

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

AMENDMENT TO NT PLANNING SCHEME 2020

PA2023/0422

I, Joshua Roland Burgoyne, Minister for Lands, Planning and Environment, under section 12(2)(a) of the *Planning Act 1999*, amend the NT Planning Scheme 2020 by making the amendment, specified in the Schedule.



Dated 31 - 7 - 2025.

Joshua Roland Burgoyne
Minister for Lands, Planning and Environment

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME 2020

1. Amendment to Part 6 Clause 6.3.4 Infrastructure for Subdivision in Zones RL, R and unzoned land

At sub-clause 5, *Omit*

5. Where no reticulated water is available, demonstrate that an adequate supply of groundwater is available for domestic purposes.

Insert

5. Where no reticulated water is available, development is to demonstrate that an adequate supply of groundwater is available for domestic purposes, except where the land is:
 - (a) located within Zone RL or R in the Top End Region; and
 - (b) within a 'restricted water extraction area' as declared by the Minister responsible for the administration of the *Water Act 1992*.

Editor's Notes:

- (1) **The Top End Region is the northern one third of the Northern Territory as defined in the 'Northern Territory Water Allocation Planning Framework'.**
- (2) **Where clause 5(a) and (b) are applicable, the relevant restrictions and the requirements of the *Water Act 1992* apply.**

2. Amendment to Darwin Regional Land Use Plan 2015 Land Use Structure

At the end of the section entitled Rural Lifestyle Area, subsection Litchfield (page 19), *omit*

It also recognises rural lifestyle lots in the municipality have particular value because:

- They can be sustained by direct self-sufficient connection to the region's only significant groundwater aquifers. This is impossible to replicate elsewhere in the region because of the limited availability of groundwater and the associated need to provide reticulated water.

Insert,

It also recognises rural lifestyle lots in the municipality have particular value because:

- They can be sustained by alternatives to groundwater (such as rainwater tanks) in areas where a Restricted Water Extraction Area (RWEA) has been declared under the *Water Act 1992*. A RWEA was declared in 2025 on an area of land overlying the Howard South groundwater management zone.

3. Amendment to Darwin Regional Land Use Plan 2015 Regional Context and Policies

In the section entitled Water Resources (page 60) after paragraph 6, *insert,*

In 2025, a RWEA was declared under the *Water Act 1992* on an area of land overlying the Howard South groundwater management zone.

A RWEA restricts the statutory right to take groundwater on additional titles created as a result of subdivision, requiring any new land titles to obtain water from other sources (e.g. water tanks or reticulation).

This initiative aims to support opportunities for rural lifestyle development to meet the diverse aspirations of the community, while ensuring the long-term sustainability of precious groundwater resources.

4. Amendment to Darwin Regional Land Use Plan 2015 Regional Context and Policies

At page, 61

Omit, insert

The following updated Water Resources map that now includes the area of the Howard South Restricted Water Extraction Area



LEGEND

- - - Plan Area
- ▨ Restricted Water Extraction Area
- ▨ Koolpinkyah Dolomite
- ▨ Berry Springs Dolomite
- ▨ Acacia Hills
- ▨ Coomalie Dolomite
- ▨ Knuckey, Palmerston & Virginia Dolomite
- ▨ Charles Point Aquifer

- ▭ Existing Water Supply Storage
- ▭ Potential Water Supply Storage
- ▭ Water Supply Catchments
- ▭ Ocean / Sea
- Road Centreline
- Railway
- ▭ Coastline

Water Resources

5. Amendment to Litchfield Subregional Land Use Plan 2016 Land Use Structure

At the end of the paragraph 7 in the section entitled Ground and Water Supply (pages 9/10), *insert*,

In 2025, a Restricted Water Extraction Area (RWEA) was declared under the *Water Act 1992* on an area of land overlying the Howard South groundwater management zone.

A RWEA restricts the statutory right to take groundwater on additional titles created as a result of subdivision, requiring any new land titles to obtain water from other sources (e.g. water tanks or reticulation).

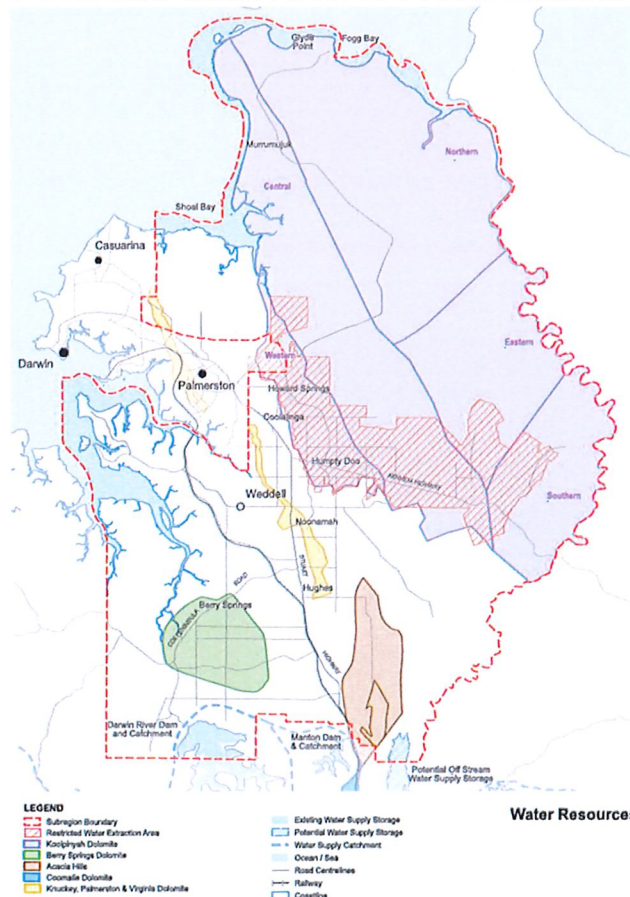
This initiative aims to support opportunities for rural lifestyle development to meet the diverse aspirations of the community, while ensuring the long-term sustainability of precious groundwater resources.

6. Amendment to Litchfield Subregional Land Use Plan 2016 Maps

At page, 44

Omit, insert

The following updated Water Resources map that now includes the area of the Howard South Restricted Water Extraction Area



7. Amendment to Holtze to Elizabeth River Subregional Land Use Plan 2022 Land Use Structure

In the section relating to Groundwater and Water Supply (page 8), *omit*,

Future urban land uses proposed by this subregional plan require the provision of full urban services, including reticulated town water.

Insert,

Future urban land uses proposed by this subregional plan require the provision of full urban services, including reticulated town water. This is particularly important noting a Restricted Water Extraction Area (RWEA) has been declared under the *Water Act 1992* on an area of land overlying the Howard South groundwater management zone.

8. Amendment to Greater Holtze Area Plan 2024 Part Two: Natural Environment

At the end of the section entitled Integrated Water Management (page 16), *insert*,

Restricted Water Extraction Area

In 2025, a Restricted Water Extraction Area (RWEA) was declared under the *Water Act 1992* on an area of land overlying the Howard South groundwater management zone, which underlies some of the eastern portion of the GHAP.

A RWEA restricts the statutory right to take groundwater on additional titles created as a result of subdivision, requiring any new land titles to obtain water from other sources (e.g. water tanks or reticulation).

9. Amendment to Greater Holtze Area Plan 2024 Part Two: Natural Environment

At page, 18-19

Omit, insert

The following updated map that includes the area of the Howard South Restricted Water Extraction Area

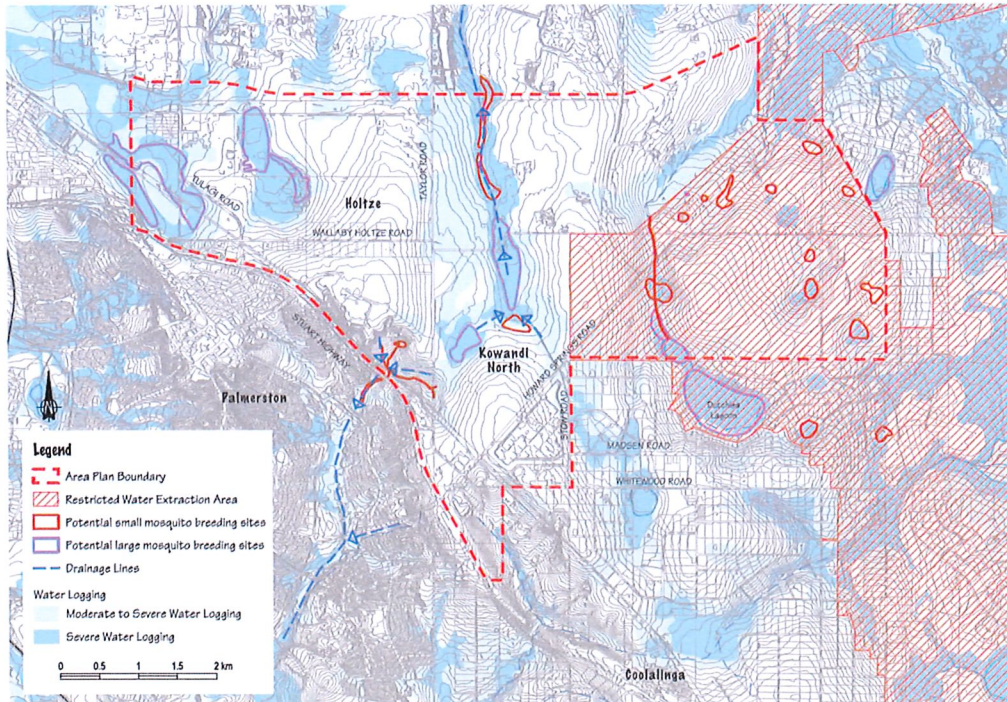


Figure 5: Existing ground levels, biting insect breeding areas and extent of RWEA

10. Amendment to Greater Holtze Area Plan 2024 Part Four: Kowandi, Holtze North and Howard Springs North

In the section relating to Howard Springs North (page 59), *omit*,

Note: All future development in Howard Springs North is identified as being “subject to future planning and future update(s) to the Area Plan”. No development (including subdivision) which is not in accordance with the current zoning will be able to take place in these areas until this Area Plan is updated.

Insert,

Note: All future development in Howard Springs North is identified as being “subject to future planning and future update(s) to the Area Plan”. No development (including subdivision) which is not in accordance with the current zoning will be able to take place in these areas until this Area Plan is updated. The Howard Springs North Future Investigation Area is impacted by a RWEA, see figure 5.

11. Amendment to Humpty Doo Activity Centre Area Plan Part 4 - Planning Principles

In the section relating to Essential Infrastructure (page 29), *omit*,

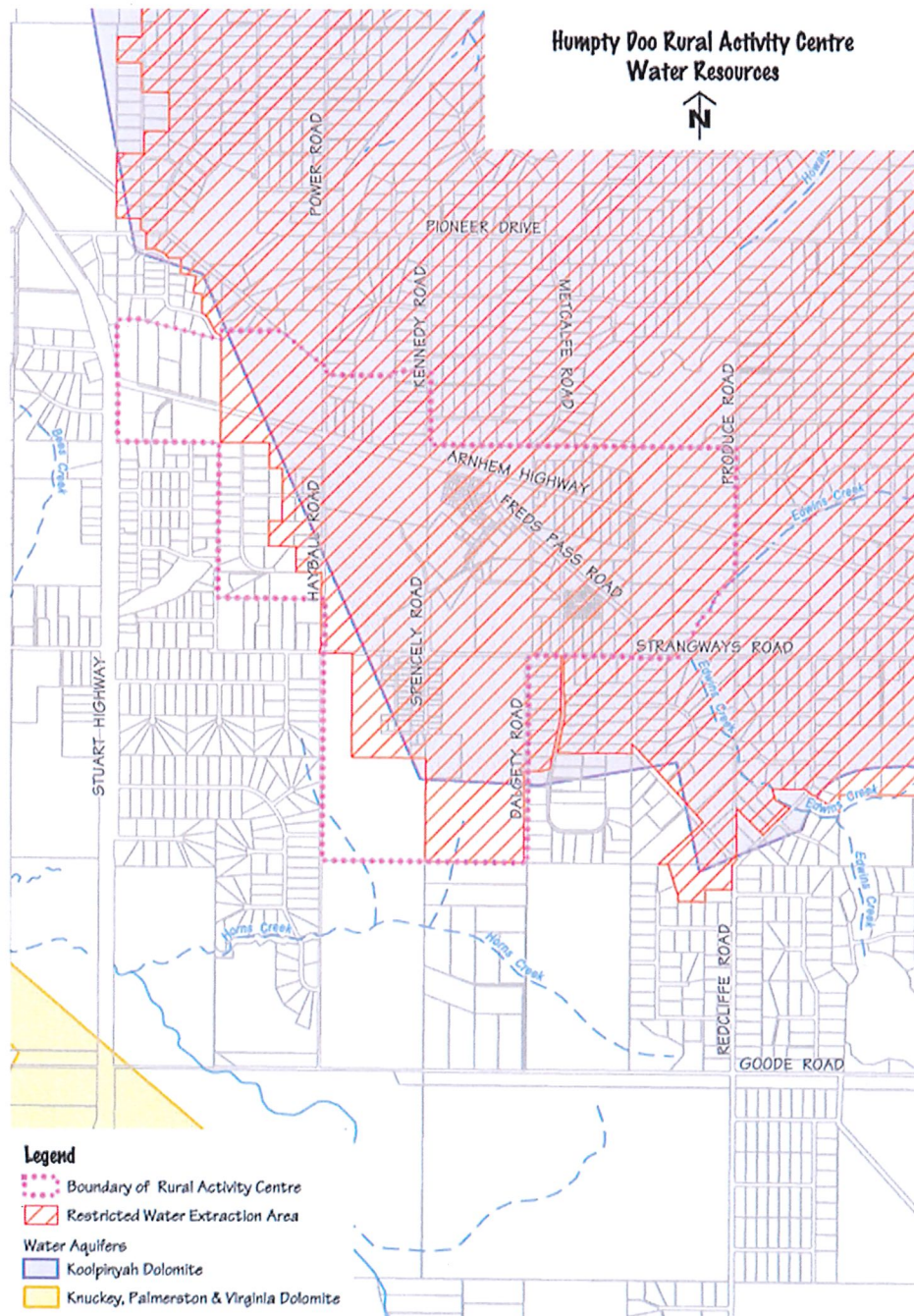
This will also help to preserve and protect the viability of existing rural properties reliant on groundwater.

Insert,

This will also help to preserve and protect the viability of existing rural properties reliant on groundwater, noting that some are included within the Howard South Restricted Water Extraction Area.

12. Amendment to Humpty Doo Activity Centre Area Plan Part 4 - Planning Principles

At the end of the section relating to Essential Infrastructure (page 30), insert the following map that includes the area of the Howard South Restricted Water Extraction Area.



NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999
Section 29

REASONS FOR DECISION

NORTHERN TERRITORY PLANNING SCHEME 2020
PA2023/0422

Pursuant to section 12(1) of the *Planning Act 1999*, I have decided to amend the NT Planning Scheme 2020 by amending Part 6 Clause 6.3.4 (Infrastructure for Subdivision in Zones RL, R and Unzoned Land) and to update Strategic Land Use Plans contained in Part 2, where relevant, to include reference to the Howard South Restricted Water Extraction Area.

I am satisfied that the amendment:

- a) promotes the purpose and objectives of the Act as it:
 - i. enables the responsible use of land and water resources to limit the adverse effects of development on ecological processes by enabling lots created from subdivisions, in a Restricted Water Extraction Area, to utilise an alternative source of water other than groundwater for domestic purposes.
- b) has merit and is in the public interest as it:
 - i. provides clarity around the administration of Clause 6.3.4 Infrastructure for Subdivision in Zones RL, R and Unzoned Land in a Restricted Water Extraction Area;
 - ii. provides greater guidance to the consent authority when considering subdivision in a Restricted Water Extraction Area; and
 - iii. will enable opportunities for rural and rural lifestyle development to meet the diverse aspirations and demands of residents in the Top End Region.

Pursuant to section 12(2) I am satisfied that the amendment is not so significant to require exhibition as it follows and complements recent changes to the *Planning Act 1999* and *Water Act 1992*.



JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

31 / 7 / 2025