

21 November 2019



Lands Planning
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Planning Scheme Amendment Application

PA2019/0381

**Section 6574 (41) Howard Springs Road HOWARD SPRINGS, Hundred of Bagot
Rezoning from Zone TC (Tourist Commercial) to Zone CP (Community Purposes)**

Thank you for the Planning Scheme Amendment Application referred to this office on 29/10/2019, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Planning Scheme Amendment for the following reasons:

- a) A fire and emergency services station is considered consistent with the purpose of Zone CP (Community Purpose) rather than Zone TC (Tourist Commercial).
- b) The Darwin Regional Land Use Plan and the Litchfield Subregional Land Use Plan both indicate that the site is located in the urban/peri-urban designation, in which residential, commercial, and community facilities are expected to be established to service the local community.
- c) The subject site has convenient access to a major arterial road, which is considered an essential feature of a fire and emergency services site.
- d) The site is surrounded by other sites in commercial zones, of which most are vacant, and is located away from residential areas whose amenity could be impacted by emergency vehicles.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully

Wendy Smith
Manager Planning and Development

STATEMENT OF EFFECT

Scheme Amendment (Rezoning) Application Rezone from Zone TC (Tourist Commercial) to Zone CP (Community Purpose)

**Section 6574 Hundred of Bagot
(41 Howard Springs Road, Howard Springs)**



Prepared by

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September 2019



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1.0 INTRODUCTION

MasterPlan NT has been engaged by the Department of Infrastructure, Planning and Logistics (DIPL) to assist in the preparation of a Planning Scheme Amendment (Rezoning) application for the rezoning of Section 6574 Hundred of Bagot (41 Howard Springs Road, Howard Springs). The proposal seeks to rezone the 3.35-hectare site from Zone TC (Tourist Commercial) to Zone CP (Community Purpose). The site was previously approved for a bus depot through Exceptional Development Permit EDP15/0006, however, the site is no longer being used for this purpose.

It is understood that the rezoning will facilitate the Northern Territory Government's (NTG) development of the Palmerston Fire Station (PFS), subject to approval by the Development Consent Authority. The proposal is made pursuant to Section 13 of the *NT Planning Act*.

Included in the application is the Statement of Effect (contained herein). Attached to the Statement of Effect are the following:

- Attachment A Existing Site Aerial
- Attachment B Existing Zoning Plan
- Attachment C Proposed Zoning Plan
- Attachment D Exceptional Development Permit EDP15/0006
- Attachment E Zone TC Zoning Table
- Attachment F Zone CP Zoning Table

In preparing this Statement of Effect, MasterPlan has reviewed and considered the available land information, liaised with relevant Northern Territory Government (NTG) departments, and considered the most relevant provisions of the *NT Planning Act*, NT Planning Scheme, the Darwin Regional Land Use Plan and the Litchfield Subregional Land Use Plan.

2.0 BACKGROUND

The proposal seeks to rezone Section 6574 Hundred of Bagot (41 Howard Springs Road, Howard Springs) from Zone TC (Tourist Commercial) to Zone CP (Community Purpose) to facilitate development of the PFS. Details of the PFS are provided below.

2.1 PALMERSTON FIRE STATION

The proposed rezoning to CP will facilitate the construction of a combined Northern Territory Fire and Rescue Service (NTFRS) fire station and Northern Territory Emergency Services (NTES) facility. The facility, for which the design and construction is currently out for public tender, is intended to enable a 24/7 rapid response to emergencies.



It is understood from previous conversations with Development Assessment Services (DAS) that a fire station or emergency services land use would be considered as an 'undefined use' in the NT Planning Scheme. Undefined land uses are *discretionary* in any zone, and as such require planning consent. It is understood that the development approval component is integrated into the current tender package and does not form part of this application.

2.2 SITE SELECTION

In selecting the site, the following criteria were considered: including land tenure (ownership), land size and accessibility, proximity to density for the purposes of emergency response times, sufficient service availability (i.e. power and water), appropriateness for emergency services vehicle (fire truck) access, and existing usage and zoning.

The subject site was identified due to its strategic location to nearby urban centres but also with convenient access to the Stuart Highway and the surrounding rural areas.

2.3 PRE-CONSULTATION

Masterplan have liaised with both Strategic Lands Planning (SLP) division within DIPL and the Litchfield Council in regard to the proposed rezoning from TC (tourist Commercial) to CP (Community Purpose). It is noted that SLP will undertake a formal assessment of the proposal once lodged, whilst Litchfield Council will have the opportunity to provide formal comment during the expected PSA exhibition period.

3.0 NATURE OF SITE AND LOCALITY

3.1 DESCRIPTION OF SITE

The proposed rezoning site is Section 6574, Hundred of Bagot (41 Howards Springs Road, Howard Springs). The proposed rezoning site is currently zoned TC (Tourist Commercial) and has previously been used as a Buslink VIVO depot which serviced the former INPEX worker's accommodation at 140 Howard Springs Road, Howard Springs. A copy of the permit which approved this use is at **Attachment D**.

The site is roughly square, with frontage to both Howard Springs road and the un-named road leading to the Palmerston Town Camp. The site has three existing vehicular access points from the un-named road, and no current direct vehicular access to Howard Springs Road.

A Site Aerial is at **Attachment A**. The existing zoning of the site is shown in **Attachment B**. A selection of site photos is shown overleaf.



3.2 DESCRIPTION OF LOCALITY

Section 6574 is currently zoned TC (Tourist Commercial). Section 6574 is immediately surrounded by a large lot zoned TC (Tourist Commercial). In close proximity to the site is land zoned CN (Conservation) to the north & north east and M (Main Road), being Howard Springs Road.

In the broader locality, there are several different zones. The site is located adjacent to the road access to Palmerston Town Camp, which is zoned CL (Community Living) and lies approximately 500 metres to the north-west of the site. To the south-east, on the opposite side of Howard Springs Road is land zoned CP (Community Purpose), being Litchfield Council's Waste Transfer Station and Recycling Centre. Land zoned FD (Future Development), M (Main Road) – being Stuart Highway, PM (Proposed Main Road), SC (Service Commercial), RL (Rural Living), and CA (Commonwealth Land – no Scheme controls apply) are also in close proximity to the site.

The TC-zoned land immediately surrounding the site is owned by the Crown. As vacant Crown land, NTG retains controls over future development surrounding the PFS site and can manage any potential conflicts. The subject site and the surrounding zoning are shown in **Attachment B**.



Figure 1: Site as viewed from un-named road (Palmerston Town Camp Access Road)



Figure 2 & 3: Site as viewed from un-named road (Palmerston Town Camp Access Road)



3.3 SITE CONSTRAINTS

3.3.1 SERVICES

The site is serviced by reticulated power, water, sewer and communications. The trunk infrastructure in the area is sufficient to support the proposed PFS without the need for significant upgrades. It is understood that DIPL will continue to liaise with Power and Water as the proposal for the PFS moves forward.

3.3.2 STORMWATER & DRAINAGE

Drainage and management of stormwater from the site has been considered. As part of the PFS design and construct tender (publicly available from NTG tenders website), a civil engineer must be engaged as part of the design team to *"assess current drainage and stormwater of the site, determine any necessary upgrades, consider capacity for future stages"*.

Prior to the PFS detailed design, drainage from the site will be investigated and any constraints with regard flooding of the site confirmed. It is noted a drainage line is located to the west of the proposed development site; however, it is anticipated that flooding will not be a risk on site.

4.0 REZONING PROPOSAL

The proposed amendment to the NT Planning Scheme is to rezone Section 6574 (41 Howard Springs Road, Howard Springs) from Zone TC (Tourist Commercial) to Zone CP (Community Purpose). The proposed rezoning is shown in **Attachment C**.

The purpose of the rezoning is to provide a suitably zoned area of land to facilitate the proposed Palmerston Fire Station. The tender for the design and construction of the PFS is currently out to tender, PFS. It is understood from previous conversations with DAS that a fire station or emergency services land use would be considered as an 'undefined use' in the NT Planning Scheme.

Despite undefined land uses being *discretionary* in any zone, it is understood that the PFS facility is more appropriately located within Zone CP than if it were to remain as Zone TC. The purpose of Zone CP is *'to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic or government administration'*.

4.1 LEGISLATIVE REQUIREMENTS

The Minister for Infrastructure, Planning and Logistics is responsible for determining proposals to amend the NT Planning Scheme including the rezoning of land. The *NT Planning Act* establishes requirements relating to proposed amendments to the NT Planning Scheme under Section 13.



As per Section 13(1), a person or body may, in writing, request the Minister amend a Planning Scheme as proposed in the request. This Statement of Effect is intended to be a formal request to the Minister to amend the NT Planning Scheme in accordance with the requirements of Section 13(1).

4.1.1 NT PLANNING ACT OBJECTIVES

Section 2A of the *NT Planning Act* states:

- (1) *The objects of the Act are to plan for, and provide a framework of controls for, the orderly use and development of land.*

The proposal is considered consistent with existing zonings and land use in the area and is therefore considered to facilitate the orderly use and development of land.

- (2) *The objects are to be achieved by;*

- a) *Strategic planning of land use and development and for the sustainable use of resources;*

The proposed amendment does not contravene the strategic planning principles of the Darwin Regional Land Use Framework (DRLUF), the Darwin Regional Land Use Plan (DRLUP) or the Litchfield Subregional Land Use Plan (LSLUP), as discussed further below.

The site is shown as future Urban/Peri-Urban within the DRLUP, and the LSLUP. The proposal is consistent with existing CP zones established within the immediate proximity, as well as the broader area, which provide support services and community facilities for both existing and future residential and rural-residential areas.

- b) *Strategic planning of transport corridors and other public infrastructure;*

The proposed rezoning does not impact upon the strategic planning of transport corridors or other public infrastructure.

- c) *Effective controls and guidelines for the appropriate use of land, having regard to its capabilities and limitations;*

The proposed rezoning from Zone TC to Zone CP is considered to be an appropriate use of the land, having regard to surrounding land uses, the desire for orderly and proper planning and the intent of the site to facilitate the PFS (currently out to tender). There are no limitations to the site that prevents the proposed rezoning or the intended end use.



- d) *Control of development to provide protection of the natural environment, including by sustainable use of land and water resources;*

The proposed development will not impact on the sustainability of the land or the availability of water resources in the area and will not impact upon the natural environment.

- e) *Minimising adverse impacts of development on existing amenity and, wherever possible, ensuring that amenity is enhanced as a result of development;*

The proposed rezoning is expected to have minimal impact on the amenity of the area. The proposed zone of CP (Community Purpose) is consistent with several other sites in the immediate area, including the following:

- Section 5857 Hundred of Bagot (9 Kundook Place, Howard Springs), Section 6766 Hundred of Bagot (Whitewood Road, Howard Springs), Section 2818 Hundred of Bagot (95 Howard Springs Road, Howard Springs) and Section 6343 Hundred of Bagot (85 Whitewood Road, Howard Springs), being the Good Shepherd Lutheran College and the Cornerstone Christian Fellowship Church;
- Section 5519 Hundred of Bagot (16 Howard Springs Road, Howard Springs), being the Litchfield Council's Waste Transfer Station and Recycling Centre.
- Section 8671 Hundred of Bagot (18 MacKillop Court, Johnston), being the MacKillop Catholic College.

The intended use of the site for the PFS has been carefully investigated and is considered appropriate in the locality, given proximity to Palmerston and existing and proposed areas of residential and rural-residential development.

- f) *Ensuring, as far as possible, that planning reflects the wishes and needs of the community through appropriate public consultation and input in both the formulation and implementation of planning schemes;*

As part of the Planning Scheme amendment process, the Minister for Infrastructure, Planning and Logistics will determine whether public exhibition or community consultation will be undertaken.

4.2 STRATEGIC ANALYSIS

As per Clause 2.7 of the NT Planning Scheme, the overarching planning principles and frameworks contained within Part 8 and Schedule 2 should be given due regard for all land uses and development.



4.2.1 DARWIN REGIONAL LAND USE PLAN FRAMEWORK

Clause 4.2 of the NT Planning Scheme provides a regional land use framework for the Darwin region, including principles for the administration of the Planning Scheme. The subject land is located within the area identified as 'Future Urban' in the Framework. The intent of the Framework is to:

- (a) *provide for orderly and appropriate development to cater for population growth, consistent with the Darwin Regional Land Use Framework and any applicable Area Plans in Part 8, with a focus on:*
 - i. *the provision of a range of dwelling types to meet the needs and aspirations of all sectors of the community;*
 - ii. *the appropriate integration of new residential development taking account of the lifestyle and character of established areas;*
 - iii. *more compact and higher density development in appropriate locations proximate to facilities and services in new urban areas and on infill sites in established areas;*
 - iv. *interconnectivity with the active transport network and accessibility to public transport; and*
 - v. *the development of greenfield sites in locations that promote efficient expansion or utilisation of established commercial and community services and facilities, public transport and trunk infrastructure.*

The proposed rezoning to CP will allow for the provision of emergency services to service the existing and future urban areas and does not contravene the orderly and appropriate development of the Darwin area as contemplated by the Framework. Refer **Figure 4** below.

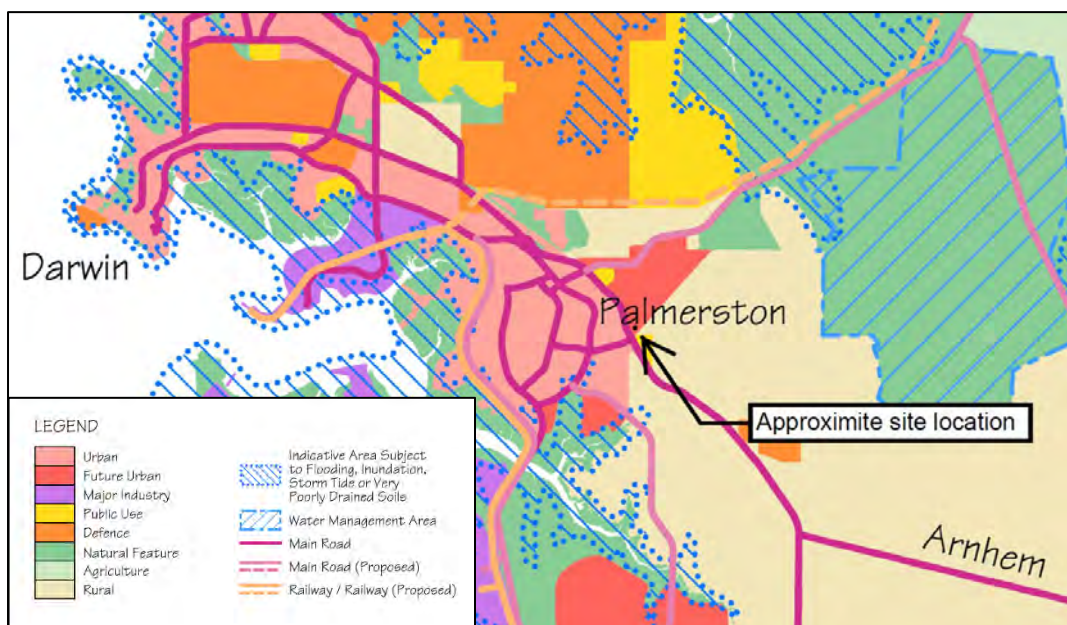


Figure 4: Darwin Regional Land Use Plan Framework



4.2.2 DARWIN REGIONAL LAND USE PLAN 2015 (DRLUP)

Clause 2.7 of the NT Planning Scheme provides requirements for reference to policy in development applications:

1. *The interpretation of this Planning Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in this document appearing in Part 8 or schedule 2 and ensure that a use or development or proposed development or development is consistent with them.*
2. *Where there is an inconsistency between any applicable policy and this Planning Scheme, the provisions of the Planning Scheme will prevail.*

In relation to Schedule 2, the DRLUP is relevant to the application. The DRLUP identifies the site as being suitable for greenfield development as 'Urban/Peri-Urban' (see Land Use Structure on page 13 of DRLUP). While the current Zone TC status could potentially facilitate future residential development in accordance with the DRLUP, it is noted that rezoning the site to CP to allow for the provision of emergency services to support such future residential development is considered to be consistent with the intent of the DRLUP.

Rezoning to CP is not a significant departure from the existing land use structure and zoning proximate to the proposed rezoning site. Accordingly, the overarching objectives of the both the regional land use framework and DRLUP are able to be achieved.

4.2.3 LITCHFIELD SUBREGIONAL LAND USE PLAN 2015 (LSLUP)

In relation to Schedule 2, the LSLUP is also relevant to the application.

Consistent with the DRLUP, the LSLUP identifies the site as being suitable for greenfield development as 'Urban/Peri-Urban'. Refer **Figure 5** below.

While the current Zone TC status could potentially facilitate future residential development in accordance with the LSLUP, it is noted that rezoning the site to CP to allow for the provision of emergency services to support such future residential development is considered to be consistent with the intent of the LSLUP. Furthermore, the Statements of Policy and accompanying principles to achieve the outcomes for urban residential land uses on page 11 of the LSLUP are not compromised.

Rezoning to CP is not a significant departure from the existing subregional land use structure and zoning proximate to the proposed rezoning site. The overarching objectives of the both the regional land use framework and subregional land use plan are able to be achieved.

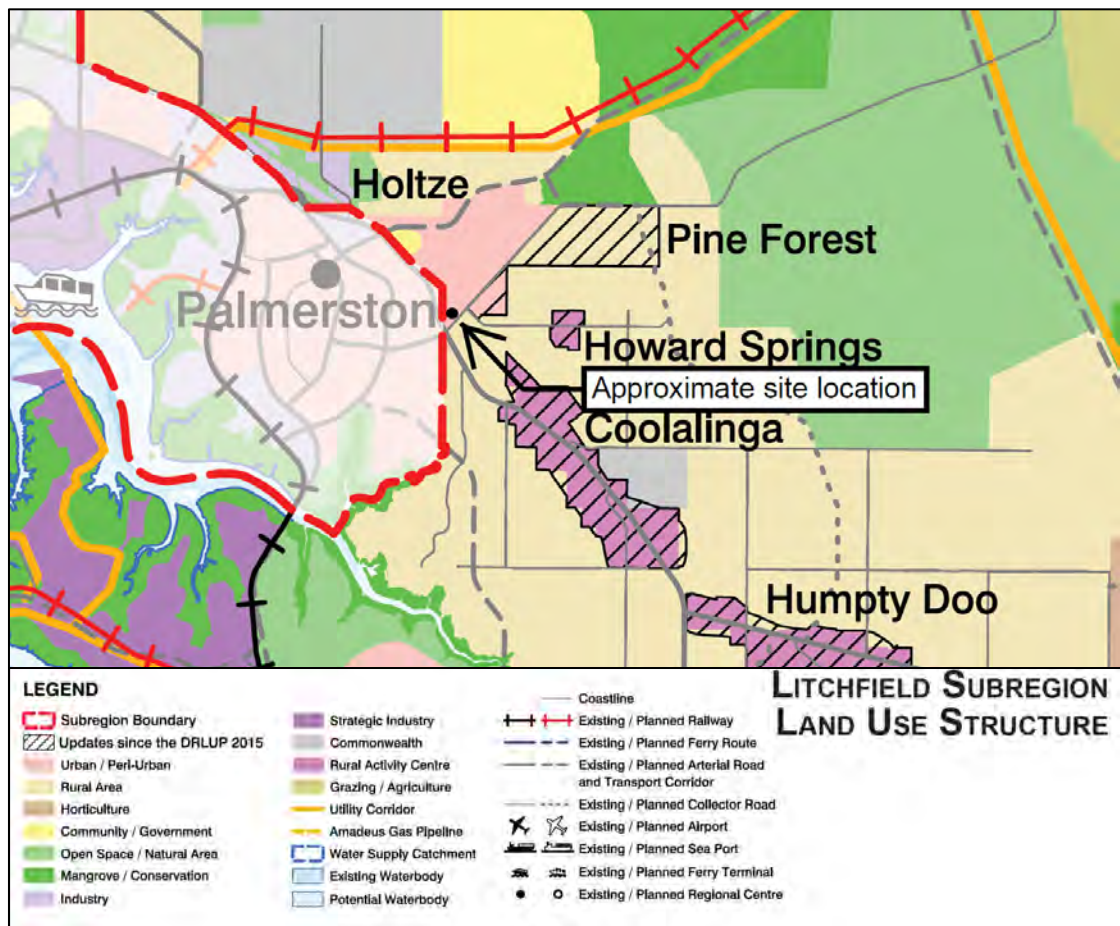


Figure 5: Litchfield Subregional Land Use Plan

4.3 NT PLANNING SCHEME

4.3.1 CLAUSE 5.10 – ZONE TC (TOURIST COMMERCIAL)

1. The primary purpose of Zone TC is to provide for uses or development servicing tourism, including commercial and residential activities.
2. Development should be of a scale and character compatible with uses or development nearby.

Having regard to the functions of the PFS referred to previously and the primary purpose of the existing zone, it is not considered that the current TC (Tourist Commercial) zoning is the most appropriate zone for the intended use of the land. The zoning table for Zone TC is provided at **Attachment E**.



4.3.2 CLAUSE 5.21 – ZONE CP (COMMUNITY PURPOSE)

1. *The primary purpose of the zone is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic or government administration.*
2. *Design is expected to incorporate landscaping that will enhance the visual appearance of the development. The development of residential accommodation is to only be in association with and ancillary to the primary use of land.*

Zone CP provides for uses and zone objectives that better align with the functions of the PFS. Importantly, amending the NT Planning Scheme by rezoning to CP will not prevent due consideration of future land development proximate to the site to ensure that conflicting land uses are not established.

It is noted that the both the DRLUP and LSLUP identify the subject site as suitable for residential development. While the majority of residential development as a primary land use is prohibited in Zone CP, the range of uses allowed in Zone TC could trigger potential land use conflicts. On this basis, the proposed rezoning to CP is considered to align with the broader policy objectives for the locality.

Please refer to the Proposed Zoning Plan at **Attachment C** for further details. The zoning table for Zone CP is provided at **Attachment F**.

4.3.3 CLAUSE 14.5.1 – PALMERSTON EASTERN SUBURBS AREA PLAN

Whilst the site is located outside of the Palmerston Eastern Suburbs Area Plan (PESAP), the site is in close proximity and a brief assessment has been provided below. An extract of the PESAP map and the subject site is shown in **Figure 6** below.

One of the seven key purposes of the PESAP is to facilitate the provision of “community purpose sites of sufficient size to allow colocation and integration of schools and other significant community and active recreation facilities serving more than one individual neighbourhood...”. The provision of a large Community Purpose-zoned site in close proximity to the eastern suburbs to facilitate the Palmerston Fire Station is considered to be a significant community facility and is consistent with the general intent of the PESAP.



Amendment No. 399 published in the NT News on 18.09.2015 amends the Palmerston Eastern Suburbs Area Plan 1 of 3
Amendment No. 430 published in the NT News on 29.01.2016 amends the Palmerston Eastern Suburbs Area Plan 1 of 3

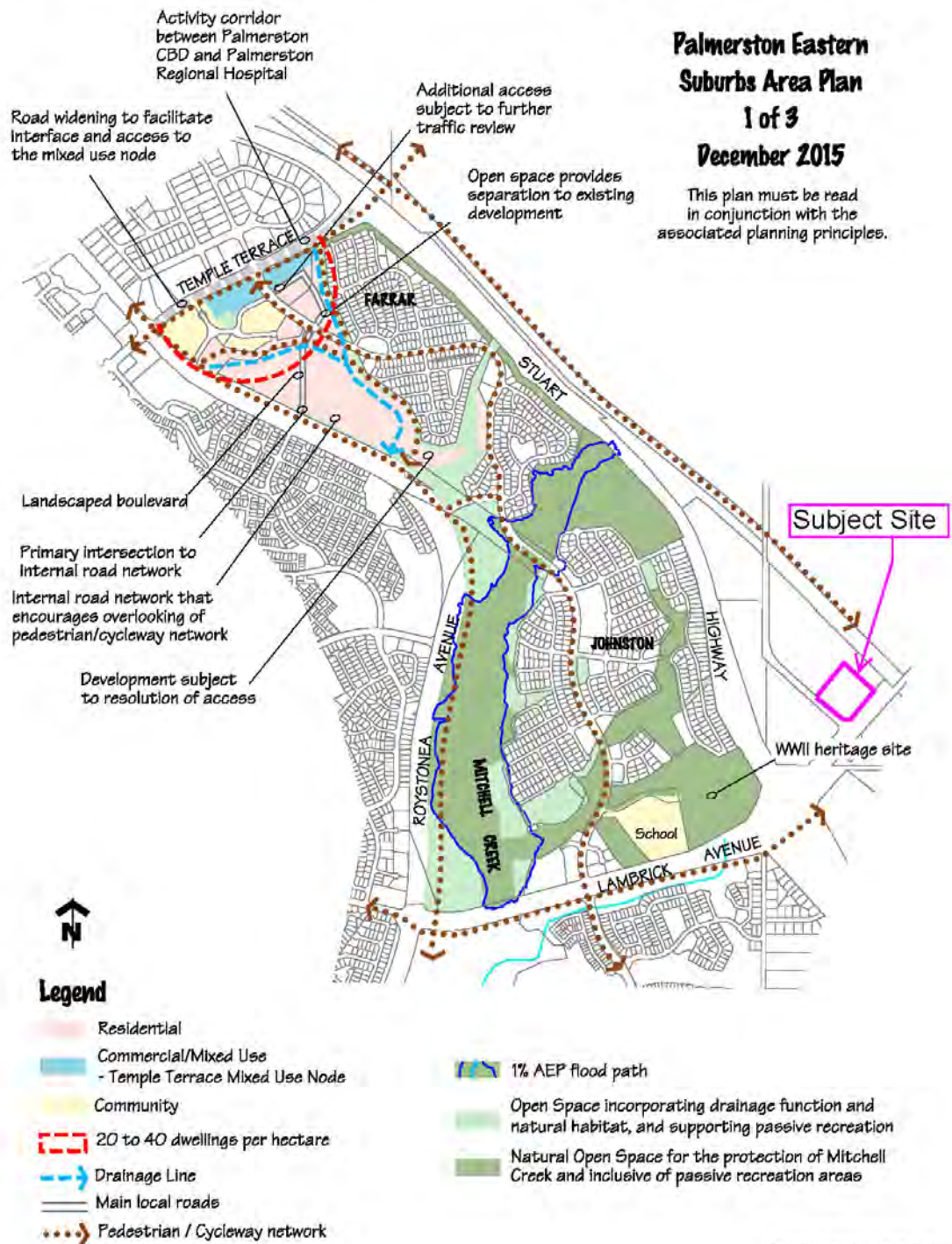


Figure 6: Palmerston Eastern Suburbs Area Plan (1 of 3)



4.3.3 CLAUSE 14.7.2 – HOLTZE URBAN AREA PLAN

Whilst the site is located outside of the Holtze Urban Area Plan (HUAP), the site is in close proximity and a brief assessment has been provided below. An extract of the HUAP map and the subject site is shown in **Figure 7** below.

One of the nine key principles of the HUAP is to facilitate the provision of “community purpose sites to meet the needs of Holtze future urban residents...”. The provision of a large Community Purpose-zoned site in close proximity to the Holtze future urban and residential area, as well as in close proximity to the Palmerston Regional Hospital is consistent with the general intent of the HUAP.

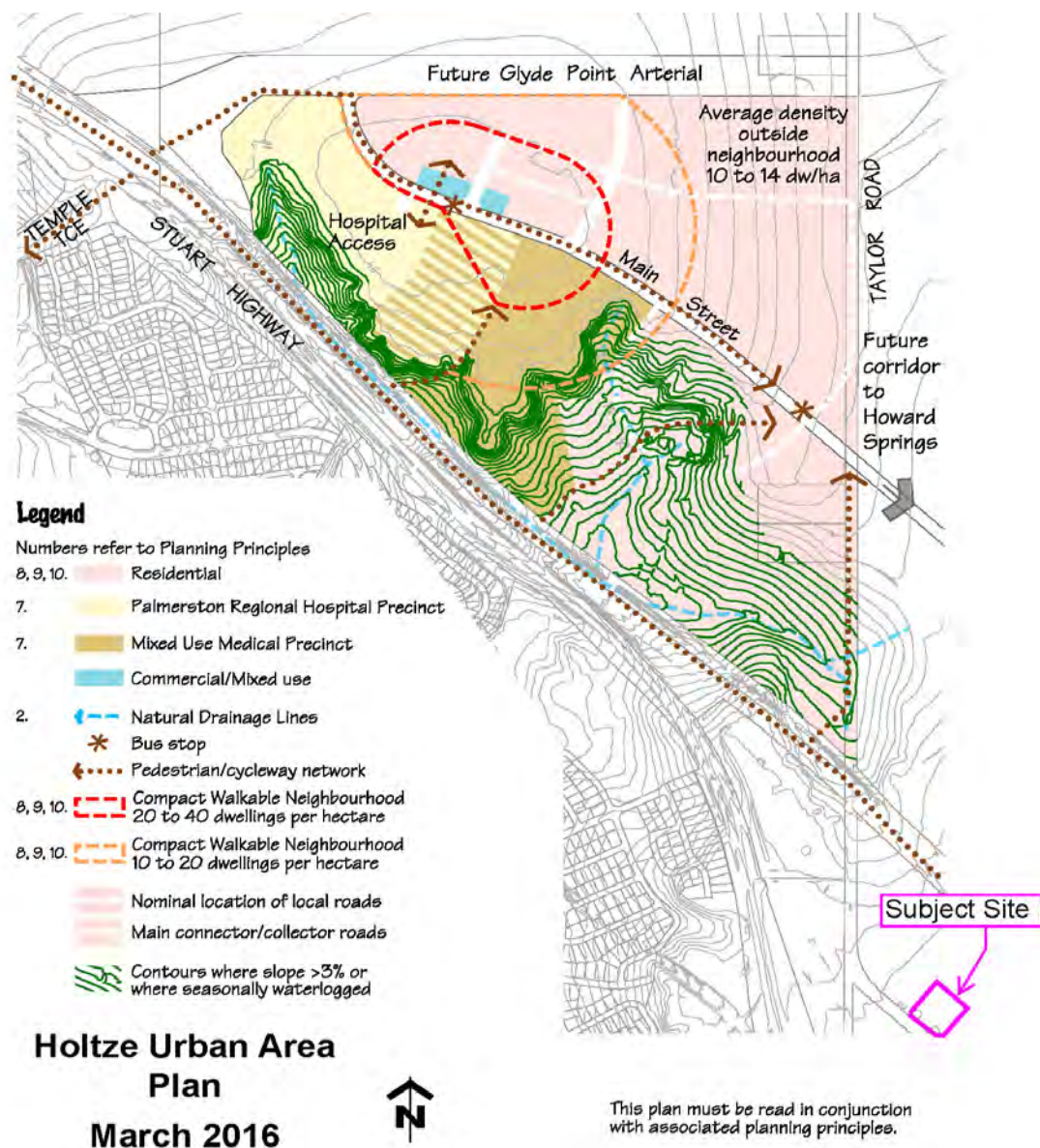


Figure 7: Holtze Urban Area Plan



5.0 CONCLUSION

The proposal seeks to rezone Section 6574 Hundred of Bagot (41 Howard Springs Road, Howard Springs) from Zone TC (Tourist Commercial) to Zone CP (Community Purpose). The proposed CP (Community Purpose) zone will facilitate development of the PFS.

The proposal has significant merit including:

- The proposal is consistent with NTG's objective to ensure that emergency services are located on land which is appropriately zoned. The proposed zoning is compatible with the land uses in the broader area and is therefore considered to facilitate the orderly use and development of land.
- The proposed amendment does not contravene the strategic planning principles of the Darwin Regional Land Use Framework (DRLUF) and Darwin Regional Land Use Plan (DRLUP). Although the site is shown as 'Urban/Peri-urban' within the DRLUP, the proposal is consistent with existing CP zones established within the immediate proximity, as well as the broader area, to provide emergency services to both existing and proposed residential and rural-residential areas.
- The proposed amendment does not contravene the strategic planning principles of the Litchfield Subregional Land Use Plan (LSLUP). Although the site is shown as 'Urban/Peri-urban' within the LSLUP, the proposal is consistent with existing CP zones established within the immediate proximity, as well as the broader area, to provide emergency services to both existing and proposed residential and rural-residential areas.
- The proposed rezoning does not impact upon the strategic planning of transport corridors or other public infrastructure.
- As the site will remain as Crown land, the NT government can apply due consideration to any future proposed land uses proximate to the site and ensure that sensitive uses are adequately managed and separated.
- The proposed rezoning from Zone TC to Zone CP is considered to be an appropriate use of the land, having regard to existing uses nearby, the desire for orderly and proper planning.
- The proposed development will not impact on the sustainability of the land or the availability of water resources in the area. The site has previously been developed and rezoning of the site to CP to facilitate the PFS will not impact further upon flora and fauna in the area.
- The proposed rezoning is expected to have minimal impact on the amenity of the area. The proposed zone of CP (Community Purpose) is consistent with several other sites in the general area and the intended use of the site for the PFS has been carefully investigated in consultation with the NTFRS and is considered appropriate in the locality.



- The rezoning will facilitate critical community infrastructure that aligns with NTFRS strategic objectives.

For the reasons discussed herein, the Minister's favourable consideration of the proposed rezoning is sought.

Joe Sheridan
MasterPlan NT

24 September 2019



 Subject Site

Existing Site Aerial and Locality Plan

41 HOWARD SPRINGS ROAD
HOWARD SPRINGS NT

DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS



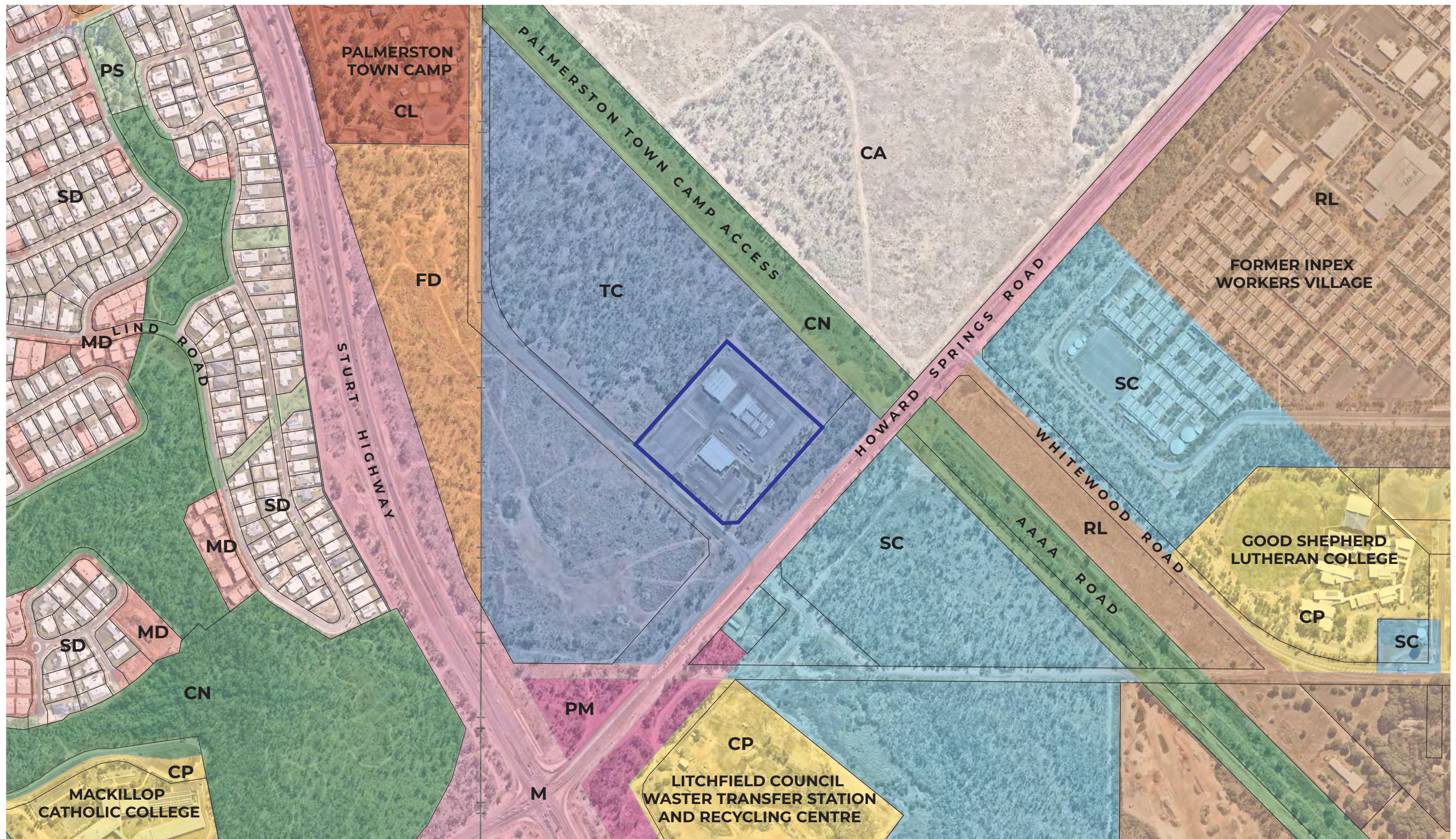
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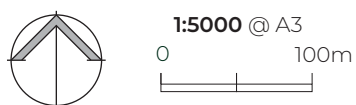


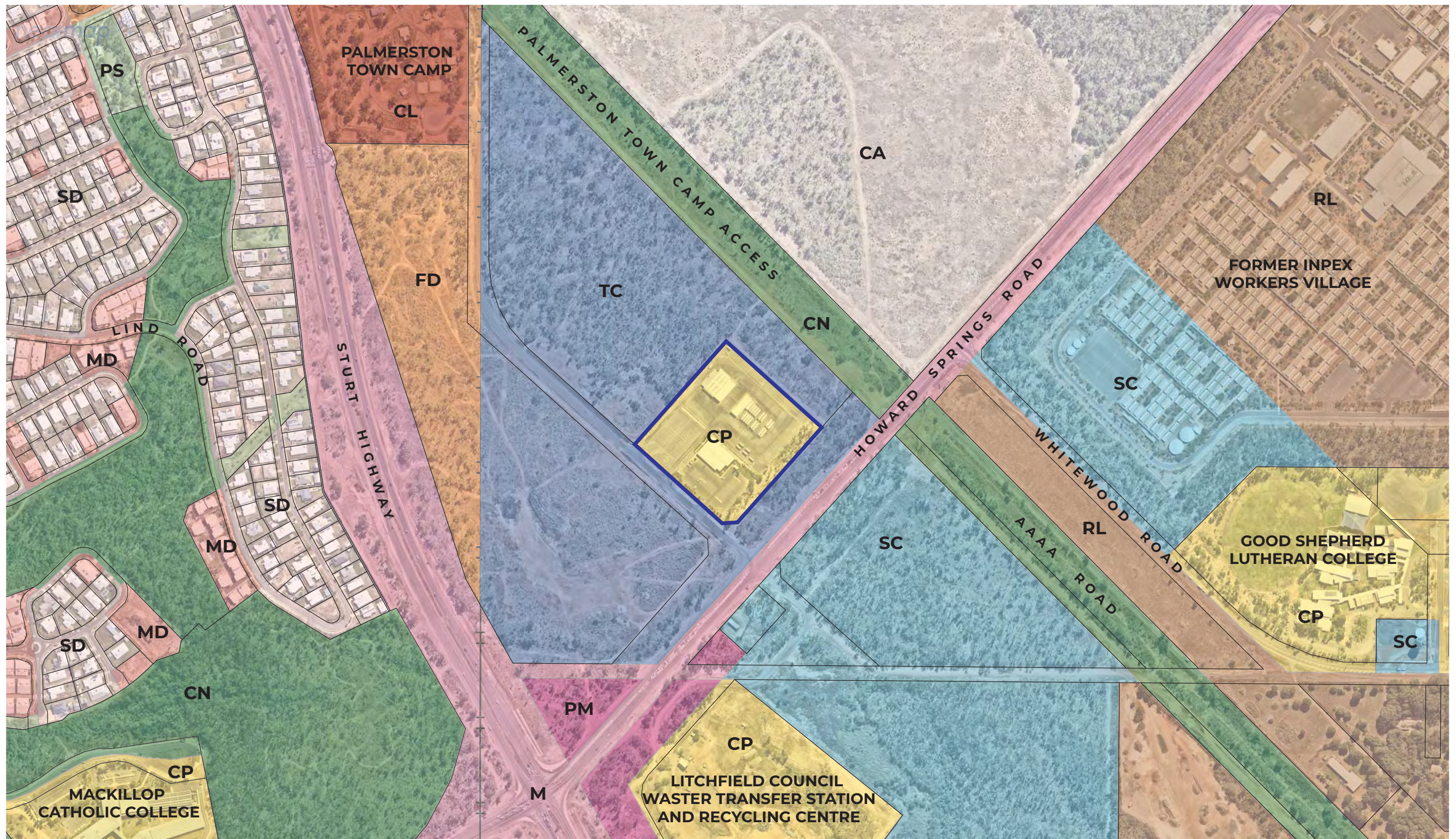
- Subject Site**
- Zoning**
- CA** No Planning Scheme
 - CL** Community Living
 - CN** Conservation
 - CP** Community Purpose
 - FD** Future Development
 - M** Main Road
 - MD** Multiple Dwelling
 - PM** Proposed Main Road
 - PS** Public Open Space
 - RL** Rural Living
 - SC** Service Commercial
 - SD** Single Dwelling
 - TC** Tourist Commercial

Exisitng Zone Plan

41 HOWARD SPRINGS ROAD
HOWARD SPRINGS NT

DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS





- Subject Site**
- Zoning**
- CA** No Planning Scheme
 - CL** Community Living
 - CN** Conservation
 - CP** Community Purpose

- FD** Future Development
- M** Main Road
- MD** Multiple Dwelling
- PM** Proposed Main Road
- PS** Public Open Space
- RL** Rural Living

- SC** Service Commercial
- SD** Single Dwelling

Proposed Zoning Plan

41 HOWARD SPRINGS ROAD
HOWARD SPRINGS NT

DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS



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NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP15/0006

I, DAVID WILLIAM TOLLNER, the Minister for Lands and Planning, in pursuance of section 40(6) of the *Planning Act*, give notice that –

- (a) I have, in pursuance of section 40(2)(a), granted an Exceptional Development Permit for Section 6574 (41) Howard Springs Road, Hundred of Bagot;
- (b) the Exceptional Development Permit has been granted for the purpose of alterations and additions to existing transport terminal (bus depot);
- (c) the land is within Zone TC (Tourist Commercial) of the NT Planning Scheme, and the development proposes alterations and additions to existing transport terminal (bus depot), which would otherwise be prohibited; and
- (d) copies of the Exceptional Development Permit and the Reasons for the Decision are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, Arnhemica House, 16 Parap Road, Parap.



Minister for Lands and Planning

22 / 4 / 2015

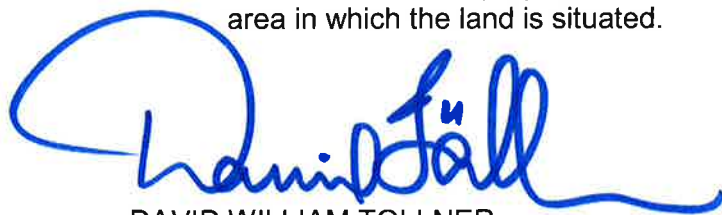
NORTHERN TERRITORY OF AUSTRALIA

Planning Act – section 41

REASONS FOR DECISION IN RELATION TO PROPOSED EXCEPTIONAL DEVELOPMENT PERMIT EDP15/0006

The decision to grant an Exceptional Development Permit for Section 6574 (41) Howard Springs Road, Hundred of Bagot for the purpose of alterations and additions to existing transport terminal (bus depot) was made pursuant to section 40(2)(a) of the *Planning Act* for the following reasons:

1. Pursuant to section 40(1) of the Act, it is preferable to issue an Exceptional Development Permit than to amend the NT Planning Scheme as rezoning the land to allow for a transport terminal would require land zoning of either Zones LI (Light Industry) or GI (General Industry) of the Scheme. In this instance, rezoning the site is considered inappropriate given the location of the site, proximity to Howard Springs Road, Palmerston and Palmerston Indigenous Village and the potential other incompatible land uses that could proceed without further consideration or assessment under the NT *Planning Act*. The proposed use of the site is of a temporary nature and, upon expiration of the demand for this facility, the land may revert back for uses consistent with its tourist commercial zoning.
2. Pursuant to section 51(n) of the Act and having considered the technical comments from service authorities and other relevant agencies, it is anticipated that any potential impact on the amenity of the surrounding area can be mitigated through the inclusion of appropriate conditions of approval and ongoing implementation of the traffic management plan. The proposed alterations and additions exceed the minimum requirements of the NT Planning Scheme. The level of compliance achieved suggests that the site is capable of accommodating the temporary development and is an indication that the proposal will not negatively impact on the amenity of the area in which the land is situated.



DAVID WILLIAM TOLLNER
Minister for Lands and Planning

22 / 4/2015

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - section 40

EXCEPTIONAL DEVELOPMENT PERMIT

EDP15/0006

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Section 06574
Hundred of Bagot
41 HOWARD SPRINGS RD, HOWARD SPRINGS

APPROVED PURPOSE

To use and develop the land for the purpose of alterations and additions to existing transport terminal (bus depot), in accordance with the attached schedule of conditions and the endorsed plan.

BASE PERIOD OF THE PERMIT

This permit will lapse two years from the date of issue.

RIGHT OF APPEAL

There is no right of appeal against a determination by the Minister in relation to the grant or variation of an Exceptional Development Permit.



DAVID WILLIAM TOLLNER
Minister for Lands and Planning

22 / 4 / 2015

EXCEPTIONAL DEVELOPMENT PERMIT

EDP15/0006

SCHEDULE OF CONDITIONS

1. The works carried out under this permit shall be in accordance with drawing number 2012/0787-03/01 endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
3. Before the use starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather-seal coat;
 - d) drained;
 - e) line marked to indicate each car space and all access lanes; and
 - f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
4. The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their staff/clients.
5. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.
6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Litchfield Council and the Department of Transport (whichever relevant), to the satisfaction of the consent authority.
8. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Howard Springs Road traffic.
9. All proposed works within or impacting on Howard Springs Road and the road referred to as the 'Access Road' in the application shall be in accordance with the standards and specifications of the Litchfield Council or Department of Transport (whichever relevant). Drawings must be submitted to Transport Infrastructure Planning Division for Road Agency Approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
10. All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained

loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.

11. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - d) presence of vermin.
12. No goods are to be stored or left exposed outside the building(s) so as to be visible from any public street.
13. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
14. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council, the Department of Lands, Planning and the Environment or Department of Transport's drains or to any watercourse.
15. The establishment and ongoing operation of this development must adequately and appropriately manage and treat industrial fluids and trade waste such as not to cause a contravention of the Waste Management and Pollution Control Act.
16. Appropriate protection shall be provided to contain potential spills of waste and contaminants from entering adjacent properties and roadways, and the stormwater drainage system to the satisfaction of the consent authority. Discharge of untreated waters into the stormwater drainage system is not permitted.
17. Oils, fuels, battery acids, fluids and any other potentially hazardous chemicals, pollutants or contaminants are to be stored and contained within appropriately bunded areas.
18. The deposit, storage and distribution of fuel on the site should be conducted in accordance with Australian Standard AS1940:2004 The Storage and Handling of Flammable and Combustible Liquids.

NOTES

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public

Holidays. For construction activities outside these hours refer to the guidelines for further information.

3. A "Permit to Work Within a Road Reserve" may be required from Department of Infrastructure before commencement of any work within the road reserve.
4. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - (a) so as not to create sun or headlight reflection to motorists; and
 - (b) be located entirely (including foundations and aerially) within the subject lot.
5. Vehicles are not to park on the Howard Springs Road and the road referred to as the 'Access Road' in the application. Vehicles must only park within the designated parking spaces within the subject site.



DAVID WILLIAM TOLLNER
Minister for Lands and Planning

22 / 4 / 2015



Subject Land

Proposed variations to
Approved Development

This is the drawing referred to in
Exceptional Development Permit
No: 2012/0757 03/01 issued
on 19/03/2012
MINISTER FOR LANDS AND PLANNING

Site Plan BUSLINK VIVO TERMINAL VARIATION TO APPROVED DEVELOPMENT

SECTION 273
HOWARD SPRINGS
(Plan Amended 02 March 2015)

Mobile: 0427 796 140
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www.facebook.com/northernplanning
NPC
NORTHERN PLANNING
CONSULTANTS

HOWARD SPRINGS ROAD

N
1:1000@A3
0 20m

5.10 ZONE TC – TOURIST COMMERCIAL

1. The primary purpose of Zone TC is to provide for uses or development servicing tourism, including commercial and residential activities.
2. Development should be of a scale and character compatible with uses or development nearby.

Clause 1.3 refers to Sheds.

Clause 6.8 refers to **Demountable Structures**.

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

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 8.1 describes standards for commercial development.

Clause 13.2 controls access to **main roads**.

Clause 13.5 refers to the development of telecommunications towers.

Amendment No. 22
gazetted 11.7.2007
removes reference to
clause 7.1

ZONING TABLE – ZONE TC

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.7
caravan park	D	6.4, 6.5.1
caretaker's residence	P	6.5.1, 7.1, 7.3, 7.10.3
car park	D	6.4, 6.5.3
child care centre	D	6.4, 6.5.1, 8.1.5, 8.2
community centre	D	6.4, 6.5.1, 8.2
domestic livestock	x	
education establishment	D	6.4, 6.5.1, 8.2
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	D	6.5.1, 7.10.6
home based contracting	P	7.10.8
home based visitor accommodation	S	7.10.1
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	D	6.4, 6.5.1, 7.1, 7.3, 7.6, 7.8, 8.2
hotel	D	6.4, 6.5.1, 6.6, 7.1, 8.2
independent unit	D	6.5.1, 7.1, 7.3, 7.5, 7.10.4
intensive animal husbandry	x	
leisure and recreation	D	6.4, 6.5.1, 8.2
licensed club	D	6.4, 6.5.1, 6.6, 8.2
light industry	x	
medical clinic	D	6.4, 6.5.1, 8.2
medical consulting rooms	D	6.5.1, 7.10.9
motel	D	6.5.1, 6.6, 7.1, 7.3, 8.2
motor body works	x	
motor repair station	x	
multiple dwellings	D	6.5.1, 7.1, 7.3, 7.5, 7.6, 7.8,
office	D	6.4, 6.5.1, 6.6, 8.2
passenger terminal	D	6.4, 6.5.1, 8.2
place of worship	D	6.4, 6.5.1, 8.2
plant nursery	D	6.4, 6.5.1
promotion sign	D	6.7
recycling depot	x	
restaurant	D	6.4, 6.5.1, 6.6, 8.2
retail agricultural stall	x	
rural industry	x	
service station	D	6.4, 6.5.1, 8.1.4
shop	D	6.4, 6.5.1, 6.6, 8.2
showroom sales	x	
single dwelling	D	6.5.1, 7.1, 7.3, 7.5
stables	x	
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	D	6.4, 6.5.1, 8.2
veterinary clinic	x	
warehouse	x	

P = Permitted **S** = Self Assessable **D** = Discretionary **x** = Prohibited

5.21 ZONE CP – COMMUNITY PURPOSES

1. The primary purpose of Zone CP is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
2. Design is expected to incorporate landscaping that will enhance the visual appearance of the development. The development of residential accommodation is to only be in association with and ancillary to the primary use of the land.

Clause 6.8 refers to **Demountable Structures**.

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

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

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 7.10.2 refers to **caravans**.

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

Clause 13.5 refers to the erection of mobile telephone communications towers.

ZONING TABLE – ZONE CP

abattoir	x	
agriculture	x	
animal boarding	D	6.1, 6.5.1, 10.1, 10.2
business sign	P	6.7
caravan park	x	
caretaker's residence	P	6.1, 6.5.1, 7.3, 7.10.3
car park	x	
child care centre	P	6.1, 6.5.1, 8.1.5, 8.2, 10.2
community centre	P	6.1, 6.5.1, 8.2, 10.2
domestic livestock	x	
education establishment	P	6.5.1, 8.2, 10.2
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.10.7
horticulture	x	
hospital	D	6.1, 6.5.1, 6.6, 8.2, 10.2
hostel	x	
hotel	x	
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.5.1, 10.2
licensed club	x	
light industry	x	
medical clinic	D	6.1, 6.5.1, 8.2, 10.2
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	D	6.1, 6.5.1, 8.2, 10.2
place of worship	P	6.1, 6.5.1, 8.2, 10.2
plant nursery	D	6.1, 6.5.1, 10.2
promotion sign	D	6.7
recycling depot	D	6.1, 6.5.1, 8.2, 10.2
restaurant	x	
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	P	6.1, 6.5.1, 7.3, 7.5, 7.6, 7.7, 7.8, 10.2
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	D	6.1, 6.5.1, 8.2, 10.2
warehouse	x	

P = Permitted S = Self Assessable D = Discretionary x = Prohibited

Amendment No. 87
gazetted 09.09.2009
amends clause 6.1
to remove the height
limit for **education
establishments** in
Zones CP and CL

Amendment No. 451
published in the NT
News on 29.07.2016
omits and substitutes
the table to clause 5.21

Mr Colin Hosking
Department of Infrastructure, Planning and Logistics
GPO Box 2520
DARWIN NT 0801

Email: colin.hosking@nt.gov.au

OWNER'S AUTHORISATION - SECTION 6574 HUNDRED OF BAGOT

Dear Mr Hosking

I refer to Section 6574, Hundred of Bagot, for which Masterplan, on behalf of Department of Infrastructure, Planning and Logistics, is seeking approval to lodge a planning scheme amendment (PSA) application with the Minister for Infrastructure, Planning and Logistics for the purpose of rezoning Section 6574 from zone TC (Tourist Commercial) to zone CP (Community Purpose).

Approval is granted to Masterplan and its agents to lodge the relevant PSA application in accordance with the requirements of the *Planning Act*.

In providing this authorisation, the Department in no way endorses the contents of the application but merely provides authorisation for the PSA application to be lodged and considered by the Minister.

Should you require further assistance regarding this matter, please contact Ms Alla Filkovskaya on 8924 7325 or email to alla.filkovskaya@nt.gov.au.

Yours sincerely



Sharon Jones

Director Crown Land Estate

18 September 2019