

### 4.1.3 Specific Uses - Darwin

#### 4.1.3.XX SDXX Part Lots 5182 Town of Darwin and 8630 Town of Nightcliff

##### Purpose

To provide for service commercial development that appropriately responds to:

- (a) the effects of primary and secondary storm surge; and
- (b) preserves and maintains the safety and curfew free operation of Darwin International Airport/ RAAF Base Darwin.

##### Administration

1. This specific use zone applies to Part Lots 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla) and 8630 Town of Nightcliff (95 Dick Ward Drive, Coconut Grove).
2. The use and development of land subject to this specific use zone is to be in accordance with the table to this zone.
3. The consent authority may consent to a use or development that is not in accordance with sub-clause 14 only if it is satisfied that the application demonstrates that there is no increased risk to people and property, including adjoining property.
4. Commercial activities are acceptable where they are subordinate to the primary development on the site and provide support to service commercial activities, and/or directly support and are compatible with the ongoing service commercial use of the zone.
5. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone, and having regard to the 'Building Site Acceptability Based on ANEF Zones' (Table 2.1) in AS 2021 – 2000 regarding the site's exposure to aircraft noise.

##### Zone Outcomes

6. A mix of service commercial activities that consist predominately of retail business activities such as **shop, shopping centre, showroom sales, vehicle sales and hire, and leisure and recreation**, that do not increase risk to people and property from the impacts of storm surge and do not adversely impact on airport operations.
7. A mix of activities such as **industry-light, motor repair station and warehouse**, which are compatible with and are of such a kind that do not adversely affect the service commercial function of the area, do not increase risk to people and property from the impacts of storm surge, and do not adversely impact on airport operations.

8. Buildings provide variety and interest at street level and allow passive surveillance of public spaces, with a scale and character appropriate to the service function of the locality.
9. Development is designed to provide clear connections within the development and to external pedestrian, bicycle, public and road transport networks and infrastructure where appropriate.
10. Development incorporates appropriate urban and landscape design that creates attractive and functional buildings, streets and places.
11. Developments are operated in a manner to ensure that there is no unreasonable loss of amenity for surrounding premises, having regard to the mixed use nature of the zone.
12. Subdivision primarily provides for lot sizes capable of accommodating the uses expected in the zone.
13. Subdivision provides the appropriate urban services including, roads, pedestrian and cycle paths, reticulated electricity, water, and sewerage, stormwater drainage and telecommunication infrastructure.

#### Requirements

14. An application for subdivision should include a hydrological assessment approved by the Department of Lands Planning and Environment - Natural Resource Management addressing primary and secondary storm surge of the site.
15. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.
16. Use or development of land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport.

**ASSESSMENT TABLE – SPECIFIC USE ZONE FOR PART LOTS 5182 TOWN OF DARWIN AND 8630 TOWN OF NIGHTCLIFF**

Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
<b>Animal Boarding</b>	<b>Impact assessable</b>	3.6 LSSS – Land Subject to Storm Surge	5.2.1 General Height Control	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
			5.2.4 Car Parking	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.7.2 Animal Related Use (Animal Boarding and Stables)
			5.2.5 Loading Bays	
<b>Bar-Public</b>	<b>Impact assessable</b>		5.2.6 Landscaping	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
			5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small
<b>Bar-Small</b>	<b>Impact assessable</b>		5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small
<b>Car Park</b>	<b>Merit assessable</b>			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
<b>Car Wash</b>	<b>Merit assessable</b>			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.9 Car Wash

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Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
<b>Club</b>	<b>Impact assessable</b>	3.6 LSSS – Land Subject to Storm Surge	5.2.1 General Height Control	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
<b>Demountable Structures</b>	<b>Merit Assessable</b>		5.2.4 Car Parking	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.8.3 Club
<b>Emergency Services Facility</b>	<b>Impact assessable</b>		5.2.5 Loading Bays	5.8.7 Demountable Structures
			5.2.6 Landscaping	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
			5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.5.4 Expansion of Existing Developments in Zones CB, C, SC and TC 5.8.6 Emergency Service Facility
<b>Excavation and Fill</b>	<b>Impact assessable</b>		5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.8.9 Excavation and Fill
<b>Food Premises- Café/Take Away</b>	<b>Merit assessable</b>			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.11 Food Premises
<b>Food Premises- Fast Food Outlet</b>	<b>Impact assessable</b>			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.11 Food Premises
<b>Food Premises- Restaurant</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.11 Food Premises	
<b>Industry-Light</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC	

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Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
<b>Leisure and Recreation</b>	<b>Merit assessable</b>	3.6 LSSS – Land Subject to Storm Surge	5.2.1 General Height Control	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
			5.2.4 Car Parking	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
			5.2.5 Loading Bays	5.8.5 Leisure and Recreation
<b>Medical Clinic</b>	<b>Impact assessable</b>		5.2.6 Landscaping	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
			5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
<b>Motor Body Works</b>	<b>Impact assessable</b>		5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
				5.6.3 Motor Body Works and Motor Repair Station
<b>Motor Repair Station</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC	
			5.6.3 Motor Body Works and Motor Repair Station	
<b>Nightclub Entertainment Venue</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
			5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small	
<b>Office</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
<b>Passenger Terminal</b>	<b>Impact assessable</b>		5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC

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Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Plant Nursery	Impact assessable	3.7 LSSS – Land Subject to Storm Surge	5.2.1 General Height Control	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design
Service Station	Impact assessable		5.2.8 Car Parking	5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
Shop	Impact assessable		5.2.9 Loading Bays	5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
Shopping Centre	Impact assessable		5.2.10 Landscaping	5.5.8 Service Station
Showroom Sales	Merit Assessable		5.2.11 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
Telecommunications Facility	Impact assessable		5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC 5.5.12 Shopping Centre
Transport Terminal	Impact assessable			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
Vehicle Sales and Hire	Merit assessable			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
Veterinary Clinic	Impact assessable			5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC

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Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
<b>Warehouse</b>	<b>Merit assessable</b>	3.8 LSSS – Land Subject to Storm Surge	5.2.1 General Height Control	5.5.2 Commercial Plot Ratio 5.5.3 General Building and Site Design 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC
<b>All other uses defined in Schedule 2 (Definitions)</b>	<b>Prohibited</b>		5.5.3 Car Parking 5.5.4 Loading Bays 5.5.5 Landscaping	
<b>Undefined Uses Any use not defined in Schedule 2 (Definitions)</b>	<b>Impact assessable</b>		5.5.6 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	Part 2, Part 3, Part 4, Part 5 of this Planning Scheme