

NT PLANNING COMMISSION HEARING

EXCEPTIONAL DEVELOPMENT PERMIT APPLICATION PA2024/0324

Lot 4317 (191) Leanyer Drive, Leanyer, Town of Sanderson
Transport terminal

Agenda Item Number: **1**

Meeting Date: 1 May 2025

Attachment A : Locality Plan/Exhibition signs

Attachment B : Proposal (as exhibited)

Attachment C : Public Submissions

Attachment D : Service Authority Submissions



.....
Kaleb Thomas
Senior Planner
Development Assessment Services

Report to the Planning Commission

This report is prepared under section 22 of the *Planning Act 1999*, and considers the submissions made in relation to the proposal.

1. GENERAL INFORMATION

ADDRESS:	Lot 4317 (191) Leanyer Drive, Leanyer, Town of Sanderson
AREA:	2.07 hectares
CURRENT ZONE:	Zone RL (Rural Living)
PROPOSED LAND USE:	Transport terminal
APPLICANT:	Israel-Tshepo Kgosiemang – One Planning Consult
LAND OWNER:	Helen Pachos

2. LEGISLATIVE REQUIREMENTS

The Minister for Lands, Planning and Environment is responsible for determining proposals to grant or vary an Exceptional Development Permit (EDP). The *Planning Act 1999 (the Act)* establishes requirements relating to the exhibition, consultation and reporting on proposed Exceptional Development Permits.

Transport terminal is *Prohibited* in Zone RL (Rural Living) of the Northern Territory Planning Scheme 2020 (NTPS 2020). This use is defined as *premises used for the: (a) loading, discharge or storage of goods in the course of the transport of those goods by air, road, rail or ship; (b) garaging and maintenance of fleet vehicles; or (c) servicing, repair and garaging of buses; and may include where ancillary an office.*

The purpose of Zone RL is to *Provide for a range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available.*

Clause 1.8(1)(d) of the NTPS 2020 states that *Use and development of land is Prohibited if: i. it is shown as Prohibited on the relevant assessment table in Part 4, where transport terminal is shown as Prohibited in the assessment table for Zone RL.*

Pursuant to Sections 38 (1) and (2) (a) of the Act:

(1) *A person may apply to the Minister for the grant of an exceptional development permit.*

(2) *An exceptional development permit may permit any of the following in relation to land:*

(a) a development or use of the land, although the development or use would otherwise not be lawful under the relevant planning scheme.

After the exhibition of the proposal, the Planning Commission, under Section 22 (6) of the Act, must hold a hearing if submissions are received during the exhibition period, and the Chairperson is satisfied that a hearing would provide further useful information.

After the hearing, under section 24 of the Act, the Planning Commission must provide to the Minister for Infrastructure, Planning and Logistics, a written report that outlines the issues raised in the submissions and at the hearing and any other matters the Commission considers the Minister should take into account when considering the proposal.

3. PROPOSAL

On 12 November 2024, Mr. Israel-Tshepo Kgosiemang (One Planning Consulting) lodged an EDP application seeking approval for a transport terminal at Lot 4317 Town of Sanderson (191 Leanyer Drive, Leanyer). A locality plan is at **Attachment A**.

The proposal seeks consent to operate a transport terminal, for the garaging of vehicles associated with a taxi company. The development includes:

- Approximately 3900 m² of the site to be used for the transport terminal activity
- Office facility (72 m²)
- Workshop (110 m²)
- Storage facilities (32 m² and 115 m²)
- Verandah (99 m²)
- 32 car parking spaces
- Landscaping between the development site and northern property boundary
- Primary means of vehicular access to the land will be from Leanyer Drive.

The area of the property subject to this application (the development site) is currently developed for the use as a transport terminal and is connected to reticulated power and water.

A copy of the exhibition material, including the application, is provided at **Attachment B**.

4. SITE AND LOCALITY CONTEXT

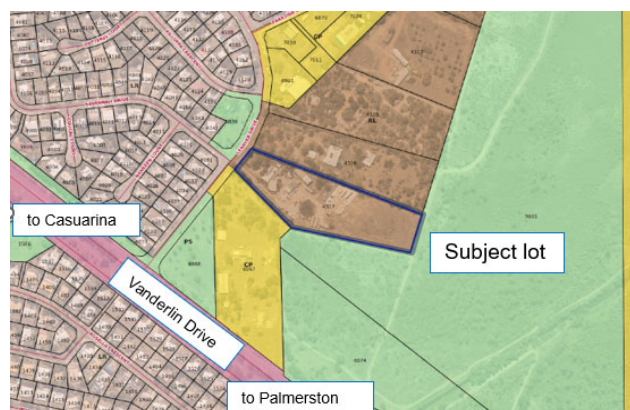
The site is located in the rural living fringe of the suburb of Leanyer, approximately 2.3 km east of Casuarina.

The subject lot is located adjacent to Zone RL (Rural Living) to the north; Zone PS (Public Open Space) to the east, albeit no known plans to develop this area as public open space; Zone PS and Zone CP (Community Purpose) to the south, associated with a City of Darwin maintenance depot; and Zone LR (Low Medium Density Residential) and Zone PS to the west, albeit located across Leanyer Drive, which has a road reserve approximately 25 m wide.

The subject lot is currently developed as a dwelling-single with ancillary outbuildings, with the current and proposed transport terminal towards the centre of the lot. No changes to existing structures are proposed as part of this application.

The land subject is considered to be relatively flat, slightly sloping towards an unlined drain that flows into Leanyer Swamp. The subject lot has previously been cleared and does not contain any significant tracts of remnant vegetation.

Map 1: Location plan, showing the subject lot and surrounding zoning



5. EXHIBITION OF PROPOSAL

On 25 February 2025, a delegate for the Minister for Lands, Planning and Environment determined under section 39 of the *Planning Act 1999* to continue consideration of the EDP proposal by placing it on exhibition.

The proposal was placed on public exhibition for 28 days from 28 February 2025 to 28 March 2025, which included a notice on the Department's 'Planning Notices' website and signage on street boundary of the site. Photographs showing exhibition sign placed on the property is at **Attachment A**.

6. SUBMISSIONS

Below is a summary of the matters raised in the submissions, refer **Attachments C1 to C6**.

Public Submissions on exhibited proposal (Attachments C1 to C5)

Five (5) public submissions were received from the public regarding this proposal. A summary of the submissions is below.

Submitter	Discussion Points
Julius Sanders Attachment C1	<ul style="list-style-type: none">• Objects to the proposal• Indicates that technical issues with the website imply external interference when making submissions• Does not indicate if they're a local resident• Notes rural living is not intended for commercial land uses• Existing business is operating illegally• Optics of local member of the legislative assembly appearing to support the application• Retrospectively approving an unlawfully established land use rewards non-compliance, and may diminish the credibility of the <i>Planning Act 1999</i>• Site is subject to increased fire risk due to proximity to native vegetation at rear, which may pose a risk to the transport terminal, and allow fire to impact neighbouring properties• Transport terminal is inconsistent with the nature of the street• Implies application includes a rezoning component• Discusses history of environmental waste management activities, such as burning of tyres• Implies that new areas will be developed (concreted over), thereby removing evidence of environmental mismanagement• Approval of the application may antagonise other members of the public who ceased home based mechanical works at the direction of the NT Government
Matthew Pullman Attachment C2	<ul style="list-style-type: none">• Objects to the proposal• Indicate they are a local resident• Application will increase crime, anti-social behaviour, and traffic• Local road network is not designed to accommodate this type land use• Increased risk to pedestrians from additional traffic• Risk to children due to proximity of day care

Submitter	Discussion Points
	<ul style="list-style-type: none"> • Adverse impacts to local neighbourhood character and amenity • Decrease in property values as a result of this development • Implies application includes a rezoning component
<p>Tanya Kerrison Attachment C3</p>	<ul style="list-style-type: none"> • Objects to the proposal • Implies they are a local resident • Notes that existing land use has been operating unlawfully for years • Historical clearing of the subject lot was done unlawfully, and may impact on future storm surges • The car parking area is not compliant with the NTPS 2020 • Environmental concerns from storing batteries, oils and fuel should be investigated by the NT Environment Protection Authority (NT EPA) • Potential for increased crime and anti-social behaviour • Subject is not maintained to the level required by the provisions of Zone RL • Lack of local road capacity to accommodate this development • Owners keep dogs that have been a nuisance to other residents/visitors to the area • Existing Zone RL should be rezoned to Zone RR (Rural Residential), as this area is no longer on the urban fringe • The activities related to this development should take place in a more suitable location • This land use goes against what a prospective resident would reasonably expect to occur in the locality
<p>Tracey Walton Attachment C4</p>	<ul style="list-style-type: none"> • Objects to the proposal • Potential for increased crime, anti-social behaviour, and traffic • Local road network is not designed to accommodate this type land use • Increased risk to pedestrians from additional traffic • Risk to children due to proximity of day care • Adverse impacts to local neighbourhood character and amenity • Decrease in property values as a result of this development • Environmental impacts from industrial activity • Implies application includes a rezoning component • Applicant should consider alternative locations for this activity
<p>Name Withheld (DK) Attachment C5</p>	<ul style="list-style-type: none"> • Objects to the proposal • Indicate they are a local resident • Notes that Zone RL is for residential purposes, and the locality is of a residential nature, and contains a unique local character • Application will increase traffic • Lack of local road capacity to accommodate this development • Retrospectively approving an unlawfully established land use rewards non-compliance

Submitter	Discussion Points
	<ul style="list-style-type: none"> • Approving this application may result in further applications of a similar nature, and reduce local character • Implies application includes a rezoning component

Local Government Council Submission

The relevant 'local government council' is the City of Darwin. As required pursuant to section 19 of the *Planning Act 1999*, Council were notified of the application (on 28 February 2025). Council did not make a submission under Section 22 (1) of the Act, but provided comments on the proposal under Section 22 (4) as below.

Council	Comments
City of Darwin Attachment C6	<ul style="list-style-type: none"> • Does not object to the application • No concerns regarding matters under their responsibility

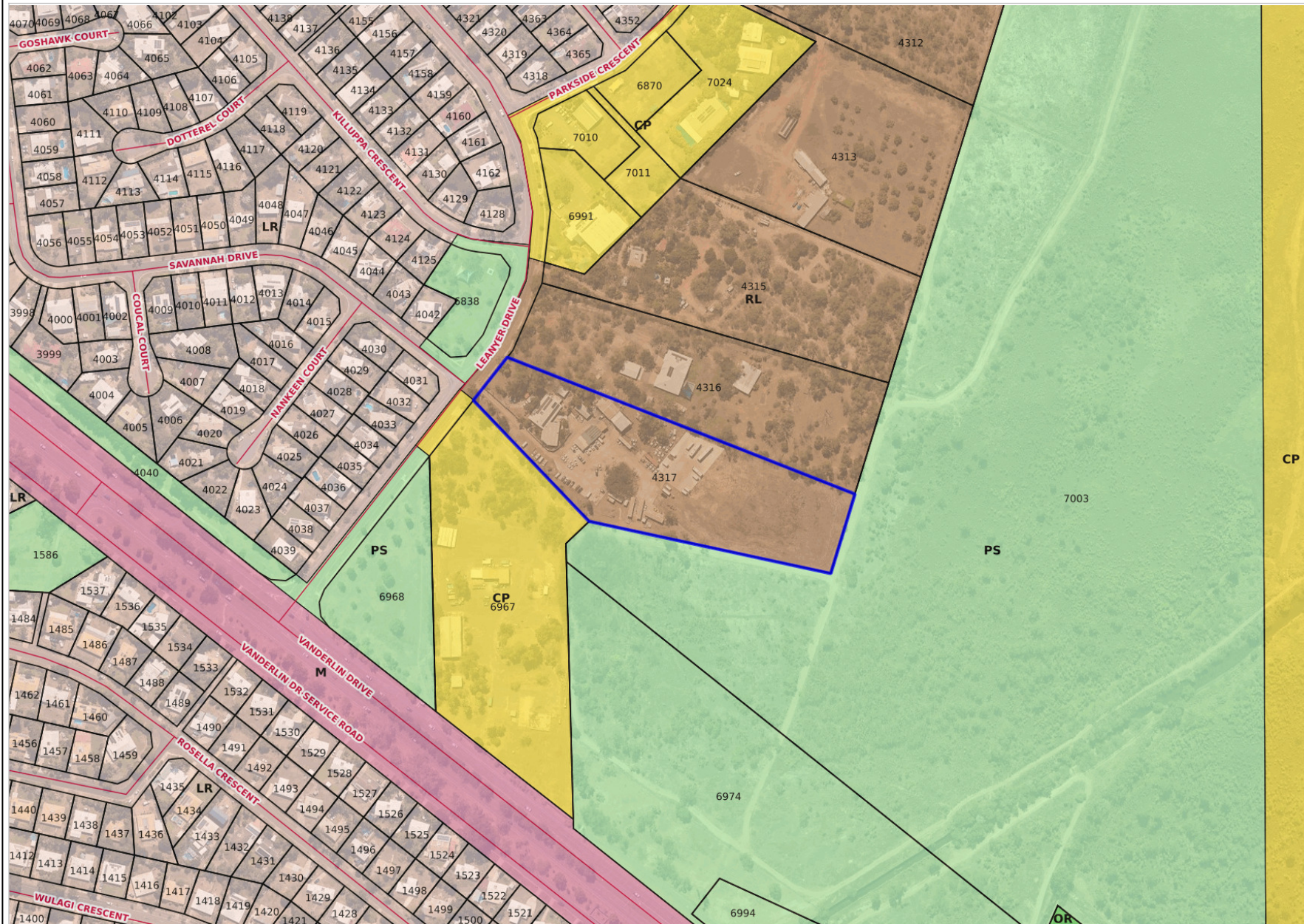
Service Authority Submissions (Attachments D1 to D3)

Submissions (technical comments) received from Service Authorities are summarised in the table below.

Service Authority	Comments
Power and Water Corporation (PWC) – Power Services Attachment D1	<ul style="list-style-type: none"> • Does not object to the application • No concerns regarding matters under their responsibility
PWC – Water Services Attachment D2	<ul style="list-style-type: none"> • Does not object to the application • No concerns regarding matters under their responsibility
Environment Division of the Department of Lands, Planning and Environment Attachment D3	<ul style="list-style-type: none"> • Does not object to the application • No concerns regarding matters under their responsibility • Provides advice to the applicant regarding obligations under the <i>Waste Management and Pollution Control Act 1998</i>, and remit of the NT EPA

7. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Lands, Planning and Environment on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.



Legend

TOWN_PLANNING_ZONES

- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community Purpose
- CN - Conservation
- DV - Development
- RR - Rural Residential
- GI - General Industry
- HT - Heritage
- HR - High Density Residential
- H - Horticulture
- LI - Light Industry
- M - Main Road
- MR - Medium Density Residential
- LMR - Low-Medium Density Resid
- CA - No Planning Scheme Control
- OR - Organised Recreation
- PM - Proposed Main Road
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- LR - Low Density Residential
- S - Specific Use



Metres 50 100 150

nrmaps.nt.gov.au

Geospatial Services Unit



Creative Commons Attribution 4.0
International Public License

[https://creativecommons.org/
licenses/by/4.0/legalcode](https://creativecommons.org/licenses/by/4.0/legalcode)

Department of Lands,
Planning and Environment
© Northern Territory Government

NOTICE OF PROPOSED DEVELOPMENT

APPLICATION FOR EXCEPTIONAL DEVELOPMENT PERMIT

SUBMISSIONS CLOSE: MIDNIGHT, 28/03/2025

APPLICATION REF: PA2024/0324

APPLICANT: One Planning Consult
ADDRESS: Lot 4317 Town of Sanderson (191 Leanyer Drive, Leanyer)
ZONE(S): RL (Rural Living)
PROPOSAL: Transport terminal

VIEW THE APPLICATION AND LODGE A SUBMISSION:

ONLINE:



www.ntlis.nt.gov.au/planning

EMAIL: das.ntg@nt.gov.au

DARWIN

PHONE: 8999 6046

POST: GPO Box 1680
Darwin NT 0801



Indicative image only



APPLICATION FOR DEVELOPMENT CONSENT

SECTION 38(1) – *PLANNING ACT*

**LOT 4317 (191) LEANYER DRIVE, TOWN OF
SANDERSON**

PURPOSE:

**EXCEPTIONAL DEVELOPMENT PERMIT FOR
TRANSPORT TERMINAL (GARAGING OF VEHICLES)**

CONTENTS

1.0	PRELIMINARY	3-4
1.1	Introduction Summary.....	3
1.2	Land Owner(s).....	3
1.3	Nature of Application	3
1.4	Reasons For Application.....	4
1.5	Overlays.....	4
2.0	LOCATION AND ZONING OF THE LAND.....	4
3.0	PROPOSAL.....	5
4.0	STATUTORY PLANNING & CONSIDERATION,	5-10
4.1	Assessment against the NT Planning Scheme 2020.....	5-8
5.0	MATTERS TO BE CONSIDERED UNDER SECTION 51 OF THE PLANNING ACT.....	8-10
6.0	CONCLUSION.....	10
 APPENDIX A - Drawings		
APPENDIX B – Title Search Certificate		

1. Preliminary

1.1 Introduction Summary

One Planning Consult has been engaged by the proponent to prepare and lodge an exceptional development application for the purpose of regularising an existing transport terminal at 191 Leanyer Drive, Town of Sanderson. The business is Blue Taxi Company with a registered office of operations and workshop at 15 Finnis St, Darwin. Blue Taxis is a family business that has been operating since 1988. A part of the subject site (191 Leanyer Drive) has been in use (garaging of vehicles) for at least 25 years. The garaging of business vehicles to facilitate changeover onsite has historically been staggered between 4.00am-9.00am and 4.00pm-9.00pm for most of weekdays to ease and avoid congestion.

The proponent has a place of residence on site as noted at **APPENDIX A** attached. The purpose of this application is to enable the proponent to wind down the activities associated with a use that is technically prohibited on site in a process of 3 years. An exceptional development permit will facilitate the formalization of the proposed land use on site for a brief period of time without changing the zoning of the land. The land is zoned RL (Rural Living Residential) with the purpose to provide for a range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available.

The process of formalising the land use requires an exceptional development permit as the land use/development is prohibited under RL zoning by virtue of the use being defined under Schedule 2 of the Scheme but not identified in the Assessment Table to Zone RL in Clause 4.7 of the Scheme.

Pursuant to Section 38(1) of the Planning Act, an application for Exceptional Development Permit is required for the proposed development. This report details the nature of the proposed development, the locality and zoning of land, relevant provisions of the Northern Territory Planning Scheme 2020 and the relevant components of Section 51 of the Act as required pursuant to Sections 38 and 40 of the Planning Act.

Transport terminal means premises used for the:

- (a) loading, discharge or storage of goods in the course of the transport of those goods by air, road, rail or ship;
 - (b) garaging and maintenance of fleet vehicles; or
 - (c) servicing, repair and garaging of buses;
- and may include where ancillary an office

The plans associated with the proposed use are provided at **APPENDIX A** to depict the proposed development area over the site.

1.2 Landowner(s) – Section 46 (aa)

Applicant:	One Planning Consult on behalf of the proponent
Landowner:	Helen Pachos of 191 Leanyer Drive, Leanyer NT 0810

Refer to Search Certificate at **APPENDIX B** obtained at the time of preparing this application report.

1.3 Nature of Application

In accordance with Section 38(2)(a) of the Planning Act, an exceptional development permit may permit a development or use of the land, although the development or use would otherwise not be lawful under the relevant planning scheme. Pursuant to section 40 of the Planning Act the application seeks planning approval for the purpose of regularisation of part transport terminal (vehicle storage and change over) for a period of period of three (3) years.

1.4 Reasons for Application

Section 40(1) of the Northern Territory Planning Act requires that the Minister must not grant an exceptional development permit relating to a development or use referred to in section 38(2)(a) unless the Minister is satisfied it is preferable to issue the permit than to amend the relevant planning scheme.

The application for an exceptional development permit is preferable to amendment of the Northern Territory Planning Scheme due the following reasons:

- (a) The proposed land use is prohibited on site; however, the application is seeking formalisation of part transport terminal on the subject land for a period of 3 years in order to allow the wind-down of business activities that have operated for at least 25 years on site. The use has been ongoing with no adverse impact on the amenity nearby developments.
- (b) The application which entails a designated storage and change over services area as identified at **APPENDIX A** will give the Minister and Development Consent Authority an indication of the part use of site in associated with the exceptional development permit and development of the land.
- (c) An application for an EDP is a preferred instrument for seeking authorisation of the proposed use as it allows the land to retain its zoning (RL) for future development considerations over the site.

1.5 Overlays

CNV - Clearing of Native Vegetation, applicable and discussed under section 4 below.

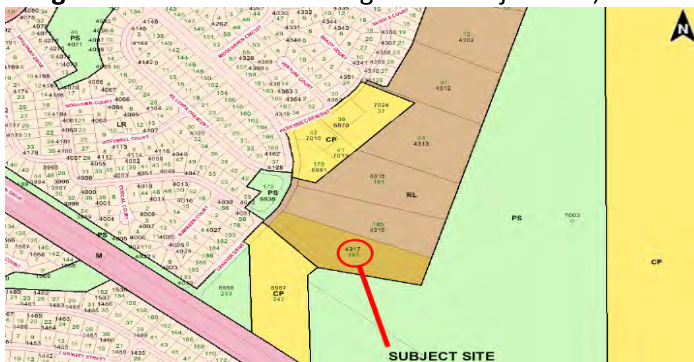
LSSS - Land Subject to Storm Surge, applicable and discussed under section 4 below.

2.0 The Location and Zoning of the Land

The subject site is 2.07ha in area and located in Leanyer suburb. The site takes frontage to Leanyer Drive (approximately 25m wide). The depth and width of the site are approximately 280m and 40m respectively. The land is relatively flat with a steady slope towards the rear boundary. The land zones close to the site comprises:

- To the north is land zoned RL (Rural Living Residential).
- To the south is land zoned CP (Community Purpose) and PS (Public Open Space).
- To the east is land zoned PS (Public Open Space).
- To the west and across Leanyer Drive is land zoned LR (Low Density Residential)

Image 1 – Location and zoning of the subject site, extract NT Atlas



3.0 Proposal

The proposal is for regularising an existing land use (transport terminal - vehicle storage and changeover) for a period of 3 years in accordance with the plans provided at **APPENDIX A**. At its peak, part use of the site for transport terminal had the following number of vehicles used for the business on site by comparison to date:

The fleet consisted of 120 in 2018 and reduced to 43 currently.

Vehicles	2018	2024
TAXIS	53	23
MINIBUSES	25	8
PRIVATE HIRE	22	2
COVID BUSES	11	0
AIRPORT SHUTTLES	4	0
20-56 seater COACHES	8	10
TOTAL	120	43

The number of cars on site has reduced over the last five (5) years as the proponent intends to wind-down the business activities on site. The use has minimal impact on the immediate neighbouring properties which comprises CP land to the south used by City of Darwin, PS land to the east reserved as a swamp area and RL land to the north used for residential development and keeping of greyhounds' dogs. The use is located towards the rear of the property with limited visibility from across Leanyer Drive due to the screening provided by existing primary residence on site. The proposal entails additional planting along the northern side boundary for screening to the development.

4.0 Statutory Planning and Consideration

4.1 Assessment against the NT Planning Scheme 2020

It is noted that for the purpose of meeting expectation of what is generally required for transport terminal in other zones, the proposed development has been assessed against the relevant clauses and requirements of the NT Planning Scheme 2020.

3.2 Clearing of Native Vegetation

The purpose of this clause is to identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:

- (a) impact on the conservation values of land within Zone CN; or*
- (b) unreasonably contribute to environmental degradation of the locality*

The proposed development does not entail clearing of land. N/A

Requirements (Clause 5-6)

5. The clearing of native vegetation is to:

- (a) avoid impacts on environmentally significant or sensitive vegetation; N/A*
- (b) be based on land capability and suitability for the intended use; N/A*
- (c) avoid impacts on drainage areas, wetlands and waterways; N/A*
- (d) avoid habitat fragmentation and impacts on native wildlife corridors; and N/A*

(e) avoid impacts on highly erodible soils. N/A

6. An application for the clearing of native vegetation is to demonstrate consideration of the following:

(a) the Land Clearing Guidelines (as amended from time to time) by the agency responsible for natural resources and the environment; N/A

(b) the presence of threatened wildlife as declared under the Territory Parks and Wildlife Conservation Act 1976; N/A

(c) the presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation; N/A

(d) the presence of essential habitats, within the meaning of the Territory Parks and Wildlife Conservation Act 1976; N/A

(e) the impact of the clearing on regional biodiversity; N/A

(f) whether the clearing is necessary for the intended use; N/A

(g) whether there is sufficient water for the intended use; N/A

(h) whether the soils are suitable for the intended use; N/A

(i) whether the slope is suitable for the intended use; N/A

(j) the presence of permanent and seasonal water features such as billabongs and swamps; N/A

(k) the retention of native vegetation adjacent to waterways, wetlands and rainforests; N/A

(l) the retention of native vegetation buffers along boundaries; N/A

(m) the retention of native vegetation corridors between remnant native vegetation; N/A

(n) the presence of declared heritage places or archaeological sites within the meaning of the Heritage Act 2011; and N/A

(o) the presence of any sacred sites within the meaning of the NT Aboriginal Sacred Sites Act 1989. N/A

3.7 Land Subject to Storm Surge

The purpose of this clause is to identify areas with a known risk of inundation from primary or secondary storm surges and ensure that development in these areas demonstrates adequate measures to minimise the associated the risk to people, damage to property and costs to the general community caused by storm surge.

Requirements (Sub-clause 5-7)

5. Development in the PSSA should be limited to uses such as open space, recreation, non-essential public facilities (wastewater treatment works excepted) and short-stay tourist camping/ caravan areas.

The site is located outside the PSSA. N/A

6. Development within the SSSA should be confined to those uses permitted in the PSSA as well as industrial and commercial land uses.

The overlay indicates a section of the site towards the rear within SSSA. There are no structures located within the portion of SSSA that overlaps with the area designated for storage of vehicles.

Image 2 – PSSA and SSSA in relation to the subject site



7. Residential uses, strategic and community services (such as power generation, defence installations, schools, hospitals, public shelters and major transport links) should be avoided in the PSSA and the SSSA.

The overlay to SSSA affects only the rear portion of the site as shown at Image 2 above. The existing residential buildings are located away from the area affected by SSSA on site.

5.2.1 General Height Controls

The purpose of this clause is to ensure that the height of buildings in a zone is consistent with development provided for by that zone.

The height of any part of a building is not to exceed 8.5m above the ground level, unless it is:

- (a) a flag pole, aerial or antenna; or*
- (b) for the housing of equipment relating to the operation of a lift; or*
- (c) a telecommunications facility.*

The structures on site are approximately 6m (8.5m permitted) maximum in height.

5.2.4 Parking Requirements

The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.

Transport Terminal requires :

1 for every 100m² of net floor area other than offices

Plus 4 for every 100m² of net floor area of office

Plus 1 for every 250m² used as outdoor storage

The proposed development is for storage of vehicles and supporting services within 0.68ha designated for the proposed transport terminal area on site. There is adequate area for garaging of vehicles by drivers between

change overs and for storage of the remaining vehicles as the business wind-down. The following table in indicate the car parking calculation for the proposes uses:

Table A – Car parking calculation

Use	Net floor area (m ²)	Parking generated
Outdoor storage	6372	25.49
Office	72	2.88
Indoor storage/workshop	257	2.57
Total		30.94 (31)

The development requires 30.9 (31) car parking bays on site. 32 car parks are provided on site.

5.2.4.4 Parking Layout

*The purpose of this clause is to ensure that a **car parking area** is appropriately designed, constructed and maintained for its intended purpose. The NT Planning Scheme defines “**car parking area**” as an area set aside or designated for the parking of three or more motor vehicles.*

Administration

The consent authority may consent to a car parking area that is not in accordance with sub-clause 4 if it is satisfied that the non-compliance will not:

- (a) result in adverse impacts on the local road network or internal functionality of the car parking area; and*
- (b) unreasonably impact on the amenity of the surrounding locality.*

Requirements

3. A car parking area is to be established, used and maintained for the purpose of vehicle parking only.
4. A car parking area is to:
 - (a) be of a suitable gradient for safe and convenient parking;
 - (b) be sealed and well drained;
 - (c) be functional and provide separate access to every car parking space;
 - (d) limit the number of access points to the road;
 - (e) allow a vehicle to enter from and exit to a road in a forward gear;
 - (f) maximise sight lines for drivers entering or exiting the car parking area;
 - (g) be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area;
 - (h) be in accordance with the dimensions set out in the diagram to this clause;
 - (i) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and
 - (j) be designed so that parking spaces at the end of and perpendicular to a driveway be 3.5m wide or so that the driveway projects 1m beyond the last parking space.
5. Despite sub-clause 4, dust suppression may be an acceptable alternative to sealed surfaces in non-urban areas.

The area designated for storage of vehicles is adequate to accommodate turning areas and access to parking areas within the proposed vehicle storage area. The area designated for storage is of suitable gradient for safe and convenient parking. The area is predominantly sealed for dust suppression on site.

5.0 Matters To Be Considered Under Section 51 of the Planning Act

Pursuant to Section 42 of the Planning Act, matters required to be considered by the consent authority in deciding whether to grant an exceptional development permit under section 40 are specified in section 51 (1) (d), (h), (j), (k), (m), (n), (p), (pa), (r), (s) and (t) and discussed below:

51 (d) an environment protection objective as defined in section 4(1) of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates.
and

51(s) any beneficial uses, quality standards, criteria, or objectives that are declared under section 73 of the Water Act.

It is noted that by virtue of section 18 of Waste Management and Pollution Control Act, any beneficial use, quality standard, criteria, or objective that is declared under section 73 of the Water Act is an environmental protection objective.

51(h) - Merits

and

51(n) – Amenity

The proposal for an exceptional permit allows the land to retain its zoning as the proposal is intended to allow the business that has operated on site for at least 25 years to wind down on site. The reasons for an exceptional permit are discussed in detail at section 1.4 of this statement report.

The following are noted in relation to merits, amenity and characteristics of the site:

- The proposed development is generally in keeping with the adjacent developments, in particular, the neighbouring southern CP zone used by City of Darwin and the development on northern RL zone screened by proposed and additional vegetation along the side boundary.
- It is noted that the impact on streetscape is minimised as the proposed use is screened by existing residence towards the front boundary to the subject site.
- The physical character of the property is largely maintained as the proposal is for a use that has been on going on site. Furthermore, the intensity of the use has significantly decreased since 2018.
- The Blue Taxi provides an essential service to the community and the use has had minimal adverse impacts on the road network and neighbouring developments over the years.
- The use is limited only for storage and change over of vehicles with no passengers/customers attending the site.
- The site is conveniently located in the periphery of the suburb and within close proximity to an arterial collector road (Vanderlin Drive).

51(j) - Land Capability

The site is considered capable of supporting the proposed development as it has a relatively flat terrain with minimal physical constraints which could prohibit the development. The impact of the development is not beyond what would be normally expected of this type of development.

51(k) - Public Facilities and Public Open Space

The land is nominated for zone RL (Rural Living) and the proposed development does not create an additional need for public facilities or public open space as the needs are catered for within the requirements of the locality.

51(m) - Public Utilities and Infrastructure

The site has access to existing reticulated power and water services in the locality.

51(p) - Public Interest

The proposed use is ongoing, and the nature of operation is less intense as the business winding down its operation on site.

51(r) - any potential impact on natural, social, cultural or heritage values;

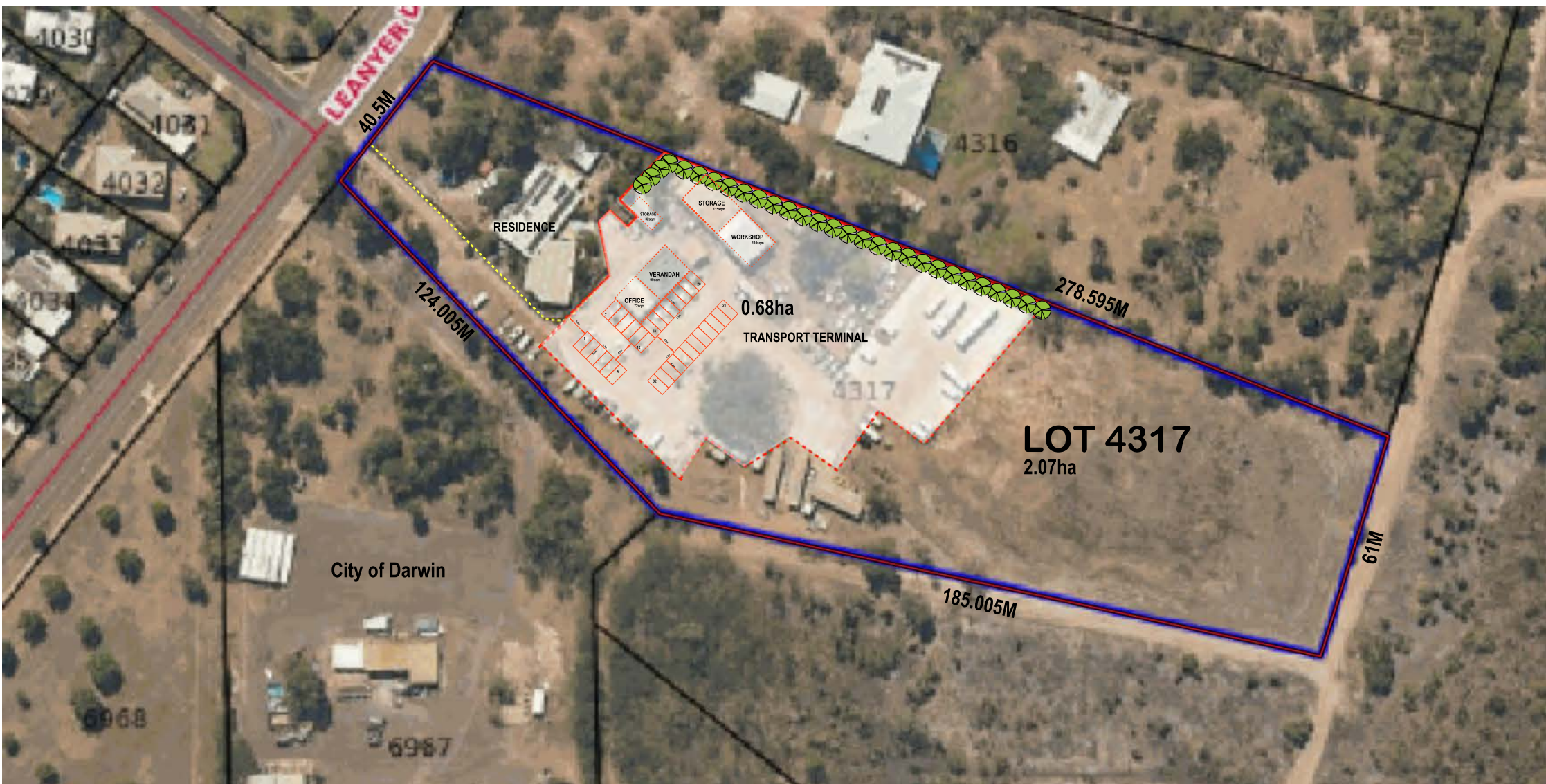
There is no evidence to suggest that the proposal will impact on natural, social, cultural or heritage values.

51(t) other matters it thinks fit

No other matters have been identified under this heading.


6.0 Conclusion

Overall, the development provides a service that is community oriented as the Blue Taxi provides an essential to Darwin community. The proposal is to regularize an ongoing use of the land and therefore the use is already established within the locality setting. Furthermore, the proposed exceptional permit will let the business wind down its operation on site over a period of three (3) years without changing the zoning of the land. Blue Taxi and its operations support economic activities and benefits within the greater locality of Darwin.



SITE PLAN


scale 1:1000

 denotes screening vegetation
(Radermachera Plants)

LOT 4317 , 191 LEANYER DRIVE

Land owner/s authorisation to lodge a development application under the Planning Act 1999

****signatures from ALL landowners registered on the land title must be provided****

The owners and/or persons duly authorised as signatory on behalf of the landowner**, hereby authorise:		
NAME OF CONSULTANT OR ACTING AGENT ON BEHALF OF LANDOWNER (please print)	ONE PLANNING CONSULT . (Israel) .	
Contact number:	Ph:	Mob: 0417 787 473 .
to lodge a development application under the Planning Act 1999 over the property described as:		
LOT/ NT PORTION:	4317	
LOCATION/TOWN	191 LEANYER DV	
STREET ADDRESS:	" LEANYER	
PROPOSED DEVELOPMENT:	EXCEPTIONAL DEVELOPMENT PERMIT FOR TRANSPORT TERMINAL (GARAGING OF VEHICLES)	
OWNER'S SIGNATURE:		
FULL NAME: (please print)	Helen PACHOS .	
TITLE: (ie. company director/secretary)		
COMPANY NAME:	BLUE TAXI CO .	
Contact number:	Ph:	Mob: 0448 063698 .
DATE:	23.9.24 .	

OWNER'S SIGNATURE:		
FULL NAME: (please print)		
TITLE: (ie. company director/secretary)		
COMPANY NAME:		
Contact number:	Ph:	Mob:
DATE:		

From: julussanders222@gmail.com
To: [Dns NTG](#)
Subject: TRM: exceptional development permit PA2024/0324
Date: Friday, 26 March 2025 5:17:41 AM
Attachments: [moad001.png](#)
[Submission.pdf](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I want to submit something -
for the exceptional development permit PA2024/0324 relating to the block of land in Leanyer upon which the owners of the Blue Taxi Company want to build a transport depot on land zoned "rural living"
But your website refuses to accept the submission
And this makes me think that submissions objecting to this exceptional development are being deliberately sabotaged
And I think this because the Blue taxi company has acted in contravention of zoning for a decade
And I think this must indicate that they are somehow politically connected and objections to their activities such as the illegal burning and burying of tyres are not acted on.

So I am emailing the submission as an attachment
My name is Julius sanders
My mobile is 0402350383
My postal address is
Po Box 2123
Parap
0804
NT
My email is julussanders222@gmail.com

ment Applications Online

Planning Notices ▾

Meeting Bookings


Land Information

Pastoral Notices ▾

First Name:	<input type="text" value="julius"/>
Last Name:	<input type="text" value="sanders"/>
Phone:	<input type="text" value="0402350383"/>
Please specify an email address and/or a valid address	
Email:	<input type="text" value="julussanders222@gmail.com"/> <small>Please supply either an email or a postal address.</small>
Address Type:	<input type="checkbox"/> Street Address <input checked="" type="radio"/> PO Box
PO Box Type:	<input type="text" value="Type to search"/>
PO Box Number:	<input type="text" value="2123"/>
Suburb:	<input type="text" value="Parap"/>
State:	<input type="text" value="NT"/>
Postcode:	<input type="text" value="0804"/>

Attach Your Submission

Your submission must be signed and in PDF, JPG or PNG format.



[Add Another File](#)

Submission

Over the years, a number of locals have complained about the illegal burning and burying of tyres at this property.

then a fire at the Leanyer property that the Blue Taxi Company uses as a transport depot even though the land is zoned "rural living" residential zoning.

The whole point of having large blocks of land zoned "rural living" that are NOT FOR COMMERCIAL USE is so that any nearby scrub fires wouldn't have anything to burn if they ever got over the fence.

Therefore, there never should have been lots of half disassembled cars on the land in the first place.

I personally think it is just as likely that the fire started inside the property, either because they were burning tyres or because someone in the mechanical workshop accidentally started a fire.

So it's an existing business running illegally in a residential area

Personally I find the whole situation to be an ugly mess, because the fact that the local member has made a comment makes it look like she supports the application -

- even if she has no idea whether or not any of the buildings are legal or illegal, or whether she has any clue of the history of the site -

because she is not the planning minister and therefore doesn't have access to the information.

there seem to be a number of buildings and workshops on the site that have already been built, that I personally think are illegally built.

I think that the planning minister Joshua Burgoyne should say something about this, because it looks like planning laws in the NT are a complete joke:

And if approved, this application would reward illegal activity.

Julius Sanders

From: julius.sanders@jimsmowing.net
Sent: Friday, 28 March 2025 6:35 PM
To: Electorate Braitling; Minister Burgoyne
Cc: Electorate Johnston; Justine Davis; Electorate Fong Lim; Tanzil Rahman; Electorate Nightcliff; Kat McNamara
Subject: 2025/0391-JRB - planning submission

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear minister

I am writing regarding an exceptional development permit PA2024/0324

The picture below shows that the website app refuses to accept the submission
The fault centres around address and email.

The website very clearly says and/or but no combination of email / postal address / residential address is accepted.

Please find the objection attached, as I could not file on the website because of the computer error, as per the picture attached.

To: Development Consent Authority & Jshua Burgoyne, Minister for Planning
From Julius sanders
Re: Objection to development application reference number PA2024/0324

To whom it may concern, I object to the proposed development on the following grounds:

1 The site is too dangerous to be used as a transport terminal on the basis that several fires have broken out at the site due to its location adjacent to large open spaces that are not managed. Using logic, under the present zoning, it is possible for the planning department to force the owners to remove the transport terminal, which removes the fire hazard to adjacent properties. If the development application is approved as it stands, it means that the NT Government will be rendered powerless to do anything about the hazard to neighbours while also tacitly supporting the illegal use of land.

2 The use of the property as a transport terminal is inconsistent with the quiet nature of the street, in the sense that the neighbouring street only has a small amount of traffic, while a transport terminal unduly and unfairly increases the traffic burden for the neighbours.
Approving the development application as a spot rezone is not the right way to do it, since the right way is for the entire street to be assessed for a rezone so that the NT Government can design traffic flow measures that would protect all residents in a wholistic manner.

3 There have been many reports that used tyres have been burned on the site, alongside many complaints made to the EPA and DIPL, that the NT Government has refused to investigate.
Using logic, a rezone application might be viewed by the public as being a way to circumvent environmental controls, by rezoning the land so that it can be concreted over without the soil being tested.
Given these facts, any rezoning application should be accompanied by a full series of soil tests to ensure that the well documented complaints received by the NT Government are correctly dealt with.
For the record I am not an opponent of rezoning as a general rule - but to me, this particular application absolutely stinks of corruption and is unfair.
It is appalling that the NT Government would entertain an application to rezone Rural Living RL zoned land, when the applicant freely admits to having operated an illegal transport terminal on the site for 20 years.

In my opinion, approving the application will generate enormous resentment in the community, particularly from the many mechanically minded people who wanted to fix cars in their back yard and were vigorously pursued by the NT Government, which told them that fixing cars in their back yard was inconsistent with zoning in the local area.

Why should one group of people get to operate a whole transport terminal on their land illegally, while the average person who wants to fix a couple of cars is shut down by the same government.

On this basis the approval of the application will diminish confidence in the planning process overall, and actually stimulate illegal land use throughout the Northern Territory by regular people who do so in protest and disgust.

Julius sanders

In addition to the above, I have copied and pasted the email I sent to planning

Submission

Over the years, a number of locals have complained about the illegal burning and burying of tyres at this property.

then a fire at the Leanyer property that the Blue Taxi Company uses as a transport depot even though the land is zoned "rural living" residential zoning.

The whole point of having large blocks of land zoned "rural living" that are NOT FOR COMMERCIAL USE is so that any nearby scrub fires wouldn't have anything to burn if they ever got over the fence.

Therefore, there never should have been lots of half disassembled cars on the land in the first place.

I personally think it is just as likely that the fire started inside the property, either because they were burning tyres or because someone in the mechanical workshop accidentally started a fire.

So it's an existing business running illegally in a residential area

Personally I find the whole situation to be an ugly mess, because the fact that the local member has made a comment makes it look like she supports the application -

- even if she has no idea whether or not any of the buildings are legal or illegal, or whether she has any clue of the history of the site -

because she is not the planning minister and therefore doesn't have access to the information.

there seem to be a number of buildings and workshops on the site that have already been built, that I personally think are illegally built.

I think that the planning minister Joshua Burgoyne should say something about this, because it looks like planning laws in the NT are a complete joke:

And if approved, this application would reward illegal activity.

Julius Sanders

ment Applications Online

Planning Notices ▾

Meeting Bookings

Land Information

Pastora

First Name:

julius

Last Name:

sanders

Phone:

0402350383

Please specify an email address and/or a valid address

Email:

juliussander

Please supply a

Address Type:

☐ Street.

PO Box Type:

Type to search

PO Box Number:

2123

Suburb:

Parap

State:

NT

Postcode:

0804

Attach Your Submission

Your submission must be signed and in PDF, JPG or PNG format.

Submission.pdf

[Add Another File](#)

Julius Sanders

Jim's Mowing (Muirhead)

0402 350 383



Matthew Pullman
14 Edgeview Court,
Leanyer, NT 0812

matthew.pullman@outlook.com
11th March 2025

To: Minister for Infrastructure, Planning and Logistics

Subject: Opposition to the Development of Lot 04317, 191 Leanyer Dr, Leanyer

Dear Sir/Madam,

I am writing to formally oppose the proposed development of Lot 04317 in the Town of Sanderson at 191 Leanyer Drive, Leanyer, from rural living to a transport hub. I strongly urge the NT Government to reconsider this development due to significant concerns regarding safety, crime, traffic congestion, and community well-being.

Safety Concerns and Increased Crime

The transformation of this site into a transport hub presents serious safety risks to residents. Transport hubs have been associated with an increase in crime, including theft, vandalism, and anti-social behaviour. This is particularly concerning given the site's proximity to residential areas where families and children reside. The presence of a transport hub in a quiet, suburban area will likely introduce undesirable activities that compromise the security and peace of the community.

Increased Traffic Congestion and Road Safety Risks

The proposed development will significantly increase traffic volume on Leanyer Drive and surrounding roads, which already experience congestion during peak hours. The influx of buses, taxis, minibuses and private vehicles will not only exacerbate traffic but also pose risks to pedestrians, cyclists, and local drivers. The surrounding infrastructure is not designed to handle such an increase in heavy vehicle movement, raising the likelihood of accidents.

Proximity to a Daycare Centre and School Routes

Of particular concern is the site's proximity to a daycare centre and routes frequently used by schoolchildren. Increased traffic and potential crime-related activities endanger the safety of young children and students. Parents should not have to worry about their children navigating an environment increasingly influenced by transport-related hazards and antisocial behaviour.

Impact on Community Amenity and Liveability

The character of Leanyer is defined by its peaceful, suburban lifestyle, which will be drastically altered by this development. The loss of rural living space in favour of a

transport hub undermines the interests of current residents who chose this location for its tranquillity and safety. Property values could also be negatively impacted as a result.

For these reasons, I strongly oppose the rezoning and development of Lot 04317 into a transport hub. I urge the NT Government to reject this proposal in the best interest of the local community. I request that community consultation be prioritised and that alternative locations be explored if such a facility is deemed necessary.

I appreciate your time and consideration of this matter and look forward to your response.

Sincerely,
Matthew Pullman

From: [Tanya Kerrison](#)
To: [Das NTG](#)
Subject: TRM: PA2024/0324 - Exceptional Development - Submission
Date: Saturday, 15 March 2025 8:55:04 PM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Submission on exceptional development application submitted by Blue Taxis, Leanyer

I object to the NT Planning granting an exceptional development permit, which would allow an illegal operation, one which has been operating illegally for decades, to continue to operate. This operations should have been prevented and or shut down years ago. The government need to act with integrity and ensure land is developed/maintained within parameters of permitted uses.

The entire property has been virtually cleared of vegetation; a breach of the definition of land zoned Rural Living. The report states that environmental degradation and impacts on biodiversity and drainage areas, habitat fragmentation and wildlife are not applicable under this permit. This is only because the damage was already done years ago. The organisation needs to be closed down immediately, and the land returned to a condition in accordance with vegetation for RL zoned lands,

The clearing of the land no doubt has impacts on potential storm surge and flooding. The rear portion of the land overlying the SSSA area should be revegetated immediately to reduce protect fragile substrate and prevent damage and erosion.

The applicants' report states they have 43 vehicles, which includes 10 large buses and coaches, however there is parking available for only 31 'generated carparks'. By their own admissions, there is not enough space on the land for the vehicles. All 'car parking areas' are not appropriately designed and constructed - satellite imagery shows numerous cars parking on dirt/grass. Further, imagery shows 20+ vehicles parked nose to tail in an area blocked in by others. This appears to be broken down/unused vehicles. Having batteries, fuels and oils stored on this property is a hazard that should be investigated by the NT EPA.

Although the applicant states that passengers are not onsite, the mere fact of there being a concentration of vehicles onsite, where there is a substantial youth crime problem in Darwin, which targets the break, enter, stealing of and hooning dangerously in stolen vehicles, means there is likely an increase in criminals in the neighbourhood, and their dangerous behavior is a huge safety concern to all local residents.

All other properties in zone abide by planning provisions and maintain land that is in accordance with the provisions of Rural Living zone, with dwellings and yards that are in keeping with the character and amenity of the area. The applicants land, consisting of dirt, bitumen and concrete, is the exact opposite of the amenity of the locality; it is ridiculous the applicants' report pretends otherwise.

The increase in traffic, both noise, vehicles and pollution are all not in keeping with the amenity of the area. The intersection and the corner of Leanyer Drive and Vanderlin Drive, adjacent to the property, is subject to numerous accidents every year, as cars race across the intersection.

Satellite imagery shows numerous sheds and out-buildings on site. If these contain workshops, mechanics services and the like, this is a clear breach of the intention of RL land.

Further, it is well known locally, that the property has had a number of aggressive dogs that have escaped on numerous occasions, and been a menace to others.

Parcels of land around the edge of Leanyer, which are currently zoned RL, should be considered by the Department to be re-zoned to Rural Residential. Given the expansion of suburbs to the north of Leanyer recently - Muirhead, Tiwi and Lee Point, and the fact that across Leanyer is zoned Low Density Residential, it should now be considered that Leanyer is in the middle of suburbia; not on the fringes of it.

I do not know the neighbouring property, however I am sincerely empathic to them, having to contend with noise, traffic, the complete eyesore, and excess heat created by extended concrete pads, steel and aluminium.

The department needs to deny the application for an exceptional development permit and make arrangements for the business to be relocated to a more suitable area, where the lands would be fit for the purpose of this business.

I did not buy in Leanyer knowing this type of operation would be allowed to be in the area, impacting local amenity and character, inviting unwanted persons with ill-intent, and overall impacting on value of local homes.

Tan E.

Tracey Walton

23 Sanford Street, Leanyer NT

Traceymw@live.com.au

12th March 2025

To: Minister for Infrastructure, Planning and Logistics

Subject: Opposition to the Development of Lot 04317, 191 Leanyer Dr, Leanyer

Dear Sir/Madam,

I am writing to formally oppose the proposed development of Lot 04317 in the Town of Sanderson at 191 Leanyer Drive, Leanyer, from rural living to a transport hub. I strongly urge the NT Government to reconsider this development due to significant concerns regarding safety, crime, traffic congestion, and community well-being, as well as the implications of the local habitat environment.

Safety Concerns and Increased Crime

Converting this site into a transport hub raises significant safety concerns for residents. Such hubs are often linked to higher crime rates, including theft, vandalism, and antisocial behaviour. This is especially alarming due to the site's close proximity to residential neighbourhoods where families and children live. Introducing a transport hub into a quiet suburban area could attract undesirable activities, jeopardising the security and tranquility of the community.

Increased Traffic Congestion and Road Safety Risks

The proposed development will substantially increase traffic on Leanyer Drive and surrounding roads, which are already congested during peak hours. The influx of buses, taxis, minibuses, and private vehicles will worsen traffic flow and create additional risks for pedestrians, cyclists, and local drivers. The existing infrastructure is not equipped to accommodate such a surge in heavy vehicle movement, increasing the potential for accidents.

Proximity to a Daycare Centre and School Routes

A major concern is the site's close proximity to a daycare centre and routes frequently used by schoolchildren. The rise in traffic and potential crime-related activities pose a direct threat to the safety of young children and students. Parents should not have to worry about their children navigating an environment increasingly impacted by transport-related hazards and antisocial behaviour.

Impact on Community Amenity and Liveability

Leanyer's character is defined by its peaceful, suburban lifestyle, which would be significantly disrupted by this development. Replacing rural living space with a transport hub disregards the interests of residents who chose this area for its tranquillity and safety. Additionally, property values may decline as a result of these changes.

A concrete jungle—an area dominated by buildings, roads, and other infrastructure with minimal green space—can have significant environmental impacts, including:

- **Increased Urban Heat Island Effect** – Concrete and asphalt absorb and retain heat, raising temperatures and making the area significantly hotter than surrounding natural landscapes.
- **Loss of Green Spaces & Biodiversity** – Reduces natural habitats, displacing wildlife and decreasing biodiversity.
- **Increased Air Pollution** – Less vegetation means reduced natural air filtration, leading to higher levels of pollution from vehicles, industries, and human activity.
- **Higher Carbon Footprint** – Increased construction and industrial activity contribute to higher CO₂ emissions.
- **Poor Water Drainage & Flooding** – Impermeable surfaces prevent natural water absorption, leading to more runoff, erosion, and increased flood risks.
- **Decreased Water Quality** – Pollutants from roads and buildings wash into waterways, contaminating local water sources.
- **Noise & Light Pollution** – Dense infrastructure and constant activity lead to higher noise and artificial light levels, disrupting wildlife and human well-being.
- **Reduced Mental & Physical Health Benefits** – Lack of green spaces limits opportunities for relaxation, recreation, and physical activity, negatively affecting public health.
- **Resource Overconsumption** – High energy and water demand strain local resources, increasing environmental stress.
- **Disruption of Natural Climate Regulation** – Fewer trees and green spaces mean less carbon sequestration and reduced ability to regulate local climate conditions.

For these reasons, I strongly oppose the rezoning and development of Lot 04317 into a transport hub. I urge the NT Government to reject this proposal in the best interest of the local community. Community consultation must be prioritised, and alternative locations should be explored if such a facility is deemed necessary.

Thank you for your time and consideration. I look forward to your response.

Sincerely,

Tracey Walton

=====

Submission Number: 3

████████████████████

=====

I do not support the change to planning for the block. The original vision for these blocks is clear with the current zoning for Rural Living with the current description for Single Dwelling Residential. The block forms the border of a residential suburb, amongst many residential suburbs. A transport terminal is not an appropriate mix for a residential location. As the block is located on Leanyer Drive, it would increase traffic for what is already a busy intersection of Leanyer Drive / Vanderlin Drive. An onflow would be further congestion at the round about of Lee Point Road and Vanderlin Drive. This road has traffic banked up to Hibiscus shopping centre Mon-Fri at certain points in the morning. Encouraging commercial operation within a residential zone is likely to reduce ease for current residents. While I suggest Lot 4317 is already being used as a minor transport terminal, with a changed zoning, traffic would increase. By changing the zoning the NT Government would be rewarding an owner who has been operating outside zoning laws for years. There are daily taxis and buses being used there. There is transportable accommodation at the site to house workers/shift staff. The buildings are ramshackle in appearance, and potentially dangerous. The RL town planning zone was established to provide opportunities for people to enjoy a rural lifestyle within urban locations. These blocks are an unusual element of the Leanyer suburb and should be kept as a unique part of our suburb. I also believe that once one block has the development proposal agreed, others will follow. There is already one that has large garages for earth moving equipment that go beyond rural living requirements. Slowly agreeing to development of these blocks will change Leanyer and reduce livability in the suburb.

██ I do consent to using my initials DK and Leanyer provided as my address.



Civic Centre
Harry Chan Avenue
Darwin NT 0800

GPO Box 84
Darwin NT 0801

P 08 8930 0300
E darwin@darwin.nt.gov.au

Mr Amit Magotra
Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2024/0324

14 March 2025

Dear Mr Magotra

Parcel Description: **Lot 4317 Town of Sanderson
191 Leanyer Drive, Leanyer**

Proposed Development: **Transport terminal**

Thank you for the development application referred to this office on 28 February 2025 concerning the above.

City of Darwin has no concerns regarding this development application in relation to matters under the responsibility of the City of Darwin.

If you require any further information in relation to this application, please feel free to contact City of Darwin's Innovation Team on 8930 0300 or darwin@darwin.nt.gov.au

Yours sincerely

Signed by:

F49428FD783DE51F

ALICE PERCY
GENERAL MANAGER INNOVATION



Phone 1800 245 092

Web powerwater.com.au

Record number: D2025/86572

Container number: NE685/4317

Your Ref: PA2024/0324

Kaleb Thomas
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb

Re: Lot 4317 (191) Leanyer Drive Leanyer Town of Sanderson

In response to your letter of the above Exceptional Development application for the purpose of transport terminal Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. PWC has no objection or requirement to the Exceptional Development application for regularising an existing land use of the existing transport terminal on Lot 4317 for a period of 3 years.

If you have any further queries, please contact the undersigned on 8924 5729 or email:

PowerDevelopment@powerwater.com.au

Yours sincerely



Thanh Tang
Manager Distribution Development

28 February 2025



Container No: LD685/4317

DIPL - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb Thomas,

RE: PA2024/0324 - Lot 4317 Town of Sanderson - 191 Leanyer Drive Leanyer - Transport terminal.

In response to the above proposal for development application purposes, Power and Water Corporation (Water Services) advise the following with reference to water and sewer enquiries:

1. Power and Water have no objections or requirements for the proposed transport terminal.
2. Full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service.
3. The developer must ensure that;
 - a) Backflow prevention is installed at the water service in accordance with AS/NZS 3500.1 – Plumbing and Drainage - Water Services
 - b) Where applicable, the device is tested annually in accordance with AS/NZS 2845.3 field testing and maintenance of testable devices.

Visit <https://www.powerwater.com.au/developers/water-development/backflow-prevention> or contact BackflowPrevention.PWC@powerwater.com.au for all backflow prevention enquires.

4. The developer must ensure that;
 - a) Prior to construction Trade Waste approval or exclusion is obtained – to discuss requirements for the proposed development contact TradeWasteDept.PWC@powerwater.com.au
 - b) Before seeking clearance the owner/customer has obtained a License to discharge Trade Waste by applying here <https://www.powerwater.com.au/developers/water-development/trade-waste>

If you have any further queries, please email waterdevelopment@powerwater.com.au

Yours sincerely

Voyia Ferraz

Customer Experience & Operations

26 March 2025

cc: Israel-Tshepo Kgosiemang

email: Israel.k@oneplanningconsult.com.au

All network data is the property of Power and Water and no warranty as to the accuracy or completeness of information is provided. No liability for any loss or damage arising from the use of this information will be accepted. Copyright (c) Power and Water Corporation.

Land information has been provided by the NT Department of Infrastructure, Planning and Logistics. Land data should not be used externally to Power and Water. Copyright (c) Northern Territory Government.



Mr Kaleb Thomas
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Mr Kaleb Thomas

Re: PA2024/0324 Transport terminal

The above application has been assessed by the relevant environmental divisions within the department and the following comment is provided:

Environment Division

Environmental Regulations

The information provided regarding the proposal does not appear to trigger licensing requirements of an Environment Protection Approval under the *Waste Management and Pollution Control Act 1998* (WMPC Act).

Should the proponent collect, transport, store, recycle or treat listed wastes on a commercial or fee for service basis as part of the premises development, then an Environment Protection Approval or Licence will be required to authorise the activity under the WMPC Act. Any listed wastes generated during the construction or operation of the facility must be transported by an appropriately licensed waste handler to an appropriately licensed facility for treatment, recycling and/or disposal.

There are statutory obligations under the WMPC Act that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the WMPC Act, including the General Environmental Duty under section 12 of the WMPC Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the WMPC Act.

Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website¹.

¹ <https://ntepa.nt.gov.au/publications-and-advice/environmental-management>

To help satisfy the General Environmental Duty, the proponent is advised to take notice of the list of environmental considerations below. The list is not exhaustive, and the proponent is responsible for ensuring their activities do not result in non-compliance with the WMPC Act.

The WMPC Act, administered by the NT EPA, is separate to and not reduced or affected in any way by other legislation administered by other departments or authorities. The NT EPA may take enforcement action or issue statutory instruments should there be non-compliance with the WMPC Act.

A non-exhaustive list of environmental issues that should be considered to help satisfy the environmental duty are listed below.

1. **Dust:** The proposed activities have the potential to generate dust, particularly during the dry season. The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
2. **Noise:** The proponent is to ensure that the noise levels from the proposed premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline available online².
3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environmental harm do not result from soil erosion.

The ESC measures should be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion and Sediment Control Association (IECA) Australia guidelines and specifications.

Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites³ and Keeping Our Stormwater Clean⁴.

4. **Water:** If this activity requires the discharge of waste to water or could cause water to be polluted then a waste discharge licence under the *Water Act 1992* (NT) may be required. Please refer to the Guidelines⁵.
5. **Storage:** If an Environment Protection Approval or Environment Protection Licence is not required, the proponent should store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines, June 2018, as amended. Where these guidelines are not relevant, the storage should be at least 110% of the total capacity of the largest vessel in the area.

Where an Environment Protection Approval or Environment Protection Licence is required, the proponent must only accept, handle or store at the premises listed waste, including asbestos, as defined by the WMPC Act, in accordance with that authorisation.

² https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf

³ https://ntepa.nt.gov.au/_data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf

⁴ https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/284676/guideline_keeping_stormwater_clean_builders_guide.pdf

⁵ https://ntepa.nt.gov.au/_data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf

6. **Site Contamination:** If the proposal relates to a change of land use or if the site is contaminated, including as a result from historical activities such as cyclones, a contaminated land assessment maybe required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM). The proponent is encouraged to refer to the information provided on the NT EPA website⁶ and the NT Contaminated Land Guidelines⁷.
7. **Waste Management - Import and Export of Fill:** The proposed activities have the potential to generate fill and/or involve the importation of fill for use on-site. Untested fill material may already be present on the site. All fill imported or generated and exported as part of the activity must either be certified virgin excavated natural material (VENM) or be sampled and tested in line with the NSW EPA Guidelines⁸.

All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers, upon request. The proponent should also consider the following NT EPA fact sheets: How to avoid the dangers of accepting illegal fill onto your land⁹, and Illegal Dumping - What You Need to Know¹⁰.

8. **Odour or Smoke:** The proposed activities may have the potential to create odours and/or smoke. The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DEPWS@nt.gov.au or phone (08) 8999 4446.

Yours sincerely



Maria Wauchope
Executive Director Rangelands

7 March 2025

⁶ <https://ntepa.nt.gov.au/your-environment/contaminated-land>

⁷ https://ntepa.nt.gov.au/_data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf

⁸ <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material>

⁹ https://ntepa.nt.gov.au/_data/assets/pdf_file/0005/285728/factsheet_avoid_danger_accepting_illegal_fill_to_your_land.pdf

¹⁰ https://ntepa.nt.gov.au/_data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_to_know.pdf