

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 25 (2)(a) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 12 October 2009.



Minister for Planning and Lands

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 104

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 104.

2. Definition

In this amendment –

"amending map" means the map, signed by the Minister for Planning and Lands and marked "NT Planning Scheme Amendment No. 104", deposited in the office of the Department of Planning and Infrastructure, 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

- (a) 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 SD31 (Specific Use Zone Darwin No. 31) which is part Portion 2235 Hundred of Bagot (651 Stuart Highway, Berrimah); and
- (b) amending Schedule 1 to clause 2.4 Specific Use Zones to include the following table:

SD31	<p>Part Portion 2235 Stuart Highway, Hundred of Bagot</p> <ol style="list-style-type: none">1. The purpose of this zone is to facilitate the development of the site for commercial purposes which respond to exposure to aircraft noise.2. This zone applies to the part of Portion 2235, Hundred of Bagot identified on the plan included with this zone.3. With consent, and subject to paragraphs 4 to 9, the land may be developed for the purpose of:<ol style="list-style-type: none">(a) car park(b) hotel with no residential component;(c) indoor leisure and recreation;(d) licensed club;(e) medical clinic;(f) motor repair station;(g) office;(h) place of worship;(i) plant nursery;(j) restaurant;(k) service station;(l) shop;(m) showroom sales;(n) temporary sales or construction office;(o) vehicle sales and hire;(p) warehouse; and(q) veterinary clinic.
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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 land may be developed for the purpose of a subdivision if the application to subdivide the land is accompanied by a master plan.
6. 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.

7. 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.

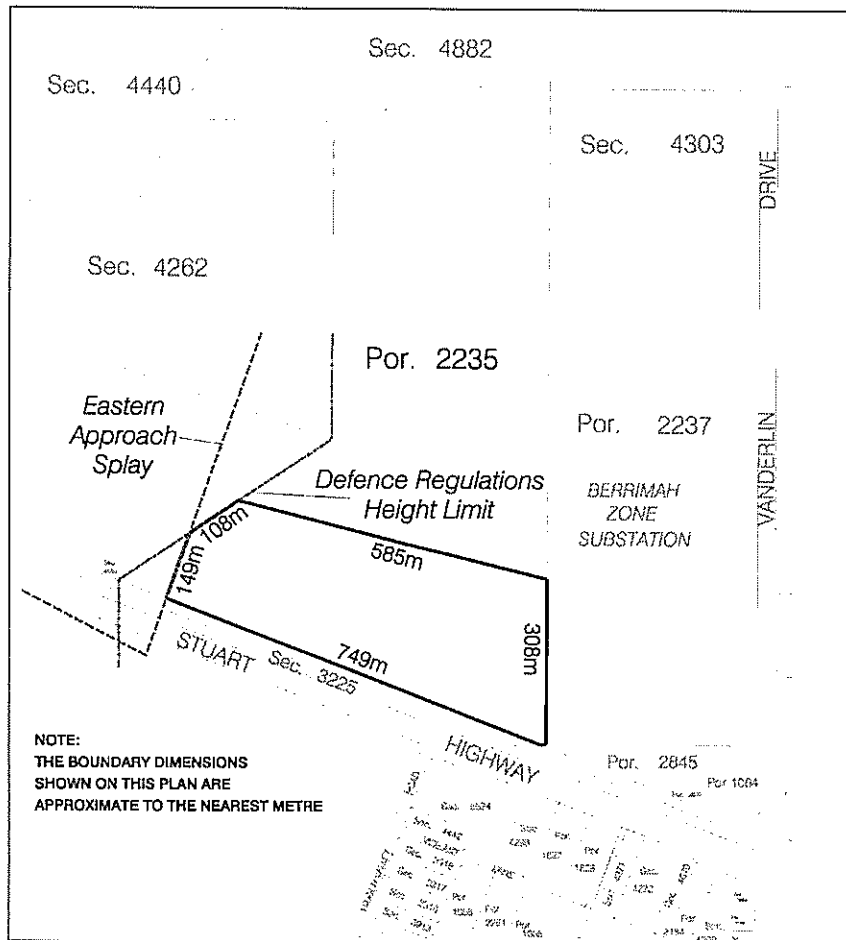
Land within this zone may be subdivided if the minimum lot size is at least 1250m² and the average lot size for the area being subdivided is at least 2000m².

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.

8. Development within the zone shall not cause any temporary or permanent structure to breach the defined airspaces for civil or military aviation purposes.
9. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.
10. The consent authority must not consent to an application that is not in accordance with the clauses of this zone.

Amendment No. 104





NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 104**

DARWIN LOCALITY

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

- (a) I have, under section 25 of the Act, amended the NT Planning Scheme by rezoning part Portion 2235 Hundred of Bagot (651 Stuart Highway, Berrimah) to Zone SD31 (Specific Use Zone Darwin No. 31); and
- (b) copies of the amendment, (Amendment No. 104), are available from the Offices of the Department of Planning and Infrastructure, Ground Floor, 38 Cavenagh Street, Darwin.

Dated 12 October 2009



Minister for Planning and Lands

NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

NT PLANNING SCHEME AMENDMENT

AMENDMENT No. 104

Reasons for Decision

The proposal involves the omission of Zone **SD22** (Specific Use Zone Darwin No. 22) and its replacement with a new specific use zone, Zone **SD31** (Specific Use Zone Darwin No. 31). The purpose of the new zone is to facilitate development of commercial uses which respond to exposure to aircraft noise. The new zone is based on Zone **SD22** but will allow for some flexibility. Zone **SD31** requires that the site is to be developed in an integrated way using a master plan. Future development will have to comply with the relevant Australian Standards for light and noise attenuation and that development, including subdivision will require Department of Defence approval with regard to the electronic communication easement and structures over 15 metres in height.

Zone **SD31** (Specific Use Zone Darwin No. 31) has been designed to ensure that development does not prejudice the safety and efficiency of Darwin International Airport and to ensure that the public are not exposed to unacceptable levels of aircraft noise.



DELIA PHOEBE LAWRIE
Minister for Planning and Lands

12 / 10 / 2009