

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

AMENDMENT TO NT PLANNING SCHEME

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 by making the amendment, specified in the Schedule.

Dated 3 June 2019.



Minister for Infrastructure, Planning and Logistics

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 510

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 510.

2. Amendment to Clause 1.3 (Exceptions)

After

clause 1.3 sub clause 2(ab)

Insert

- (ac) subleasing of car parking spaces that are contained within a legally established building in Zone CB in the Municipality of Darwin. Any use of the land for the purposes of a car park permitted only by virtue of this clause, is to cease on 18 June 2020.

(ad) the use or development of the land for the purposes of an alfresco dining area in Zone CB in the Municipality of Darwin, only if the alfresco dining use:

- i. is established prior to 18 June 2020;
- ii. is associated with a lawfully established use;
- iii. does not constrain the function or reduce the number of any on-site car parking spaces, loading bays or ancillary manoeuvring spaces; and
- iv. does not involve development adjoining or adjacent to a tree within adjoining private property, parkland or road reserve, or written agreement has been obtained from the relevant land owner, the City of Darwin or the Minister for Infrastructure, Planning and Logistics to indicate that the development will not adversely impact on either the root system or branches of the tree.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 510

Amendment 510 will provide for the ongoing contribution to the activation of the Darwin CBD and improved utilisation of car parking by exempting the use of land to provide for alfresco dining and the subleasing of car parking from the requirements of the Scheme.

This amendment is considered suitable for inclusion in the NT Planning Scheme as it will extend the provisions introduced via IDCOs 24 and 25 to:

- facilitate the establishment of more outdoor dining uses that are characteristic of Darwin's tropical environment and contribute positively to the attractiveness, safety and activity of CBD streets; and
- allow further consultation with the community, industry and representative organisation and the City of Darwin in relation to a proposed permanent amendment to the Scheme.

The amendment was made without public exhibition as it applies only to the Darwin CBD where the provisions made by this amendment were trialled for 18 months under Interim Development Control Orders 24 and 25, and no negative feedback was received during the trial period.



EVA DINA LAWLER
Minister for Infrastructure, Planning and Logistics

3 / 6 / 2019