safety and traffic volumes on the road network. The proposal outlines as above works to improve safety for vehicles and pedestrians and active transport users.</p>
	<p>Disproportionate Impact on Vulnerable Populations; Equity & Social Justice. Approving a development that increases alcohol access, traffic risks, and reduces community resilience will exacerbate existing disadvantages for already vulnerable populations — notably Indigenous people, children, elders, and those with mental health or mobility challenges.</p>	<p>As noted the local community are consenting to this application which will provide a source of independent funding, employment opportunities, access to convenient goods and services. Improved and safer pedestrian networks are also provided.</p>
	<p>By approving a commercial layout suited to retail and service (and by extension, likely liquor) use in a high-risk area, the Authority would be neglecting its responsibility to prevent foreseeable harm to public safety, health, and community cohesion.</p>	<p>As outlined in the reporting the site has the benefit of appropriate zoning and an approved Master Plan and has been working towards development of the site in consultation with GDA. The proposal delivers public benefits and varied Master plan is directly responding to the current unsafe road environment as required under the Act</p>

	A few days ago, I observed a car crash over the footpath and into the fence next to the pandanus tree on Fitzer Drive, underscoring the high traffic risk in the area. The bushland is used by children, teens, elderly residents, and people with mobility or mental health challenges. Loss of safety and access to green space will disproportionately impact the most vulnerable in our community.	Traffic issues acknowledged and are responded to in the application and proposal. The site is not open space and is approved for commercial retail development. The varied Master Plan retains over 50% of the site as open space a larger component than currently approved.
Maria Grujici 4 th submission	The current development proposal under PA2025/0441 includes large-scale retail and commercial uses that are at odds with the original purpose of the lease	The proposal is developed in accordance with the Planning Act and is appropriately zoned for the development as proposed. The application is consented to by the GDA whom support the application. I also include 3 letters from the GDA, LN and LDC dealing with heritage issues on the site. We note the site also has AAPA clearance.
7- Rob Inder-Smith	Ecological and Environmental Value of the Land The site forms part of the Kulaluk–Minmarama lands, an area with high ecological significance.	Parts of the Kulaluk–Minmarama lands do have high ecological value. The current application relates to land already determined to be able to be developed without significant impacts.
	Ludmilla Creek itself is one of the last remaining natural creek systems	The application does not include Ludmilla Creek
	The proposed development would seriously impact this green corridor... fragmenting habitat and reducing ecological connectivity. Loss of canopy and increased hard-surface cover, which inevitably follows such phenomena, will exacerbate heat-island effects and degrade biodiversity	The proposal as noted retains over 50% of the site as open space and retains vegetation within the RD zone and includes salvaging plants cleared through development for reuse in landscaping. No significant impact to biodiversity would arise from development of the site. The increased areas of open space and large areas adjacent to Fitzer Dr are in part addressing urban heat that would arise

		from this already Master Plan approved site.
	Flooding, Stormwater, and Climate Risk Given that this development will likely alter surface water flow, drainage, and possibly raise impervious surfaces, there is a serious risk that the works could worsen flood risks for surrounding properties, especially during high rainfall or storm-surge events (such as cyclones).	As noted the site discharges through the balance area of Lot 5042 directly into the ocean. GDA as down stream land owner have provided consent for the application. The proposal includes 2 legal discharge points and these are not altered. The development seeks to utilise Area A and B as approved on site. The draft Stormwater documents are attached. The site is also subject to storm surge and existing conditions require the filing of this land in Area A and B
	I am concerned that the Traffic Impact Assessments and other supporting documents may not sufficiently address how increased stormwater runoff will be managed in a climate-changing future.	Stormwater is directed to the 2 legal points of discharge under Dickward Drv. The attached stormwater report details the stormwater approach.
	Plan has raised concerns about whether the restaging affects, plus how and when infrastructure (eg, drainage, landscaping, buffering) and environmental mitigation measures, will be delivered	The proposal details the orderly development of the site.
	Such piecemeal approval risks 'rolling approvals' without a holistic, up-to-date environmental evaluation, and may reduce accountability for environmental safeguards	The proposal details the orderly development of the site.
	Loss of Green Space and Community Amenity The proposed development would significantly reduce the existing green footprint of this area, depriving local residents of natural space, shade, and nature-based amenity	The site is not public open space and its use as per SD37 and the master plan as varied would see over 50% of the site retained and open space.

	<p>The community value of this bush and semi-natural area transcend ecology, which is part of local identity, contributes to mental well-being, and supports passive recreation</p>	<p>The site is not public open space and its use as per SD37 and the master plan as varied would see over 50% of the site retained and open space.</p>
	<p>Precedent and Planning Scheme Integrity</p> <p>The amendment to SD37 to allow more intensive commercial use (service station, restaurants, shops) deviates from the previous planning expectations</p>	<p>The proposal is a less intense outcome for the site by virtue of the additional open space areas incorporated into the varied Master Plan. The development includes permitted land uses subject to consent and is consistent with the expectations under SDD37</p>
	<p>Allowing this level of commercial development may set a troubling precedent for further densification, degrading the planning scheme's intent for this 'specific use' area. It risks undermining orderly planning and the balance between development and environmental protection</p>	<p>The site has SD approval and also has an approved Master plan. The proposal as represented in the varied Master plan results in a less intense development outcome and increases open space. The proposal details the orderly development of the site.</p>
	<p>The submission also includes 7 - 52 points of outcome standards and conditions. These are addressed herein where not previously addressed in this response or in responses above.</p>	<p>We note the site has existing approvals and conditions attached to the subdivision of the site. The previous and updated reporting demonstrates continued suitability of the site for the intended use. The conditions and/or new conditions ensure compliance with relevant construction and environmental NT provisions.</p> <p>Notwithstanding this;</p> <p>Approval of the plans as proposed defines uses and actions – conditions address this</p> <p>The application and development introduces site management which is absent currently – conditions address this</p>

	<p>The site works and drainge would ensure no impacts to infrastructure or property – conditions address this</p> <p>Black spot funding has been secured by CoD with no development occurring on site to address the current un safe conditions.</p> <p>The proposal does propose upgrades and contributions to the intersection for its ultimate signalisation.</p> <p>The service station is a permitted use and does not impact 'defence height restrictions'.</p> <p>The proposal is anticipated expected under SD37</p> <p>The master plan as varied responds to the external road network volumes and safety.</p> <p>The proposal results in significant improvements to the road and pedestrian environment. Staging can and is able to be varied under the Act.</p> <p>Public benefits are delivered and these are measurable.</p> <p>The development of the site does involve future applications it is staged and detailed designs are able to be completed with know approved outcomes.</p> <p>The development has been regularly reviewed and varied with relevant assessments undertaken with each application. The proposal did not and does not result in significant environmental impacts and over 50% of the site is retained</p>
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		as open space, landscaped and rehabilitated.
	The proposal is not in the public interest, nor is it compatible with the character, safety, or long-term sustainability of Ludmilla.	SD37 and the master plan exist. Development of the site will occur against these and or the varied Master Plan and SD37 provisions. The site and its proposed commercial /retail/industrial development is also reflected in the current Planning Scheme and Area Plan.
	The proposal also lists a further 45 points and statements identifying what is considered various inconsistencies, risks, constraints and errors.	The proposal includes relevant information on which to assess the proposal against the Planning Act. The points raised where relevant have been addressed in this response and or where raised in other submissions.
Rob Indor-Smith 2 nd Submission	Copy of Submission 1	
Rob Indor-Smith 3 rd Submission	This contains varied themes and inconsistency with heritage values and concerns with the GDA, planning process, our client and relayed transcripts from radio interviews.	A cultural assessment was undertaken and AAPA clearance has been provided. We also attach 3 letters concerning cultural heritage values from GDA, LN and LDC. The proposal is and has been assessed against the provisions of the Planning Act.
8 - Tim Stanway	This development would have a significant negative impact on Ludmilla and Darwin residents: • Traffic congestion and safety risks – The Fitzer Drive/Bagot Road intersection is already busy and dangerous. Additional traffic lights and access roads will trap residents in constant congestion.	As noted SD37 contemplates a retail commercial development within Area A fronting Fitzer Dr and Industrial development in Area B A Master plan of the contemplated development exists. The varied master Plan responds to current site conditions specifically traffic and seeks to redress impacts which are occurring and

		management traffic from the development as contemplated. The proposal includes upgrades, drives upgrades and provides a new link road.
	• Increased littering – McDonald's rubbish already lines Fitzer Drive daily; more commercial activity will worsen this	As noted the development and new centre will be managed and can address litter and rubbish within its bounds and from that generated on site.
	Urban heat island effect – Clearing bushland for concrete buildings and car parks will raise local temperatures. Darwin is hot enough as it is	As noted the varied Master plan increases the area of open space to over 50% and includes new large open space/landscaped open space along Fitzer Drv. This is significantly larger than the conditioned minimum 3m landscaping to Fitzer Drv. This is one measure to address urban heat with shade structures and landscaping within car parking areas also proposed.
	Flora and fauna destruction – Removing this bushland will destroy vital habitat, contradicting the City of Darwin's goal to "strive for a cool, clean and green city by 2030" (City of Darwin 2030 Greening Darwin Strategy).	The proposal as approved will result in the clearing of Areas A and B. Minor clearing in the RD zone is also required for drainage, weed and contamination treatment. The open space is to be landscaped and rehabilitated and includes native tree retention.
	The mid suburbs area does not need an enormous supermarket or commercial centre. What we need is balance—protecting the natural habitat that remains.	As noted SD 37 exist and there also exists an approved Master Plan. The sites contemplated landuses and zoning is also reflected in the current planning framework and Area Plan.
9- Nicole Kaye	the destruction of the amenity of the Ludmilla area and down grading of property values being alongside a development such as this especially with an inadequate and limited buffer between homes and the construction/development	As noted SD 37 exist and there also exists an approved Master Plan. The sites contemplated landuses and zoning is also reflected in the current planning framework and Area Plan. varied Master plan

	<p>increases the area of open space to over 50% and includes new large open space/landscaped open space along Fitzer Drv. The application also includes other changes to address traffic and improve traffic safety which collectively demonstrate compliance with the SD 37 provisions and maintenance of amenity. Property values reflect multiple factors the locality will have increased convenience to goods and services which may be positive to values.</p>	
	<p>increased noise pollution on top of the already noisy flight path with cars, deliveries ie. Truck noises, rubbish collection (as already experienced from McDonalds where trucks and rubbish collection noises are heard daily)</p>	<p>Through the traffic arrangements traffic generated by the development is provided with multiple entry points also deviating current traffic away from Fitzer Drv. The works will also slow traffic speeds on Fitzer Dr deterring rat running.</p>
	<p>rubbish associated with built areas and developments of this size which I observe around other similar projects where streets have debris from shoppers, people, vehicles, as well as littering such as what we constantly experience from McDonalds customers who walk along the streets of Ludmilla and litter ie. along key roads such as Fitzer Drive</p>	<p>As noted the development and new centre will be managed and can address litter and rubbish within its bounds and from that generated on site.</p>
	<p>the safety of local residents with increased crime associated with developments like this, kids and people hanging around shopping areas and bored youth spending time there</p>	<p>As noted the development and new centre will be managed and can address anti social behaviour.</p>
	<p>increase in traffic which will impact access in and off main roads to my home including the increase of traffic onto Fitzer Drive, congestion around roundabouts/ lights</p>	<p>The TIA has addressed this and the ultimate development would see Fitzer signalised at Bagot and Dickward Dr. The new Link Rd would also serve to divert traffic currently using Fitzer Drv.</p>

	<p>traffic congestion including rat-running through the residential streets as even with 2 premises off Fitzer Drive (McDonalds and Chemist Warehouse) we have bumper to bumper traffic preventing me from getting to my house or leaving</p>	<p>The TIA has addressed this and the ultimate development would see Fitzer signalised at Bagot and Dickward Dr. The new Link Rd would also serve to divert traffic currently using Fitzer Drv. The slower speed would also serve to divert/split traffic into the entries rather than concentrated at one point on Fitzer as is currently approved.</p>
	<p>pollution into the local drains and land area that runs into the sea especially related to the heritage of the land in Lot 5182 and planning controls of SD37. This land was originally meant for conservation and is an iconic part of the Darwin landscape – should not be considered ‘has been sitting there for 50 years’ as quoted in the media from the proprietors, as a bad thing but an asset for Darwin city – not for development but for natural beauty.</p>	<p>All stormwater would be appropriately treated. The site has the benefit of retail/commercial and industrial zonings which are sought to be implemented and have the consent of the owners.</p>
10 – Jack Phillips	<p>This submission deals with historical aspects to the granting of the lease and identifies cultural values to the GDA land. The submission notes Larrakia people have given up because they believe the land was taken over and that decisions are now made by one family and their advisers. I don't see this development as something that will bring real benefits to young people. I see a large retail proposal, including alcohol being sold there, in a place that was meant to be Aboriginal land held for community use and ceremony.</p>	<p>I attach and refer to the 3 letters from GDA, Ln and LDC. I also note the AAPA clearance.</p> <p>The application does have consent for lodgement. The application provides an opportunity for employment including for all age groupings. The proposal does not include a retail liquor outlet.</p>
11 – Cameron MacMeikan	<p>Proforma Objection similar to submission 1 My reasons for objecting Loss of habitat for birds and snakes</p>	<p>As noted the site has existing approvals and clearing is contemplated across a large proportion of the site. The proposal as varied retains over 50% of the site as open</p>

	<p>Increased traffic on already busy intersections</p> <p>Last of the natural wetlands in the area.</p>	<p>space and includes retention of native habitat and salvage of native plants impacted in clearing zones.</p> <p>The TIA has addressed this and the ultimate development would see Fitzer signalised at Bagot and Dickward Dr. The new Link Rd would also serve to divert traffic currently using Fitzer Drv. The slower speed would also serve to divert/split traffic into the entries rather than concentrated at one point on Fitzer as is currently approved.</p> <p>The site is bound by Bagot Rd and Dickward Dr, this detain water on site. The site also receives urban stormwater. There are large wetland areas north of the site associated with Lumilla and Rapid Creek and balance areas of 5182. The site is not the last natural wetland.</p>
12 – Nicholas Kirlew	<p>PLan also notes that there has been no community consultation on what will be a major change to the amenity and environment of the location</p>	<p>As identified there is no requirement for consultation other than the public notification process under the Planning Act which has been undertaken consistent with the Act.</p> <p>As noted site has the benefit of SD37 and approved Master Plan. These considered the contemplated development. The provisions of SD 37 with respect to amenity are clear and have ben addressed above in the response to submission 6 2nd submission. The other submission responses have also described the current contextual amenity and measures now proposed and contained in the varied</p>

	<p>Master to address amenity concerns/preserving amenity.</p> <p>As also noted the site has and does consider environmental matters and we note the envisaged clearing of Area A and B under the current approvals. We describe the current site and also note no significant conservation impact from the proposal.</p>
	<p>Further PLan questions the logic of massive construction projects in flood zones in a cyclone prone location</p>
	<p>This submission objects to Development Application PA2025/0441 on the basis that the proposal is not capable of being fully or reliably assessed because it depends on two unapproved applications, unbuilt infrastructure and unresolved technical matters</p>
	<p>The planning framework that Stage 1 depends on is not yet settled, and the amended Masterplan being applied for is not a minor variation to the endorsed 2014 Masterplan because it introduces a new built-form staging structure that does not exist in the current approved Masterplan</p>
	<p>Approval of Stage 1 would therefore occur before the amended Masterplan is endorsed. This raises procedural concerns</p>
	<p>Stage 1 relies on a subdivision layout that is not yet approved. The Stage 1 development area corresponds to a future lot that depends on approval of a variation to DP14/0831. Because that subdivision variation has not yet been</p>

<p>approved, the land configuration shown in the Stage 1 documents does not currently exist in its proposed form. This means the assessment of Stage 1 is taking place before the relevant subdivision pattern is settled.</p>	<p>All applications relate to each other and demonstrate compliance with SD37 provisions and orderly development.</p>
<p>Traffic and access remain unresolved in the exhibited material. The Stage 1 Masterplan indicates that vehicle access to the site requires the construction of a new road connection between Bagot Road and Dick Ward Drive. That road has not yet been built, and the internal roads shown in the plans are private roads that would also require further approvals. Because these access arrangements are not yet in place, the proposal relies on road infrastructure that appears still uncertain.</p>	<p>Stage 1 does deliver internal private roads as well as the new Link Rd and external upgrades. The TIA provides the plans for these, with detailed Civils to be submitted upon approval and any design changes. The designs accord with CoD requirements and Australian Standards.</p> <p>There is no uncertainty on the road network the Master Plan as varied illustrates the roads, the DA for Stage 1 reflects these in the application and the varied Subdivision also accommodates the Stage 1 DSA. All applications align delivering orderly development.</p>
<p>Key works are deferred to future applications. The application indicates that several essential components of the development will be addressed through later approvals. It notes that further applications will be required for roads and drainage and that a separate earthworks application will be lodged. It also notes that utility connections depend on approvals from external authorities. As a result, this Development Application does not set out how drainage, earthworks, road construction, site remediation or coordination of services will be delivered.</p> <p>Approval for Stage 1 is being sought before these matters are fully defined.</p>	<p>Various plans and reports are provided to illustrate the development of the site. Detailed plans would only be produced upon approval of the DA. The draft earthworks and drainage are attached and similar in approach to that as originally proposed as the discharge points are fixed as are easements for drainage across the site.</p>
<p>Planning Act compliance is asserted rather than demonstrated. The application refers to the</p>	<p>This is addressed through the applications and submissions. Assessment of each</p>

	<p>Planning Act 1999 as the basis for lodging the proposal. At the same time, the material acknowledges that key components of the planning framework are still in progress.</p> <p>The amended Masterplan has not yet been approved, the subdivision layout is still under variation, the access road has not been constructed, and a separate earthworks application is expected to be lodged later.</p>	<p>concurrent component has been had to the 2007 scheme and SD 37 provisions. These demonstrate compliance with the Act.</p> <p>The applications are able to be made under the Act and clearly illustrate how the site is to be developed in an orderly manner and developed consistent with the planning framework. The roads are not required to be built in order to determine the land use outcome.</p>
Submission 2 contained in Submission 1	<p>This application seeks endorsement of a new Masterplan by the Consent Authority. Under SD37, a Masterplan only has effect once endorsed. If this document is endorsed, it replaces the currently approved 2014 Masterplan. This means the application is not only for development approval but also for the approval of a new planning instrument for the site.</p>	<p>The application as advertised does seek this.</p>
	<p>This is not a minor variation to the 2014 Masterplan.</p> <p>The November 2025 Masterplan changes the internal road layout, adjusts access points, modifies building locations, reorganises parking, changes the use of Area A, and introduces retail as a primary land use. These changes represent a shift from the current endorsed framework</p>	<p>The proposal has been assessed against the provisions of the Act specifically s57.</p> <p>The variation request is able to be made.</p> <p>The varied Master Plan through the reports describes the changes and rational for these driven largely by assessment of the existing traffic conditions. This is also required under s46 of the Planning Act. The varied Master plan delivers a retail commercial complex consistent with and as envisaged under SD37. It is varied to address current conditions. It also responds to other contemporary planning documents / strategies that does not form the basis of assessment of the Master Plan.</p>

		The proposal Stage 1 delivers permitted landuses as detailed under SD37.
	Retail becomes the primary land use The Vision and land-use sections of the November 2025 Masterplan identify supermarket retail, large-format retail, takeaway food outlets, a service station and other commercial uses as the main functions of Area A. In the 2014 Masterplan, retail was secondary. Under the amended Masterplan, retail becomes the dominant land use within the development footprint.	This statement is incorrect. The Master Plan seeks retail commercial outcomes for the site. Stage 1 includes a shopping centre that was also contemplated in the approved Master Plan. The shopping centre has been moved away from the Fitzer Dr Frontage. The Fitzer Dr frontage is now dominated by new open space and landscaped open space areas.
	The drawings indicate a new planning framework. The amended drawings include a different internal road network, new entry and exit points, relocated buildings, a revised lot layout, a parking structure and expanded sealed areas. These changes do not fit within the 2014 Masterplan framework.	Correct which is why a variation to the the Master Plan is sought.
	Endorsement resets the planning baseline If the amended Masterplan is endorsed, the 2014 framework is replaced. The new layout becomes the reference framework for future development approvals, including land-use intensity, road layout and development form.	Correct. The varied Master Plan is a less intense development than currently approved. The development form is unchanged from that contemplated and internal private roads have been reorganised in the site.
	The Statement of Effect relies on the new Masterplan The Statement of Effect explains the proposal by reference to the amended layout and new structure. It does not assess the proposal against the 2014 Masterplan. Endorsement of the new Masterplan therefore becomes a necessary step before the development can proceed	As noted there is concurrent assessment and the components demonstrate orderly and efficient development.
	Legal and scheme grounds Planning frameworks should be settled before development is approved Under SD37, development is intended to proceed	The applications are structured to enable assessment concurrently.

	<p>in accordance with an endorsed Masterplan. In this case, the applicant seeks development approval while the planning framework itself is still being considered.</p>	
	<p>Under the NT Planning Scheme, a Masterplan determines land-use focus, access arrangements development footprint, layout and staging. Endorsing a new Masterplan sets the planning framework for all subsequent development. It is a substantial planning decision, not a minor administrative adjustment.</p>	<p>This has been addressed previously.</p>
	<p>Public participation is affected if change is minimised. Public participation depends on clarity about what is being decided. Describing the 2025 Masterplan as a variation may underestimate the scale of change and may limit public understanding of the implications of endorsement.</p>	<p>The application is clear the Master plan is sought to be varied. The application has been advertised enabling the public to review the proposal.</p>
	<p>Risk should not be moved into the future. A Masterplan is expected to address key risks before development proceeds. Endorsing a new framework while deferring infrastructure details, traffic resolution and the effects of land-use change shifts risk away from the decision point.</p>	<p>The site has the benefit of an approved Master plan that has been assessed. Updated relevant documents have been provided i.e. TIA</p>
	<p>Public interest. The Planning Act requires decisions to serve the public interest, including transparency, accountability and responsible sequencing of land-use decisions.</p>	<p>The application has been lodged under the Planning Act. The application is clear on what is sought and the reasoning for the changes and details on the permit for Stage 1.</p>
13 – Roger Cowley	<p>We would like to offer our support for the Development Application</p>	
	<p>As local residents for over 40 years, we believe that residents of Ludmilla and surrounding suburbs deserve to have a development such as this. It appears the new development will have a</p>	<p>Noted</p>

	<p>major supermarket chain. That will mean that we will no longer have to shop at Nightcliff where the main supermarket is always under strain from too many shoppers causing often empty shelves. We are confident that the development is ideal as well as in an ideal location and we are extremely happy for it to progress. As we are getting older, it will make things much easier for us.</p>	
14 – Mary O'Brien	<p>The proposed development is located in one of Darwin's most constrained and risk exposed zones. Storm Surge & Flooding: The entire area sits in primary storm surge and inundation risk zones. Given rising sea levels, intensifying cyclone patterns, outdated 2007 surge modelling still used in NT assessment, then any intensification of development poses significant public safety risks.</p>	<p>Arae A and B are partially affected by storm surge and have been conditioned to be filled.</p>
	<p>PFAS Contamination: The site is downstream of historic PFAS discharge from the RAAF Base Darwin and airport firefighting activities. PFAS has been detected in Ludmilla Creek, soils and sediments, local aquatic life, Community members, including Aboriginal harvesters, have long expressed concerns about bioaccumulation of PFAS in shellfish and other species.</p>	<p>Noted the proposal as has been outlined does not introduce PFAS nor seek to undertake actions that mobilise PFAS or excavate. The proposal is unable to control discharges from upstream properties and Darwin Airport.</p>
	<p>Legacy Dumping & Asbestos: Parts of the area were historically used for unregulated dumping, long before environmental protection laws existed. Potential risks include: buried asbestos, construction waste, contaminated fill and landfill gases; any soil disturbance increases exposure risks.</p>	<p>Noted this has been identified and addressed in the draft RA. The draft is being updated with NT EPA.</p>

<p>Aircraft Noise Exposure: The land lies directly under flight paths and within high-level ANEF noise contours. Exposure at this level raises long-term suitability concerns for commercial or public-facing development. The SD37 zone itself was originally created in part to acknowledge and limit risks associated with aircraft noise.</p>	<p>Noted no buildings are located within the ANEF 35 contour area as required under the planning approval.</p>
<p>LOSS OF GREEN SPACE AND COMMUNITY AMENITY The bush block is one of the last remaining natural green corridors between Rapid Creek, Ludmilla, and Coconut Grove. It provides habitat for wildlife, mature trees and urban cooling, carbon absorption, stormwater buffering, local recreational and cultural space. Replacing it with sealed surfaces and buildings permanently erodes the “cool, clean, green city” values that residents repeatedly call for in NT planning consultations.</p>	<p>The varied Master Plan delivers over 50% of the site as open space. This includes native vegetation retention areas and new large landscaped open space areas.</p> <p>The proposal presents an appropriate and high aesthetic treatment to site frontage.</p> <p>The site is not public open space and is not for recreational use.</p>
<p>TRAFFIC, CONGESTION & SAFETY IMPACTS This development would significantly increase traffic on two of Darwin’s busiest arterial roads: Bagot Road (major north-south connector), already operating under heavy load, especially at peak hours. Dick Ward Drive (regional link road), key connector for Nightcliff, Rapid Creek, Stuart Park, and the northern suburbs. Additional traffic from commercial uses will increase congestion, accident risk, pedestrian safety, delays at intersections, peak-hour flow disruptions. Traffic modelling must be scrutinised carefully</p>	<p>As noted the site has the benefit of SD37 and an approved Master Plan. The applications as proposed have been assessed and modelled on the current traffic and we have identified the issues raised. The amended / varied proposals address this issue including various internal and external road works to mitigate /minimise any impacts. The works as modelled demonstrate significant improvements in safety.</p>
<p>THIS IS ABORIGINAL LAND WITH A RICH AND COMPLEX HISTORY The land forms part of the Kulaluk Lease, held by the Gwalwa Daraniki Association (GDA) — an Aboriginal organisation established in the 1970s after long struggles for</p>	<p>Consent for the application has been provided by GDA. The history to the site is understood.</p>

	<p>land justice by Larrakia and other Aboriginal families living around Ludmilla, Bagot, and Rapid Creek. In recent years, parts of the lease — including this bushblock — were nominated for heritage listing.</p>	
	<p>PLANNING & ZONING ISSUES The site sits within Specific Use Zone SD37, which has always been recognised as constrained land. The zone was originally intended to allow some low-impact commercial uses, protect the cultural values of surrounding Aboriginal land, acknowledge flood, noise, and contamination risks and prevent inappropriate, high-intensity development.</p> <p>Multiple historic rezoning proposals have been contested by Larrakia custodians, heritage groups, environmental organisations and local residents. This current development proposal raises the same concerns in a long line of community concern.</p>	<p>The site is benefitted by SD 37 which clearly outlines development options outcomes and has an approved Master Plan. The proposal responds to current planning issues and is supported by GDA. The varied master plan develops the permitted Areas A and B for the intended uses.</p>
15 – Lorina Trayte	<p>Loss of green space and rising heat</p> <p>Darwin is already getting hotter. Trees and bushland play a vital role in cooling our suburbs. Clearing this land and replacing it with buildings and sealed surfaces will increase heat in the area and reduce liveability. Once this bushland is gone, it cannot be replaced</p>	<p>The proposal is generally consistent with the SD37 provisions governing the site. The varied Master Plan does result in increased open space for landscaping and tree retention to address this issue.</p>
	<p>Impact on wildlife</p> <p>As a local resident, I know this area supports wildlife that has fewer and fewer places to go. This bush block is part of a wider green corridor. Destroying it will further reduce habitat and push animals out of an already heavily developed area.</p>	<p>The proposal is generally consistent with the SD37 provisions governing the site and retains native vegetation and habitat on site. It is unlikely to result in significant impacts to diversity.</p>
	<p>Cultural land concerns</p> <p>This land was leased on cultural grounds. Allowing commercial</p>	<p>The application has been provided with consent by GDA and development is as</p>

	<p>development on it goes against the spirit of that lease and disrespects the cultural significance of the area. Cultural land should be protected, not slowly eroded through development pressure.</p>	<p>contemplated under SD 37 and the approved master plan.</p>
	<p>Traffic and safety Traffic on Bagot Road and Dick Ward Drive is already a daily problem. Anyone who lives here knows how congested and dangerous these roads can be, especially at peak times. This development will add more cars, more turning movements, and more risk, making an existing problem worse</p>	<p>Noted the TIA for the development has been updated to reflect current conditions. The master plan as varied responds to the TIA findings and proposes various internal and external responses/upgrades.</p>
<p>16 – Environmental Justice Australia (Kip Frawley) for Kevin Tibby Quall</p>	<p>Our client submits that a public hearing and culturally appropriate community consultation ought to be carried out in respect of the Project, including in accordance with ss 2A, 22, 24 and 81A of the Planning Act.</p> <p>Ensuring that planning reflects the wishes and needs of the community (s 2A(b));</p>	<p>As identified the proposal benefits from SD37 which describes the envisaged outcomes for the site and has an approved Master Plan reflective of the controls and envisaged development for the site.</p> <p>The current application seeks to vary the Master Plan to reflect current traffic influencing development of the site. The master plan as varied does not change the list of uses which are permitted/prohibited and does not change the area with which development (land uses) may occur.</p> <p>We note the provisions of SD 37 are also reflected more recent planning scheme and strategic document – Area Plan. These documents which have also undergone consultation/exhibition consistent with the Planning Act requirements reaffirm the intended retail/commercial and industrial development of the area subject to the application. Stage 1 of the application seeks consistent land uses within the scheme and not prohibited under SD37.</p>

	<p>The proposal has been publicly notified in accordance with the Act. The application has been provided with owners consent and the GDA are supportive of the application.</p> <p>The proposal and permitted outcomes for the site are reflected in the scheme and approvals for the site.</p> <p>The planning scheme(s) strategic planning documents are a reflection of and reflects wishes and needs of the community as noted in s2A(c).</p> <p>The proposal is not varying the Planning Scheme, nor the strategic framework nor policies nor lan use plans.</p>
Ensuring that appropriate public consultation and input are included in the making of decisions under planning schemes (s 2A(c))	<p>The proposal and permitted outcomes for the site are reflected in the scheme and approvals for the site.</p> <p>The planning scheme(s) strategic planning documents are a reflection of and reflects wishes and needs of the community as noted in s2A(c).</p> <p>The proposal is not varying the Planning Scheme, nor the strategic framework nor policies nor lan use plans.</p> <p>The application has been notified for community involvement in the decision making process.</p>
Ensuring that planning is clear, comprehensive, effective, efficient and accessible to the community (s 2A(d))	Noted – the application has been notified and the applications clearly address, the Planning Act, strategic and statutory provisions.

	<p>Assisting the conservation and enhancement of places, areas, and landforms that of cultural, aesthetic or historical value (s 2A(k))</p>	<p>The proposal and permitted outcomes for the site are reflected in the scheme and approvals for the site.</p> <p>The planning scheme(s) strategic planning documents are a reflection of and reflects wishes and needs of the community as noted in s2A(c).</p> <p>The proposal is not varying the Planning Scheme, nor the strategic framework nor policies nor lan use plans.</p> <p>The application has consent from GDA.</p> <p>The site has the benefit of an AAPA clearance and cultural aesthetic and historical aspects have been addressed through approval of the Master plan for the site and subsequent applications. We have also attached letters from GDA, LN and LDC concerning cultural and heritage values.</p>
	<p>Respecting and encouraging fair and open decision making (s 2A(l))</p>	<p>The application will be determined in accordance with the Act.</p>
	<p>Our client instructs the land in question was granted to the Gwalwa Daraniki Association from the federal government for the benefit of Larrakia traditional owners in response to 2 the Kulaluk Land Claim. The land is held on trust in the form of a perpetual Crown lease (CLP 671) for Larrakia, yet Larrakia people have not been consulted.</p>	<p>We refer above to the letters from GDA, LN and LDC concerning cultural and heritage values. The proposal has undertaken necessary and required notification under the Act.</p>
	<p>In this regard, our client instructs that he has previously objected to similar developments on the surrounding land based on his concerns about impacts on cultural heritage, including in respect of the Old Retta Dixon Home.</p>	<p>Noted</p>

	<p>Further, our client instructs the land is significant, including because it is one of the few areas of traditional Larrakia land handed back to Larrakia in response to the Woodward Aboriginal Land Rights Royal Commission</p>	<p>Noted this has been identified through assessment.</p>
	<p>There are approximately 2500 pages of materials published about the Project via the relevant NTG online portal, however, Larrakia people are mentioned only once (accounting for duplication and except for the material mentioned below at par [9]). Larrakia are briefly referred to in a desktop survey of the land where it states: "areas of the lease were identified as significant to Larrakia".</p>	<p>Noted as mentioned this is not a strategic land use change rather a subsequent variation to the master plan, which has been approved and permit for permitted land uses. The applications refer to various applications over the site. We also refer to the attached 3 letters from GDA, LN and LDC concerning cultural and heritage values.</p>
	<p>There has been no consultation with our client about the Project. Based on a review of the materials published online, it seems there has been no consultation with the broader Larrakia community, Larrakia organisations, or other representative bodies, such as the Northern Land Council.</p>	<p>The application has undertaken the required notification of the application for community input into the planning process, consistent with the Planning Act.</p>
	<p>Points 8 and 9 relate to AAPA certificate which has been issued.</p>	<p>Noted</p>
	<p>Point 10 relates to heritage matters and offences for disturbing heritage places or objects.</p>	<p>Noted various appropriate surveys have been conducted across the site. We also refer to the letters from GDA, LN and LDC. Our client does not propose damage disturbance to heritage places or objects.</p>
	<p>The Northern Territory Planning Scheme (the Planning Scheme) also includes a requirement that development does not impact on the significance of a heritage place or heritage object as defined under the Heritage Act</p>	<p>We refer to the AAPA clearance and comments above.</p>

	In addition to these sites, our client instructs that the land includes a place of historical importance and significance to Larrakia, being land on which the Old Retta Dixon Home was located	Noted and we acknowledge the issues in respect to this point. The Old Retta Dixon Home location is situated within Karu Park adjacent to the site and does not form part of the application.
17 – David Percival	The very fact that the signs for the Dev. App. were posted at the beginning of the Christmas break immediately indicates that there is something DUBIOUS about this development;	The application has been advertised in accordance with the Act and commenced in November.
	there has been NO PUBLIC CONSULTATION.	The proposal consistent with the Act has undertaken public notification. No consultation is required under the Act for the applications proposed.
	The proposed development lies directly under the western flight path of Darwin airport and RAAF base.	No buildings are proposed and as required within the ANEF 2043 35 contour area. Patrons may be subject to nuisance noise and all buildings will be acoustically treated as required.
	Clearing cool green space to lay down concrete and tarmac changes the land to a heat island producing thermals. This will encourage soaring birds such as the common Black Kite to use these thermals to gain height and increase the risk of BIRD STRIKES on military, commercial and private planes during take off and landing.	As noted the proposal benefits from SD37 and has an approved master plan. The proposed Master Plan as varied does increase open sapce and landscaped open sapce to address urban heat issues. Over 50% of the site is retained as open space/landscaped open space.
	An east-west road across the centre of the development with street lights would increase aviation crash risk especially during our heavy tropical rain storms.	The proposal provides the required link connection road. All lighting would be shielded directed to avoid lighting confusion.
	PFAS has been found to have leached from the airport throughout the Ludmilla Creek Catchment, where the proposed development is situated.	The proposal does not introduce PFAS. The proposal seeks to avoid mobilisation of contaminates. Through capping and avoidance of excavation. The proposal is

		unable to control upstream drainage discharge .
	The development includes new roads which will impact severely on TRAFFIC FLOW on the two major arterial roads, Dick Ward Drive and Bagot Road; this latter is perhaps the busiest road in the NT during peak hours. An extra road will also negatively affect Fitzer Drive, which is a residential street, and increase RAT RUNNING. The AMENITY will be gone for ever.	This impact and impacts to amenity are identified and acknowledged. The proposal does result in upgrades and road improvements to address traffic safety and efficiency, particularly pedestrian safety. The rat running through Fitzer Dr is acknowledged and measures to reduce speed and provide new roads i.e. link road and multiple entries to the development are designed to reduce rat running and maintain current amenity as it relates to traffic.
	Fitzer Drive needs a proper green mixed native tree buffer zone like nearby Bunnings to screen out the eyesore of the proposed development.	The development does result in significant landscape and aesthetic improvements to Fitzer Dr and proposes increased landscape setbacks and open landscaped areas within the site. These are designed to enhance amenity/aesthetics.
	The bush block to be developed has been mentioned as part of the catchment and any harmful chemicals from the site will be flushed by storm drains into the seaward side of Dick Ward Drive	We refer to the above and through the RAP and avoidance measures seek to avoid mobilisation of contaminants. We as noted are unable to control runoff from upstream.
	Clearing the proposed block is just the start of the DESTRUCTION of the Kulaluk lease fauna and flora	Clearing has been considered and contemplated in the approval of the Master plan and SD 37. As outlined the clearing is contained to the site and not the downstream mangroves.
	The development is situated on primary and secondary surge land; with Paperbark and Pandanus flora indicators of COASTAL FLOOD	The approvals require filling the site – development areas above the storm surge.

	PLAIN. Most wet seasons the land has a high area percentage of surface water. Do the proponents intend to build up the entire block to the required height above sea level with CLEAN FILL Can residents or passing vehicle owners and their families be assured there will be no ASBESTOS fibres floating about during this extremely lengthy ground preparation?	A RAP is being developed and would involve filling the site and remediation actions. The asbestos contamination is known and is documented in the reporting for the site.
18 – Sonya Schmidt	Natural environments in urban areas should be protected	Issue raised points covered in previous submissions. As noted the site benefits for current approvals and is consistent with current planning and development envisaged for the site.
	Community Amenity. Local residents use this area to walk dogs, exercising in nature, bird watch, the children explore and play in their natural neighbourhood, exploring in nature, riding bikes	The site is not a public park nor approved for recreation. The site is approved for retail/commercial and industrial development and a change in character will occur. The site contaminated and not suitable for these activities with the current fencing restricting access.
	Cultural Dispossession. The local indigenous community have long recognised and fought for the preservation of this land for cultural significance and connection. This is aboriginal land with a rich and complex history. The land is part of the Kulaluk Lease, held by the Gwalwa Daraniki Association (GDA).... This is not vacant or "unused" land - it sits within a living cultural landscape	Consent for the GDA has been provided to the application. We also refer to the 3 letters by GDA, LN and LDC on site heritage/cultural values. Heritage assessments have been undertaken on the lot and AAPA clearance provided.
	Environmental, Health, And Safety RISKS. It is well known amongst Darwin residents that this area was used unregulated dumping, long before environmental protection laws existed. Potential risks include: buried asbestos.....	This issue has been addressed in previous submission responses.

<p>Protective Factors for storm damage mitigation:</p> <p>The proposed development will increase risk of storm water flooding, increase the damage of cyclone and storm surge. Development mitigation strategies proposed are disastrous as due to the low lying topography, the required increasing the height level of the soil will not only disturb the contaminants held within the soil, it will re-direct natural water runoff, with elevated soil heights, this will threaten existing homes and increase the risk of increased damage with extra infrastructure in the neighbourhood. The increased height of the development will be visually incongruent with the local existing neighbourhood</p>	<p>As noted the CP require the site to be filled to Storm surge levels. The approach to contamination is to cap the site and avoid mobilisation or movement of contaminants off site. The development provides the indicative bulk earthworks and stormwater drainage plans. The site is designed to not impact on infrastructure of dwellings, discharging under Dickward Dr. The proposal does not exceed 2 storeys in height consistent with that permitted, with the exception of the entry feature of the shopping centre. A change in character will occur from the proposal and that which is approved and contemplated for the site.</p>
<p>Traffic, congestion & safety impacts</p> <p>This development would significantly increase traffic on two of Darwin's busiest arterial roads, Bagot Road which already deals with heavy traffic loads especially at peak hours, and Dick Ward Drive which again is extremely busy at peak times as the key connector for Nightcliff, Rapid Creek, Stuart Park, and the northern suburbs.</p>	<p>We refer to the above responses that have addressed this pro forma comment.</p>
<p>Aircraft Noise Exposure forecast (ANEF) Risks.</p> <p>The site lies within high-level ANEF noise contours, under established flight paths. Issues include long-term exposure to high decibel noise, impacts on staff, customers, and future users, reduction in amenity and safety, conflicts with the SD37 zoning intent to manage noise exposure, Development should not be considered in high ANEF zones. As a local resident, I am aware that the natural environment currently mitigates against some of the aircraft noise we currently experience. Removal of the natural environment</p>	<p>As noted the development is not in the direct flight path and buildings are not located in the ANEF 35 contour or above. Nuisance or infrequent noise exposure to patrons in carpark areas would occur and is not prohibited. Site vegetation does not mitigate noise from aircraft.</p>

	<p>to build roads and smooth surface infrastructure development will increase the aircraft noise undoubtedly to the occupiers of the proposed development and also the entire neighbourhood. There is no way to mitigate this increase noise to the area as it is under the direct flight path</p>	
19 – Vanessa Kaye	<p>Their amenity totally destroyed forever should this development be approved,</p>	<p>The responses herein have addressed amenity. The responses have also addressed the site has existing approvals and this will result in a substantive change in character. The proposal has addressed the relevant SD37 provisions dealing with amenity and requirements. The proposal as outlined has varied results in improved amenity aspects in regard to traffic/traffic and pedestrian safety, increased open space and landscaped open space particularly to Fitzer Dr. The proposal does not have impacts on amenity beyond that contemplated through the change in land use.</p>
	<p>The application appears to have been kept secret..... Signs went up pre Christmas time</p>	<p>The approvals and applications for the site cover a 20yr period and have not been kept secret. These applications including this one have been publicly notified. The proponent has also engaged media and highlighted the proposal to the public for their engagement in the planning process. The proposal was advertised in accordance with the Act and advertising commenced in November.</p>
	<p>I'm having difficulties negotiating the complexities of the application</p>	<p>Notification period provides the submitter the ability to engage with either the</p>

		applicant, Council, Department of Planning officers or independent planning experts.
	When and where is the consultation	As detailed the proposal has been publicly notified and is not required under the Act to undertake consultation. The sites zoning and intent for the envisaged document have also been expressed in various strategic documents the new 2020 planning scheme and Local Area Plan which included consultation.
	We have one family claiming ownership on Larakia land	Owners consent has been provided by the GDA.
	Carparks and roads create heat islands increasing bird strike	This aspect was raised and addressed in a previous submission response.
	Traffic congestion on Bagot and the road dissecting the block will create another hazard for aircraft	Traffic has been addressed in other submissions as has lighting to the new link road.
	Mental and hearing impairments from aircraft noise who will pay	Issues on the ANEF and buildings and nuisance noise have been addressed in responses to other submissions.
	Sadly no mention of a screening buffer zone protecting Fitzer Dr passerbys in the application.	This statement is incorrect. Buffer planting as required under SD 37 is required to be 3m the varied proposal and as clearly illustrated in the SLI provides significantly increased landscaping to Fitzer Dr and also improves the existing verges.
21 - Graham Kirby	The clearing of seventeen hectares of bushland in suburban Darwin is, in my view, both unnecessary and ill-advised.... Clearing the land will result in the loss of all existing flora and fauna, much of which remains undocumented, leaving the area lifeless	This issue has been addressed in previous submission responses. Noting over 50% of the site is retained as open space including large area of native vegetation. The proposal is unlikely to result in any significant impacts to diversity and remains

		connected to larger habitat zones to the north.
	Planning and Assessment Concerns The application for this development cannot be properly or lawfully assessed at present. It relies on the approval of other applications, the completion of incomplete infrastructure, the resolution of technical issues, and the finalisation of traffic management plans.	This issue has been addressed in detail in other submission responses refer responses to submission 12. Infrastructure is delivered with development of the site and delivered in an orderly manner.
	Airport Proximity and Safety Issues The proposed development lies directly beneath the flight path of Darwin Airport's main East/West runway, with the runway's extended centreline passing through the site. The runway threshold is alarmingly close to the proposed location. Notably, the international airport objected to development on this site when it was previously proposed twelve years ago. Constructing commercial premises such as restaurants and shops under the flight path of a military airfield and near the runway threshold is not consistent with sound urban planning practices	This issue has been addressed in responses to other submissions. The site as stated has the benefit of SD37 and also has an approved master plan. No buildings are under the flight path and are to be acoustically treated. No building occurs in the area above the ANEF35 contour. No residential use is proposed.
	Military Activity and Associated Risks During military exercises, jet fighter aircraft produce noise levels in nearby suburbs that already approach the threshold of pain and are expected to increase as the military presence grows	We refer to the above comment
	PFAS Contamination The entire area designated for development is contaminated with PFAS. Airport drainage traverses this land, crossing Dick Ward Drive and flowing into the mangroves of Ludmilla Bay.	We note a response addressing this has been provided in responses to other submissions refer but be not limited to response to submission 6.

	<p>Flooding and Extreme Weather Events A significant portion of the development site is vulnerable to both primary and secondary storm surge.</p>	<p>A small portion of Area A and B is affected by Storm Surge and this has been conditioned to be filled in the CP for the approved Master Plan. Drainage and flooding reports/plans were provided with the original application to support Area A and B and new reporting is provided to demonstrate no impact to infrastructure or residential properties from the development.</p>
	<p>Traffic and Road Safety Vehicle traffic at the junction of Bagot, Fitzroy, Totem roads, and Dick Ward Drive is already congested and hazardous during peak times. Bagot Road is considered one of the most dangerous roads in Australia</p>	<p>This issue has been responded to in various submissions. The TIA addresses current traffic conditions and proposes various design responses and upgrades.</p>
	<p>Obsolescence of Petrol Stations As electric vehicles become more common, petrol stations are becoming increasingly redundant.</p>	<p>The use is permitted and commercial decisions determine viability.</p>
	<p>Impact of Proposed Carpark on Environment and Aviation Safety The large carpark planned for the site will act as a heatsink, generating hot air thermals. Raptors and other large birds use these thermals, increasing the risk of bird strikes with aircraft during landing and take-off.</p>	<p>This issue has been addressed in responses to other submissions with over 50% of the site retained as open space landscaped open space. There are no large buildings or structures in the designated flight paths. This is not considered to be a significant issue.</p>
	<p>Heritage Considerations The site is leased by the Gwalwa Daraniki Association (GDA), yet no current heritage assessment has been provided as part of the proposal.</p>	<p>GDA have provided consent to the application and various heritage studies have been conducted over a 20 yr period. These are referred to and have been considered. We also refer to the 3 letters from GDA, LN and LDC concerning values on the site.</p>
	<p>Retail Market Trends With the rise of online shopping, many shops in both the central</p>	<p>The site as noted is approved for a retail/commercial/industrial development</p>

	<p>business district and suburban centres remain vacant. Adding more retail space to the city will only dilute the existing customer base.</p>	<p>and benefits from an approved Master Plan enabling the envisaged land use outcomes. The proposal contributes to consumer choice and may assist in price regulations.</p>
22 – Carolyn Marriott	Why has there been no community consultation?	<p>The application has been advertised as required under the Planning Act this is to enable public engagement in the planning process.</p> <p>No consultation is required under the Act. As noted the site has existing approvals. These approvals are also reflected in the 2020 Planning scheme and other strategic planning documents such as the Area Plan which did go through extensive consultation.</p>
	Isn't some of that area prone to be inundated every Wet and in the primary surge zone? And, isn't that information rather out of date, a 2007 assessment is hardly current. Doesn't the NT Planning Scheme (Clause 6.14) require developers to minimise risk to life, property and the community. can this development guarantee this?	<p>The SD provisions nominate the areas for development Area A and B these are to be filled.</p> <p>Plans for earthworks and flooding and drainge are attached demonstrating the site is at an appropriate level, above PSSA levels..</p>
	This area is also right under the flight path. I live close by, in Dick Ward Drive and the noise from the jets is bad enough where I am, quiet deafening. I use a pair of air-force earmuffs and keep them close by when sitting in my garden. The SD37 zone was created to acknowledge and limit risks associated with aircraft noise.	<p>This issue has been addressed in responses to other submissions. The site as stated has the benefit of SD37 and also has an approved master plan. No buildings are under the flight path and are to be acoustically treated. No building occurs in the area above the ANEF35 contour.</p> <p>No residential use is proposed.</p>
	Peak-hour traffic is already very congested. Having lived on Dick Ward Drive for 33 years I'm	<p>The TIA has been based on current traffic data and proposed various external and</p>

	very aware of the changes that continual building in the area has made to living here.	internal design responses and upgrades to address current traffic issues.
23 – Karen Martin - Stone	<p>And finally, do we really need another service station, more shops etc in the area? This land is much more valuable kept as green open space between suburbs which is vital to any healthy city and one of the last remaining open spaces in the area. A place too for recreation, bushland and wildlife.</p>	The site has the benefit of SD 37 and the use referred to is not prohibited on the site. As noted over 50% of the site is retained as open space with areas of tree retention.
	<p>The burial ground is protected under the terms of the NT Heritage Act (2011), and the proposed development would constitute an offence under that Act, if undertaken without appropriate authorisation under the Act. I am very concerned that the development application does not provide the relevant assessments of the heritage significance of the burial area (and broader Kulaluk Lease Area), nor address the detrimental impact the proposed development would have on the heritage values of this significant site.</p>	We refer to the 3 letters from GDA LN and LDC which deal with this significant heritage matter.
	<p>Other Larrakia families, who are excluded from lease holdership, do not support development that has been proposed on the Kulaluk Lease Area. The differing positions of various Larrakia families have been documented or referred to in multiple reports, including Authority Certificates from the Aboriginal Areas Protection Authority, indicating that the Gwalwa Dariniki position cannot be assumed to be representative of all Larrakia views</p>	Owners consent form GDA has been provided and support the application. We also note the site has had various studies undertaken over the site and has AAPA clearance.
	<p>In July 2017, Minister Moss also decided not to formally declare the Kulaluk Lease Area as a heritage place. She agreed with the statement of heritage value and acknowledged that the site is of heritage significance, but stated that the</p>	The site subject to the application is not on the Heritage Register. We refer to the previous responses from submitters on this aspect, which we acknowledge is a

<p>processes under the Planning Act (1999), the Heritage Act, and the Northern Territory Aboriginal Sacred Sites Act (1989) 'are the appropriate place for these issues to be managed.'³</p>	<p>sensitive and significant cultural matter for the parties.</p>
<p>Under Part 2.1 of the Heritage Act, Aboriginal archaeological places and objects are declared heritage places and objects.</p>	<p>No actions are proposed to damage a heritage place or object, we refer to the above. We note all site works will be supervised.</p>
<p>Therefore, the burial ground in 'Area B' of the 'Amended Masterplan under SD37 – Statement of effect' is a declared heritage place, protected under the Act. Engaging in conduct that results in damage to a heritage place, without appropriate authorisation under the Act, is an offence. As the burial ground is not a registered sacred site, jurisdiction falls under the Heritage Act</p>	<p>We refer to the 3 letters from GDA LN and LDC which deal with this significant heritage matter.</p>
<p>Schedule 1 of the NT Planning Scheme (2007), as it applies to SD37, requires the master plan to provide any relevant cultural assessment to demonstrate that the proposed development will not cause detriment</p>	<p>This material has been provided and a Master Plan has been approved. We also refer to the response above.</p>
<p>I am concerned that the failure to adequately address the heritage significance of Area B in the body of the master plan may lead to this important issue being overlooked.</p>	<p>We note the concern and again refer to the response above from GDA, LN and LDC.</p>
<p>This information has been excluded from Amended Masterplan under SD37 – Attachment 4 – PSI, and light industrial development is once again proposed for the area of the burial ground</p>	<p>We note the concern and again refer to the response above from GDA, LN and LDC.</p>
<p>The submitter provides a copy of the Memos dated 14 October and 19 November referenced in the submission.</p>	<p>Noted and we refer to the 3 letters from GDA, LN and LDC. Also noting AAPA clearance</p>

24 - Margot Eliason	<p>The proposed plans disregard amenity</p> <p>The plans would replace a natural area with a large, exposed car park, petrol station and shopping centre, without providing for green, shaded spaces where people might like to spend time. Darwin is already often unbearably hot—new developments must prioritise permanent shade, trees, and green spaces.</p>	<p>This issue has been addressed in previous submission responses. The site is designated for retail commercial industrial development in the planning schemes, SD37 and has an approved Master plan. The form of development is consistent with an complies with he scheme requirements for parking.</p> <p>The varied Master plan does include additional open space landscaped open space, over 50% than previously approved.</p>
	<p>Instead of the proposed building, there is an opportunity to create a shopping “village” like Nightcliff Market or Parap shops, where different businesses and services could both exist – cafes, small businesses, green spaces, children’s equipment –</p>	<p>The Master plan presents opportunities for commercial and retail development within Area. Future applications will determine the specific uses and to a degree scale and orientation. Stage 1 is in an area influenced by road and aircraft noise and the built form is appropriate for the location and what is permissible under the planning controls.</p>
	<p>More variety of businesses also promotes local economic growth. Presumably this proposal is earmarked for Coles or another large national or international chain, which really contributes very little to Darwin’s economy and long term growth</p>	<p>The proposal when constructed would provide choice and provide convenience. The development contributes to growth and growth in employment.</p>
	<p>the need for another large supermarket in such close proximity is questionable. A new development at the proposed site should have more variety of shops, businesses and services that can meet the much wider needs of Fannie Bay and Ludmilla (not just a large supermarket and “restaurant” (likely fast food)).</p>	<p>Need has been determined through the approval for the site. The proposal does provide for variety not specifically restricting tenancies. No prohibited land use is proposed.</p>
	<p>Finally, pedestrian and cyclist amenity needs more attention in the plans: shaded walkways,</p>	<p>The proposal delivers significant improvement to pedestrian and active</p>

	<p>bike racks, and safe crossings for those coming from the nearby community are essential. Some people will be walking, cycling or catching the bus and this development does not account well enough for this</p>	<p>transport safety through upgrades external and dedicated pathways within the development. The comfort for pedestrian/active transport users is also considered with shade trees/seating and alternate routes for safety embedded in the design as detailed in the architectural and SLI documents.</p>
	<p>A petrol station is unnecessary This site is not an appropriate location for a petrol station. There are already multiple petrol stations nearby, making another one redundant. Petrol stations are visually unattractive and pose risks of pollution and soil contamination.</p>	<p>A petrol station is a use which may occur on site under the zoning and is considered important to the overall development and for consumers.</p>
25 – Gayle Laidlaw	<p>Environmental Impacts – impact on mangroves and other flora in the low-lying wetlands plus native wildlife.</p>	<p>No clearing or mangroves is proposed. Development areas are to be filled consistent with areas nominated under SD 37 for development and other drainage works as nominated by referral agencies. The clearing has been outlined and found not to have significant impacts on conservation values.</p>
	<p>Safety and traffic – the area is in the airport's flight path, increased traffic in the area will make it difficult for residents to cross the road and health risks from PFAS.</p>	<p>The proposal is consistent with the SD37 controls over the site. Pedestrian safety and movement has been considered with the varied Master Plan and Stage 1 application.</p> <p>PFAS has been addressed in responses to other submissions and the proposal does not introduce and seeks to avoid mobilisation of contaminants.</p>
26 – Linda Stanbury	<p>Proforma objection as per submitter 1. My concerns</p>	<p>This issue has been addressed, with the application advertised as required under the Act.</p>

	Consultation has not been conducted	
	Dismiss cultural and heritage values	The proposal does not dismiss or diminish cultural or heritage values, with various studies undertaken. The owners consent from GDA has been provided as have 3 letters from GDA, LN and LDC dealing with sensitive and cultural matters.
	Pollution during development will poison ecosystems....	All works on site will be in accordance with the RAP and through this avoid mobilisation of contaminants. As noted we do not control runoff from upstream properties.
	Habitat destruction will impact red tailed cockatoo	The proposal does not involve vegetation removal consistent with that envisaged by the development approved. The proposal does retain native vegetation on site and also salvages protected and native species for reuse in landscape works. No significant impact to fauna species is likely.
	Community needs are met by surrounding infrastructure and this DA is superfluous and unnecessary.	As noted the site benefits from approvals and zoning enabling the type of development proposed.
27 – Nancy Batenburg	residents in nearby Fitzer Drive / Ludmilla North have NOT been consulted, have purposely been thwarted in their attempts to find out information, are distressed that the original purpose of this lease have been negated by Gwalwa Daraniki Association (GDA) and the developer in pursuit of commercial development that is inappropriate to the site.	As detailed the site has obtained various approvals over the years and this has included publicly notified applications for community participation. There is no specific consultation required under the Act. This application was also advertised in accordance with the Act and again provides opportunity for engagement in the process. The application has been consented to by the lease holders the GDA.
	This site holds known carcinogens and pollutants and yet, this development application ignores the	The site has the benefit of approvals and appropriate zone for a non residential use.

<p>concerns of residents in a hodge podge of inappropriate and needless development in direct contrast to the stated purpose of this lease initially. Worse, the developer and his consultants have not provided evidence based support for some of their more fanciful and unsupported statements, ie their planned contaminant cell / earthworks is a 'cover up' of a significant problem where the PFAS inquiry is not yet complete, where there is an untreated significant carcinogenic toxic dump at the end of Fitzer Drive that has never been addressed / removed or treated.</p>	<p>A draft RAP has been prepared and is being further progressed. The Rap details the approach to avoid mobilisation of contaminants and capping inert contaminants. An on site containment cell is part of this approach to contamination which is being developed to meet NT EPA requirements. As noted we do not control drainge into the site.</p>
<p>Part of this plan involves creation of new waste disposal and treatment facilities and electrical subdivision yet no residents have been informed or consulted about the appropriateness of those in their suburb either</p>	<p>The proposal is responsible for connection of power to the site and is responsible for the containment cells</p>
<p>Approval of this amended master plan and the specifics for the initial shopping centre does not fully explain the magnitude of the commercial plans that the developer and consultants – and likely Lands and Planning – have for this zone, ie Home Maker Village Version 2 in Ludmilla. This is an inappropriate development near a residential area.</p>	<p>As detailed in other responses the site has the benefit of SD37 which envisages retail commercial and industrial development in Areas A and B. A master plan exists for these areas. The varied Master plan does not change the area of either A or B and does not include prohibited land uses under SD 37. The master as varied is similar to the approved master plan in terms of the form and type of development. The master plan as approved contemplates a shopping centre and other retail outlets commercial outlets.</p> <p>The zoning has been carried forward into other planning schemes and strategic documents such as the Area Plan with</p>

		<p>these strategic planning documents having undergone community consultation.</p> <p>The master plan as varied decreases the scale and intensity of development through increased open space to be delivered in Area A.</p> <p>This is development contemplated in the planning scheme.</p>
	<p>Worse, there is no confidence that public opinion and provision of expert evidence contrary to development applications is even noted, let alone sought. Blanket approvals for development contrary to public opinion is seen as what the Consent Authority now provides. This is an inappropriate development, ill considered, thoughtlessly ignoring nearby residents and their quality of life and amenities, negating the original purposes of this lease and a green space currently used by NT flora and fauna and creating 'contaminant zones' under the flight path with an eventual multitude of impacting commercial development particularly on Fitzer Drive residents</p>	<p>We refer to the response above and note consultation on strategic plans and supporting plans has been undertaken on multiple occasions. Additionally the variations to the approval have also been assessed and notified as with this application to provide community engagement with the planning process. The various points raised have also been addressed in responses to previous submissions.</p>
	<p>Alternatives – such as closing Fitzer Drive similar to Hudson Fysh Avenue, have not been considered and would be far better way to calm traffic, limit impacts on nearby residents and leave the developer to deal with public anger when they stop three or four times at new traffic lights with multiple access roads off Bagot Road and Dick Ward Drive.</p>	<p>As has been expressed by multiple submissions the intersection are unsafe and congested. The TIA does not recommend closing Fitzer Dr rather address the wider traffic and safety issue. Upgrades and other design responses are proposed to address congestion, rat running, speed and safety.</p>
	<p>We just want APPROPRIATE Development with a consideration of the historical nature of this land and the needs of nearby residents who bought their houses in good faith many years ago</p>	<p>We note the approval of the Master Plan is over 10yrs ago and SD 37 provisions older again.</p>

		<p>The proposal delivers development as envisaged by through SD 37. The application has been consented to by the lease holder and is supportive of the application which as detailed delivers significant public benefits.</p>
	<p>The eventual plan is a commercial Home Maker Village in the midst of a well establish residential neighbourhood. Example: They site landscaping many times. They provide no significant buffer zones. No green space for use by people, flora or fauna, ie an earthworked mini toxic contaminant zone with no purpose, no use and no reliable way of containing years of PFAS contamination in the middle of Ludmilla</p>	<p>The varied Master Plan is consistent with the provisions of the scheme and SD 37. The landscaped area is greater under the varied plan than that approved and required under SD37 particularly to Fitzer Drv. The proposal delivers over 50% of the site as open space and landscaped open space as illustrated in the SLI. This open space does retain native vegetation.</p> <p>The proposal acknowledges site contamination and is developing a RAP to address this issue with the NT EPA.</p>
	<p>Recently a meeting was held at Tudawali Park ...</p>	<p>As we were not in attendance at this meeting we defer making any comments.</p> <p>I will add that the current scheme and recent Area Plan both acknowledge the sites intended development outcome and zone allowance. These documents did undergo consultation.</p>
	<ul style="list-style-type: none"> • This master plan, whether amended or not, ignores the historical significance of this area. <p>o I am a long term resident in the area and many years ago, I was pleased when the Kulaluk lease was granted for cultural and environmental purposes; it was not granted to Helen Secretary and the Gwalwa Daraniki Association for their desecration and destruction.</p>	<p>Noted</p>

<p>This land has been mismanaged for many years. No firebreaks, annual bush fires, in the surge zone (low lying) but environmentally rich. ▪ Species of birds and reptiles have been sighted in this area that are not seen in other areas of Darwin and these are nesting grounds for totem animals. ▪ Unfortunately, this area is also under scrutiny</p>	<p>Noted the site values have been examined and documented.</p>
<p>Gwalwa Daraniki Association has NOT been a representative body for the interests of Larrakia and Tiwi Island people and there appears to be no oversight of their aim to develop inappropriately. There are people with far stronger links to this area. Their views have been ignored.</p>	<p>Noted. GDA as leaseholder has provided consent to the application.</p>
<p>The Amended Master Plan indicates the following: ▪ A broad open space through the centre of the site: ▪ Objections: this land is under the flight path, unlikely to attract the extent of the bird and reptile life currently on the site, does not provide details regarding extent / management / purpose / use and is a token to the original purpose of the lease</p>	<p>The land reflects the current zoning</p>
<p>No sensitive residential land use: This is incorrect. Residents have not been consulted about the imposition of a shopping centre / light industrial zone between their long-established suburbs.</p>	<p>This state is correct the proposal does not include residential land uses only those uses permitted under SD 37</p>
<p>No buffer zone is indicated between residences along Fitzer Drive (similar to that in front of Bunnings</p>	<p>This is an incorrect statement. SD 37 requires a landscape buffer and buffer greater than that is provided in the varied master plan</p>

	Impositions will include additional traffic noises / fumes / lights 24/7 in the parking areas bordering Fitzer Drive	These are outcomes from development consistent with the approved Master Plan and SD 37. The master plan as varied provides new and additional open space/landscaped open space to the Fitzer Drive frontage and also improves the existing verge areas.
	A new public road connection between Bagot Road and Dick Ward drive (whether this is required or not	This is a requirement of SD 37
	Two(2) distinct development areas separated by open space, with the larger being for an integrated commercial /retail complex and the smaller for industrial development. ▪ This is not cultural or environmental purposes; there isn't even a token attempt at this original purpose for this land. ▪ Details are lacking	The approved and proposed varied Master plan reflects SD37 requirements and zoning of the site
	Landscaped frontages: This plan shows no BUFFER Zone along Fitzer Drive.	This is required under SD37 and the larger response in the varied Master plan / larger buffer area is discussed above.
	High permeability and pedestrian connectivity: This is a constraint. The residential suburb does NOT wish high permeability and pedestrian connectivity to a commercial development in their suburb, particularly one from a developer so insensitive to residents directly affected by	This is a requirement of Sd 37 and a recognised desirable outcome in contemporary planning.
	Building up of the area above low lying slope of the land naturally: this will affect nearby residents when it rains / storms	This has been addressed in responses to other submissions the plans and reports the development does not impact on drainage
	External facing activated / varied frontages to the built form	The development provides a contemporary built form typically associated with the development envisaged for the site. The development addresses key routes.

	A key group ignored by the developer has been nearby affected residents.	As noted under the Planning Act we are required to publicly notify the application for the community to engage in the planning process.
	NO CONSULTATION with residents from this pocket of Ludmilla North directly affected by increased traffic and suggestions that traffic calming will be required along Fitzer Drive and potential other developments in the future.	As detailed the Master Plan is approved. Through the subsequent DA for Stage 1 traffic was reviewed using current conditions. This identified as has been expressed repeatedly in the submissions the un safe road conditions, speeding, rat running, accidents etc. The TIA explored these current conditions with traffic to be delivered for the approved site. The TIA identified various design features to address these issues includes external works. These have been discussed over an extended period with CoD and DLI.
	NO consultation by LOCAL COUNCIL representatives about City of Darwin input into this plan	Noted
	No City of Darwin initiation of black spot funding for the Fitzer Drive / Dick Ward Drive intersection.	This is an incorrect statement. CoD has sought and has received Blackspot funding
	The varied Masterplan retains the central open space area identified as RD zone and does now include within this a containment cell for on-site contaminated material. This involves only earthworks that are ultimately landscaped and appropriate for the zone given the material to be deposited within it. NO PUBLIC consultation. NO consultation with nearby residents	This containment cell is yet to be approved but does form a prudent way to avoid removing contamination and transporting it through the suburbs of Darwin. Contaminants are able to be managed through the use of the containment cell. The containment cell is /has been publicly notified for comment.
	If the developer was sensitive to residents and their concerns, the green space would be along Fitzer Drive. A central open space containing	The RD zone green space is shown in the varied Master Plan. The varied Master plan also clearly illustrates and shows new open

	onsite contamination materials is inappropriate to plunk a shopping centre nearby.	space provided along the Fitzer Dr frontage. It also clearly shows increased building setbacks to Fitzer Dr.
	the proposed variation will not materially affect the amenity of adjoining or nearby land or premises. It further states: 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 Fitzer Drive and users of this road network • This is substantially incorrect	The response on Amenity has been provided through various responses to submissions above and clearly demonstrates the achievement of SD 37 provisions which deal with amenity. It further deals with other aspects to amenity and the unsafe traffic conditions, the speeding and rat running, the regularly burnt bush and outlines how improved amenity outcomes are provided through the development of the site as is contemplated under the zone provisions.
	There is not one single attempt to address the original purpose of this land. It is a commercial development which negates the amenities of the area for nearby residents	The purpose of the land is as expressed in the Planning Act for this application, which enables a retail commercial and industrial development.
	A major consideration might have been to create a 'residents only' roadway of Fitzer Drive, similar to the traffic bumps, roundabouts and limited access in Hudson Fysh Avenue in Parap / Fannie Bay, ie create further access along Bagot Road and Dick Ward Drive with NO impact on Fitzer Drive / Ludmilla North residents	The TIA considered traffic and proposed outcomes to address the inefficiencies and unsafe conditions in the surrounding road network.
	While the City of Darwin Council has finally (after five years of begging) planted a few trees on the Fitzer Drive side of the PFAS affected creek / drainage from the RAAF Base, there are no buffer zones (as Bunnings has done on Bagot Road) indicated in this plan.	The proposal is required to and will provide buffer planting to Fitzer Dr as outlined above. This includes increased planting areas than the currently approved Master Plan. The proposal also proposes increased planting to the area identified in the verge.

the brand new fencing installed around the Kulaluk lease	This has been installed to prevent further illegal dumping and other antisocial behaviour.
no restricted docks for shopping trolleys being moved between the commercial shopping precinct and Minmirama / Bagot communities, no time when lights are turned off, no indication of shopping centre hours, no details provided about the loss of amenities	The centre will operate to currently permitted hours for trading and will be managed to prevent rubbish etc. any lighting is to be shielded to prevent amenity impacts.
There is no landscape interface to the surrounding community.	This is an incorrect statement. SD37 requires the provisions of buffers and the SLI indicates new and wider landscape/open space treatments to roads. Detailed stage plans further define these.
No attempts have been made to engage nearby Ludmilla North residents and while the leaseholder Gwalwa Daraniki Association (GDA) would prefer to ignore resident needs	This statement repeats issues previously raised in the submission and have been responded to.
Increased traffic down Fitzer Drive and into the shopping precinct via this amended route has not been discussed with residents nor have alternatives, ie shutting down road access to all but residents	As outlined the approved Master Plan provides for direct access to Fitzer Dr. The proposed varied arrangements split traffic thereby reducing concentration and additional impacts to residents. The design response also addresses and provides speed and safety responses/improvements
The submitter in point 10 addresses issues again in an assessment context.	The application, plan and specialist reports demonstrate the suitability of the proposal and benefits that arise from its implementation.
This application to vary the original Master Plan of 2014 is inappropriate to the site as it currently stands. Insufficient discussion and negotiation has occurred with MAJOR Stakeholders – nearby residents – who will be adversely affected by this	The issue of statutory approvals and assessment has been addressed. The application is able to be made and has so

	<p>commercial development as sold by GDA. This is not an improvement of amenity.</p> <p>Point 12 The AMENDED MASTER PLAN further states that the very recent fencing will prevent illegal dumping.</p> <p>This point again repeats various previous comments which have been addressed.</p>	consistent with the Act including the required public notification..
	<p>No mention is made of the Toxic Towering Tip / Asbestos dump on the other side of Dick Ward Drive which GDA have consistently refused to clean up themselves</p>	This does not form part of or is relevant to the application.
	<p>There is no land remediation</p>	A draft RAP has been prepared in consultation with NT EPA this is to be progressed and finalised prior to use of the site.
	<p>NO details are provided for stage 3 / Area A for onsite treatment and waste disposal or basically, another waste disposal treatment centre</p>	The varied master plan does detail the intent for Stage 3. Waste from the operator of the centre will be disposed of at an authorised tip.
28 – Victoria Markwick - Smith	<p>Darwin's green belt is shrinking, and we are having less and less green space in the town. Removing a large area of natural bushland and replacing it with tarmacked roads and high-density residential buildings instead is exactly what Darwin does not want and need. It is proven that urban expansion can lead to a dramatic change in the underlying surface of the earth, and that the destruction of the natural bushland will damage not only the environment, i.e. mature trees, cycads, natives, but also wildlife, such as birds, insects, lizards and others.</p>	As noted the site benefits from current approvals and the proposal retains over 50% of the site as open space, retaining areas of native vegetation.

	<p>Another critical issue for Darwin is green space cooling effect. As any old-timer can tell you, it is viscerally getting hotter all the time.</p>	<p>Issues of urban heat have been addressed in submissions herein. As above increased areas of open space have been accommodated in the varied master plan as a measure to address this contemporary issue.</p>
	<p>I am glad that the government gives us the opportunity to respond to Pink Notices, and hopefully listens to our reasons and arguments.</p>	<p>The application is publicly notified in accordance with the Act.</p>
	<p>Apart from the above depicted health implications that do matter to us residents in Ludmilla, there is the noise pollution of the flight path, which is directly above the proposed development, and where every day approximately 27 commercial planes land with their landing gears down, especially at peak times, after midnight, when people are trying to sleep</p>	<p>The development has considered and is designed to account for its location within the influence of the airport. This has been responded to within responses to other submissions.</p>
	<p>Then there is the asbestos contamination which people who live in the neighbourhood have raised alarm about (Legacy Dumping).</p>	<p>Acknowledged and is to be addressed in the RAP.</p>
	<p>Another dangerous environmental/social impact is the issue of storm surge and flooding. From my observation, this now (December) very green area is during the rainy season so wet that many specific water plants grow there. In fact, this piece of land is in a primary storm surge and inundation risk zone and with the prospect of rising sea levels, heavy rainfalls and intensifying cyclone patterns nobody should be building homes in that flood zone.</p>	<p>Issue noted the site is required to be filled above the storm surge area through existing conditions. No houses are proposed as part of the development.</p>
	<p>digging up of the soil, the grass, plants, bushes and trees etc. will cause enormous pollution and undesirable traffic issues on two of the major roads in and out of Darwin, for years to come</p>	<p>Earthworks will be conducted to minimise erosion and sedimentation and seek to avoid mobilisation of contaminants.</p>

		Traffic has been addressed in various submission responses and has been adequately addressed through the varied master plan and a number of external works.
29 – Ron and Gail Haydon	<p>This is not a vacant block, it is a unique piece of land. Why devastate a lovely place which consists of flora & fauna and their habitat.</p>	The site benefits from various approvals and development proposed is consistent with these. The proposal does not have a significant ecological impact.
	Indigenous burial sites and the cultural connections, should be kept as is.	This significant issue is addressed in the 3 letters attached from GDA, LN and LDC. As also noted AAPA clearance has been issued.
	How many times can this development keep seeking approval?	As the Act allows.
	<p>The increase of traffic there will be terrible, even if there is access from Bagot Road, we do not need more supermarkets. Will they sell alcohol? Would this be a problem?</p> <p>Traffic stress at Fitzer Drive, Dick Ward Drive, Totem Road and Bagot Rd (this will also affect smaller streets in those areas</p>	<p>The TIA addresses traffic current and proposed outlining a series of design response changes and external works.</p> <p>The proposal does not contain liquor outlet.</p>
	With no traffic lights, which are needed, on the corner of Bagot Road & Fitzer Drive accidents will keep happening. The left in left out scenario will remain ridiculous	The proposal does identify signalisation of the intersection
	This lot also sits in a primary storm surge zone and risks that can be avoided.	Correct and conditions require the filling of the site to address this issue.
30 – Andres Berg	Unnecessary - Darwin does not need another shopping centre to compete with and draw custom away from the Darwin CBD, existing businesses in Coconut Grove, shopping centres	As noted the site benefits from various approvals enabling the development as proposed.

	<p>in Nightcliff, Parap Shopping Centre or Jape Centre shops.</p> <p>Incorrectly sited – This is a largely vacant block of native vegetation under Darwin Airport's flight path; regular flights and major events such as Pitch Black will severely impact the health and safety of employees and customers. It is adjacent to a residential suburb whose quiet enjoyment of their homes will be compromised. Pollution from the businesses and the car park will flow into Darwin Harbour and its mangroves.</p>	
	<p>Inappropriate – Traffic congestion and delays along Bagot Road and Dick Ward Drive resulting from the creation of a new and huge carpark and extra intersections (irrespective of how traffic might be controlled) will have significant economic and social impacts on Darwin road users</p>	<p>The site is vacant and has approvals which when issued considered airport location, ecology, stormwater, heritage etc. The varied proposed Master plan has accommodated these issues and stormwater is to be appropriately treated and managed.</p>
31 – Grusha Leeman	<p>The sea is rising. It is no longer sensible to build on low lying land and it is much more valuable in its intact state. I would prefer this land have a CN zoning, but reject the proposed changes</p>	<p>The proposal delivers key road infrastructure and considered current traffic conditions. The varied master plan responds to the issues identified in the TIA and delivers external road works and drives other works to improve safety and efficiency of the road network.</p>
32 – Jed Finnane	<p>I support development of this site and advocate the need for improved amenity for the Ludmilla / Bagot area I experience daily the lack of walkable amenities, pedestrian infrastructure and places to meet neighbour, rest, play or linger. I support development of this site and want it to succeed, but also want to ensure it delivers the best possible outcomes for the neighbourhood long term.</p>	<p>Noted, upgrades pedestrian facilities and active transport is delivered. Improved safety also is delivered by the development</p>
	<p>While the proposed uses may be permissible, the overall site layout is dominated by surface car parking, resulting in what would be the largest</p>	<p>The proposal is required to meet parking requirements under the scheme. The parking provided meets this. The parking is</p>

	<p>single car park in Greater Darwin when the Masterplan is fully realised</p>	<p>designed to be accessible to shop entries proposed and future. The carparking incorporates landscaping and new opens space areas for pedestrian and active transport access above that required under the SD 37 provisions.</p>
	<p>This intensity of vehicle storage appears inconsistent with the intent of a service commercial precinct intended to integrate with its surroundings and preserve residential amenity</p>	<p>As above parking is to comply with scheme rates. The architectural plans which inform the master plan and future stages has been designed consistent with the scheme parking requirements.</p> <p>As detailed the varied master plan does deliver increased open space, landscaped open space to Fitzer Dr and significant new setbacks to Fitzer Dr of approximately 55m.</p>
	<p>The proposal provides approximately 510 car parking spaces, exceeding the minimum required under the Planning Scheme. However, the application does not demonstrate why parking is provided above the minimum</p>	<p>The parking is designed to meet the scheme requirements and delivers parking also to cater to stage 2 as illustrated in the architectural plans and SLI. This provides for integrated development outcomes and not piecemeal responses to specific land use applications. Fewer spaces can be provided but this results in inefficiencies and incomplete stormwater designs/networks.</p>
	<p>Opportunities to reduce parking provision have not been explored, despite the site's size and strategic location and instead deliver:</p> <ul style="list-style-type: none"> • meaningful public landscaping • shaded pedestrian spaces • public gathering areas 	<p>As above new open space and landscape areas have been included in the varied master plan and specifically to Fitzer Dr and for new pedestrian connections.</p> <p>Landscaping intent plans illustrate this. The proposal also proposed external works to also improve current facilities and landscaping.</p>

	<p>the DA Response – PA2025/0441 – Ludmilla Retail Precinct 2 / 4 19/12/2025 proposed development mix continues a car-dependent model rather than functioning as a local centre that supports short trips, walking and casual use.</p>	<p>The proposal as noted is required to meet the SD 37 requirements. The varied master plan has incorporated more contemporary design features and open space to improve / encourage safe and comfortable pedestrian and active transport movements in and around the site.</p>
	<p>Clause 11(a) of Specific Use Zone SD37 requires identification of pedestrian and cycle links through the site connecting to Bagot Road, Dick Ward Drive, Fitzer Drive and Totem Road.</p>	<p>The varied master plan architectural plans and SLI illustrate the proposed pedestrian and active transport paths/connections. As noted new open space and pedestrian/active transport linkages are provided for in the varied Master Plan.</p>
	<p>path widths shown at approximately 1.5 m, which are inadequate for shared pedestrian– cyclist use</p> <ul style="list-style-type: none"> • no assessment of cycling movements in the Traffic Impact Assessment • no consideration of existing pedestrian safety risks on Bagot Road, despite increased activity generated by the development • insufficient corridor width along Dick Ward Drive to accommodate a future regional cycleway and landscape buffer 	<p>External works are to CoD requirements and we will comply with conditions of approval. The proposal does outline the signalisation of key intersections to improve pedestrian and active transport safety.</p> <p>Landscape buffers are provided within the development and Dickward Dr is a CoD road and scope exists for inclusion of cycleways with upgrades to the road and an integrated cycleway.</p>
	<p>Clause 11(b) also requires parking areas to be integrated with the pedestrian network. However, the application does not demonstrate how end-of-trip facilities or bicycle parking provision align with expected demand for a development of this scale, particularly for a supermarket-anchored centre</p>	<p>Bike parking is provided in the centre and conveniently located at entries. Public facilities/amenities are provided for cyclists in the centre and other facilities may also be provided in the larger supermarket with space provided for staff amenities/facilities.</p>
	<p>The varied Masterplan provides only a 3 m setback along Dick Ward Drive. This is insufficient to accommodate a future regional cycleway corridor, appropriate landscaping, and separation from traffic</p>	<p>The proposal provides the minimum landscape setbacks as required to Dickward Dr. Tas above this is a CoD road and the upgrade of this and incorporation of a regional bikeway is a future project for</p>

		council. The development does provide frontage works and contributes to other improvements.
	Given the strategic function of Dick Ward Drive, the Masterplan should protect sufficient corridor width to enable future active transport infrastructure.	The reserve is sufficient to accommodate an upgraded road and or regional link as outlined and is not precluded by works in the site.
	The Statement of Landscape Intent focuses primarily on streetscape treatment and car-park landscaping. The proposal does not demonstrate the provision of meaningful, usable public spaces within the site where people can comfortably sit, meet or rest outside of commercial tenancies	The SLI does provide details on features to improve pedestrian comfort including meandering paths, shade provided from trees and new open space. The private open space, within the site, is able to be used by the public and patrons of the centre and can enable gathering sitting and meetings. We do note the sites proximity to and influence of the airport and noise. It is envisaged that upon approval each stage/application would provide a detailed landscape plan addressing finer grain design issues.
	More balanced outcomes could be achieved within the existing SD37 controls by: <ul style="list-style-type: none"> moderating car parking provision to the scheme minimum reallocating space to pedestrian infrastructure, landscaping and public space protecting sufficient corridor width for future active transport infrastructure supporting a greater mix of smaller, local-serving tenancies over time 	As noted the parking provided is design to meet the scheme requirements for the master plan and secondly deliver in an orderly and efficient manner services and infrastructure. <p>The proposal has delivered new and large areas for open sapce /landscape open space which accommodates pedestrian and active transport. This also contributes to amenity more positively. The proposal does not impinge of the road reserve except for noted intersections which accommodate active transport and pedestrians.</p>

	the proposal does not sufficiently demonstrate that the varied Masterplan and Stage 1 development achieve the intent of SD37	The submission and reports it is considered to demonstrate compliance with SD37.
33 – Ian Redman	Public notification	The application has been notified in accordance with the Act.
	It is unclear whether the road to the west of the first stage is in the first stage or not. This road affects residents on Fitzer Drive. If only the first stage proceeds, is this road needed and why?	Stage 1 does include a link to Fitzer Dr as is enabled in the approved Master plan. This provides access and pedestrian access to the development.
	The application should state whether aircraft noise at the site has been found to be within acceptable limits or not.	The application does not include buildings within areas above ANEF 35 as required.
34 – Margaret Clinch	What is proposed in the summary statement in the current application is very different from the original decision as SD37.	The approval enable a retail/commercial and industrial development. The SD 37 guide a master plan which has been approved and delivers the envisaged land use. The varied Master Plan also does this and is substantially the same, does not introduce prohibited and uses and is updated to account for external influences i.e. traffic as well as other more contemporary planning. The varied Master plan delivers the envisaged outcome for the site as detailed in and consistent with SD 37. The proposal as outlined delivers significant public benefits and addresses in part the deterioration in amenity experienced by residents in the locality from an inefficient and unsafe road and pedestrian network. This is issue is raised repeatedly through submissions.
35 – Greg Brautigam	Environmental - destroying vegetation Increased traffic concerns Rubbish and people leaving trolleys in my street Alcohol. With 3 First Nations	These issues have been addressed in responses to submissions above and note

	communities nearby I fear for their health and safety. Dan Murphy's was blocked for similar reasons.	no alcohol shop outlet is proposed in the application.
36 – Mike Hendrikse	Destroying a green belt and there appears to be a natural spring running through the site	The proposal seeks development consistent with that enabled under the approval. The natural spring is the drain through the RD zone collecting upstream drainage.

As is demonstrated each submission has been assessed and response to issues provided. As is demonstrated in the responses there is a unfamiliarity with the planning process, Act requirements and approvals existing over the site that influence the responses. The concerns raised on many issues have been addressed in the reporting and submission. The varied Master Plan has responded to issues and concerns to the extent these do not preclude the approved and permitted development of the site, including but not limited to new and expanded open space/landscape open space to Fitzer drive, improvements to local road safety and efficiency.

We appreciate the concerns expressed through submissions however when objectively reviewed against the controls in the planning scheme, SD 37, approved Master Plan the proposal delivers the envisaged land uses and form. The proposal through the varied master plan responds more directly to the concerns raised than contemplated in the approved Master Plan and controls in SD 37.

The varied Master Plan and DA illustrate the orderly and efficient development of the site that improves interface, aesthetic and amenity outcomes to the residents on Fitzer Dr when viewed against the SD 37 provisions and the current contextual environment in the locality. The development also results in wider amenity and aesthetic outcomes to the broader locality and through management of the site. Through the ongoing management of the site issues such as contamination, anti social behaviour and rehabilitation works within the RD zone are also able to be implemented.

We appreciate the opinions expressed through the submissions and effort undertake in making these. We appreciate the significant cultural and heritage matters also raised.

The responses are not as stated an attempt to dismiss or diminish concerns but respond and direct as direct submitters to specific documents /response material that addresses the matters.

The application has been properly made and undertaken all necessary steps under the Act / planning process to enable the application to be determined.