

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, PETER GLEN CHANDLER, Minister for Lands, Planning and the Environment, under section 25(2)(c) of the *Planning Act*, alter the proposal and amend the NT Planning Scheme in accordance with the altered proposal by making the amendment, specified in the Schedule.

Dated 9.9.14



Minister for Lands, Planning and the Environment

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 342

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 342.

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. 342", 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 to include the land subject of this application, identified as part Section 6599 Hundred of Bagot, and as shown bounded by a thick black line and lettered **SD31**. The map included in Schedule 1 to Clause 2.4, is also to be amended, as outlined below.

4. Amendment of Schedule 1 to Clause 2.4

omit

clause 1

substitute:

The purpose of this zone is to facilitate the development of the site for commercial purposes which respond to constraints associated with the airport, such as aircraft noise and airspace.

omit

clause 2

substitute:

This zone applies to the part of parent parcel Portion 2235, Hundred of Bagot as areas A and B on the plan included with this zone.

omit

clause 3

substitute:

With consent, and subject to paragraphs 4 to 10m the land in areas A and B may be developed for the purposes listed below, except that land in Area B may not be developed for a service station.

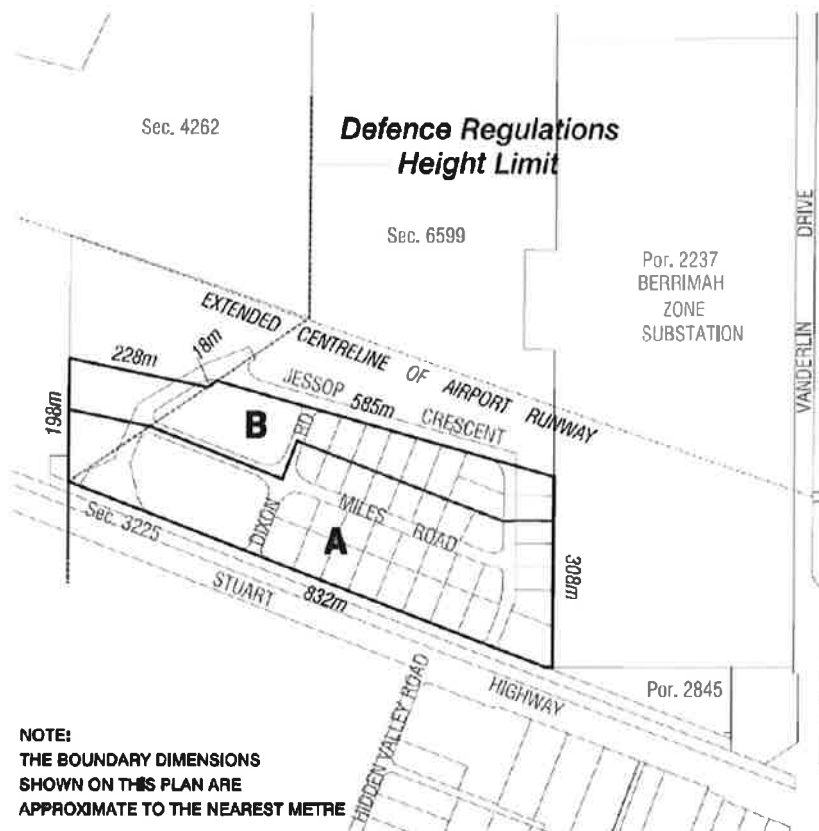
insert clause 5:

The purpose of this paragraph is to reduce risk to public safety on land near the runway approach to Darwin Airport. Notwithstanding paragraphs 3 and 4 above, land within Area B shall not be used for the bulk storage of flammable or hazardous materials.

omit

the plan currently included as part of the zone.

substitute:



Zone SD31, when altered as described, will appear in the Planning Scheme as indicated on the following two pages.

SD31

Amendment No.104
gazetted 21.10.2009
creates SD31

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

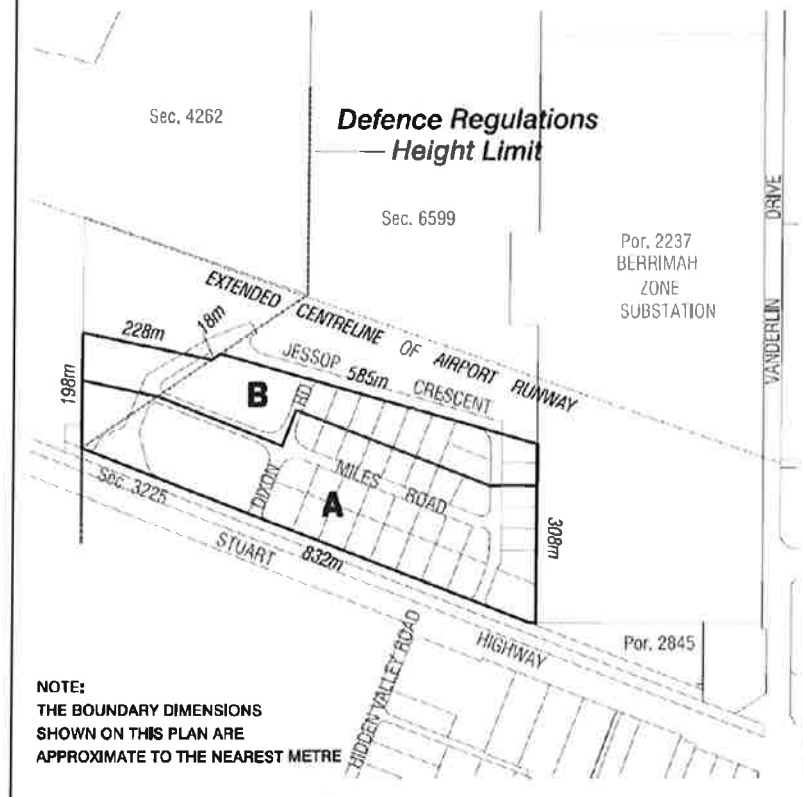
1. The purpose of this zone is to facilitate the development of the site for commercial purposes which respond to constraints associated with the airport, such as aircraft noise and protected airspace.
2. This zone applies to the part of parent parcel Portion 2235, Hundred of Bagot identified as areas A and B on the plan included with this zone.
3. With **consent**, and subject to paragraphs 4 to 10, land in areas A and B may be developed for the purposes listed below, except that land in Area B may not be developed for a service station:

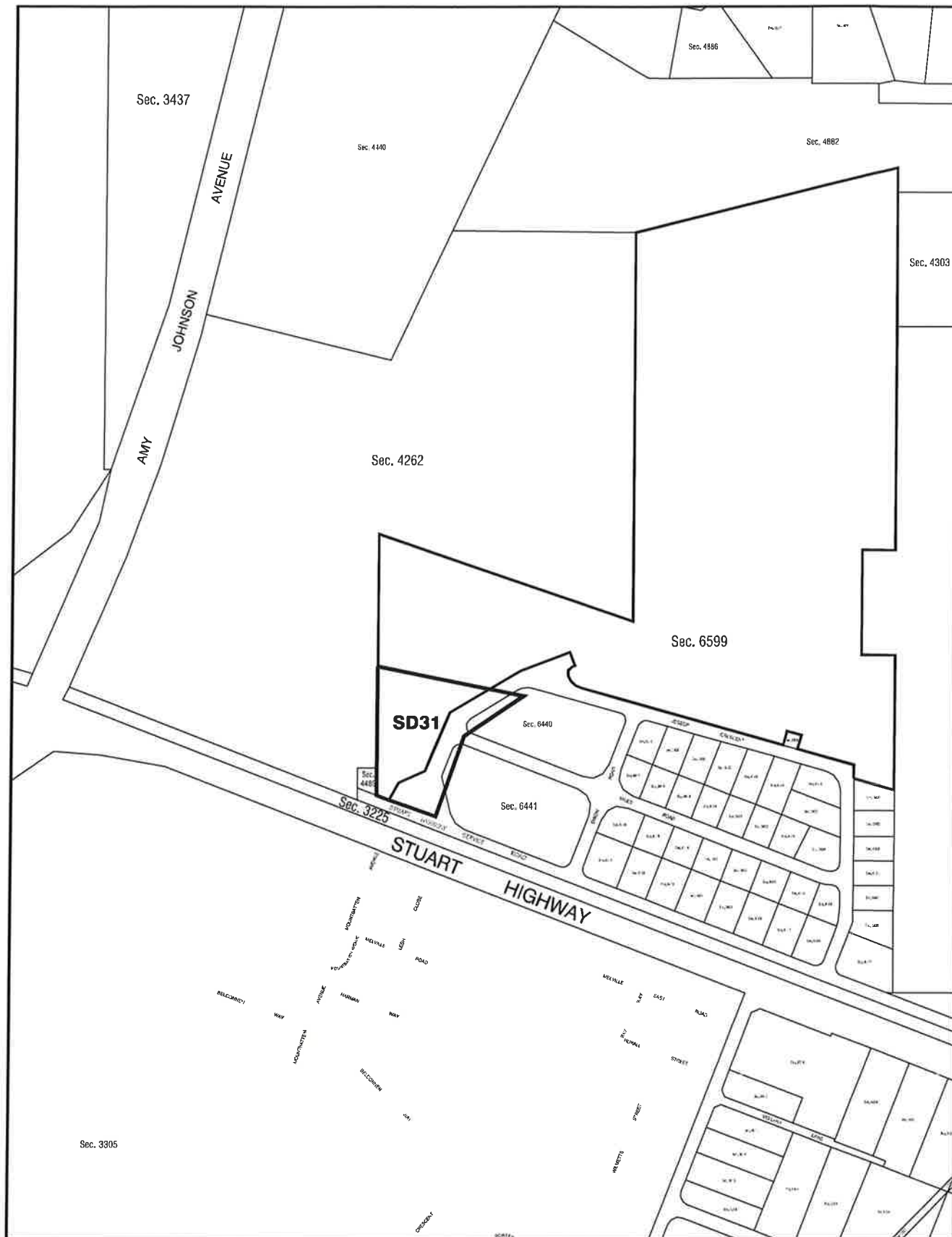
(a) car park	(i) plant nursery;
(b) hotel with no residential component;	(j) restaurant;
(c) indoor leisure and recreation;	(k) service station;
(d) licensed club;	(l) shop;
(e) medical clinic;	(m) showroom sales;
(f) motor repair station;	(n) temporary sales or construction office;
(g) office;	(o) vehicle sales and hire;
(h) place of worship;	(p) warehouse; and
	(q) veterinary clinic.
4. The land may be developed for the purpose of the zone if development complies with all requirements of the Planning Scheme as if the land were in Zone C; and if all proposed development can be constructed in compliance with AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction' (AS2021).
5. The purpose of this paragraph is to reduce risk to public safety on land near the runway approach to Darwin Airport. Notwithstanding paragraphs 3 and 4 above, land within Area B shall not be used for the bulk storage of flammable or hazardous materials.
6. The land may be developed for the purpose of a subdivision if the application to subdivide the land is accompanied by a master plan.
7. The purpose of this paragraph is to ensure that subdivisions in this zone provide infrastructure and facilities which ensure appropriate levels of amenity.

The subdivision design should:

 - (a) include pedestrian links through the site and connecting to the Stuart Highway;
 - (b) integrate parking areas and public open spaces with the pedestrian network within the site;

- (c) include a road network design that fosters a low speed environment, with priority given to a safe pedestrian environment, and access by public transport services; and
 - (d) minimise the impact of traffic and movements on the Stuart Highway by providing a service lane and an appropriately located and designed intersection with the Stuart Highway.
8. The purpose of this paragraph is to ensure that subdivisions in this zone provide lots of a size and configuration suitable for the zone purpose.
- 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.
- The subdivision design should:
- (a) provide lots that are located and oriented to minimise exposure to aircraft noise such that compliance with AS2021 is possible with reasonable measures; and
 - (b) demonstrate how buildings will be accommodated within each lot.
9. Development within the zone shall not cause any temporary or permanent structure to breach the defined airspaces for civil or military aviation purposes.
10. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.
11. The consent authority must not **consent** to an application that is not in accordance with the clauses of this zone.





NT PLANNING SCHEME
AMENDMENT No. 342
Part Section 6599 Hundred of Bagot

MINISTER FOR LANDS, PLANNING AND THE ENVIRONMENT

[Signature] Date 99.14



Northern
Territory
Government

Department of Lands, Planning and the Environment

0 80 160 240 320 400m

Scale 1: 8000 @ A4



File No.

Date: 27-Feb-14

Drawing Name: PSA Sec 6599 Bagot.dgn

NORTHERN TERRITORY OF AUSTRALIA

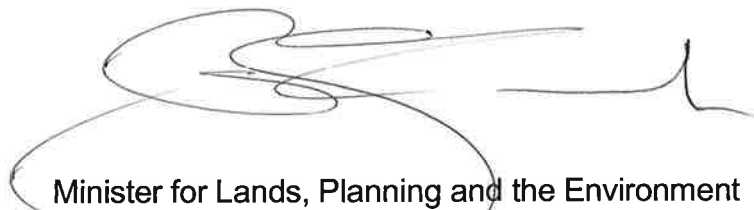
Planning Act

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 342**

I, PETER GLEN CHANDLER, 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, altered the proposal and amended the NT Planning Scheme in accordance with the altered proposal, by rezoning part Section 6599 Hundred of Bagot (621 Stuart Highway, Berrimah) from Zone RD (Restricted Development) to Zone **SD31** (Specific Use Darwin No. 31), and by amending clauses 1, 2, 3, and the accompanying map to the zone, along with the insertion of a new clause at 5 from the listing previously given by the Planning Scheme; and
- (b) copies of the amendment, (Amendment No. 342), are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated 9. 9......2014



Minister for Lands, Planning and the Environment

NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME

AMENDMENT No. 342

Rezoning of the land, Part Section 6599 Hundred of Bagot (621 Stuart Highway, Berrimah) from Zone RD (Restricted Development) to Zone **SD31** (Specific Use Darwin No. 31) will facilitate the controlled development of the site for commercial purposes that respond to the constraints of the airport, being aircraft noise and controlled airspace.

No basis to the identification of the safety splay was identified, and the split of Zone **SD31** into areas A and B provides clarification on appropriate land uses adjacent to the airport runway approach. The amendments to clauses 1, 2, 3, and the accompanying map to the zone, along with the insertion of a new clause at 5, introduce and give context to this guidance.



PETER GLEN CHANDLER
Minister for Lands, Planning and the Environment

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