

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, PETER GLEN CHANDLER, the Minister for Lands, Planning and the Environment, under section 25(2)(c) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 25 NOV 2013.



Minister for Lands, Planning and the Environment

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 308

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 308.

2. Omission and substitution of clause 11.4.1

by omitting current

clause 11.4.1

and substituting with

11.4 SUBDIVISION OF RURAL AND UNZONED LAND

11.4.1 Site Characteristics of Subdivisions of Rural and Unzoned Land

Amendment 74
gazetted 01.07.2009
omits and replaces
clauses 11.4, 11.4.1,
11.4.2 and 11.4.3

1. The purpose of this clause is to ensure subdivisions of rural and unzoned land respond to the physical characteristics of the land.
2. An application to subdivide rural or unzoned land should include the following documents prepared by suitably qualified professionals:
 - (a) a Land Suitability Assessment addressing the NT Land Suitability Guidelines; and
 - (b) a stormwater management plan including but not limited to; the potential impact on neighbouring land, external roads, internal roads and the 1ha of land identified as unconstrained, the upstream and downstream flows and any proposed mitigation measures.
3. The subdivision design must address the constraints as identified in the Land Suitability Assessment and stormwater management plan in relation to the location of internal roads, lot boundaries and the identified 1ha of unconstrained land.
4. The consent authority must not **consent** to a subdivision that does not include 1ha of land per lot identified as unconstrained in relation to:
 - (a) Storm tide flooding;
 - (b) Riverine flooding;
 - (c) Localised stormwater flooding ;in accordance with the Land Suitability Assessment and stormwater management plan.
5. The consent authority must not **consent** to a subdivision unless the relevant government agencies, local government and service authorities provide formal comment to the consent authority in relation to the Land Suitability Assessment and stormwater management plan and the possibility of storm tide flooding, riverine flooding and localised stormwater flooding of the identified 1ha of land.
6. The consent authority may **consent** to an application that is not in accordance with subclauses 2 to 5 if the application includes preliminary land assessment and stormwater management plans prepared by the applicant and approved by the relevant government agency and or service authority, demonstrating that 1ha of land per lot and all internal roads are unconstrained by localised stormwater flooding and by those issues addressed in the NT Land Suitability Guidelines.
7. An application to subdivide land on the map "*Priority Environmental Management Areas – Litchfield Shire*" as an area potentially of environmental significance should, on the advice of the relevant government agency, be accompanied by and the consent authority shall have regard to an evaluation by a suitably qualified professional of the environmental significance of the native vegetation and land form (eg lagoons, wetlands, rugged terrain and drainage systems).
8. An application described in sub-clause 7 must demonstrate that the proposed subdivision design does not adversely affect the environmental values as identified in the evaluation.

The Land Suitability Report is to be completed in accordance with the referenced document *NT Land Suitability Guidelines*, refer clause 2.8.

Areas potentially of environmental significance within the Litchfield Municipality are identified on the map "*Priority Environmental Management Areas – Litchfield Shire*" produced by the Department of Infrastructure, Planning and Environment, see

Amendment No. 308

9. Subdivision design of rural and unzoned land should:

- (a) Retain and protect significant natural and cultural features;
- (b) Minimise the number of lots in, or exclude from subdivision, areas of high conservation significance and riparian zones;
- (c) Minimise alteration or disturbance to natural drainage systems including drainage areas, recognisable watercourses, lagoons and permanent and semi-permanent springs; and
- (d) Minimise erosion hazard, sedimentation and pollution of watercourses.

clause 2.8.

3. Omission and substitution of table in Schedule 3 to clause 2.8

by omitting current

table of Schedule 3

and substituting with

SCHEDULE 3	
SCHEDULE TO CLAUSE 2.8 - REFERENCE TO GUIDELINES	
Environmental Guidelines for Reclamation in Coastal Areas	Department of Natural Resources, Environment and the Arts
AS 2021 – 2000 Australian Standard Acoustics – Aircraft Noise Intrusion – Building Siting and Construction Table 2.1 Building Site Acceptability	Standards Australia
Rapid Creek Flood Study	Connell Wagner – May 1999
Priority Environmental Management Areas – Litchfield Shire (Litchfield Planning Concepts and Land Use Objectives 2002)	Department of Infrastructure, Planning and Environment
Land Clearing Guidelines	Department of Natural Resources, Environment and the Arts
Community Safety Design Guide	Department of Lands and Planning
Design Guidance to Achieve Active Frontages and Provide for Services	Department of Lands and Planning
NT Land Suitability Guidelines	Northern Territory Government

NORTHERN TERRITORY OF AUSTRALIA


Planning Act

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 308**

I, PETER GLEN CHANDLER, the Minister for Lands, Planning and the Environment, under section 28(1) of the *Planning Act*, give notice that –

- (a) I have, under section 25(2)(c) of the Act, amended the NT Planning Scheme by:
- inserting the NT Lands Suitability Guidelines as a referenced document to Schedule 3; and
 - revising clause 11.4.1(Site Characteristics of Subdivisions or Rural and Unzoned Land) to introduce the requirement for applications subject to this clause to include a land suitability assessment addressing the NT Land Suitability Guidelines and a stormwater management plan.
- (b) copies of the amendment, (Amendment No. 308), are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated 25 Nov 2013



Minister for Lands, Planning and the Environment

NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 308

I have approved an amendment to the NT Planning Scheme that:

- inserts the NT Land Suitability Guidelines into Schedule 3 as a referenced document; and
- revises clause 11.4.1 (Site Characteristics of Subdivisions of Rural and Unzoned Land) to introduce the requirement for applications subject to this clause to include a land suitability assessment addressing the NT Land Suitability Guidelines and a stormwater management plan.

I believe these changes are necessary to:

- ensure full disclosure of land suitability for subdivision applications in relation to land in rural zones and on unzoned land; and
- ensure subdivision applications for land in rural zones and on unzoned land is suitably assessed and appropriate for the intended use to reduce the risk of future development being affected by flooding or other constraints.



PETER GLEN CHANDLER
Minister for Lands, Planning and the Environment

25/11/2013