

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

AMENDMENT TO NT PLANNING SCHEME

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, in pursuance of section 13(2) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 1 August 2012.



Minister for Lands and Planning

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SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 237

**1. Citation**

This amendment to the NT Planning Scheme may be cited as Amendment No. 237.

**2. Amendment of clauses 3 and 5 of SD23 (Specific Use Zone Darwin No. 23)**

(a) Clause 3 –

*omit*

Sub-clause 3(a) of **SD23** (Specific Use Zone Darwin No.23)

*substitute*

**SD23**

1. With **consent** land within this zone may be developed for the purpose of a subdivision if:

  - (a) the development application to subdivide the land is accompanied by:
    - i a drawing indicating the proposed land use; and
    - ii a setback plan indicating the minimum building setbacks for each lot, consistent with the Development Design Philosophy in paragraph 2;

and the drawings form part of any development permit for subdivision;

(b) Clause 5 –

*omit*

Clause 5 of **SD23** (Specific Use Zone Darwin No. 23)

*substitute*

5. Without **consent** a lot may be developed for the purpose of:

  - (a) **dependant unit;**
  - (b) display home;
  - (c) **group home;**
  - (d) **home based contracting;**
  - (e) **home occupation;**
  - (f) **single dwelling;**

if the development:

  - i is consistent with the setback plan endorsed for the lot under paragraph 3 of this zone; and
  - ii complies with all other requirements of the Planning Scheme as if the land were in Zone SD (Single Dwelling Residential).

If the development does not comply with the requirements in the paragraph above, it shall be permitted only with **consent** and the consent authority may **consent** only if it is satisfied that the special circumstances justify the giving of **consent**.

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME  
AMENDMENT No. 237**

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, under section 28(1) of the *Planning Act*, give notice that –

- (a) I have, under section 13(2) of *the Act*, amended the NT Planning Scheme by making minor amendments to the wording of **SD23** (Specific Use Zone Darwin No. 23); and
- (b) copies of the amendment, (Amendment No. 237), are available from the Offices of the Department of Lands and Planning, Ground Floor, 16 Parap Road, Parap.

Dated 1 August 2012



Minister for Lands and Planning

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***  
**Section 29**

**Reasons for Decision**

**NORTHERN TERRITORY PLANNING SCHEME**  
**AMENDMENT No. 237**

Amendment No 237 represents minor amendments to **SD23** (Specific Use Zone Darwin No. 23), details of the changes are as follows:

- Sub-clause 3(a) is amended to include the requirement of a setback plan for each lot, consistent with the Development Design Philosophy in clause 2; and
- Clause 5 is amended to allow the development of listed uses without consent where they comply with the relevant setback plan, and any use inconsistent with the setback plan requires the consent of the consent authority.

The proposed changes are not considered so significant as to require exhibition as;

- The requirements are not retrospective and will only apply to future subdivisions;
- The requirements will not negatively impact on the amenity of residents and are consistent with the purpose statement of clause 7.3 Building Setbacks of Residential Buildings; and
- The requirements are consistent with existing covenants over land in the Breezes Muirhead subdivision.



**GERALD FRANCIS MCCARTHY**  
Minister for Lands and Planning

1 / 8 / 2012