

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

AMENDMENT TO NT PLANNING SCHEME 2020

I, EVA DINA LAWLER, Minister for Infrastructure, Planning and Logistics, under section 12(2)(a) of the *Planning Act 1999*, amend the NT Planning Scheme 2020 by making the amendment, specified in the Schedule.

Dated *22nd* NOVEMBER 2021.



Minister for Infrastructure, Planning and Logistics

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME 2020

AMENDMENT No. 28

1. Citation

This amendment to the NT Planning Scheme 2020 may be cited as Amendment No. 28.

2. Definition

In this amendment –

"amending map" means the map, signed by the Minister for Infrastructure, Planning and Logistics and marked "NT Planning Scheme 2020 Amendment No. 28", deposited in the office of the Department of Infrastructure, Planning and Logistics, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme 2020.

3. Amendment of Zoning Map

The NT Planning Scheme 2020 is amended by amending the zoning map relating to Specific Use Zone SL11 to the extent of its inconsistency with the amending map in respect of the area of land shown on the amending map bounded by a thick black line and lettered SL1 which is Lots 6892 – 6911 Hundred of Bagot (Nightjar Road, Howard Springs).

4. Amendment to Schedule 4.1

Omit

Table to Schedule 4.1

Insert

4.1.1 Specific Uses - Litchfield

4.1.1.1 SL1 Lots 6892 - 6911 Hundred of Bagot (4 - 23 Nightjar Road, Howard Springs)

Purpose

Facilitate low density residential development that responds to the capability of the land to support onsite wastewater treatment and disposal.

Administration

1. This specific use zone applies to Lots 6892 - 6911 Hundred of Bagot (4 - 23 Nightjar Road, Howard Springs).
2. Clause 4.2 (Zone LR – Low Density Residential) applies to the use and development of land subject to this specific use zone, to the extent of any inconsistencies within this zone.
3. The consent authority must not **consent** to the subdivision or use or development of the land that is not in accordance with sub-clauses 7-10.
4. The consent authority may **consent** to a development that is not in accordance with sub-clause 11 if:
 - (a) documentary evidence is provided by a registered certifying plumber and drainer or certifying engineer (hydraulic) that the reduced setback will not impede the operation of the onsite secondary wastewater treatment system; and
 - (b) is it satisfied that the reduced setback is appropriate to the **site** having regard to such matters as its location, scale and impact on adjoining and nearby property.
5. In this specific use zone, an **ancillary** structure includes an **outbuilding**, verandah, balcony, shade sail and the like, which may or may not include external walls.

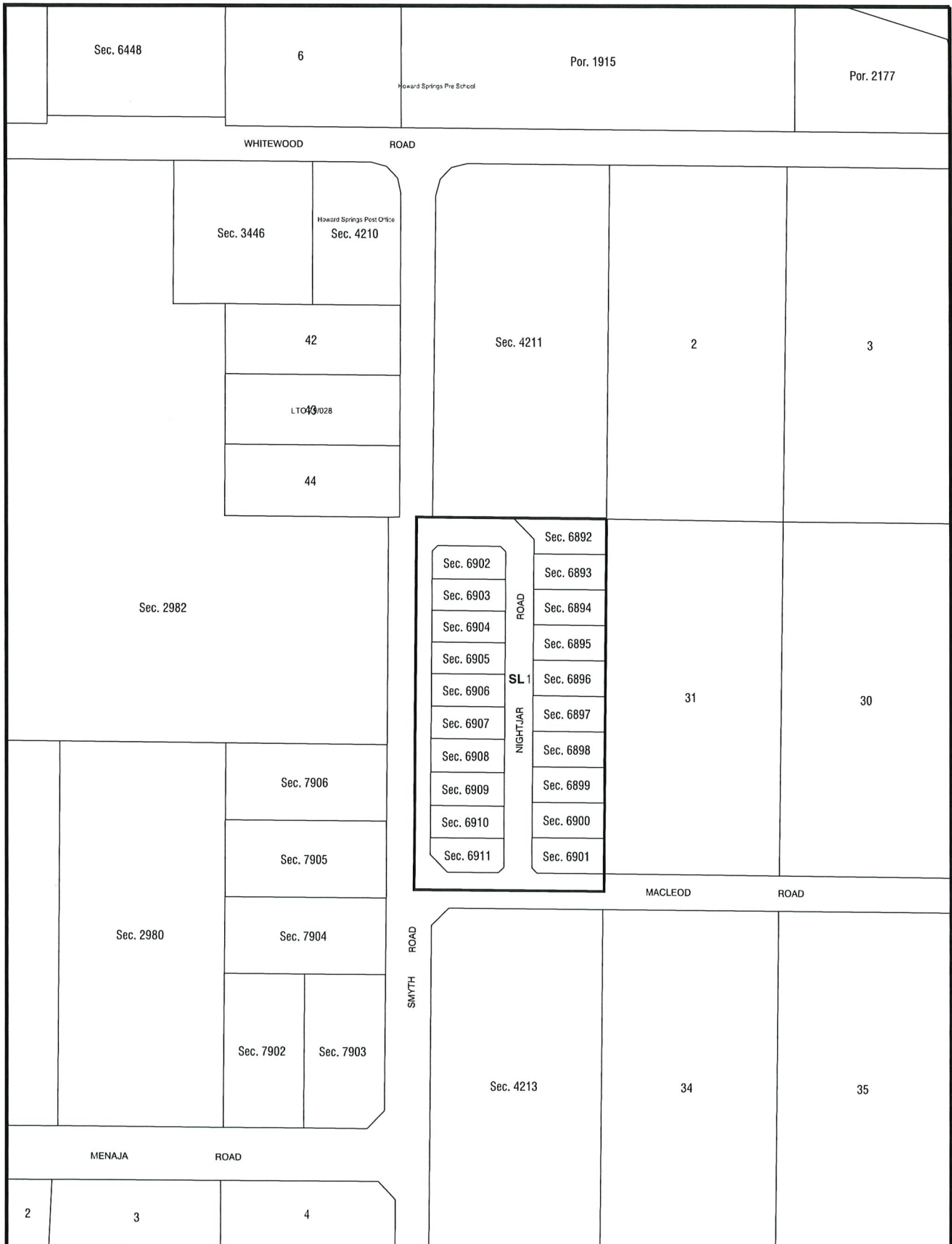
6. Despite sub-clause 11, a shed may have a nil setback to the side and rear boundaries provided it:
- is 4m or more from Nightjar Road and 2.5m from Macleod Road, when measured to the wall of the shed or where there is no wall, the outer face of any column;
 - has a cumulative **floor area** of 15m² or less;
 - is 2.5m or less in height;
 - has no openings in walls that are less than 1.5m from a lot boundary; and
 - does not discharge rainwater on an adjacent lot.

Requirements

- The minimum lot size is 750m².
- The minimum building envelope is 13m x 20m.
- All access is to be from Nightjar Road.
- An onsite, secondary wastewater treatment system must be installed on each lot in accordance with the [Code of Practice for Wastewater Management](#) for the onsite treatment and disposal of wastewater.
- Residential buildings**, their associated **outbuildings** and other **ancillary** structures are to be setback from lot boundaries in accordance with Table A to this clause, noting that no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum **building setbacks** (subject to the Building Code of Australia) from the lot boundaries.

Table A to SL 1: Setbacks for residential buildings, outbuildings and ancillary structures

Setback	Residential buildings	Outbuildings & ancillary structures
Front boundary (Nightjar Road)	4m	4m
Rear boundary (Smyth Road or common boundary with Lot 31, Hundred of Bagot)	13m	1.5m
Internal side boundary (between lots)	1.5m	1.5m
Side boundary <ul style="list-style-type: none"> • Macleod Road • Nightjar Road • common boundary with Section 4211 Hundred of Bagot 	2.5m	2.5m



NT PLANNING SCHEME
 AMENDMENT No. 28
 Lots 6892 to 6911 Hundred of Bagot

MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

W. Law

Date 22/11/21



Department of Infrastructure, Planning and Logistics



Scale 1: 3000 @ A4



File No. PA2021/0228

Date: 12-Oct-21

Drawing Name: PSA Lots 6892 - 9211 Hd of Bagot.dgn

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME 2020
AMENDMENT No. 28

Pursuant to section 12(2)(a), I have decided to rezone Lots 6892 – 6911 Hundred of Bagot (Nightjar Road, Howard Springs) from Zone SL 11 (NTPS 2007) to a new Specific Use Zone SL 1 under the NT Planning Scheme 2020 (NTPS 2020).

I have approved the amendment as I am satisfied that the amendment:

- (a) promotes the purpose and objectives of the Act as it:
 - i. is consistent with the strategic framework for the locality; and
 - ii. will ensure site specific design of ancillary buildings which promotes the sustainable development of land in the locality;
- (b) is consistent with the Howard Springs Rural Activity Centre Area Plan;
- (d) is not significant enough to require exhibition; and
- (e) has merit and is in the public interest as it will:
 - i. clarify discrepancies in the current interpretations of the zone;
 - ii. update requirements relating to the approval and installation of onsite secondary wastewater management systems in response to recent legislative and regulatory changes; and
 - iii. transition the requirements of the existing specific use zone to the format and structure of the NT Planning Scheme 2020.

Pursuant to section 12(2)(a) I am satisfied that the amendment is not significant enough to require exhibition as the amendment is considered administrative in nature and as such does not change the intent of the original Specific Use Zone.



EVA DINA LAWLER
Minister for Infrastructure, Planning and Logistics

27 / 1 / 2021