

5 June 2021

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

ATTENTION: Matthew Simpson

Dear Elissa

Re: Response to Submissions – PA2021/0048
At: Lot 05985 Town of Darwin (19 Lambell Terrace, Larrakeyah)

Northern Planning Consultants have been engaged by the proponent in the above matter to consider and respond to issues raised in public and service authority submissions made during the exhibition period of PA2021/0048, being a submission to the Northern Territory Planning Minister to amend the Northern Territory Planning Scheme by rezoning the subject land from CP (Community Purpose) to LMR (Low-Medium Density Residential). The submission was publically exhibited between 16 April and 21 May 2021, with three public and three service authority submissions received during the exhibition period.

Service authority submissions were received from:

- Power and Water Corporation – Distribution Development
- Power and Water Corporation – Services Development
- City of Darwin

Public submissions were received from:

- Lorraine Buntine, 25 Lambell Terrace, Larrakeyah
- Matthew and Kate Strudwick, 7 Schultze Street, Larrakeyah
- Peter McQueen, 23 Lambell Terrace, Larrakeyah

Public Submissions

Issues raised in the public submissions have been grouped and summarised below, with the proponent's response immediately thereafter.

Proposal will set precedent for all adjoining lots to be rezoned changing character and amenity of quiet residential area.

The proposed Planning Scheme Amendment is supported by the *Central Darwin Area Plan*, specifically the Land Use Vision Map on page 13 of the Plan which identifies the site as *Potential Area for Change*, with the underlying land use being Residential. The *Residential and Mixed Use Map* on Page 16 also identifies the site as *Potential Area for Change* with the underlying zoning / development as *Multiple Dwelling* (now LMR). None of the adjoining or surrounding lots are identified as such. Accordingly, there's no evidence to suggest the proposed rezoning will set any kind of precedent.

Proposed zoning is not consistent with existing LR zones adjacent the subject land. Resultant development cannot be consistent with existing development in LR Zones.

The proposed zone LMR allows for dwellings to a maximum of 2 storeys, consistent with Zone LR, ensuring future development consistent with existing building heights. Zones LR and LMR are in-sequence, and the proposal will allow for future residential development consistent with the *Central Darwin Area Plan*, specifically the Residential Themes on Page 17 provide (in **Theme 1.4**):

1.1 Encourage residential buildings that provide for a broad spectrum of demographic groups:

A variety of dwelling types are provided.

1.4 Maintain residential areas in Larrakeyah and Cullen Bay:

Residential development accords with current zoning unless specifically identified as a Potential Area for Change on the Residential and Mixed Use Map.

Central Darwin Area Plan does not support not consistent with surrounding locality.

The original application report clearly demonstrates the proposal's consistency with the *Central Darwin Area Plan*.

Insufficient justification provided for rezoning.

The original application report clearly outlines justification for the proposed Planning Scheme Amendment in accordance with the required considerations in **Section 12A** of the Planning Act.

Proposal is spot rezoning that is not in the public interest.

A 'spot-rezoning' generally refers to a Planning Scheme Amendment not supported or otherwise identified by a higher-order strategic land use and planning policy within the strategic framework. As the proposal is consistent with the *Central Darwin Area Plan*, it is not a spot-rezoning. From the original application report, "*the proposed amendment will facilitate the future residential development of the land consistent with the relevant and publically available strategic planning policies, and in a form appropriate given the nature of the land and locality. Services to the site are capable of supporting resultant development with standard connection works, and will assist the achievement of additional dwelling requirements per the Central Darwin Area Plan and Needs Assessment. A clear, concise and orderly strategic planning hierarchy, and the subsequent application of the strategic planning hierarchy to Planning Scheme Amendment matters, is in the public interest.*"

Prefer LR Zoning rather than LMR.

The proposed Planning Scheme Amendment seeks approval for Zone LMR in accordance with the *Central Darwin Area Plan*.

Planning system is undermined if zones are changed to suit developers.

The proposed zoning is consistent with that identified for the subject land the *Central Darwin Area Plan*, a strategic planning policy prepared by the Northern Territory Planning Commission.

Previous land sale price reflected restrictions on lot based on Community Purpose Zoning.

Land sale details are not relevant to the consideration of a Planning Scheme Amendment as proposed.

Future development must consider traffic management, suitable off-street car parking and design appropriate in locality. Suitable gardens and noise attenuation must be provided.

Such considerations are required to be addressed by the Northern Territory Planning Scheme as part of any statutory planning application.

Future development will result in increased traffic and pressure on street car parking.

The likely implications on traffic are addressed in the traffic and service capacity investigation report in the original application. Car parking requirements are considered as part of a future development application.

*No detail is provided to enable consideration of any adverse impacts from the proposed rezoning. Application must be rejected in order to satisfy Planning Act and Planning Scheme provisions. Development details should be submitted for scrutiny by way of concurrent application (**Section 30**) or Exceptional Development Permit Application (**Section 38**).*

Section 12A enables a person or body to request the Minister to amend a Planning Scheme. Built form design and associated considerations will be addressed as part of a future development application under **Section 44** of the Planning Act.

Service Authority Submissions

Submissions from PWC – Services Development, PWC – Distribution Development and the City of Darwin do not raise any issues with the proposed Planning Scheme Amendments, and note future servicing and service infrastructure upgrade requirements (consistent with the engineering report in the original application), along with reinstatement of public infrastructure (ie removal of the existing verge parking).

Regards



BRAD CUNNINGTON

Northern Planning Consultants Pty Ltd

