


NORTHERN TERRITORY OF AUSTRALIA


Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, GERALD FRANCIS MCCARTHY the Minister for Lands and Planning, under section 25 (2)(c) of the *Planning Act*:

- (a) alter the proposal to amend the NT Planning Scheme numbered PA2009/0892 in accordance with the Schedule to this instrument; and
- (b) amend the NT Planning Scheme in accordance with the altered proposal.

Dated  2010.


Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT NO. 116

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 116.

2. Amendment of clause 3

Omit the definition of "demountable structure" and substitute –

"demountable structure" means a building, including transport containers, which is wholly or substantially prefabricated and which is designed to be transported from site to site, but does not include a **caravan** or transportable module used in conjunction with an **education establishment** or as a **medical clinic** or as a construction site office or a prefabricated **dwelling**;

3. Substitution of clause 6.8

Omit clause 6.8 Demountable Structures and substitute:

6.8 DEMOUNTABLE STRUCTURES

1. The purpose of this clause is to ensure that **demountable structures** do not detract from the visual **amenity** of an area.
2. Placement of a **demountable structure** on:
 - (a) zoned land other than land in Zone GI and DV requires **consent**; and
 - (b) land in Zone CL, SC, LI, PS, OR, H, A, RL, R and CP does not require **consent** if there are no more than two **demountable structures** on the land.
3. **Demountable structures** in:
 - (a) zones other than Zones LI, GI and DV are to be set back from lot boundaries in accordance with the table to this clause; and
 - (b) Zones LI, GI and DV are to be set back from lot boundaries in accordance with the table to clause 9.1.1 (Industrial Setbacks).
4. Subject to sub-clause 5 the consent authority may only **consent** to the placement of a **demountable structure** on land if it is satisfied that:
 - (a) there will be landscaping or architectural embellishments to the **demountable structure** that will enhance the appearance of the structure; and
 - (b) the **demountable structure** will be visually consistent with adjoining or nearby development.
5. If the consent authority is satisfied that, because of the proposed use and location of a demountable structure, it is not necessary that sub-clause 4(a) and (b) apply to the demountable structure the consent authority may **consent** to the placement of it on land without being satisfied as to the matters set out in those paragraphs.

TABLE TO CLAUSE 6.8 MINIMUM BUILDING SETBACKS FOR DEMOUNTABLE STRUCTURES		
Lot Boundary	In zones other than CB, C, H, A, R, RL, RR, LI, GI and DV	In zones H, A, RR, R and RL
Primary street frontage	6m	10m <u>or</u> 7.5m in Zones RR and RL for lots with areas less than 1ha
Secondary street frontage	2.5m	10m <u>or</u> 5m in Zones RR and RL for lots with areas less than 1ha
Side and rear lot boundaries	1.5m	10m <u>or</u> 5m in Zones RR and RL for lots with areas less than 1ha
<p>Building setback is measured from all boundaries to:</p> <ul style="list-style-type: none"> the wall of a demountable structure; and where there is no wall, to the outer surface of any support column of the structure. <p>No part of the roof structure including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks from the lot boundaries described in the Table to clause 6.8.</p>		

Setbacks relate to lot boundaries and not unit title boundaries.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF AMENDMENT OF NT PLANNING SCHEME
AMENDMENT No. 116**

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, under section 28(1) of the *Planning Act*, give notice that –

(a) I have amended the NT Planning Scheme by:

- altering the definition of “demountable structures” to exclude “medical clinic” so that the restrictions that apply to the placement of demountable structures do not apply if the structure is to be used for a medical clinic (the restrictions currently do not apply where the demountable structure is used in conjunction with an education establishment);
- altering clause 6.8 (Demountable Structures) so that:
 - there is no requirement to seek planning approval to place a demountable structure on industrial land in Zones GI (General Industry) and DV (Development);
 - in Zones CL (Community Living), SC (Service Commercial), LI (Light Industry), PS (Public Open Space), OR (Organised Recreation), H (Horticulture), A (Agriculture), RL (Rural Living), R (Rural) and CP (Community Purpose) up to two demountables are allowed without requiring planning approval; and
 - the setbacks for demountable structures are specified in a similar way to the recently approved Residential Building Setbacks (Amendment No. 106).

(b) copies of the Amendment are available from the Offices of the Department of Lands and Planning, at the following locations:


Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin;

Level 1, Alice Plaza, Todd Mall, Alice Springs;

Level 1, Government Centre, 5 First Street, Katherine; and

Regional Office, Leichhardt Street, Tennant Creek.

Dated



2010



Minister for Lands and Planning

NORTHERN TERRITORY OF AUSTRALIA

Planning Act Section 29


NT PLANNING SCHEME AMENDMENT

AMENDMENT No. 116

Reason for Decision

For many years development approval has been required to place a demountable or a sea container on any zoned land. The rules would seem to be unnecessarily strict and on this basis Amendment No. 116 has:

- altered the definition of “demountable structures” to exclude “medical clinic” so that the restrictions that apply to the placement of demountable structures on land do not apply if the structure is to be used for a medical clinic (the restrictions currently do not apply where the demountable structure is used in conjunction with an education establishment);
- removed the requirement to seek planning approval to place a demountable structure on industrial land in Zones GI (General Industry) and DV (Development);
- allowed up to two demountables without requiring planning approval in Zones CL (Community Living), SC (Service Commercial), LI (Light Industry), PS (Public Open Space), OR (Organised Recreation), H (Horticulture), A (Agriculture), RL (Rural Living), R (Rural) and CP (Community Purpose); and
- specified the setbacks for demountable structures in a similar way to the recently approved Residential Building Setbacks (Amendment No. 106).



GERALD FRANCIS MCCARTHY
Minister for Lands and Planning

2 / 3 / 2010