NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, under section 25(2)(a) of the Planning Act, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 30th 2012.

Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT NO. 223

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 223.

2. Definition

In this amendment –

"amending map" means the map, signed by the Minister for Lands and Planning and marked "NT Planning Scheme Amendment No. 223", deposited in the office of the Department of Lands and Planning, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme.
3. **Amendment of Zoning Map**

The NT Planning Scheme is amended by:

(a) amending the zoning map relating to Darwin 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 SD40 which is Lot 1313 Town of Nightcliff (44 Ryland Road, Millner); and

(b) amending Schedule 1 to clause 2.4 – Specific Uses to include the following table:

<table>
<thead>
<tr>
<th>SD40</th>
<th>Lot 1313 Town of Nightcliff (44 Ryland Road, Millner)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The purpose of this zone is to facilitate the use and development of the land for single storey, <strong>multiple dwellings</strong> for seniors and/or people with physical ailments or mobility impairments.</td>
</tr>
<tr>
<td>2.</td>
<td>With consent the land may be developed for the purpose of <strong>multiple dwellings</strong> if the development complies with all other requirements of the Planning Scheme as if the land were Zoned MD (Multiple Dwelling Residential).</td>
</tr>
<tr>
<td>3.</td>
<td>If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.</td>
</tr>
<tr>
<td>4.</td>
<td>Despite paragraph 2, the consent authority must not consent to a development that exceeds:</td>
</tr>
<tr>
<td></td>
<td>(a) <strong>one storey</strong> in height; and</td>
</tr>
<tr>
<td></td>
<td>(b) any more than two <strong>multiple dwellings</strong>.</td>
</tr>
</tbody>
</table>
NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 223

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 25(2)(a) of the Act, amended the NT Planning Scheme by rezoning Lot 1313 Town of Darwin from Zone SD (Single Dwelling Residential) to SD40; and

(b) copies of the amendment, (Amendment No. 223), are available from the Offices of the Department of Lands and Planning, Ground Floor, Arnhemica House, 16 Parap Road, Darwin.

Dated 30 November 2012

[Signature]

Minister for Lands and Planning
NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 223

Lot 1313 Town of Nightcliff (44 Ryland Road, Millner) is suitable for rezoning from Zone SD (Single Dwelling Residential) to Zone SD40.

Specifically, this rezoning is suitable because:

• the location of the site relative to community, commercial and transport services is consistent with planning principles identifying locations for seniors and/or people with physical ailments or mobility impairments;

• the restriction of the development to two multiple dwellings mitigates the possible impact on the character and traffic of the neighbourhood; and

• a specific use zone will best reflect the purpose of the rezoning which is to facilitate construction of two, two bedroom single storey units for seniors, aged pensioners and/or tenants with physical disabilities and mobility impairments.

GERALD FRANCIS MCCARTHY
Minister for Lands and Planning

3 / 5 / 2012