

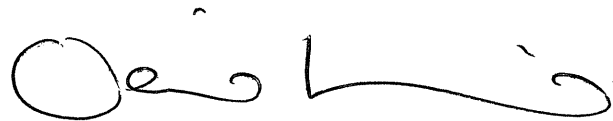
NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

AMENDMENT OF NT PLANNING SCHEME

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 12(2)(a) of the *Planning Act*, amend the NT Planning Scheme by making the amendment specified in the Schedule.

Dated 5 August 2009



Minister for Planning and Lands

SCHEDULE

AMENDMENT OF NT PLANNING SCHEME

AMENDMENT No. 90

**1. Citation**

This amendment to the NT Planning Scheme may be cited as Amendment No. 90.

**2. Amendment of clause 8.3.**

*omit*

clause 8.3

*substitute:*

### 8.3 SETBACKS FOR COMMERCIAL USES ADJACENT TO LAND IN ZONES SD, MD, MR OR HR

1. The purpose of this clause is to protect the visual and acoustic **amenity of residential buildings** where they are adjacent to non-residential uses.
2. A use or development or proposed use or development that is not a **residential building** and that is on land that is in a zone other than zones SD, MD, MR or HR and that land either:
  - (a) abuts land in any of those zones; or
  - (b) has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is land in any of those zones;that use or development or proposed use or development must provide a setback to the boundary that abuts any of those zones of not less than 5m.
3. The setback described in sub-clause 2 is to be landscaped to provide a visual screen to the adjacent land zoned SD, MD, MR or HR for a minimum depth of 3m.
4. The development should provide a solid screen fence of a minimum height of 1.8m at the boundary with land in zones SD, MD, MR or HR.
5. The consent authority must not **consent** to a development that is not in accordance with sub-clause 3.

The setbacks of **residential buildings** are described in clauses 7.3 and 7.4.

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**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***

**NOTICE OF AMENDMENT OF NT PLANNING SCHEME  
AMENDMENT No. 90**

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 28(1) of the *Planning Act*, give notice that -

- (a) I have amended the NT Planning Scheme by replacing sub-clause 2 of clause 8.3 to correct a typographical error; and
- (b) copies of the amendment are available from the Offices of the Department of Planning and Infrastructure Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin.

Dated 5 August 2009



Minister for Planning and Lands

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*  
Section 29

Reason for Decision

NT PLANNING SCHEME AMENDMENT  
AMENDMENT No. 90

I have amended clause 8.3 to correct a typographical error in sub-clause 2.

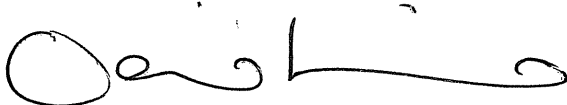
The wording of sub-clause 2 has been altered from:

2. A use or development or proposed use or development that is not a **residential building** and that is on land that is in a zone other than zones SD, MD, MR or HR and that land either:
- (a) abuts land in any of those zones; or
  - (b) has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is land in any of those zones;
  - (c) that use or development or proposed use or development must provide a setback to the boundary that abuts any of those zones of not less than 5m.

to:

2. A use or development or proposed use or development that is not a **residential building** and that is on land that is in a zone other than zones SD, MD, MR or HR and that land either:
- (a) abuts land in any of those zones; or
  - (b) has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is land in any of those zones;
- that use or development or proposed use or development must provide a setback to the boundary that abuts any of those zones of not less than 5m.

The alteration is not so significant as to warrant exhibition.



DELIA PHOEBE LAWRIE  
Minister for Planning and Lands

S / 8 /2009