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 25/2/13

Minister for Lands, Planning and the Environment

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 260

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 260.

2. Definition

In this amendment –

"amending map" means the map, signed by the Minister for Lands, Planning and the Environment and marked "NT Planning Scheme Amendment No. 260", deposited in the office of the Department of Lands, Planning and the Environment, 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 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 SD42 which is part Portion 2235 Hundred of Bagot.

4. Amendment to Schedule 1 to clause 2.4

The NT Planning Scheme is amended by:

(a) amending Schedule 1 to clause 2.4 – Specific Uses to introduce new SD42 (Specific Use Zone Darwin Number 42), as outlined below:

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SD42
Part Portion 2235, Hundred of Bagot (651 Stuart Highway, Berriwah).

1. The purpose of this zone is to facilitate the development of the land for light industrial purposes that minimise the impacts from exposure to aircraft noise, and that does not inhibit the operation of the Darwin International Airport.

2. The parts of Portion 2235 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.

3. Area A is to be:

   (a) used with consent in accordance with the provisions of Zone LI (Light Industry);

   (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:

   i. education establishment;

   ii. medical clinic;

   iii. place of worship; and

   iv. plant nursery
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4. Area B is to be:

(a) used with consent in accordance with the provisions of Zone LI (Light Industry);

(b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:

i. animal boarding;
ii. caretaker's residence;
iii. community centre;
iv. education establishment;
v. home occupation;
vi. hotel;
vii. leisure and recreation;
viii. licensed club;
ix. medical clinic;

x. office except where ancillary to the primary use and not exceeding 25% of the total floor space of the primary use;

xi. passenger terminal;

xii. place of worship;
xiii. plant nursery;

xiv. restaurant;
xv. service station; and
xvi. shop except where it complies with clause 8.1.1 of the NT Planning Scheme;

5. Land within this zone may be subdivided if the minimum lot size is at least 1250m² and the average lot size for the area being subdivided is at least 2000m².

6. Buildings are to demonstrate that they can be constructed to comply with:

(a) AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction'; and

(b) any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.

7. Development within the zone shall not cause any temporary or permanent structure to breach the defined airspaces for civil or military aviation purposes.

8. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

9. The consent authority must not consent to an application that is not in accordance with the clauses of this zone.
NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 260

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 rezoning part Portion 2235 Hundred of Bagot from Zone RD (Restricted Development) to Zone SD42 (Specific Use Zone Darwin No. 42); and

(b) copies of the amendment, (Amendment No. 260), are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated 25.2.13

[Signature]

Minister for Lands, Planning and the Environment
NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 260

I have approved a proposal to rezone Part Portion 2235 Hundred of Bagot (651 Stuart Highway, Berrimah) from Zone RD (Restricted Development) to a specific use zone that facilitates the development of specific light industries on the site.

After considering the matters relating to this proposal, I have made alterations to the original specific use zone as exhibited.

The alterations ensure that those uses which are most likely to be impacted upon by aircraft noise are prohibited from being developed on this site. In addition, the alterations also prohibit uses that are most likely to cause safety risks to people, and the safe operation of Darwin Airport.

These alterations have been incorporated into the approved specific use zone known as SD42 (Specific Use Zone Darwin Number 42).

PETER GLEN CHANDLER
Minister for Lands; Planning and the Environment

25/02/2013