NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, EVA DINA LAWLER, Minister for Infrastructure, Planning and Logistics, under section 25(2)(a) of the Planning Act, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 7 January 2019

Minister for Infrastructure, Planning and Logistics

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 508

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 508.

2. Amendment to Schedule 3 to Clause 2.8 – Reference to Guidelines

After

| Design Guidance for Development in Zone CB (Central Business) in Alice Springs | Northern Territory Planning Commission |

Insert

| Rapid Creek Flood Study Update – Flood Modelling Results | Jacobs - 04 April 2018 |
3. Amendment to Schedule 1 to Clause 2.4 – Specific Use Zones

After

SD47 – Part Section 4440 Hundred of Bagot (10 Boulter Road, Berrimah)

Insert

SD48

Rapid Creek Flood Response Zone

1. The purpose of this zone is to facilitate re-development for residential purposes in a manner that:
   (a) mitigates the 1% AEP riverine flooding and storm surge risk to proposed and existing development;
   (b) reduces risk to the community and improves resident safety during a flood event;
   (c) is consistent with the residential amenity of surrounding development; and
   (d) contributes to the establishment of a consistent streetscape and built form along Rapid Creek Road, Millner.

2. Land within this zone is to be used with or without consent in accordance with the provisions of Zone MD (Multiple Dwelling Residential), and its development is subject to compliance with the flood risk and amenity clauses listed in this and the MD zone respectively.

3. An application to develop land must include documentation prepared by a suitably qualified registered and practicing engineer recognised under the National Engineering Register that:
   (a) certifies that the minimum finished site level at any point (except required access ramps) will be at least equivalent to the defined flood height for that site, either the 1% AEP riverine flood level (established under Appendix D of the Rapid Creek Flood Study – Flood Modelling Results 2018) or the primary storm surge level, whichever is the highest;
   (b) certifies that the minimum floor height of all habitable rooms will be 300mm above the defined flood height for that site, either the 1% AEP riverine flood level (established by the Rapid Creek Flood Study – Flood Modelling Results 2018) or the primary storm surge level whichever is the highest. To avoid doubt, this includes the requirement to adapt any retained existing development to comply with this clause;
   (c) presents a stormwater management plan that adequately mitigates the potential impacts of stormwater associated with the conveyance of any pre-existing stormwater flows from an adjoining or adjacent property to the street or a public drainage system; and
   (d) demonstrates via a structural conditions report that the development will be capable of withstanding hydrostatic and hydrodynamic forces of flood waters impacting on the specific site.
NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 508

Rapid Creek Flood Response Zone SD48 currently does not apply to any lots however, the zone is suitable for inclusion in the NT Planning Scheme because:

- The Specific Use Zone reflects the concept as envisaged in the Darwin Mid Suburbs Area Plan 2016, which allow for redevelopment of multiple dwellings to two storeys so long as the new dwellings are elevated above the defined flood level, in a manner that improves safety and security for the community.

- The establishment of this Zone also follows the implementation of the Rapid Creek Flood Mitigation Action Plan, which forms part of a broader report on flooding in the Darwin Region prepared by the Flood Mitigation Advisory Committee in 2015. The Action Plan includes construction of detention basins, improvements being made to mapping and early threat warning systems and implementation of specific flood proofing measures on properties affected by flooding during Cyclone Carlos in 2011.

- Redevelopment of each allotment to which the proposed zone can apply will allow owners and tenants of each site to secure more affordable insurance for their properties and home contents.

- The provisions of the Specific Use Zone will improve the safety of residents during flood and storm surge events, and will ensure that any use or development on sites affected by flooding and storm surge does not exacerbate the effects of inundation on surrounding land.

EVA LAWLER
Minister for Infrastructure, Planning and Logistics

7/ [ ] 2018