### SCHEDULES

#### Schedule 1

**Schedule to Clause 2.4 - Specific Uses**

**Specific Uses – Alice Springs**

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA1</td>
<td>Lot 7913, Town of Alice Springs (Stuart Highway, Alice Springs).</td>
</tr>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the continuing access to Lot 274 and the provision of car parking associated with the use of Lot 7913.</td>
</tr>
<tr>
<td></td>
<td>2. With consent, the provision of access to Lot 274, (the Shell Depot), Town of Alice Springs and for short term parking of vehicles ancillary to the business carried on that lot.</td>
</tr>
<tr>
<td>SA2</td>
<td>NT Portions 4097 to 4101 (inclusive) (Petrick Road, Alice Springs).</td>
</tr>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the subdivision and use of the land so zoned.</td>
</tr>
<tr>
<td></td>
<td>2. Without consent, a single dwelling.</td>
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<tr>
<td></td>
<td>3. With consent:</td>
</tr>
<tr>
<td></td>
<td>(a) caretaker’s residence;</td>
</tr>
<tr>
<td></td>
<td>(b) home occupation;</td>
</tr>
<tr>
<td></td>
<td>(c) multiple dwellings;</td>
</tr>
<tr>
<td></td>
<td>(d) veterinary clinic;</td>
</tr>
<tr>
<td></td>
<td>4. The land shall not be subdivided into more than five lots or into lots that are less than 5000m² in area.</td>
</tr>
<tr>
<td>SA3</td>
<td>Lots 9128 to 9146 (inclusive) and Lot 9282, Town of Alice Springs (Whittaker, McDonald and Colson Streets and Stuart Highway, Alice Springs).</td>
</tr>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the subdivision, use and development of the land for a range of commercial uses while ensuring a level of visual amenity appropriate to the location.</td>
</tr>
<tr>
<td></td>
<td>2. With consent:</td>
</tr>
<tr>
<td></td>
<td>(a) caretaker’s residence;</td>
</tr>
<tr>
<td></td>
<td>(b) car park;</td>
</tr>
<tr>
<td></td>
<td>(c) hostel;</td>
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<tr>
<td></td>
<td>(d) light industry;</td>
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<tr>
<td></td>
<td>(e) motel;</td>
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<tr>
<td></td>
<td>(f) plant nursery;</td>
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<tr>
<td></td>
<td>(g) passenger terminal;</td>
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<tr>
<td></td>
<td>(h) service station;</td>
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<tr>
<td></td>
<td>(i) vehicles sales and hire;</td>
</tr>
<tr>
<td></td>
<td>(j) warehouse;</td>
</tr>
<tr>
<td></td>
<td>(k) the sale or hire from premises occupied by one business only and with a floor area of at least 500m², of:</td>
</tr>
</tbody>
</table>
i. furniture, floor coverings, furnishings, household appliances, camping gear, automotive parts and accessories or items used for the carrying out of improvements to dwellings; or

ii. materials, tools, equipment or machinery for use in industry, commerce, the building or automotive trades, landscape gardening or primary production or for medical purposes or party hire;

where the area is not used for the sale or hire of any other class of goods provided that:

iii. the minimum size of a lot after subdivision (other than a lot required for the purposes of a public utility) is to be 3000m$^2$, with an average size of 3500m$^2$; and

iv. all buildings and structures are located in accordance with the table to this paragraph.

3. Lots which abut the Stuart Highway must incorporate a landscaped area equivalent to 12% of the site area and all other lots must incorporate a landscaped area equivalent to 15% of the site area.

4. Landscaping is to be located predominantly in the area between a building or structure and a street, but also along any boundary that is visible from the corridor of the AustralAsia Railway.

5. The area of the site covered by buildings or structures must not exceed 50% of the site.

<table>
<thead>
<tr>
<th>Setback</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stuart Highway frontages</td>
<td>6m</td>
</tr>
<tr>
<td>All other street frontages</td>
<td>9m</td>
</tr>
<tr>
<td>Side and rear</td>
<td>5m</td>
</tr>
</tbody>
</table>

**SA4**

Lot 9197, Town of Alice Springs (Smith Street, Alice Springs).

1. The purpose of this zone is to facilitate the use and development of the land for **light industrial** purposes while ensuring a level of visual **amenity** appropriate to the location.

2. With consent, use and development in accordance with Zone LI provided:

   (a) the number of vehicular access points to Smith Street are minimised;

   (b) landscaping is provided in a manner that recognises the high visibility of the land from Smith Street and parts of the corridor of the AustralAsia Railway and aims to achieve a high level of visual **amenity** for the area, particularly when viewed from those transport corridors; and

   (c) the development incorporates adequate facilities for **car parking**.
Lot 8132, Town of Alice Springs (Len Kittle Drive, Alice Springs).

1. The purpose of this zone is to facilitate the use and development of the land for managed short term accommodation.

2. Subject to paragraphs 3 to 5 (inclusive) and without consent the land may be developed for the purpose of:
   
   (a) caretaker's residence;
   
   (b) caravan park (including the use of demountable structures as cabins);
   
   (c) child care centre;
   
   (d) community centre;
   
   (e) hostel;
   
   (f) office;
   
   (g) shop;
   
   (h) sport and recreation; and
   
   (i) supporting accommodation.

3. All buildings contain a single storey only.

4. A use or development specified in paragraph 2 shall:
   
   (a) be setback a minimum of 9m from the Len Kittle Drive boundary and 3m from all other boundaries;
   
   (b) provide a minimum 3m wide planted landscape buffer to Len Kittle Drive; and
   
   (c) have all car parking screened from the street, and where car parking is not under cover, shade landscaping is to be incorporated into the design of the car parking areas.

5. A Mosquito Management Plan shall be prepared in consultation with the Department of Health and Families and the accommodation shall only operate while the Management Plan is active.

6. Any other use or development or variation of the requirements in paragraphs 3 to 5 requires the consent of the consent authority.
Lot 6466, Town of Alice Springs (17 Range Crescent, Alice Springs).

1. The purpose of this zone is to facilitate the use and development of the land primarily for multiple dwellings and a limited range of low impact residential activities.

2. Without consent but subject to paragraphs 4 to 6:
   (a) home based contracting;
   (b) home occupation; and
   (c) single dwelling.

3. With consent but subject to paragraphs 4 to 6 the land may be developed for the purpose of multiple dwellings.

4. No more than 10 dwellings shall be built on the land.

5. No business signs are to be displayed in association with the uses described in paragraph 2.

6. Any development of the land in accordance with paragraph 2 and 3 shall comply with the relevant provisions of Part 4 of the Planning Scheme.

7. Any variation of the requirements in paragraph 6 requires the consent of the consent authority.

SA7
Amendment No. 299
gazetted 08.10.2013
Rezones Lot 1604,
Town of Alice Springs
to Zone SC (Service Commercial) and as a consequence omits SA7

OMITTED
Part of Lot 7593, Town of Alice Springs (70 Palm Circuit, Ross).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land primarily for single dwellings, limited multiple dwellings and a limited range of low impact residential activities.

2. The purpose of this paragraph is to ensure residential subdivision in this zone contains lots of a size, configuration and orientation suitable for residential purposes. Except where they conflict with the provisions in paragraph 3 the residential subdivision criteria in the Planning Scheme applies.

3. The subdivision design should:
   (a) Create no more than 37 lots;
   (b) Provide a minimum lot size of 450m$^2$ for single dwellings and no more than two lots for multiple dwellings each with a minimum area of 800m$^2$;
   (c) Provide for lots that are oriented to allow a dwelling to:
      i. achieve good solar performance;
      ii. be sited on a common building boundary if required;
      iii. include a building envelope consistent with the building setbacks contained in paragraph 7(b); and
      iv. achieve passive surveillance of public open space or roadways where lots are located adjacent to such areas.

4. There is no requirement for public open space within the subdivision.

5. Without consent and subject to paragraph 7, a lot may be developed for the purpose of:
   (a) group home;
   (b) home based contracting;
   (c) home occupation;
   (d) independent unit; and
   (e) single dwelling.

6. With consent and subject to paragraph 7 a lot may be developed for the purpose of:
   (a) home based child care centre;
   (b) home based visitor accommodation;
   (c) medical consulting rooms;
   (d) multiple dwellings; and
7. Development for the purposes specified in paragraphs 5 and 6 is subject to the relevant clauses of the Planning Scheme except as indicated below:

(a) **Multiple dwellings** to be located only on pre-designated MD lots in accordance with paragraph 3;

(b) Minimum residential building setbacks of:
   i. 4.5m from a primary street frontage;
   ii. 2.5m from a secondary street frontage;
   iii. 1.5m from side and rear boundaries, unless on a designated **common building boundary**; and
   iv. 5.0m to any boundary with land in Zone TC.

(c) Private open space for **single dwellings** and **multiple dwellings** which provides a minimum area of 45m$^2$ per dwelling (exclusive of driveways and car parking areas) but inclusive of an area with minimum dimensions of 5m x 5m.

If development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

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1. **PURPOSE**

1. The purpose of this zone is to facilitate the subdivision, use and development of the land primarily for integrated rural living, local **community centre**, senior lifestyle village, business services and managed horse stables, through a range of lot sizes which may not be permissible or adequately catered for in any single zone.

2. The parts of NT Portion 6811 that are subject to this clause are the four areas of land that are bounded by a thick black line and marked as Areas A, B, C and D on the diagram to this zone.
3. The intended uses for:
   - Area A are senior’s lifestyle village;
   - Area B are rural living with local commercial and community centre;
   - Area C are business services; and
   - Area D are managed horse stables.

Diagram to Clause 1(1) of Zone SA9

2. DEVELOPMENT DESIGN PHILOSOPHY

1. Any subdivision and future development is expected to be designed to respond to Alice Springs arid climate and lifestyle attributes.

2. This includes, but is not limited to, adherence to the sustainable development principles which may be graphically expressed in the Masterplan.

3. The overarching design principles are:
   (a) to create a community that responds to the natural character and bushland setting while providing a range of lots sizes for rural living and housing and lifestyle choices with access to limited commercial services and recreational facilities;
(b) to build on and improve the amenity of the site by:

- enhancing the natural features of the site through good subdivision design based on sustainable land use practices;
- ensuring larger lot sizes for rural living along the Bullen Road frontage and maintaining suitable landscaped buffer to existing development;
- siting buildings to preserve vistas to surrounding hills and ridges by limiting development to slopes less than 1 in 5 and restricting any excavation or fill; and
- accommodating existing landscape features, such as significant trees, vegetation and natural drainage lines into open space networks and wildlife corridors.

3. SUBDIVISION

1. With consent, land within this zone may be developed for the purpose of a subdivision if:

(a) the development application to subdivide the land is accompanied by:

i. a detailed land suitability assessment prepared by suitably qualified professionals, addressing the NT Land Suitability Guidelines;

ii. a stormwater management plan including but not limited to the potential impact on neighbouring land, external roads, internal roads, the upstream and downstream flows and proposed mitigation measures;

iii. a Masterplan reflecting the results of the Land Suitability Assessment and indicating the intended use of each lot, staging of works, details of stormwater management, road hierarchy and bushfire hazard management;

iv. a Sampling and Analysis Plan for baseline data for effective management of groundwater quality;

and the plans will form part of any development for subdivision.

(b) the overall subdivision design includes the following:

i. continuous sealed access to all lots;

ii. connection to municipal water supply;
iii. retention or appropriate treatment of natural drainage corridors and sheet flow areas; and
iv. adequate drainage within road reserves or through engineered drainage reserves;
(c) the subdivision is to create Area A, B C and D;
(d) the subdivision within Area B provides:
i. i. a maximum of 60 lots;
ii. ii. a minimum lot size of 1.0 hectare;
iii. iii. a minimum lot size of 3.0 hectares for any lot abutting the Bullen Road reserve; and
iv. iv. a maximum lot size of 1.0 hectare for land identified for the local commercial / retail / community hub;
where each lot contains a minimum of 1ha of unconstrained land with unconstrained access from a public road; and
(e) the subdivision within Area C provides:
i. a minimum lot size of 5000m²;
ii. a maximum lot size of 1 hectare; and
iii. individual lots with a minimum primary street frontage of 25m.

4. LAND USE

1. A lot may be used for the purposes outlined in Table A to this clause if the development is consistent with the Masterplan and the development complies with all other requirements of this zone.
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
<th>SU Zone clause</th>
<th>NT PS clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>caretakers residence</td>
<td>D X D D 5</td>
<td>7.10.3</td>
<td></td>
</tr>
<tr>
<td>child care centre</td>
<td>X D X X 6</td>
<td>8.1.5</td>
<td></td>
</tr>
<tr>
<td>community centre</td>
<td>X D X X 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home based visitor accommodation</td>
<td>X P X X 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>home occupation</td>
<td>P P X X 5, 6</td>
<td>7.10.7</td>
<td></td>
</tr>
<tr>
<td>home based contracting</td>
<td>X P X X 6</td>
<td>7.10.7</td>
<td></td>
</tr>
<tr>
<td>Independent unit</td>
<td>X P X X 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>leisure and recreational</td>
<td>D D X D 5, 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>light industry</td>
<td>X X D X 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>medical clinic</td>
<td>D D X X 5, 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>motor body works</td>
<td>X X D X 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>motor repair station</td>
<td>X X D X 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>multiple dwellings</td>
<td>D X X X 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>plant nursery</td>
<td>X D D X 6, 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>office</td>
<td>X D D X 6, 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>restaurant</td>
<td>X D X X 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>shop</td>
<td>X D X X 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>service station</td>
<td>X D X X 6</td>
<td>8.1.4</td>
<td></td>
</tr>
<tr>
<td>showroom sales</td>
<td>X X D X 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>single dwelling</td>
<td>D P X X 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>transport terminal</td>
<td>X X D X 7</td>
<td>10.5</td>
<td></td>
</tr>
<tr>
<td>stables</td>
<td>X X X P 8</td>
<td>10.1</td>
<td></td>
</tr>
<tr>
<td>supporting accommodation</td>
<td>P P X X 5, 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>veterinary clinic</td>
<td>X D D D 6, 7, 8</td>
<td></td>
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</tbody>
</table>

X - Prohibited P - Permitted D - Discretionary

2. The consent authority may consent to a variation of these requirements only if is satisfied that special circumstances justify the giving of consent.
5. SENIORS LIFESTYLE VILLAGE

1. The purpose of this clause is to ensure that the village has a high level of residential amenity that meets the needs of the intended residents.

2. A site identified for a seniors village is within Area A on the Masterplan endorsed under clause 3 of this zone and is defined under the Retirement Villages Act of the Northern Territory.

3. With consent, land within Area A may be developed for the purpose of multiple dwellings and ancillary uses and activities.

4. No more than 80 multiple dwellings shall be built within Area A.

5. A single caretaker’s residence/manager’s residence may be developed.

6. Each dwelling unit shall be provided 2 vehicle parking spaces.

7. Each dwelling shall be provided a minimum of 30m² of private open space (exclusive of driveways and car parking areas) but inclusive of an area with minimum dimensions of 4m x 4m for each dwelling.

8. Communal land for a community centre and recreational uses may include existing drainage corridors.

9. All dwellings shall be connected to an appropriate wastewater treatment system which is not sited with 100m of any bore and where details of the waste disposal system are provided, and it is demonstrated that the method of waste disposal will have no detrimental effect on the environment, especially to ground and surface waters.

10. All dwellings shall be connected to a rainwater tank with a minimum capacity of 20,000 litres.

11. Excavation or fill for any building site shall be limited to a maximum of 1.5m above or below natural ground level.

6. RURAL LIVING AND COMMERCIAL CENTRE

1. The purpose of this clause is to ensure that the development of Area B is predominantly for rural living with provision for a service centre with a predetermined limit on the size and scale of uses in order to uphold the amenity of the area and to mitigate traffic impacts on Bullen Road.
2. All dwellings shall be connected to an appropriate wastewater treatment system which is not sited within 100m of any bore and where details of the waste disposal system are provided, and it is demonstrated that the method of waste disposal will have no detrimental effect on the environment, especially to ground and surface waters.

3. Excavation or fill for any building site shall be limited to a maximum of 1.5m above or below natural ground level.

4. For the community hub maximum floor space shall not exceed:
   (a) 400m$^2$ for **community centre**; and
   (b) 1500m$^2$ for all other uses combined, excluding **leisure and recreation**, with a maximum of:
      i. 100m$^2$ per office tenancy; and
      ii. 300m$^2$ per shop tenancy.

7. BUSINESS SERVICES

1. The purpose of this clause is to ensure that development within Area C:
   (a) is of a nature and intensity that is not likely to have a detrimental impact on the locality;
   (b) provides opportunities to include activities that are not desired in Area B (e.g. parking of heavy vehicles); and
   (c) minimises any adverse impact on adjoining uses due to hours of operation, traffic, noise, fumes, smell, dust, paint or other chemical over-spray, vibration, glare or light spill, electronic interference, ash or other harmful or nuisance creating impacts.

2. Development of individual lots within Area C may be developed subject to the following conditions:
   (a) a maximum floor area of 40% of the lot area, with the exception of showrooms and offices that will have a maximum floor area of 1000m$^2$;
   (b) all buildings shall have a maximum height of 9 metres above existing natural ground level;
   (c) outdoor storage areas are to occupy no more than 4000m$^2$ and are to be screened with solid fencing and/or densely planted landscaping;
(d) all buildings are to be setback a minimum of 10m from site boundaries;

(e) landscaped buffers are to be planted and maintained with a continuous landscaped buffer with a minimum width of 10 metres along all boundaries except where this requirement would conflict with necessary drainage, vehicle circulation functions and fire breaks;

(f) landscaping shall be provided to mitigate the noise and visual impact on other adjoining development;

(g) any plant or equipment with potential to cause an environmental nuisance (including air-conditioning plant) shall be sited as far as possible from adjoining non-business service area boundary, and should be designed to minimise its effect on the amenity of the locality;

(h) offices and showrooms associated with industrial, warehouse, storage and transport development shall be sited at the front of the building with direct and convenient pedestrian access from the main visitor parking area;

(i) all buildings shall be connected to a wastewater treatment system which is not sited within 100m of any bore and where the waste disposal system is approved for use in the Northern Territory;

(j) all buildings shall be connected to a rainwater tank with a minimum capacity of 20,000 litres; and

(k) excavation or fill for any building site shall be limited to a maximum of 1.5m above or below natural ground level.

8. MANAGED HORSE STABLES

1. Land with Area D may be used for stables and ancillary use or development subject to the following conditions:

(a) all waste water and septic facilities must be sited at least 100 m from any bore, and designed so that no effluent flows off site;

(b) domestic livestock must not be kept, exercised or trained on land within 100 m of a bore; and

(c) the keeping, exercising or training of domestic livestock on the land must not:

   i. unreasonably contribute to the erosion or pollution of the land, adjoining land or the lake; or

   ii. cause detriment to the amenity of the locality because of excessive noise, offensive odours, excessive dust or the attraction of flies or vermin.
Lot 5812, Town of Alice Springs (257 Stuart Highway, Alice Springs).

1. The purpose of this zone is to facilitate the use and development of the land for light industrial purposes while ensuring a level of flood protection in a 1% AEP (Annual Exceedance Probability).

2. With consent, use and development is to be in accordance with the land use table for Zone LI (Light Industry), provided:

(a) the land is filled to above the height of the 1% AEP within the Defined Flood Area (DFA) for Alice Springs, with works to be accompanied by a statement from a suitably qualified professional confirming that there are no adverse hydrological impacts on surrounding land as the result of the fill;

(b) the number of vehicular access points to the Stuart Highway are minimised;

(c) landscaping is provided in a manner that recognises the high visibility of the land from the Stuart Highway; and

(d) any development incorporates adequate facilities for car parking.
**Specific Uses – Brewer Estate**

NT Portions 3557, 5259, 5823, 6219 and 6221 Brewer Road south of Alice Springs.

1. The purpose of this clause is to facilitate the use and development of land primarily for industrial purposes that need to be isolated from other urban uses.

2. Any use or development of the land requires **consent**.
1. The purpose of this clause is to ensure development of the land is consistent with the conservation of the natural environment of Crab Claw Island and the services and infrastructure that is available on the island.

2. Without consent, a single dwelling.

3. With consent, any other appropriate use or development.

4. Consistent with the conservation of the natural environment, the consent authority should, in respect of a proposed use or development, have regard to:
   
   (a) the intensity of the proposed use and its likely effect on the native flora and fauna on this and adjacent islands;

   (b) the extent to which the proposed use or development is appropriate to the land taking into account:

   i. the physical characteristics of the land; and

   ii. whether services and infrastructure (including but not limited to water, sewerage, gas, electricity and roads) will be adequate to support the intensity of the proposed use or development.
SPECIFIC USES – DARWIN

SD1
Amendment No. 67
gazetted 24.12.2008
Rezones Lot 1869, Town
of Darwin to Zone MR
and as a consequence
omits SD1

OMITTED

SD2
Amendment No. 89
gazetted 11.11.2009
Rezones Lots 7466 and
7468, Town of Darwin
to SD30 and as a
consequence omits SD2

OMITTED

SD3
Lot 3327, Town of Darwin (55 Hudson Fysh Avenue, Ludmilla).

1. The purpose of this zone is to facilitate the use and
development of the land for a limited range of residential and
commercial activities.

2. A use or development in accordance with Zone C and with
consent:
   (a) a maximum of two shops;
   (b) single dwelling;
   (c) home occupation; and
   (d) office.
Lots 9585, 6191 and 8634, Town of Nightcliff (Bagot Road, 14 Kelsey Crescent and 15 Fitzgerald Street, Millner)

1. The purpose of this zone is to facilitate the use and development of the land for a limited range of residential and commercial activities.

2. Subject to paragraphs 3, 4, 5 and 6 and with consent, showroom sales in the “homemaker” theme together with:
   
   (a) caretaker’s residence; (f) multiple dwellings;
   (b) child care centre; (g) office;
   (c) leisure and recreation; (h) plant nursery;
   (d) market; (i) restaurant;
   (e) medical clinic; (j) shop; and
   (k) veterinary clinic.

3. A shop shall not exceed a floor area of 300m$^2$.

4. The purpose of this paragraph is to ensure the residential amenity of the adjoining dwellings in Brayshaw Crescent is not compromised by the commercial use of the land.

   A landscaped buffer with a minimum width of 9m planted with suitable screen vegetation is to be planted and maintained along the southern boundary of Lot 8634.

5. The purpose of this paragraph is to ensure the amenity of the Millner primary school is not compromised by the commercial use of the land.

   A landscaped buffer with a minimum width of 3m planted with suitable screen vegetation is to be planted and maintained along the eastern boundary of Lot 8634.

6. The consent authority may consent to the development of the land that does not meet the standards set out in paragraphs 4 and 5 only if it is satisfied that special circumstances justify the giving of consent.
Lot 7590, Town of Darwin (20 Gregory Street, Parap).
(Formerly part of Lots 7332 and 7333)
1. The purpose of this zone is to facilitate the use of the site for a telecommunications installation.
2. The land may be used with consent for the purpose of a maritime communications station and ancillary facilities.

Lots 6520, 3380 and 7456, Town of Darwin (149, 147 and 145 Stuart Highway, Parap).
1. The purpose of this zone is to facilitate the use and development of the land for a limited range of residential and commercial activities.
2. Without consent but subject to paragraph 4:
   (a) caretaker’s residence;
   (b) community centre;
   (c) medical clinic;
   (d) plant nursery;
   (e) supporting accommodation; and
   (f) veterinary clinic.
3. With consent but subject to paragraph 4:
   (a) a gallery or museum, providing the building has a plot ratio not exceeding 1;
   (b) a hostel, providing the building has a plot ratio not exceeding 0.75;
   (c) offices for the provision of non-industrial services (other than medical services) including but not limited to mercantile, legal, financial, administrative or clerical services, providing the building has a plot ratio not exceeding 1;
   (d) a building for the sale or hire of furniture, floor coverings, furnishings, household appliances, camping gear or materials, tools, equipment or machinery for use in industry, commerce, the building or automotive trades, landscape gardening or primary production, medical purposes or party hire, providing the building has not less than 300m² floor area and is occupied by one tenant only; and
   (e) vehicle sales and hire.
4. A use or development for a purpose specified in paragraphs 2 or 3 is subject to the following conditions:
   (a) a wall or solid wall fencing shall be erected or dense screen planting installed along the rear boundary (being the boundary furthest from the Stuart Highway) of each lot within the zone, so as to provide an effective visual barrier between those lots and lots outside the zone;
(b) there is no vehicular or pedestrian access from Jones Place or White Crescent to a lot within the zone;

(c) air conditioning plant and other equipment within the zone which generates noise that may be heard by persons outside the lot is sited, and sound baffles or other structures that minimise noise shall be installed so as to minimise that noise;

(d) a 3m wide landscape strip which has been planted with vegetation is provided along the Stuart Highway frontage of all lots within the zone; and

(e) the car parking requirements within this zone in respect of a use or development referred to in:

   i. sub-paragraph 3(a) – are to accord with the requirements in respect of an education establishment; and

   ii. sub-paragraph 3(d) – are to accord with the requirements in respect of a building used or developed for showroom sales.
Fisherman’s Wharf locality, Stuart Park, Town of Darwin.

1. The purpose of this zone is to encourage the expansion of the existing waterfront and maritime industrial activities and the development of a mixed use area of residential, industrial and commercial uses that are related to the waterfront.

2. Subject to paragraphs 3 – 8 (inclusive) and with consent:
   
   (a) caretaker’s residence;
   (b) car park;
   (c) child care centre;
   (d) community centre;
   (e) convention centre;
   (f) education establishment;
   (g) hostel;
   (h) home occupation;
   (i) hotel;
   (j) leisure and recreation;
   (k) licensed club;
   (l) light industry;
   (m) maritime and waterfront industry;
   (n) market;
   (o) medical clinic;
   (p) motel;
   (q) multiple dwellings;
   (r) office;
   (s) research centre;
   (t) passenger terminal;
   (u) restaurant;
   (v) service station;
   (w) shop;
   (x) single dwelling;
   (y) showroom sales; and
   (z) warehouse.

3. Subject to paragraph 4, buildings north of the mooring basin lock are limited to two storeys above ground level.

4. A building of three storeys above ground level may be permitted north of the mooring basin lock to allow for variation in the roofline in the area if the development does not have a significant adverse impact on the amenity enjoyed by the residents of the established areas of Stuart Park.

5. Setbacks for waterfront and maritime industrial buildings are to be in accordance with clause 9.1.1.

6. Setbacks for residential buildings are to:
   
   (a) ensure no overlooking of adjoining properties; and
   (b) have regard to and accommodate the prevailing breezes.
7. A building, structure or development is to be designed and constructed to be compatible with the surrounding environment having regard to:
   (a) the type and colour of materials;
   (b) the bulk and height; and
   (c) of the building, structure or development, so as to reduce the visual impact of commercial and industrial buildings in the landscape when viewed from residential areas and public roads.

8. A development is to consider and be compatible with the uses in neighbouring areas.

Dinah Beach locality, Stuart Park, Town of Darwin

1. The purpose of this zone is to encourage the development of a mixed use area of medium density residential and commercial uses that are related to the waterfront and a limited expansion of the existing waterfront and maritime industrial activities.

2. With consent:
   (a) caretaker’s residence;   (i) medical clinic;
   (b) community centre;   (j) motel;
   (c) hostel;   (k) multiple dwellings;
   (d) hotel;   (l) office;
   (e) leisure and recreation;   (m) passenger terminal;
   (f) licensed club;   (n) restaurant;
   (g) maritime and waterfront industry;   (o) shop;
   (h) market;   (p) single dwelling; and
   (q) showroom sales.

3. Buildings or structures are not to cover more than 50% of each lot at ground level.

4. Subject to paragraph 5, buildings are to be limited to two storeys above ground level.

5. A building of three storeys above ground level may be permitted to allow for variation in the roofline in the area if the development does not have a significant adverse impact on the amenity enjoyed by the residents of the established areas of Stuart Park.

6. Setbacks for waterfront and maritime industrial buildings are to be in accordance with clause 9.1.1.

7. Setbacks for residential buildings are to:
   (a) ensure no undue overlooking of adjoining properties; and
   (b) have regard to and accommodate the prevailing breezes.
Part Lots 4579 and 4580 Rapid Creek Road, Lots 4598, 8708, 9454, 9723, 9738, 9739, 9757, 9759, 9761, 9763, 9765, 9767 and 9769, Town of Nightcliff (Freshwater Road, being land adjacent to Rapid Creek between Trower and McMillans Roads).

1. The purpose of this zone is to facilitate the use and development of the land for a range of uses consistent with the non-urban character and amenity of the area so zoned.

2. In accordance with the provisions of Zone RL and without consent:
   (a) group home;
   (b) home occupation;
   (c) independent unit;
   (d) retail agricultural stall; and
   (e) single dwelling.

3. In accordance with the provisions of Zone RL and with consent:
   (a) agriculture;
   (b) animal boarding;
   (c) caretaker’s residence;
   (d) education establishment;
   (e) home based visitor accommodation;
   (f) leisure and recreation;
   (g) medical consulting rooms;
   (h) plant nursery;
   (i) research centre;
   (j) restaurant;
   (k) rural industry;
   (l) stables;
   (m) supporting accommodation; and
   (n) veterinary clinic.

4. A lot may only be subdivided if each lot that is created by the subdivision:
   (a) is approximately 1ha in area; and
   (b) contains at least 1000m² of land above the level of the 1.0% AEP flood event specified in the Rapid Creek Flood Study (Connell Wagner – May 1999) in relation to the land.

See clause 2.8
Building Development Parcel 7427 and Building Lots 7428, 7429 and 7430 and Building Development Parcel 7562 and Building Lots 7563, 7564, 7565 and 7566, Town of Darwin (Dinah Beach Road and Duke Street, Stuart Park).

1. The purpose of this zone is to facilitate the use and development of the land for medium density residential purposes.

2. Subject to paragraphs 3 – 7 (inclusive) and with consent:
   (a) child care centre;   (i) motel;
   (b) community centre;  (j) multiple dwellings;
   (c) education establishment;  (k) place of worship;
   (d) group home;  (l) restaurant;
   (e) hostel;  (m) single dwelling;
   (f) home occupation;  (n) shop; and
   (g) hotel;  (o) supporting accommodation.
   (h) medical consulting rooms;

3. Building heights and vehicular access are to be in accordance with the diagram to this clause.

4. Buildings must not cover more than 50% of each site.

5. Not less than 30% of each site is to be landscaped.

6. Landscaping plans are to be submitted with each development application.

7. Loading and unloading areas for commercial developments are to be screened from passing traffic and pedestrians and located where possible on streets other than main streets.
### SD13

Lot 6738, Town of Darwin (11 Villaflor Crescent, Woolner).

1. The purpose of this zone is to facilitate the use and development of the land for a range of purposes while restricting the height of future development.

2. In accordance with the provisions of Zone MR and with consent:

   (a) community centre;
   (b) group home;
   (c) home based visitor accommodation;
   (d) home occupation;
   (e) hospital;
   (f) hostel;
   (g) independent unit;
   (h) leisure and recreation;
   (i) medical consulting rooms;
   (j) motel;
   (k) multiple dwellings;
   (l) place of worship;
   (m) restaurant;
   (n) retail agricultural stall;
   (o) single dwelling; and
   (p) supporting accommodation.

3. provided that no building exceeds three storeys in height.

### SD14

Lot 7289, Town of Darwin (50 Colivas Road, East Point) (formerly Lot 5648 and proposed Lot 5976, East Point, Fannie Bay).

1. The purpose of this zone is to facilitate the use and development of the land for marine related activity.

2. With consent:

   (a) boat construction, service and maintenance;
   (b) the sale of boats, boat spare parts and ancillary items and of water sports equipment;
   (c) dry boat storage; and
   (d) caretaker’s residence.
Lot 7467, Town of Darwin (10 Salonika Street, Parap).

1. The purpose of this zone is to facilitate the use and development of the land primarily for residential purposes providing opportunities for complementary commercial and ancillary activities.

2. A use or development is to contribute to the development of the Gardens Hill area as an integrated and harmonised mixed use area by:

   (a) comprising residential and commercial activity incorporating public open space;

   (b) taking advantage of outlooks and physical connections to surrounding precincts; and

   (c) the creation of a landmark development through definitive streetscaping and quality architecture.

3. With consent, and subject to paragraphs 4 to 13 inclusive:

   (a) caretaker’s residence; (m) medical clinic;

   (b) child care centre; (n) motel;

   (c) community centre; (o) multiple dwellings;

   (d) convention centre; (p) office;

   (e) home based visitor accommodation; (q) place of worship;

   (f) home occupation; (r) research centre;

   (g) hospital; (s) restaurant;

   (h) hostel; (t) shop;

   (i) hotel; (u) showroom sales;

   (j) independent unit; (v) single dwelling;

   (k) licensed club; (w) supporting accommodation; and

   (l) medical consulting rooms; (x) veterinary clinic.

4. A development application for a use or development specified above is to include:

   (a) a master plan for development of the site;

   (b) a staging plan for the proposed development;

   (c) information regarding the timeframes for development and the provision of shared facilities to the site; and

   (d) an interface management strategy which addresses the relationship of the proposed land uses with adjoining existing land uses and in the case of the Salvation Army site, possible future expansion of activities on that site.
5. Buildings shall not cover more than 50% of the site.

6. Buildings or structures on the site are to provide for variations in the roofline and heights of buildings and be limited to a maximum of six storeys for sites of less than 5000m$^2$ in area and four storeys for sites less than 2500m$^2$ in area.

7. Buildings to a maximum height of 8 storeys may be permitted if the development demonstrates special architectural merit and makes a positive contribution to the future amenity and identity of the locality.

8. Setbacks to commercial development are to:
   (a) ensure privacy for residential development on the site and adjoining sites;
   (b) be cognisant of the impacts of and on adjoining land uses; and
   (c) provide appropriate amenity for the streetscape.

9. All car parking is to be screened from the street, preferably in basement car parks and where car parking is not under cover, shade landscaping is to be incorporated into the design of the car parking areas.

10. Loading and unloading areas for commercial developments are to be screened from passing traffic and pedestrians and are to be accessed from Salonika Street.

11. Any perimeter fencing is to be unobtrusive and complement the streetscape by:
   (a) providing a link between differing buildings and structures; and
   (b) facilitating appropriate pedestrian connections through, to and from the site.

12. Lighting is to be designed and constructed to ensure compatibility with any residential use on the land and to prevent overspill to adjoining properties.

13. Buildings or works are to be designed and constructed to be compatible with the surrounding environment having regard to:
   (a) the topography and relationship to adjoining land uses;
   (b) the impact of the bulk and height of buildings or structures on development of an identity for the area and the visual impact when viewed from other precincts;
   (c) the need to create a pedestrian scale at ground level and develop pedestrian connections within the precinct and to other precincts and land uses; and
   (d) the type and colour of materials.
Lot 7425, Town of Darwin (56 Bayview Boulevard, Bayview).

1. The purpose of this zone is to ensure the land is developed and maintained for the purpose of a car park to the benefit of development on Lot 5988 (proposed Lot 6242) Town of Darwin.

2. With consent a ground level car park with approximately 40 car parking spaces provided the car park is used for the purposes of the part of Lot 5988 that is proposed Lot 6242 and landscape buffers are established to protect the amenity of the road reserve and of Lots 7353 and 7354, Town of Darwin.
Lot 9793, Town of Nightcliff (Lee Point Road, Lyons).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land as a residential estate.

2. With consent land within this zone may be developed for the purpose of a residential subdivision if:

   (a) the development application to subdivide the land is accompanied by a drawing indicating the proposed land use and zoning of each lot and a report indicating the stage at which an application will be made to rezone each lot and that drawing will form part of any development permit for subdivision; and

   (b) not more than 7.7ha (10% of the subdivision area) is developed for either multiple dwellings and a further 3ha (4% of the subdivision area) may be developed for multiple dwellings with no more than two dwellings on a single lot.

3. The purpose of this paragraph is to ensure residential subdivisions contain lots of a size, configuration and orientation suitable for residential purposes.

   Land within this zone may be subdivided to accommodate single dwellings on lots less than 800m² if the minimum lot size throughout the zone will be at least 600m² and the average lot size will be at least 700m².

   The subdivision design is expected to:

   (a) provide that lots have sufficient area and appropriate dimensions to provide for the proposed density of developments including dwellings, vehicle access, parking and ancillary buildings;

   (b) provide that lots are oriented to allow dwellings to take advantage of environmental conditions such as prevailing breezes and sunlight;

   (c) provide that potential land use conflicts are minimized by taking account of the visual and acoustic privacy of residents;

   (d) provide that where there are lots for multiple dwellings the lots are:

      i. distributed in small groups capable of being serviced by public transport;

      ii. in close proximity to public open space and with adequate access to community facilities and services; and

      iii. not located in a cul-de-sac.

   (e) incorporate a distributor road network that is designed to accommodate through traffic and discourage excessive speed, with roundabouts as the preferred traffic control device at cross intersections;

   (f) incorporate residential streets designed for low traffic speeds, giving priority to the needs of pedestrians;
(g) incorporate street networks capable of accommodating safe and convenient bus routes with stops within 400m radius of a majority of dwellings;

(h) incorporate pedestrian and cycle links;

(i) connect to paths in adjacent areas and between areas of public open space;

(j) promote user safety and provide links to schools, commercial facilities and public transport services;

(k) protect service infrastructure by providing or preserving easements; and

(l) provide a minimum of 7.7ha (10% of the subdivision area) as public open space which:
   i. ensures the majority of dwellings are within 400m walking distance of a neighbourhood park with a minimum area of 3200m²;
   ii. incorporates recreational open space in larger units available for active leisure pursuits; and
   iii. is designed to provide a safe environment for users by allowing clear views of the open space from surrounding buildings or passing vehicles.

4. Without consent a lot may be developed for the purposes of a single dwelling if the dwelling does not exceed 8.5m in height and there is no space capable of being occupied in that part of the building that exceeds a height of 7m.

5. With consent a lot may be developed for the purpose of multiple dwellings if:
   (a) the development is in accordance with the provisions of Zone MD; and
   (b) the lot has been identified as a site for multiple dwellings on a subdivision plan approved by a development permit.

6. The purpose of this paragraph is to promote site-responsive designs for multiple dwellings, that are pleasant for the occupants and do not unreasonably affect the use and enjoyment of adjacent land.

Building design should:
   (a) locate development on the site for correct solar orientation;
   (b) minimise expanses of walls by varying building heights, setbacks and façades;
   (c) avoid visibly flat roofs and be consistent with the parapet height where this is a predominant design element in the locality;
   (d) conceal service ducts, pipes, air conditioners, air conditioning plants etc;
   (e) avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites;
locate bedrooms and private open spaces away from noise sources;

control its own noise sources and minimise the transmission of noise between dwellings;

where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction;

balance the achievement of visual and acoustic privacy with passive climate control features;

allow breeze penetration and circulation; and

minimise use of reflective surfaces.

7. The purpose of this paragraph is to ensure that suitable areas for communal open space are provided for multiple dwellings. Where the proposed use is multiple dwellings a minimum of 15% of the site, being not less than 6m wide at any point, should be communal open space.

8. The design of the communal open space is to have regard to:

the overall dwelling density proposed for the site;

the proximity and quality of alternative private or public open space;

the need to clearly distinguish communal open space from private and public open space and the need to maintain the reasonable privacy of nearby dwellings;

development is consistent with the drawing approved under paragraph 2.

the type of activities provided for and the hours of operation of communal facilities;

the projected needs of children for outdoor play;

the provision of landscaping and shade;

safety issues including lighting and informal surveillance;

on-site traffic circulation; and

future maintenance and management requirements.

9. With consent land within this zone may be developed for the following purposes:

temporary sales office;  
(b) display homes;  
(c) child care centre;  
(d) educational establishment;  
(e) community centre;  
(f) sports and recreation;  
(g) medical clinic;  
(h) convenience shops; and  
i) service station.

provided the development is consistent with the drawing approved under paragraph 2.
Lot 5378, Town of Darwin (15 Iliffe Street, Woolner)

1. The purpose of this zone is to facilitate the ongoing use and development of the land by the Power and Water Corporation for a depot and office complex.

2. With consent and subject to paragraph 4:
   (a) fuel depot;
   (b) office;
   (c) staff social facilities; and
   (d) training rooms and facilities.

3. Without consent and subject to paragraph 4:
   (a) caretaker’s residence;
   (b) light industry; and
   (c) warehouse.

4. The objective of this paragraph is to minimise the visual and acoustic impact of development adjacent to Zone SD and Zone MD and to ensure that an adequate level of visual amenity is maintained.
   (a) A use or development specified in paragraphs 2 or 3 shall be setback a minimum of:
      i. 9m from the Stuart Highway boundary;
      ii. 20m from the Armidale Street boundary and the boundary to Lot 2162; and
      iii. 5m from the Iliffe Street boundary and provide a minimum 3m wide planted landscape buffer to Iliffe Street.
   (b) Despite paragraph 4(a) a use or development specified in paragraphs 2 or 3 may be located within 20m of the Armidale Street boundary or the boundary to Lot 2162 only with consent subject to provision of:
      i. a solid screen fence of a minimum height of 1.8 m setback 3m from the Armidale Street boundary and screen landscaping of the 3m setback;
      ii. a solid screen fence of a minimum height of 1.8m at the boundary to Lot 2162; and
      iii. a landscaped buffer with a width of 3m at the boundary to Lot 2162.

The consent authority must not consent to a development that is within 20m of the Armidale Street boundary or the boundary to Lot 2162 that is not in accordance with paragraph 4(b) unless it is satisfied that special circumstances justify the giving of consent.
Part Lot 9989, Town of Nightcliff (71 Progress Drive, Nightcliff)

1. With the consent of the Authority, the land within this zone may be developed and used for the purpose of **multiple dwellings**.

2. Without consent:
   - **home occupation**;
   - if the proposal complies with the requirements of this Planning Scheme as if the land were in Zone HR.

3. The purpose of this clause is to ensure that development is:
   - of a density compatible with the existing and planned provision of reticulated services and community facilities which will service the area;
   - consistent with land capability; and
   - of a height compatible with adjoining or nearby existing development or development reasonably anticipated.

   Development within this zone will comprise:
   - (a) a maximum of 44 **multiple dwellings**; and
   - (b) a minimum of 3 buildings with a maximum building height each of 33m AHD or 6 **storeys**, whichever is the lesser.

4. The purpose of this clause is to ensure that the development is provided with open space and landscaped areas that:
   - include clearly designated and useable private open space areas that provide privacy for residents and are directly accessible from main living areas;
   - include communal open space areas that are functional, useable and accessible; and
   - contribute to the appearance and amenity of the site.

   Development within this zone will provide:
   - (a) a private balcony to all **multiple dwellings** which is directly accessible from the main internal living area with a minimum area of 20m² and a minimum depth of 3m;
   - (b) a minimum of 815m² of communal open space at ground level with a minimum dimension of 6m; and
   - (c) a minimum of 550m² at ground level, exclusive of the communal open space, which is landscaped.

5. The purpose of this clause is to ensure that sufficient off street parking is provided to service the proposed development.

   Development within this zone will provide a minimum of 2.2 on site car parking spaces per **multiple dwelling**.
Lot 7491, Town of Darwin (17 Dinah Beach Road, Stuart Park).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land as a residential estate.

2. With consent land within this zone may be developed for the purpose of a residential subdivision if the development application to subdivide the land is accompanied by a drawing indicating the proposed land use of each lot and that drawing forms part of any development permit for subdivision.

3. The purpose of this paragraph is to ensure that residential subdivisions in this zone are integrated with infrastructure, community services and facilities and provide infrastructure and facilities which ensure appropriate levels of residential amenity.

The subdivision design should:

(a) include pedestrian and cycle links through the site to facilitate future connections between Stuart Park and Central Darwin;

(b) integrate existing adjacent public open spaces with public open spaces and road and pedestrian networks within the site;

(c) include a road network design that fosters a low speed environment with priority given to pedestrian needs and that allows for access by public transport services where required; and

(d) minimise the impact of traffic and movements on Duke Street by siting the primary vehicular access point on Dinah Beach Road.

4. The purpose of this paragraph is to ensure residential subdivisions in this zone contain lots of a size, configuration and orientation suitable for residential purposes.

Land within this zone may be subdivided to accommodate a single dwelling if the minimum lot size is at least 450m² and the average lot size of the area being subdivided for single dwellings is at least 520m².

The subdivision design should:

(a) provide for lots that are oriented to allow a single dwelling to:

   i. take advantage of prevailing breezes, and

   ii. minimise exposure to western insolation.

(b) incorporate drawings showing the building footprint for each single dwelling lot that will form part of any development permit for subdivision that:
i. orients **dwellings** to take into account the visual and acoustic privacy needs of residents particularly with respect to private open space areas and bedrooms;

ii. may include a **common building boundary**;

iii. may include reduced **building setbacks** to the **primary street** frontage where:

- increased **building setbacks** to the rear boundary are incorporated, and

- garages, carports and the like are set behind or in line with the main **dwelling** building line;

iv. complies with the building envelope requirements of clause 11.2.3 with respect to lots with areas less than 600m$^2$; and

v. provides for passive surveillance of public open space where lots are located adjacent to such areas.

5. Without **consent** a lot may be developed for the purpose of a **single dwelling** if:

   (a) the development is consistent with the building footprint endorsed for the lot under paragraph 4; and

   (b) the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.

If a **single dwelling** does not comply with the requirements of this paragraph it shall be permitted only with **consent** and the consent authority may **consent** only if it is satisfied that special circumstances justify the giving of **consent**.

6. With **consent** a lot may be developed for the purpose of:

   (a) **community centre**;

   (b) **display homes**;

   (c) **group home**;

   (d) **home based child care centre**;

   (e) **home based contracting**;

   (f) **home based visitor accommodation**;

   (g) **independent unit**;

   (h) **medical consulting rooms**;

   (i) **supporting accommodation**; and

   (j) **temporary sales office**.

Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme which would apply were the land within Zone SD.

The consent authority must not **consent** to development which does not comply with the relevant clauses of the Planning Scheme on lots with areas less than 600m$^2$. 
7. With consent land may be developed for the purpose of **multiple dwellings** subject to all of the relevant clauses of the Planning Scheme that would apply were the land in Zone MD.

The consent authority may consent to the development of a lot for the purpose of **multiple dwellings** only where it has been identified for **multiple dwellings** on the land use drawing endorsed under paragraph 2.

8. Without consent land within this zone may be developed for the purpose of a **home occupation** if the development complies with clause 7.10.7 and otherwise only with the consent of the consent authority.
Lot 7591, Town of Darwin (16 Gregory Street, Parap)

1. The purpose of this zone is to facilitate the subdivision, use and development of the land for residential purposes at a density compatible with existing development within the locality.

2. The purpose of this paragraph is to ensure that the residential subdivision in this zone contains lots of a size, configuration and orientation suitable for residential purposes.

Land within this zone may be subdivided to accommodate a **single dwelling** if:

   a. the minimum lot size is at least 700m$^2$;
   b. no more than 24 lots are created;
   c. lots which share a rear boundary with other land within Zone SD have an area of no less than 760m$^2$;
   d. one lot only has access to Weddell Street; and
   e. any new road intersection is limited to Gregory Street.

The subdivision design may include one or more **common building boundaries** nominated at the time of subdivision for lots less than 800m$^2$ that are not adjacent to a public road or land in Zone SD and a **single dwelling** may be built up to a **common building boundary** despite the setback provisions of clause 7.3.

3. There is no requirement for public open space within the subdivision.

4. Without **consent** a lot may be developed for the purpose of:
   a. **group home**;
   b. **home based contracting**;
   c. **home occupation**;
   d. **independent unit**; and
   e. **single dwelling**.

   if the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.

5. With **consent** a lot may be developed for the purpose of:
   a. **community centre**;
   b. **home based child care centre**;
   c. **home based visitor accommodation**;
   d. **medical consulting rooms**; and
   e. **supporting accommodation**.

   Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme which would apply were the land within Zone SD.
Part Lot 9737, Town of Nightcliff (Lee Point Road, Muirhead).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types.

2. Development Design Philosophy

   Any subdivision and future development is expected to be designed to respond to Darwin’s tropical climate and lifestyle attributes. This includes, but is not limited to, adherence to the following design principles:

   (a) lot patterns which are best suited to catching prevailing breezes;

   (b) local streets which include a single carriageway with footprints which enable groupings of large street trees in public space and smaller trees in front yards;

   (c) lots and dwellings sited so as to have sufficient area to provide for the dwellings, vehicle access, parking and ancillary structures;

   (d) the inclusion and adaptation of porches and decks as living spaces which are designed to encourage activation of and overlooking of streets and public spaces;

   (e) a mix of heavy and lightweight elements in the front façade of the building;

   (f) breezeway separations between buildings and the inclusion of side yard spaces; and

   (g) housing which promotes cross ventilation through building orientation and layout, with extended roofs and overhangs for additional shade and weather protection.

3. With consent land within this zone may be developed for the purpose of a subdivision if:

   (a) the development application to subdivide the land is accompanied by:

      i. a drawing including the proposed land use; and

      ii. a setback plan indicating the minimum building setbacks for each lot, consistent with the Development Design Philosophy in paragraph 2;

   and the drawings form part of any development permit for subdivision.
(b) the subdivision design incorporates a predominantly grassed strip along the eastern boundary of the zone with a width of 100m or as required by the NT Government’s authority for medical entomology. The strip will form a part of a 1km buffer to the biting insect breeding areas of Buffalo Creek;

(c) The subdivision design ensures no residential development is proposed within 700m of the primary settlement ponds of the sewage treatment plant;

(d) the overall subdivision design includes the following open spaces:

i. one or more east-west parks and open space corridors generally linked to the Lyons central park and open space corridor, incorporating stormwater drainage systems that are appropriate for Darwin’s climate;

ii. subject to the requirements of local government and service authorities, an open space link along Lee Point Road; and

iii. a vegetated visual screen no less than 20m wide along and abutting the northern boundary of Fitzmaurice Drive;

(e) the overall subdivision design includes provision for a future road corridor not less than 30m wide, generally along the eastern boundary of the zone.

4. The purpose of this paragraph is to ensure residential subdivisions contain lots of a size, configuration and orientation suitable for residential purposes.

The overall subdivision design should:

(a) ensure the average number of dwelling units per hectare does not exceed 10 across the area of the zone defined as the area of the site:

- less the area of the grassland strip required by paragraph 3(b);
- less the area of the odour buffer required by paragraph 3(c); and
- less the area of the future road corridor required by paragraph 3(e).

(b) not include any lot with an area of less than 450m²;

(c) include a dominant lot size of between 500m² and 700m²;

(d) ensure lots are generally square in shape, with a minimum frontage of 18m, unless a lot is of an irregular shape or truncated;

(e) provide a street layout which is generally orientated within 30 degrees of north;
(f) ensure that no lot, that has greater than 80% of its area within the biting insect buffer, has an area of less than 4000m²;

(g) not include more than 20% of all dwellings as multiple dwellings; and

(h) ensure that lots for multiple dwellings are distributed in a manner to enable servicing by public transport and be located in close proximity to public open space and/or community facilities.

5. Without consent a lot may be developed for the purpose of:

(a) display home;

(c) group home;

(d) home based contracting;

(e) home occupation;

(f) independant unit;

(g) single dwelling;

if the development:

i. is consistent with the setback plan endorsed for the lot under paragraph 3 of this zone, and includes a breezeway along one side boundary of a width no less than 4.5 m;

ii. has no more than 16 m² of roofed area intruding into the breezeway;

iii. provides, in lieu of compliance with the minimum dimensions of private open space in Table to Clause 7.5 Private Open Space, a total area of private open space of no less than 130 m² and ‘open to the sky’; and

iv. complies with all other requirements of the Planning Scheme as if the land were in Zone SD (Single Dwelling Residential).

If the development does not comply with the requirements in the paragraph above, it shall be permitted only with consent and the consent authority may consent only if it is satisfied that the special circumstances justify the giving of consent.

6. With consent a lot may be developed for the purpose of:

(a) community centre;

(b) home based child care centre;

(c) home based visitor accommodation;

(d) medical consulting rooms;

(e) supporting accommodation; and

(f) temporary sales office.

Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme that would apply were the land within Zone SD.
7. With consent a lot may be developed for the purpose of multiple dwellings subject to all the relevant clauses of the Planning Scheme that would apply were the land within Zone MD.

The consent authority may consent to the development of a lot for the purpose of multiple dwellings only where it has been identified for multiple dwellings on the land use drawing endorsed under paragraph 3.

8. With consent a lot may be developed for purposes consistent with Zone CP, where the lot has been identified for community purposes on the land use drawing endorsed under paragraph 3, and subject to all the relevant clauses of the Planning Scheme that would apply were the land within Zone CP.

9. With consent a lot may be developed for purposes consistent with Zone C, where the lot has been identified for commercial purposes on the land use drawing endorsed under paragraph 3, and subject to all the relevant clauses of the Planning Scheme that would apply were the land within Zone C.

OMITTED
Lots 1822, 3376 and 3377, Town of Darwin (7 Stokes Street, 155 and 153 Stuart Highway, Parap).

1. The purpose of this zone is to facilitate the use and development of the land for community service activities.

2. Without consent:
   (a) caretaker’s residence;
   (b) community centre;
   (c) group home;
   (d) home based contracting;
   (e) home occupation;
   (f) independent unit; and
   (g) single dwelling.

   if the development complies with all other requirements of the planning scheme as if the land were in Zone SD.

   If the development listed in paragraph 2 does not comply with the requirements of Zone SD it will be permitted only with consent and the consent authority may consent only if it is satisfied that special circumstances justify the giving of consent.

3. With consent:
   (a) child care centre
   (b) medical clinic;
   (c) medical consulting rooms;
   (d) office; and
   (e) supporting accommodation.

   if the development complies with all other requirements of the planning scheme as if the land were in Zone C.
SD26

Amendment No. 82
gazetted 02.12.2009
introduces SD26

Amendment No. 369
gazetted 04.09.2015
rezones Lot 9370 Town of Nightcliff to Zone FD
and as a consequence omits SD26

OMITTED
Lot 1252, Town of Nightcliff (6 Brooks Place, Millner)

1. The purpose of this zone is to facilitate the use and development of the land for single storey, two bedroom multiple dwellings for seniors.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

3. Despite paragraph 2, the consent authority must not consent to a development that exceeds:
   (a) one storey in height; and
   (b) any more than four, two bedroom multiple dwellings.

Lot 1535, Town of Nightcliff (10 McKay Place, Millner)

1. The purpose of this zone is to facilitate the use and development of the land for single storey, two bedroom multiple dwellings for seniors.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

3. Despite paragraph 2, the consent authority must not consent to a development that exceeds:
   (a) one storey in height; and
   (b) any more than four, two bedroom multiple dwellings.
Lot 2414, Town of Sanderson (10 Marshall Court, Malak).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, two bedroom **multiple dwellings** for seniors.

2. With **consent** the land may be developed for the purpose of **multiple dwellings** if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may **consent** to a variation of the requirements only if it is satisfied that special circumstances justify the giving of **consent**.

3. Despite paragraph 2, the consent authority must not **consent** to a development that exceeds:
   
   (a) one **storey** in height; and
   
   (b) any more than two, two bedroom **multiple dwellings**.
Lots 7466 and 7468, Town of Darwin (129 Stuart Highway and 10 Salonika Street, Parap).

1. The purpose of this zone is to facilitate the use and development of the land for a complimentary mix of commercial and residential activities.

2. A use or development is to contribute to the development of the Gardens Hill area as an integrated and harmonised mixed use area by:
   (a) comprising residential and commercial activity incorporating publicly accessible linkages;
   (b) taking advantage of outlooks and physical connections to surrounding precincts; and
   (c) the creation of a land mark development through definitive streetscaping and quality architecture.

3. With consent, and subject to paragraphs 4 to 12 inclusive:
   (a) caretaker’s residence;
   (b) child care centre;
   (c) community centre;
   (d) convention centre;
   (e) education establishment;
   (f) home based visitor accommodation;
   (g) home occupation;
   (h) hospital;
   (i) hostel;
   (j) hotel;
   (k) leisure and recreation;
   (l) licensed club;
   (m) medical clinic;
   (n) medical consulting rooms;
   (o) motel;
   (p) multiple dwellings;
   (q) office;
   (r) place of worship;
   (s) restaurant;
   (t) shop;
   (u) showroom sales;
   (v) supporting accommodation; and
   (w) veterinary clinic.

4. Setbacks to commercial development are to:
   (a) ensure privacy for residential development on the site and adjoining sites;
   (b) be cognisant of the impacts of and on adjoining land uses; and
   (c) provide appropriate amenity for the streetscape.

5. All car parking is to be screened from the street, preferably in basement car parks and where car parking is not under cover, shade landscaping is to be incorporated into the design of the car parking areas.
6. Buildings or works are to be designed and constructed to be compatible with the surrounding environment having regard to
   (a) the topography and relationship to adjoining land uses;
   (b) the impact of the bulk and height of buildings or structures on adjoining development and the visual impact when viewed from other precincts;
   (c) the need to create a pedestrian scale at ground level and develop pedestrian connections within the precinct and to other precincts and land uses; and
   (d) the type and colours of materials.

7. Buildings and structures on the site are not to exceed a height of 14 storeys or RL 73.5m AHD, whichever is the lesser. The measurement of the height of a building or structure must include the measurement of any plant, lightning rod and vegetation on the building or structure.

8. Any building higher than two storeys above ground level is not to cover more than 30% of the site area.

9. A maximum of 300 multiple dwellings are to be developed on the site.

10. Clauses 7.8 and 8.2 of the Planning Scheme apply to any proposed development on the site.

11. A development application for a use or development specified above is to include:
   (a) a master plan for development of the site;
   (b) a staging plan for the proposed development;
   (c) information regarding the timeframes for development and the provision of shared facilities to the site; and
   (d) a traffic study completed by qualified traffic engineers, to the requirements of the General Manager of Infrastructure, Darwin City Council and the General Manager, Sustainability, Strategic Planning and Policy, Department of Lands and Planning. This study will also need to identify any potential need to upgrade vehicular and pedestrian infrastructure to service the proposed development.

12. Lighting is to be designed and constructed to ensure compatibility with any residential use on the land and to prevent overspill to adjoining properties.
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
   (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.

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;
Northern Territory Planning Scheme

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.
Lot 7035, Town of Sanderson (94 Matthews Road, Malak).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, two bedroom multiple dwellings for seniors.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

3. Despite paragraph 2, the consent authority must not consent to a development that exceeds one storey in height.
Lot 9327, Town of Nightcliff (125 Dick Ward Drive, Coconut Grove).

1. The purpose of this zone is to facilitate the development and use of the land as a residential estate with single **storey multiple dwellings**.

2. With consent, land within this zone may be developed for the purpose of a residential estate for a maximum number of 16 **dwellings**.

3. An application to develop the land in stages is to be accompanied by a drawing showing the stage boundaries and indicating the number of **dwellings** to be constructed in each stage and an approved version of that drawing will be endorsed under the development permit.

4. The purpose of this paragraph is to ensure that residential development in this zone will ensure appropriate levels of residential **amenity**.

   The design of the residential estate should:
   
   (a) include details of street and feature landscaping at the interface of the **site** with Dick Ward Drive and internally;
   
   (b) include solid boundary fencing to adjoining properties that is a minimum of 1.8m in height. Details of proposed finished both internal to the subdivision and to adjoining properties must be provided;
   
   (c) Provide for connection to reticulated services;
   
   (d) Demonstrate consideration of, mitigate potential impacts on adjoining properties with respect to stormwater flow and flooding; and
   
   (e) Provide connections to the existing pedestrian network on Dick Ward Drive.

5. The purpose of this paragraph is to enhance the **amenity** of properties and **dwellings** and to reduce risk to people damage to property and costs to the general community caused by storm surge.

   With **consent** the land may be developed for the purpose of a single **dwelling** or **multiple dwelling** if:
   
   i. the building contains a single **storey** only and, subject to paragraph 5(a)(ii), is a ground level structure;
   
   ii. the finished floor level of **habitable rooms** of a **dwelling** is at least 300 mm above the primary storm surge level of the site (“primary storm surge level” means the water level is associated with a 1% Annual Exceedance Probability of inundation by storm surge);
   
   iii. the dwelling incorporates aircraft noise mitigation measures, in accordance with a report by a qualified acoustic consultant, that would produce night time indoor design sound levels not exceeding 50 Db(a) in bedrooms and 55 Db(a) in other habitable rooms; and
iv. each **dwelling** is provided with private open space with a minimum area of 100m$^2$, exclusive of driveways and parking areas, but inclusive of an area with minimum dimensions of 5m x 5m.

If **single dwellings** or **multiple dwellings** do not comply with the requirements of this paragraph, the consent authority may **consent** only if it is satisfied that special circumstances justify the giving of **consent**.

6. Clause 7.6 does not apply in this zone.

7. **Residential buildings** and structures without external walls are to be set back from Dick Ward Drive a minimum of 5.0m in the case of a **residential building**, and a minimum of 1.5m in the case of a veranda or structure without external walls.

Building setbacks to side and/or rear boundaries are to comply with the requirements of Table A to clause 7.3.

8. Without **consent** land within this zone may be developed for the purpose of a **home occupation** if the development complies with clause 7.10.7 (home occupation), and otherwise only with the **consent** of the consent authority.

9. With **consent** land within this zone may be developed for the purpose of:

   (a) display home;
   
   (b) **group home**;
   
   (c) **home based visitor accommodation**;
   
   (d) independent unit;
   
   (e) **supporting accommodation**; and
   
   (f) temporary sales centre.

Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme which would apply if the land were within Zone MD, and the finished floor level of **habitable rooms** of any new building must be at least 300mm above the primary storm surge level of the **site** (*primary storm surge level* means the water associated with a 1% Annual Exceedance Probability of inundation by storm surge).
### Lot 1310, Town of Nightcliff (38 Ryland Road, Millner).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, **multiple dwellings** for seniors and/or people with physical ailments or mobility impairments.

2. With **consent** the land may be developed for the purpose of **multiple dwellings** if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may **consent** to a variation of the requirements only if it is satisfied that special circumstances justify the giving of **consent**.

3. Despite paragraph 2, the **consent authority** must not **consent** to a development that exceeds:
   
   (a) one **storey** in height; and
   
   (b) any more than two **multiple dwellings**.

### Lot 7162, Town of Nightcliff (42 Marrakai Street, Tiwi).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, **multiple dwellings** for seniors and/or people with physical ailments or mobility impairments.

2. With **consent** the land may be developed for the purpose of **multiple dwellings** if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

3. If the development does not comply with the listed requirements, the consent authority may **consent** to a variation of the requirements only if it is satisfied that special circumstances justify the giving of **consent**.

4. Despite paragraph 2, the **consent authority** must not **consent** to a development that exceeds:
   
   (a) one **storey** in height; and
   
   (b) any more than two **multiple dwellings**.
Lot 4670, Town of Darwin (19 Goyder Road, Parap).

1. The purpose of this zone is to facilitate the use and development of the land for a complimentary mix of commercial and residential activities.

2. A use or development is to contribute to improving the amenity of the Goyder Road Precinct as an integrated mixed use area by:
   (a) taking advantage of views and having due regard to impacts on view corridors of the future surrounding neighbourhood and existing buildings;
   (b) creating a land mark (gateway) development through definitive streetscapes and quality architecture;
   (c) a design which has a distinctive base, middle and top;
   (d) ensuring that all roof top structures, such as plant rooms and lift overruns are to be integrated into the design of the building;
   (e) establishing a design that transitions incrementally in height from the closest tower of Lot 7467 Town of Darwin while having due regard to the surrounding environment
   (f) providing active building frontages, with high quality landscape and streetscape elements; and
   (g) a design that reflects the Community Safety Design Guide principles.

3. With consent, and subject to paragraphs 4 to 14 inclusive:
   (a) caretaker’s residence;  (j) leisure and recreation;
   (b) child care centre;       (k) licensed club;
   (c) community centre;      (l) medical clinic;
   (d) convention centre;     (m) motel;
   (e) education establishment; (n) multiple dwellings;
   (f) home based visitor accommodation; (o) office;
   (g) home occupation;       (p) place of worship;
   (h) hostel;                (q) restaurant;
   (i) hotel;                (r) shop;
   (s) supporting accommodation; and
   (t) veterinary clinic.

The above land uses are also subject to the relevant provisions as set out in Parts 4 and 5 of the NT Planning Scheme.

4. A Development Permit for the use and development of the site may be granted that allows uses to be substituted for other consent uses listed at sub-clause 3 when identified on an indicative land use plan submitted with the application. Consent is subject to the provision of adequate car parking being demonstrated and there being no increase in net floor area.
5. Buildings and structures on the site are not to exceed a height of 73.5m AHD. The measurement of the height of a building or structure must include the measurement of any plant, lightning rods and vegetation on the building or structure.

6. Any section of building higher than the podium is not to cover more than 40% of the site area within the setbacks and savings defined by clause 12.

7. Development should create a high level of pedestrian amenity at ground level by:
   (a) ensuring 75% of the length of the Goyder Road and the Nylander Street site boundaries are created as active street frontages through such treatments as:
      i. frequent, operational and legible entrances that are directly accessible from the public footpath; and
      ii. clear glass windows with views to and from the street;
   (b) providing shelter and shade to footpaths for the full extent of the site frontage;
   (c) providing appropriate species of planting of mature trees within the road reserve; and
   (d) providing paving and street furniture similar or equal to the quality approved for development on lots 7466 and 7468 Stuart Highway and Salonika Street, Town of Darwin.

8. All car parking must be visually screened from the street and podiums of adjacent buildings.

9. All car parking is to be contained in the basement/semi basement levels of the building. Except for visitor car parking which could be located at ground level.

10. All car parking egress and access is expected to be from Goyder Road subject to the finding of a traffic study.

11. Development at or below podium level should encourage active street frontages by providing a zero setback along the Goyder Road and Nylander Street frontages and a variable setback from zero to a setback aligning with the adjoining frontage along Gilruth Avenue on Lot 7467 Town of Darwin.

12. Development above the podium (other than shade structures, communal facilities, utilities, landscape and recreational elements and structures ancillary to land uses and activities at the podium level) should be set 6m from the street boundaries and a minimum 10m off the rear boundary, a minimum 6m off the side boundary and not less than 37m from the western extremity of the site, measured from this point along the boundary with lot 7467 Town of Darwin and thence a line perpendicular to that point (See diagram).

13. The podium edge height along the boundaries of the site (See Diagram)
   (a) with Lot 7467 Town of Darwin should match (AHD) the podium on that lot, separated by a 3 metre landscaped screen at current ground level that existed prior to any development permit being issued incorporating tall trees.
(b) with lot 2833 Town of Darwin, should be 6 metres in height to the top of the parapet above ground level.

(c) along the Goyder Road and Nylander Street frontages should be 10 metres in height to the top of the parapet above ground level, and transition in height in accordance with the intent of clause 2(e) adjacent to the Gilruth Avenue and Goyder Road intersection.

14. A development application for a use or development subject to this clause must provide:

(a) a site analysis and urban design study that demonstrates that the proposed development contributes positively to the neighbourhood and meets the requirements at sub-clauses 5 to 13 of this clause;

(b) a master plan and staging plan for the proposed development;

(c) a shared facilities schedule;

(d) a traffic study (including pedestrian and cycle pathways) completed by qualified traffic engineers and consultants, to the requirements and satisfaction of the Darwin City Council and the Department of Lands and Planning. This study will also need to identify any potential need to upgrade vehicular, cycle and pedestrian infrastructure to service the proposed development;

(e) a landscape plan for the public domain and proposed building; and

(f) the type and colours of materials to be used in the design and construction of the building and streetscape.
Part Lot 5182, Town of Darwin (213 Dick Ward Drive, Ludmilla).

1. The purpose of this zone is to provide for development that:
   (a) preserves the amenity of adjoining residential areas;
   (b) minimises the negative impacts of being exposed to aircraft noise; and
   (c) preserves the safety and maintains the curfew free operation of the Darwin International Airport.

2. The parts of Lot 5182 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.

3. Area A is to be:
   (a) used with or without consent in accordance with the provisions of Zone SC (Service Commercial);
   (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
      i. animal boarding;
      ii. car park;
      iii. education establishment;
      iv. home based contracting;
      v. home occupation;
      vi. hostel;
      vii. hotel;
      viii. leisure and recreation;
      ix. licensed club;
      x. motel;
      xi. motor body work where located on land adjoining or opposite a residential zone;
      xii. motor repair station where located on land adjoining or opposite a residential zone;
      xiii. place of worship;
      xiv. passenger terminal;
      xv. residential building;
      xvi. service station where located on land adjoining or opposite a residential zone;
      xvii. supporting accommodation;
      xviii. transport terminal; and
      xix. veterinary clinic.
   (c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.
4. Area B is to be:

(a) used with or without consent in accordance with the provisions of Zone LI (Light Industry);

(b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:

   i. car park;
   ii. community centre;
   iii. education establishment;
   iv. home based occupation;
   v. hotel;
   vi. leisure and recreation;
   vii. licensed club;
   viii. medical clinic;
   ix. office except where ancillary to the primary use;
   x. place of worship;
   xi. passenger terminal;
   xii. restaurant;
   xiii. residential building;
   xiv. rural industry; and
   xv. veterinary clinic.

(c) developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.

5. Development of Area A is to protect the residential amenity of the adjoining Ludmilla community by:

(a) providing a vegetated landscaping buffer Fitzer Drive, which will include the existing 10m drainage easement that runs along the property boundary. Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority; or

(b) providing a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping;

(c) meeting the requirements of Clause 6.12 of the NT Planning Scheme;

(d) designing buildings to have an active frontage to Fitzer Drive that allows for the passive surveillance of the landscape buffer; and

(e) the landscaping buffer discussed at paragraphs 5(a) and 5(b) are to be constructed prior to the commencement of any development within Area A.

6. A road reservation that runs along the northern boundary of Area A is to be provided. Buildings are to have a frontage to this reservation and are to provide an active street interface.

7. Loading bays, storage facilities and waste storage utilities should be screened from Dick Ward Drive by using a 8m landscaping buffer and other landscaping design techniques in Areas A and B to the satisfaction of the consent authority.
8. The presentation of blank walls to Dick Ward Drive is to be minimised in Areas A and B by using architectural design techniques such as awnings, windows, eaves, roof design and other architectural design techniques.

9. Building and lot designs are to demonstrate that they can be constructed to comply with:
   (a) AS2021-2000 ‘Acoustics – Aircraft noise intrusion – Building siting and construction’; and
   (b) any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.

10. A master plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged for Areas A and B. This master plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed master plan.

11. The master plan required at paragraph 10 is to outline how the requirements in this schedule are met (where applicable), and is to:
   (a) identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;
   (b) integrate parking areas with the pedestrian network;
   (c) include a road network design that provides necessary network upgrades, ingress and egress points, provides a low speed environment that protects the amenity of adjoining areas and prioritises a safe pedestrian network;
   (d) provide any relevant cultural, soil and flora and fauna assessment that demonstrates that development of the land will not cause detrimental impact to the community or the environment;
   (e) provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;
   (f) include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and
   (g) demonstrate how buildings are likely to be accommodated within the development and that compliance with Clauses 8.2 and 11.3 of the NT Planning Scheme is achievable.
Lots 3564 and 3565, Town of Nightcliff (31 and 33 Moil Crescent, Moil).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, multiple dwellings for seniors and/or people with physical ailments or mobility impairments.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

   If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

3. Despite paragraph 2, the consent authority must not consent to a development that exceeds:
   (a) one storey in height; and
   (b) any more than a total of four multiple dwellings.
Section 4445, Hundred of Bagot (55 Batten Road, Marrara).

1. The purpose of this zone is to facilitate the use and development of Section 4445 for either:
   (a) uses consistent with Zone CP (Community Purposes); or
   (b) for the term limited at subclause 3 - a short stay, accommodation village.

2. Land may be developed with or without consent for uses consistent with Zone CP (Community Purposes) if the development complies with the zoning table and all relevant requirements of the Planning Scheme as if the land were within Zone CP (Community Purposes).

3. With consent and subject to clauses 4 to 11 the land may be developed for the purpose of a temporary short term, short stay, accommodation village for a period of up to fifteen (15) years from the commencement date of Crown Lease Term 2410.

4. All residential structures are to be of a temporary, transportable nature and consist of:
   (a) self contained accommodation; and/or
   (b) accommodation utilising communal toilet, ablation, laundering and dining or cooking facilities.

5. The height of any part of a building or structure is not to exceed 8.5m above ground level.

6. Development within this zone is to provide onsite car parking at a ratio of 1 car parking space per self-contained accommodation unit and 1 car parking space per two bedrooms of non self-contained accommodation.

7. Buildings and structures are to be setback from McMillans Road a minimum of 6m and from Batten Road a minimum of 2.5m. Building setbacks to all other boundaries are to be a minimum of 1.5m.

8. Private or communal open space is to be provided at a minimum rate of 6m² of open space per person.

9. The design and positioning of any communal open space is to have regard to:
   (a) the overall population density on the site;
   (b) the type of activities provided for and the hours of operation of communal facilities;
   (c) the provision of landscaping and shade;
   (d) safety issues including lights and informal surveillance;
   (e) on-site traffic circulation;
   (f) future maintenance and management requirements; and
   (g) functionality, useability and accessibility of the space.

10. The development and use of the land for ancillary purposes is permitted only with consent including but not limited to:
    (a) recreation facilities for the use and enjoyment of the residents; and
(b) facilities considered necessary to contribute to the amenity of the residents and management of the facility including but not limited to security, convenience store and facilities to meet the communication needs of residents.

11. The consent authority must not consent to an ancillary use, which is not of a scale and intensity to service only the needs of residents of the village.

SD40
Amendment No. 223
 gazetted 16.05.2012
creates SD40

Lot 1313, Town of Nightcliff (44 Ryland Road, Millner).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, multiple dwellings for seniors and/or people with physical ailments or mobility impairments.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

3. If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

4. Despite paragraph 2, the consent authority must not consent to a development that exceeds:
   (a) one storey in height; and
   (b) any more than a total of two multiple dwellings.

SD41
Amendment No. 217
 gazetted 13.06.2012
creates SD41

Lot 3892, Town of Darwin (22 Graham Street, Stuart Park).

1. The purpose of this zone is to facilitate the use and development of the land for single storey, multiple dwellings for seniors and/or people with physical ailments or mobility impairments.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

3. If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

4. Despite paragraph 2, the consent authority must not consent to a development that exceeds:
   (a) one storey in height; and
   (b) any more than a total of two multiple dwelling.
Part Portion 2235, Hundred of Bagot (651 Stuart Highway, Berrimah).

1. The purpose of this zone is to facilitate the development of the land for light industrial purposes that minimise the impacts from exposure to aircraft noise, and that does not inhibit the operation of the Darwin International Airport.

2. the parts of Portion 2235 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.

3. Area A is to be
   (a) used with consent in accordance with the provisions of Zone LI (Light Industry);
   (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
      i. education establishment;
      ii. medical clinic;
      iii. place of worship; and
      iv. plant nursery.

4. Area B is to be:
   (a) used with consent in accordance with the provisions of Zone LI (Light Industry);
   (b) notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:
      i. animal boarding;
      ii. caretaker’s residence;
      iii. community centre;
      iv. education establishment;
      v. home occupation;
      vi. hotel;
      vii. leisure and recreation;
      viii. licenced club;
      ix. medical clinic;
      x. office except where ancillary to the primary use and not exceeding 25% of the total floor space of the primary use;
      xi. passenger terminal;
      xii. place of worship;
      xiii. plant nursery;
      xiv. restaurant;
      xv. service station; and
      xvi. shop except where it complies with clause 8.1.1 of the NT Planning Scheme.

5. 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.

6. Buildings are to demonstrate that they can be constructed to comply with:
   (a) AS2021-2015 ‘Acoustics – Aircraft noise intrusion – Building siting and construction’; and
   (b) any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.

7. Development within the zone shall not cause any temporary or permanent structure to breach the defined airspaces for civil or military aviation purposes.
8. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

9. The consent authority may exercise discretion under clause 3a and 4a, but otherwise must not consent to an application that is not in accordance with the clauses in this zone.

Section 4303, Hundred of Bagot (680 Vanderlin Drive, Berrimah).

1. The purpose of this zone is to facilitate development of the site while ensuring aircraft noise and stormwater discharge is appropriately managed.

2. Prior to any development on the site, a stormwater drainage study is to be prepared and is to identify any mitigation methods that need to be implemented in order to prevent adverse impacts on upstream and downstream drainage systems, surface and ground water and the environment. This study is to be prepared to the satisfaction of the relevant service authority.

3. Section 4303 is to be used in accordance with the zoning table for Zone LI (Light Industry), provided that the use accords with the stormwater management plan required at paragraph 2.
1. Notwithstanding paragraph 3, the following uses if proposed as the primary or secondary use are prohibited on section 4303:

(a) caretaker’s residence;  
(b) education establishment;  
(c) home occupation;  
(d) hotel, where a residential building is proposed;  
(e) leisure and recreation;  
(f) medical clinic;  
(g) place of worship;  
(h) plant nursery;  
(i) rural industry, where products that attract birds and bats are stored outdoors.

2. Subject to paragraph 2, section 4303 may be developed for the purpose of the zone if development complies with all requirements of the NT Planning Scheme, as if the site was in Zone LI (Light Industry), and provided that:

(a) all proposed development can be constructed in accordance with AS2021-2000 ‘Acoustics – Aircraft noise intrusion – Building siting and construction’ (AS2021); and  
(b) all proposed development can be constructed in accordance with the height provisions determined by the Defence (Area Control) Regulations 1989.

3. Subject to paragraph 2, section 4303 may be developed for the purpose of a subdivision if the application to subdivide the site is in accordance with the relevant clauses of the NT Planning Scheme, as if the land was in Zone LI (Light Industry).

4. Any development or subdivision of the site should allow for:

(a) the future closure of the current access point to Vanderlin Drive; and  
(b) a replacement site access point or local road connection on the southern boundary of the site when the proposed local road for section 6442 Hundred of Bagot is constructed along the southern boundary of section 4303.

Part Lots 5182, Town of Darwin and 8630, Town of Nightcliff (Dick Ward Drive, Coconut Grove).

1. The purpose of this zone is to provide for light industrial development that addresses:

(a) the effects of primary storm surge; and  
(b) preserves the safety and maintains the curfew free operation of the Darwin International Airport.

2. Prior to subdivision and the commencement of works to address the issue of storm surge, a hydrological assessment approved by the Department of Land Resource Management must be provided to the satisfaction of the Consent Authority.

3. Subdivision of the land within the zone is to be in accordance with the requirements of 11.3.2 and 11.3.3 of the Northern Territory Planning Scheme.
1. The following uses are permissible only with consent and are to be developed in accordance with the requirements of Zone LI (Light Industry):
   (a) animal boarding;
   (b) business sign;
   (c) car park;
   (d) community centre;
   (e) leisure and recreation;
   (f) light industry;
   (g) motor body works;
   (h) motor repair station;
   (i) office, only where ancillary to the primary use;
   (j) passenger terminal;
   (k) plant nursery;
   (l) promotion sign;
   (m) rural industry;
   (n) service station;
   (o) showroom sales;
   (p) transport terminal;
   (q) vehicles sales and hire;
   (r) warehouse.

Any other use not explicitly stated within this zone is a prohibited use whether posed as a primary or ancillary use.

2. In determining an application for the use or development of land subject to the ANEF 20 unit value contour line or greater, the consent authority is to have regard to the Building Site Acceptability Table (Table 2.1) based on ANEF Zones taken from AS 2021 – 2000 as a guide to the type of use or development it may consent to.

3. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

4. Use or development of land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport.

Lot 4223, Town of Darwin (36 Wilmot Street, The Narrows).

1. The purpose of this zone is to facilitate the use and development of the land for multiple dwellings, limiting the development of the site to two units.

2. With consent the land may be developed for the purpose of multiple dwellings if the development complies with all other requirements of the Planning Scheme as if the land were in Zone MD (Multiple Dwelling Residential).

If the development does not comply with the listed requirements, the consent authority may consent to a variation of the requirements only if it is satisfied that special circumstances justify the giving of consent.

3. Despite paragraph 2, the consent authority must not consent to a development that exceeds any more than a total of two multiple dwellings.
1. The purpose of this zone is to facilitate the use and development of the land for a predominantly residential development, with complementary commercial activities.

2. With consent, and subject to paragraphs 3 to 13 inclusive, the land may be developed for:
   (a) caretaker’s residence;
   (b) home occupation;
   (c) multiple dwellings;
   (d) office;
   (e) restaurant; and
   (f) shop.

3. Development is to contribute to improving the amenity of the Blake Street Precinct as an inner-city mixed use area by:
   (a) creating a landmark development through high architectural quality and distinctive streetscapes;
   (b) providing high levels of pedestrian amenity;
   (c) designing buildings with active interfaces;
   (d) designing buildings to take advantage of views while taking into account potential view corridors of future development reasonably to be expected in the surrounding precinct;
   (e) designing buildings to ensure that all building services, plant rooms, elevator shafts, roof-top elements and the like are integrated in the design of the building.

4. A development application for a permissible development is to include:
   (a) a master plan for development of the whole site;
   (b) a plan showing the stages in which the development is to be completed;
   (c) a plan showing the provision of facilities to be shared between stages;
   (d) a site analysis and urban design study that demonstrates that the proposed development contributes positively to the neighbourhood and meets the requirements of paragraphs 5 to 10 inclusive;
   (e) a landscape plan for the proposed development and adjoining streets;
   (f) a schedule of external building materials, including type and colour, to be used in the construction of buildings and streetscapes; and
   (g) a traffic study by qualified traffic engineering consultants, to the requirements and satisfaction of the City of Darwin, including identification of any upgrade to vehicular, cycle and pedestrian infrastructure required to service the proposed development.

5. Development is to include multiple dwellings in a variety of sizes up to a maximum of 118 multiple dwellings.
6. The total floor space used for office, restaurant, and shop is not to exceed 250m².

7. Buildings up to 7 storeys may be constructed on the land.

8. The site coverage ratio of buildings from the third storey above ground level must not exceed 0.5.

9. Development must include landscaped areas equivalent to at least 45% of the site area.

10. Development must include landscaped screens to parking areas at ground level, and landscaping at ground level in the setback from the boundary with Lot 7819.

11. Development should provide a high level of pedestrian amenity at ground level by treatments such as:
   (a) providing an active street frontage for at least 75% of the Gardens Hill Crescent boundary;
   (b) screening on-site car parking areas from view from adjoining roads;
   (c) planting mature shade trees in road reserves adjoining the site; and
   (d) provision of footpaths in road reserves adjoining the site.

12. Building setbacks should minimise the effects of building mass, avoid undue overlooking of adjoining properties, and encourage breeze penetration through and between buildings.

   Buildings are to be set back from lot boundaries in accordance with the table to this paragraph.

### Table to Clause 12 - Building Setbacks

<table>
<thead>
<tr>
<th>Lot Boundary</th>
<th>Minimum Setbacks, in metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gardens Hill Crescent</td>
<td>6m</td>
</tr>
<tr>
<td>Side boundary (common boundary with Lot 5642)</td>
<td>6.3m</td>
</tr>
<tr>
<td>Rear boundary (common boundary with Lot 7819)</td>
<td>2m</td>
</tr>
<tr>
<td>Blake Street</td>
<td>2m</td>
</tr>
</tbody>
</table>

1. Minimum building setbacks for a podium of residential building.

2. Minimum building setbacks for a tower of a residential building.

<table>
<thead>
<tr>
<th>Lot Boundary</th>
<th>Minimum Setbacks, in metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gardens Hill Crescent, for a distance of 40m measured from the boundary with Lot 5642</td>
<td>13.50m</td>
</tr>
<tr>
<td>Gardens Hill Crescent, beyond 40m measured from the boundary with Lot 5642</td>
<td>4.10m</td>
</tr>
<tr>
<td>Side boundary (common boundary with Lot 5642)</td>
<td>7.50m</td>
</tr>
</tbody>
</table>
3. Shops, restaurants and offices are to be located at the intersection of Blake Street and Gardens Hill Crescent and setback no more than 1m of these site boundaries.

4. Minimum distance between residential towers on the site.

The minimum distance between residential buildings on the site is to be 9m.

For the purposes of this table:

“ground level” means the highest point on the site boundary;

“podium” means the part of a residential building situated between ground level and 5m above ground level; and

“tower” means the part of a residential building situated above a height of 5m, above ground level.

Building setback is measured from site boundaries to:

- the wall of a residential building;
- the outer surface of the railings of a balcony or a verandah of a dwelling; and
- the outer surface of any support column of a ground level verandah of a dwelling.

No part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setback from the lot boundaries.

13. Unless provided for specifically in this zone, the provisions of the NT Planning Scheme applicable to Zone HR (High Density Residential) apply to development in this zone.

Part Section 4440 Hundred of Bagot (10 Boulter Road, Berrimah).

1. The purpose of this zone is to facilitate the development of the land for light industrial purposes that minimise the impacts of exposure to aircraft noise, and that does not inhibit the operation of the Darwin International Airport.

2. The parts of Section 4440 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as areas A and B on the diagram to this clause.

3. Area A is to be:

   (a) used with consent in accordance with the provisions of Zone LI (Light Industry); and

   (b) notwithstanding the above, the following uses are prohibited within this area::

   i. caretaker’s residence; iii. home occupation;

   ii. education establishment; iv. medical clinic; and

   v. place of worship.
4. Area B is to be:
   (a) used with consent in accordance with the provisions of Zone LI (Light Industry); and
   (c) notwithstanding the above, the following uses are prohibited within this area:
      i. animal boarding;      ix. medical clinic;
      ii. caretaker’s residence;  x. office;
      iii. community centre;     xi. passenger terminal;
      iv. education establishment;  xii. place of worship;
      v. home occupation;      xiii. restaurant;
      vi. hotel;                  xiv. service station;
      vii. leisure and recreation;  xv. shop; and
      viii. licenced club;         xvi. veterinary clinic.

5. Prior to any future subdivision, an integrated stormwater management plan covering all of the land within this zone is to be prepared in accordance with the strategic drainage framework of the Berrimah North Drainage Study and to the satisfaction of the relevant service authority;

6. A densely planted landscaping buffer to a depth of 3m shall be provided to the eastern boundary where land within this zone directly adjoins a residential area indicated on the Berrimah North Area Plan. The landscaping buffer is to mitigate noise and visual impacts from light industrial development on adjacent residential land;

7. Buildings are to demonstrate that they can be constructed to comply with:
   (a) AS2021-2000 ‘Acoustics – Aircraft noise intrusion – Building siting and construction’; and
   (b) Any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.

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. Use or development of land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport.

11. Subject to clause 12, the consent authority must not consent to an application that is not in accordance with the clauses of this zone.

12. Despite clause 11, the consent authority may consent to a variation of the requirements of Part 4 of the Planning Scheme if it is satisfied that special circumstances justify the giving of consent.
Rapid Creek Flood Response Zone

1. The purpose of this zone is to facilitate re-development for residential purposes in a manner that:
   (a) mitigates the 1% AEP riverine flooding and storm surge risk to proposed and existing development;
   (b) reduces risk to the community and improves resident safety during a flood event;
   (c) is consistent with the residential amenity of surrounding development; and
   (d) contributes to the establishment of a consistent streetscape and built form along Rapid Creek Road, Millner.

2. Land within this zone is to be used with or without consent in accordance with the provisions of Zone MD (Multiple Dwelling Residential), and its development is subject to compliance with the flood risk and amenity clauses listed in this and the MD zone respectively.

3. An application to develop land must include documentation prepared by a suitably qualified registered and practicing engineer recognised under the National Engineering Register that:
   (a) certifies that the minimum finished site level at any point (except required access ramps) will be at least equivalent to the defined flood height for that site; either the 1% AEP riverine flood level (established under Appendix C of the Rapid Creek Flood Study – Flood Modelling Results 2018) or the primary storm surge level, whichever is the highest;
   (b) certifies that the minimum floor height of all habitable rooms will be 300mm above the defined flood height for that site; either the 1% AEP riverine flood level (established by the Rapid Creek Flood Study – Flood Modelling Results 2018) or the primary storm surge level whichever is the highest. To avoid doubt, this includes the requirement to adapt any retained existing development to comply with this clause;
   (c) presents a stormwater management plan that adequately mitigates the potential impacts of stormwater associated with the conveyance of any pre-existing stormwater flows from an adjoining or adjacent property to the street or a public drainage system; and
   (d) demonstrates via a structural conditions report that the development will be capable of withstanding hydrostatic and hydrodynamic forces of flood waters impacting on the specific site.
Lot 9077 Town of Nightcliff (47 Progress Drive, Nightcliff)

1. The purpose of this zone is to facilitate development of the land for a complementary mix of commercial, community and residential uses in mixed-use multistorey buildings with high amenity public areas.

2. A use or development is to contribute to the redevelopment of John Stokes Square as an integrated and liveable mixed-use area by:
   
   (a) contributing medium density housing choices that respond to the changing needs of the community;
   
   (b) prioritising pedestrian and cycle access throughout the site and, where practicable, road linkages to the Nightcliff Village and Woolworths Shopping Centre;
   
   (c) providing for community uses and sufficient public open space capable of activating the site and meeting the recreational needs of local residents;
   
   (d) limiting uses that are incompatible with residential land uses;
   
   (e) use of high-quality landscape and streetscape elements; and
   
   (f) street and building design, which demonstrates consideration of building mass, a balance between public and private space, concealment and acoustic treatment of plant and which reflects the Community Safety Design Guide principles.

3. Subdivision within the zone is to have regard to the Mid Suburbs Area Plan and should:

   (a) provide a high level of internal accessibility and external connections for pedestrian, cycle and vehicle movements including an opportunity to provide direct connection through to Lot 12279, Town of Nightcliff;
   
   (b) provide links to commercial facilities and public transport services;
   
   (c) provide traffic management to restrain vehicle speed, prioritise pedestrian and cycle paths over those for vehicles, deter through traffic and create safe conditions for all road users;
   
   (d) provide for connection to reticulated services;
   
   (e) provide 10% of the area of the site (excluding the area intended for use as a police station) as public open space located in the central part of the site;
   
   (f) provide landscaping of the public realm and streetscapes to provide for visual amenity, shade and pedestrian comfort, to the satisfaction of the relevant authority;
   
   (g) ensure lots have sufficient area and appropriate dimensions to provide for proposed development; and
   
   (h) the provision of pedestrian and cyclist priority over vehicles both for travel within and through the site including reinforcement of connections to Nightcliff Village and Woolworths Shopping Centre.
4. The land is to be used and developed in accordance with the provisions of Zone C (Commercial).

5. Notwithstanding clause 4:
   (a) the land may be used and developed for a police station without consent, if:
      i. generally located in the north western area of the site on an area of approximately 4100m²; and
      ii. compliant with the requirements of this zone;
   (b) the land may be used and developed for the purposes of an education establishment and home based child care centre with consent;
   (c) car park, hostel, hotel, licensed club, medical consulting room, motel, motor repair station, motor body works, service station, place of worship, plant nurseries, and vehicle sales and hire are prohibited on the land; and
   (d) with consent, the south western portion of the parent parcel may be used and developed for the purpose of a car parking area, in association with a child care centre on Lot 12279, Town of Nightcliff.

6. Notwithstanding clause 4, all development shall comply with the following setback requirements:
   (a) a minimum 1.8m high solid fencing is to be provided to adjoining zones on the eastern and western boundary of the parent parcel including the boundary with Lot 9017, Town of Nightcliff;
   (b) With the exception of the land set aside for development of a police station, a 3m landscaped setback is to be provided to adjoining zones on the eastern and western boundary of the parent parcel including the boundary with Lot 9017, Town of Nightcliff;
   (c) a minimum 3m setback to side and rear boundaries is to be provided to all residential buildings;
   (d) an additional 0.5m setback to side and rear boundaries is required for each additional 3 metres or part thereof in building length over 18m for all residential buildings to a maximum setback of 6m;
   (e) where more than one building comprising residential buildings that exceed two storeys in height are located on a site, the distance between residential components of each building is to be the minimum of:
      i. 6m for walls to non-habitable rooms and habitable rooms without windows or doors; and
      ii. 9m for walls with windows or doors to habitable rooms or a verandah or balcony.

7. Notwithstanding Clause 6(a), car parking driveways may encroach 1m into a landscaped setback to allow for safe and convenient manoeuvring only.
8. All internal boundaries shall be provided with a 1.8m screen fence at the time of development, except where that development is or will be integrated with that on an adjoining site or the boundary is with a road reserve or public open space.

9. Provision of parking:
   (a) Vehicle parking requirements for dwellings owned by NT Government Agency are to be determined in accordance with Clause 6.5.1 of the NT Planning Scheme as if the land is in Zone CB in Darwin and include one additional parking bay for service vehicles for each residential building;
   (b) Parking requirements for the police station are to be determined in accordance with the parking requirements for offices specified in Clause 6.5.1 of the NT Planning Scheme as if the land is in zone C;
   (c) Vehicle parking for any other use is subject to the requirements of Clause 6.5.1 of the NT Planning Scheme;
   (d) For residential and mixed use buildings no car parking spaces shall be located between that building and the adjoining street boundary;
   (e) Car parking areas that are not available to the public are not to be visible from the street, and
   (f) all on site car parking areas where not under cover, are to incorporate landscaping capable of providing shade and screening to improve amenity.

10. The maximum height of any building on site shall not exceed 6 storeys above ground level.

11. Notwithstanding clause 10, the maximum height of the police station shall not exceed 3 storeys above ground level.

12. The commercial components of a building shall comply with clause 6.4.1 - Plot Ratios of the Planning Scheme.

13. A development application to facilitate development in accordance with this zone is to demonstrate that building design is compatible with other development and public uses on the site, the surrounding locality, and contributes to the overall amenity and quality of public space having regard to:
   (a) the relationship between interfacing land uses;
   (b) the location of residential uses above ground floor and how they interface with adjoining dwellings;
   (c) where practicable, the provision of windows or balconies overlooking public open spaces, footpaths and road reserves to facilitate passive surveillance of these areas;
   (d) safe pedestrian access to all public open space;
   (e) building locations, designs and orientation that mitigate, through positioning and screening, potential noise impacts associated with air conditioning compressors and commercial plant equipment within the site and in respect to adjoining residential uses;
   (f) the avoidance of incompatible land uses;
   (g) opportunities for buildings to activate streets and to improve ground level amenity along pedestrian corridors on internal connector roads and Progress Drive; and
14. The consent authority may approve an application that is not in accordance with this zone only if it is satisfied that the proposal is appropriate to the site having regard to:

(a) clauses 1 and 2 of this zone;

(b) the objectives of the Mid Suburbs Area Plan for the locality; and

(c) the potential impact of the proposal on the amenity of nearby and adjoining properties.
### Specific Uses – Katherine

**SK1**  
Amendment No. 27 gazetted 16.01.2008 rezoned Lots 2785 and 2788 Town of Katherine from SK1 to Zone MD  
SK1 lot numbers updated to reflect current cadastre.  

| Lots 2386 and 2787 and 2789, Town of Katherine (40, 42 and 52 Casuarina Street, Katherine East). | The purpose of this zone is to facilitate the use and development of the land for suburban residential purposes.  
| With consent, subdivision and development for suburban residential purposes. |

**SK2**  
Lot 470, Town of Katherine (1 Gwendoline Drive and Fogarty Street, Cossack)  
With consent, a motel and restaurant.

**SK3**  
Amendment No. 187 gazetted 29.06.2011 rezones Lot 545, Town of Katherine from Zone SK3 to Zone MD  
SK3 to Zone MD  

| Lot 546, Town of Katherine (19 Victoria Highway, Katherine South). | With consent, a backpackers hostel and a single dwelling. |

**SK4**  
Amendment No. 69 gazetted 18.02.2009 introduces SK4  

| Lots 3120, 3121, 3122, 3123 and 3124, Town of Katherine (10, 8, 6, 4 and 2 Rundle Street, Katherine South).  
1. The primary purpose of the zone is to facilitate the development and use of the land for a range of elevated residential housing options.  
2. Subject to paragraph 3 and with consent, land may be developed for the purpose of:  
(a) home based child care centre;  
(b) home based visitor accommodation;  
(c) independent unit; and  
(d) multiple dwellings.  
Subject to the relevant clauses of the Planning Scheme which would apply if the land were in Zone MD (Multiple Dwelling Residential).  
3. The purpose of this paragraph is to reduce risk to people, damage to property and costs to the general community caused by flooding.  
   In this paragraph:  
(a) “flood level” means the water level associated with a 1.0% AEP flood event;  
(b) “AEP” means Annual Exceedence Probability, which is the likelihood, in percentage terms, of a flood of a given size occurring in a specified area in any one year; |
The finished floor level of habitable rooms in dwellings in this zone is to be at least 300mm above the defined flood level for the site.

The use of fill to achieve the required finished floor levels is not permitted.

The consent authority must not consent to a development that is not in accordance with this paragraph.

4. Without consent:
   (a) home based contracting;
   (b) home occupation; and
   (c) single dwelling.

If the proposal complies with paragraph 3 and the requirements of this Planning Scheme that would apply were the land in Zone MD and otherwise only with consent.

Part Lots 3231 and 3232, Town of Katherine (79 and 80 Casuarina Street, Katherine East).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land for residential purposes at a density compatible with existing development within the locality.

2. The purpose of this paragraph is to ensure that the residential subdivision in this zone contains lots of a size, configuration and orientation suitable for residential purposes.

   Land within this zone may be subdivided to accommodate a single dwelling if:
   (a) the minimum lot size is at least 550m²; and
   (b) no more than 29 lots are created.

3. Without consent a lot may be developed for the purpose of:
   (a) group home;
   (b) home based contracting;
   (c) home occupation;
   (d) independent unit;
   (e) single dwelling;

   if the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.
4. With consent a lot may be developed for the purpose of:
   (a) community centre;
   (b) home based child care centre;
   (c) home based visitor accommodation;
   (d) medical consulting rooms;
   (e) supporting accommodation.

Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme which would apply were the land within Zone SD.
Specific Uses – King Ash Bay

SKA NT Portions 3898 and 3899, Batten Road, King Ash Bay locality.

1. The purpose of this zone is to provide for the orderly and appropriate use of the King Ash Bay Crown lease having regard to:
   (a) the likelihood of inundation due to flooding and or storm surge;
   (b) potential detrimental impacts on the environment;
   (c) the availability of potable water;
   (d) the provision of appropriate infrastructure to safeguard human health; and
   (e) isolation from community services and facilities.

2. Land within the area designated on the map “King Ash Bay” as “Development Area” may be used or developed for any of the following purposes:
   (a) without consent:
      i. home based visitor accommodation;
      ii. home occupation;
   (b) with consent:
      i. caravan park;
      ii. clearing of native vegetation;
      iii. community centre;
      iv. hostel;
      v. licensed club;
      vi. restaurant;
      vii. service station;
      viii. sheds or other structures not capable of being occupied as a dwelling; or
      ix. shop.

3. Notwithstanding paragraph 2(b)(i) and the definition of caravan park, cabins other than for commercial purposes are prohibited.

4. Land shown on the King Ash Bay map other than described as “Development Area” may be used or developed:
   (a) without consent as an airstrip; and
   (b) with consent:
      i. caravan park;
      ii. clearing of native vegetation.

5. Notwithstanding paragraph 4(b)(i) of this schedule and the definition of caravan park, permanent structures are prohibited on the land described in that paragraph.
6. A use or development for a purpose specified in paragraphs 2 and 4 of this schedule is subject to the following conditions:
   (a) any development on existing sites facing the river is to incorporate appropriate erosion control measures;
   (b) no future development shall be located on land sloping towards the river or within 50m of a watercourse; and
   (c) appropriate sanitation and waste disposal facilities are provided.

7. The placement of any structure (including a demountable structure) other than in accordance with paragraphs 2 or 4 of this schedule is prohibited.

8. A tent, caravan, motor home or the like described in paragraphs 2 and 4 of this schedule must be capable of immediate removal at all times.
Specific Uses – Kings Canyon

SKC

NT Portions 3963 to 3966 (inclusive) and 3974, Kings Canyon Wilderness resort.

1. The purpose of this zone is to ensure development of the land as a tourist resort is consistent with the conservation of the natural environment.

2. With consent, use and development for a wilderness resort that may provide for the accommodation of visitors (including space for camping or the parking of caravans) together with all or any ancillary or associated facilities or services.

3. Consistent with the conservation of the natural environment, the consent authority shall, in respect of a proposed use or development, have regard to:

   (a) the intensity of the proposed use and its likely effect on the native fauna and flora on this and adjacent lands;

   (b) the nature and extent of landscaping, in particular the species of plants to be used;

   (c) the control of introduced plants or animals, including domestic pets; and

   (d) the management of public access to the land.
Specific Uses – Lake Bennett

SLB

Sections 90 to 97, 99 to 110 and 1252 to 1255 (all inclusive)
Hundred of Howard, Lake Bennett locality.

1. The purpose of this zone is to ensure development around Lake Bennett does not have a detrimental impact on the lake and that the rural character and amenity of the area is maintained.

2. The use or development of Sections 90 to 97 (inclusive), 99 to 110 (inclusive) and 1252 to 1255 (inclusive) must be in accordance with the requirements of clauses 11 to 14 (inclusive).

3. In considering a proposed use or development the consent authority must consider:
   (a) any potential detrimental impact on the lake;
   (b) the extent to which the proposed use or development is appropriate to the land, taking into account the physical characteristics of the land including the visual impact of the proposal and the potential environmental impact of the proposal on the lake and water; and
   (c) whether services and infrastructure (including but not limited to water, sewerage, gas, electricity and roads) will be adequate to support the proposed use or development.

4. Without consent, Sections 90, 91 and 92 may be developed with a single dwelling on each section.

5. With consent, Sections 90, 91 and 92 may be developed for any other purpose that is in keeping with the rural character of the Lake Bennett locality.

6. Without consent, the owner of each of the following lots may, subject to the terms of the recreational easement, construct one pontoon on or partly on Section 1255:
   (a) Sections 92 to 97 (inclusive);
   (b) Sections 99 to 110 (inclusive);
   (c) an existing or proposed unit on Section 1252; and
   (d) Sections 1253 and 1254.

   In this paragraph “recreational easement” means an easement in the terms stated in Schedule 4 to the Lake Bennett (Land Title) Act.

7. Without consent, Sections 93 to 97 (inclusive) and 99 to 110 (inclusive) may be developed with a single dwelling on each section.

8. With consent, Sections 93 to 97 (inclusive) and 99 to 110 (inclusive) may be developed for the following purposes:
   (a) business sign;
   (b) home occupation;
   (c) independent unit; and
   (d) medical consulting room.
9. With consent, Section 1252 may be used only for a condominium development for no more than 64 dwellings and is subject to the following conditions:

   (a) all development must be single storey;

   (b) all waste water and septic facilities must be sited at least 100 m from the full supply level of the lake, or outside its catchment, and designed so that no effluent flows into the lake; and

   (c) domestic livestock must not be kept, exercised or trained on the land.

10. With consent, Section 1253 may be developed for the following purposes:

   (a) business sign;  
   (f) multiple dwellings;

   (b) caravan park;  
   (g) promotion sign;

   (c) hostel;  
   (h) restaurant; and

   (d) hotel;  
   (i) shop.

   (e) motel;

11. A use or development for a purpose specified in paragraphs 4, 5, 7, 8 and 10 is subject to the following conditions:

   (a) all waste water and septic facilities must be sited at least 100 m from the full supply level of the lake, or outside its catchment, and designed so that no effluent flows into the lake;

   (b) domestic livestock must not be kept, exercised or trained on land within 100 m of the full supply level of the lake;

   (c) the keeping, exercising or training of domestic livestock on the land must not:

      i. unreasonably contribute to the erosion or pollution of the land, adjoining land or the lake; or

      ii. cause detriment to the amenity of the Lake Bennett locality because of excessive noise, offensive odours, excessive dust or the attraction of flies or vermin.

12. Sections 1254 and 1255 may be used only for recreational purposes but not for any activity that because of the generation of noise or disturbance will detrimentally affect the amenity of adjoining land. A further development (including using a caravan or camping) is not permitted on Section 1254 or 1255 other than a development mentioned in section 23(1) of the Lake Bennett (Land Title) Act.

13. A houseboat is not permitted on the lake.

14. Domestic livestock must not be kept, exercised or trained on section 1254 or 1255.

15. To ensure lots will be of a size that will preserve the rural character of the Lake Bennett locality, subdivision design must provide for lots 8ha or larger with a minimum of one hectare of unconstrained land.
16. A building, other than a flag pole, lightning rod, aerial or antenna, must not exceed a height of:
   (a) for Sections 90 to 97 (inclusive) and 99 to 110 (inclusive) and Section 1253 – 8.5 m; or
   (b) for Section 1252 – 5 m.

The height of any point of a building (including a tiered or split level building) must be measured from ground level vertically below that point.

17. To ensure buildings, including sheds, on certain land are sited so they do not detract from the streetscape or amenity of adjoining land, a building on land, other than on Section 1252, must be set back at least 10 m from all boundaries.

18. To ensure pontoons are appropriately designed and constructed, a pontoon must:
   (a) not be larger than 4 m by 8 m with a ramp not exceeding 20 m; and
   (b) be moored by way of a ramp that is permanently and securely fixed to land or a dwelling above the high water mark.

The highest point of the pontoon must be no more than 600 mm above the water.

19. Land, other than Sections 1253, 1254 and 1255, may be used to provide accommodation in a caravan only if that caravan is the only caravan used as a residence on the site and is used:
   (a) as a temporary residence by the owner of the site;
   (b) by a dependant of a person occupying a single dwelling on the site;
   (c) temporarily by a bona fide visitor; or
   (d) by a bona fide caretaker of the land.
1. The land may be used and developed in accordance with the schedule and provisions of Zone RL (Rural Living) excepting the matters listed in subclauses 2–4 of this zone.

2. The purpose of this zone is to facilitate the use and development of the land in a manner that will not detrimentally impact on the rural living amenity of the locality, giving particular consideration to neighbouring properties.

3. The land may be used with consent for the purpose of:
   (a) a caretaker’s residence, provided that:
       i. the caretaker’s residence does not exceed 50m² in floor area; and
       ii. there are no more than two dwellings on the site.
   (b) a stock feed warehouse, provided that:
       i. the area associated with this use does not exceed 400m²;
       ii. the sale and delivery of goods occurs off-site; and
       iii. landscaped screening to a minimum height of 2m is to be established and maintained to the McMillans Road frontage.
       iv. note that all other warehouse uses are prohibited in the zone.

4. The land may be used and developed without consent for the purpose of home based contracting provided that it meets the definitions and criteria listed in Clause 7.10.8 (Home Based Contracting) of the NT Planning Scheme as if the land was in Zone RL (Rural Living), excepting the following allowances:
   (a) the total area of the site that is used for home based contracting (including areas used temporarily) shall not exceed 300m²;
   (b) not more than 6 vehicles and 6 equipment trailers kept on the site are used for the purpose of the home based contracting; and
   (c) landscaped screening to a minimum height of 2m is to be established and maintained to the McMillans Road frontage and to any boundary adjacent an external area being used for the purposes of home based contracting.

OMITTED
<table>
<thead>
<tr>
<th>SL3</th>
<th>Land including part NT Portion 7059 (formerly part Portion 2627), Channel Island locality.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the use and development of the land for the purposes of electricity generation and distribution and for aquaculture.</td>
</tr>
<tr>
<td></td>
<td>2. The land may be used and developed without consent for:</td>
</tr>
<tr>
<td></td>
<td>(a) purposes associated with the existing electricity generating station;</td>
</tr>
<tr>
<td></td>
<td>(b) public access and recreation; and</td>
</tr>
<tr>
<td></td>
<td>(c) aquaculture and research facility, provided there is an approved environmental management plan under the Environmental Assessment Act.</td>
</tr>
<tr>
<td></td>
<td>3. With consent, the land may be used and developed for a liquefied petroleum gas storage facility.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SL4</th>
<th>Part Section 400 Hundred of Strangways (745 Stuart Highway, McMinns Lagoon) Freds Pass locality.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the use and development of the land for the purpose of a brickworks.</td>
</tr>
<tr>
<td></td>
<td>2. With consent the land may be used and developed for:</td>
</tr>
<tr>
<td></td>
<td>(a) a brickworks; and</td>
</tr>
<tr>
<td></td>
<td>(b) a warehouse for the sale of bricks.</td>
</tr>
<tr>
<td></td>
<td>3. A densely landscaped area at least 50m wide is to be established and continuously maintained on all boundaries of the land.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SL5</th>
<th>Part Section 643, Hundred of Cavenagh (off 180 Hay Road, Livingstone), Berry Springs locality.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. The purpose of this zone is to facilitate the use and development of the land for the purpose of a water bottling plant.</td>
</tr>
<tr>
<td></td>
<td>2. With consent and subject to paragraph 3, the land may be developed for a facility for the manufacturing of plastic bottles and for the bottling of water.</td>
</tr>
<tr>
<td></td>
<td>3. If more than 25 000 litres per hour of ground water is to be extracted from the land, the Controller of Water Resources within the meaning of the Water Act, must be satisfied that the proposed rate of ground water extraction from the land is appropriate having regard to the anticipated available ground water in the area.</td>
</tr>
</tbody>
</table>
Sections 5526 to 5528 (inclusive) and Part Sections 5525 and 4449, Hundred of Bagot (15 Herkes Road, 10 and 25 Carruth Road, 555 Girraween Road, Girraween and 635 Girraween Road, Koolpinyah) (formerly Sections 3145 and 3146 and Part Section 3144).

1. The purpose of this zone is to facilitate the development of the land as a local service centre.

2. The land may be used or developed with consent for a local centre comprising:

   (a) an area of approximately 3ha for a primary school;

   (b) an area of approximately 2.2ha for retail, commercial and service activities that are appropriate in a local business centre; and

   (c) once the area described in (b) is fully developed a further area of approximately 6.3ha may be developed for any of the following purposes:

      i. ambulance station;  
      ii. business sign;  
      iii. caravan park;  
      iv. car park;  
      v. child care centre;  
      vi. cluster dwellings;  
      vii. community centre;  
      viii. education establishment;  
      ix. fire station;  
      x. home based visitor accommodation;  
      xi. home occupation;  
      xii. hotel;  
      xiii. independent unit;  
      xiv. indoor recreation establishment;  
      xv. licensed club; and  
      xvi. single dwelling.

subject to the following conditions:
(d) a masterplan for development of the site is to be submitted with any development application;

(e) a stormwater and flooding management plan is to be submitted with any development:
   i. erosion prevention structures and silt retention facilities at appropriate locations; and
   ii. low flow concrete invert drains, identified on the development plan from the site to a suitable discharge point;

(f) that the Controller of Water Resources, within the meaning of the Water Act is satisfied that:
   i. the proposed wastewater management system is appropriate, having regard to discharge to the environment; and
   ii. the proposed means of water supply is appropriate having regard to anticipated available groundwater in the area and separation from town water supply production bores and private bores on adjoining land;

(g) no direct vehicular access to Girraween Road or the Anglesey Road to Hicks Road extension;

(h) a 10m wide buffer along Girraween Road frontage which is to be maintained with suitable vegetation;

(i) a 20m wide buffer along Anglesey Road to Hicks Road extension which is to be maintained with suitable vegetation.
Lot 30 LTO69/011, Hundred of Strangways (35 Henning Road, Virginia).

1. The purpose of this zone is to facilitate the use or development of the subject land for commercial purposes with a predetermined limit on the size and scale of the development.

2. With consent the land may be used for:
   (a) a shop with ancillary office;
   (b) a warehouse;
   (c) a business sign; and
   (d) a caretakers residence
   provided the development complies with all other requirements of the NT Planning Scheme as if the land were in Zone C (Commercial).

3. A 10m landscaping buffer is to be planted & maintained along the street frontages and also at the rear and side of the proposed development to protect the visual amenity of the adjoining lots within Zone RL (Rural Living).

4. Drainage work, including pollutant traps, grassed swales, detention basins and biofiltration areas are to be in accordance with a Stormwater Management Plan to mitigate peak discharge and any potential impacts on water quality.

5. The purpose of this clause is to ensure that development is of an intensity that is not likely to have a significant detrimental impact on the amenity of the locality.
   (a) development within this zone is to have a maximum floor area of:
      i. shop - 1440m²
      ii. warehouse - 480m²

6. The consent authority must not consent to the development outlined in paragraph 2 if it does not comply with the requirements listed in paragraph 4 & 5.
SL8  Part Section 2545 and Lot 4 LTO70/001, Hundred of Strangways (340 and 350 Arnhem Highway, Humpty Doo).

1. The purpose of this zone is to facilitate the use and development of the land for a **caravan park** and related activities.

2. In accordance with Zone RL and with **consent**, the land may be used and developed for a **caravan park** including the following related land uses:
   - caretaker’s residence;
   - hostel;
   - motel;
   - promotion sign;
   - restaurant; and
   - shop.

SL9  Part Lot 3 and part Lot 4 LTO73/022, Hundred of Cavenagh (60 and 70 Mira Road, Tumbling Waters).

1. The purpose of this zone is to provide for the development of the land for the purpose of a **caravan park**.

2. The land may be developed:
   - in accordance with the provisions of Zone R; and
   - with consent for a **caravan park** that may include any of the following uses:
     - caretakers residence;
     - hostel;
     - motel;
     - promotion sign;
     - restaurant; and
     - shop.

SL10  Section 1746, Hundred of Guy (671 Anzac Parade, Middle Point).

1. The purpose of this zone is to provide for the development of the land for the purpose of Parks and Wildlife Headquarters.

2. The land may be developed:
   - in accordance with the provisions of Zone H; and
   - without **consent** for **offices** and **multiple dwellings**.
Section 4212, Hundred of Bagot (25 Smyth Road, Howard Springs).

1. With consent the land within the zone may be developed for the purpose of a subdivision that creates a maximum of 20 lots with a minimum lot size of 750m².

2. The subdivision must generally be consistent with clause 11.2 (residential subdivision) of the NTPS with the following differences:
   
   (a) Onsite, aerated waste water treatment systems may be used for each of the proposed lots provided those systems have been approved for each lot by the Department of Health, to the satisfaction of the consent authority.
   
   (b) There is no requirement to provide a minimum of 10% of the subdivision area as public open space.
   
   (c) The minimum building envelope requirement on proposed lots is 13 metres x 20 metres.

3. Direct access into the proposed lots shall not be permitted from Smyth Road and Macleod Road and must be from the proposed internal roads.

4. The Smyth and Macleod road boundaries must be fenced to the satisfaction of the consent authority prior to the issue of titles for any proposed lots.

5. The minimum setback of buildings from lot boundaries shall be as follows:
   
   (a) Smyth Road boundary - 13 metres;
   
   (b) Macleod Road Boundary - 2.5 metres;
   
   (c) Internal road side boundary - 2.5 metres (Road A);
   
   (d) Internal front boundary - 4 metres (Road B);
   
   (e) Northern boundary of Section 4212 - 2.5 metres;
   
   (f) Eastern boundary of Section 4212 - 13 metres; and
   
   (g) Side boundaries - 1.5 metres.

6. Use of the proposed lots shall be consistent with the zoning table for SD in the Northern Territory Planning Scheme.
Lot 31, LTO81/005, Hundred of Bagot (1 De Caen Close, Virginia).

1. The purpose of this zone is to facilitate the use and development of the land as a rural service centre, with a predetermined limit on the size and scale of the centre.

2. Without **consent** the land may be used for a single dwelling if the development complies with all other requirements of the Planning Scheme as if the land were in Zone RL (Rural Living).

3. With **consent**:
   (a) accommodation rooms for visiting staff;
   (b) **business sign**;
   (c) **medical clinic**;
   (d) **office**;
   (e) **promotion sign**;
   (f) outdoor display of agricultural machinery and materials;
   (g) sheds for the:
      i. sale of agricultural and horticultural products; and
      ii. storage of water supply products and repair of pumps and filters;
   (h) **shop**;
   (i) **showroom sales**; and
   (j) **veterinary clinic**.

   If the development complies with all other requirements of the Planning Scheme as if the land were in Zone C (Commercial).

4. The car parking requirement for the uses or developments listed in paragraph 3 are to be assessed at a rate of:
   - 1 space for each accommodation room;
   - 1 space for every 250m$^2$ used for outdoor display of agricultural machinery and materials;
   - 4 spaces for every 100m$^2$ used for the sale of agricultural and horticultural products; and
   - 1 space for every 100m$^2$ used for the storage of water supply products and for the repair of pumps and filters.
5. The purpose of this clause is to ensure that development is of an intensity that is not likely to have a detrimental impact on the locality.

(a) Development within this zone is to have maximum floor area of:

i. 250m$^2$ for no more than four accommodation rooms for visiting staff;

ii. 390m$^2$ for the existing building as an office;

iii. 1420m$^2$ for a building comprising a medical clinic, office, shop and/or veterinary clinic;

iv. 920m$^2$ for the showroom sales and office for rural water supply products and services in a building with not more than two storeys;

v. 600m$^2$ for a shed for the sale of agricultural products; and

vi. 480m$^2$ for the shed for the storage of water supply products and repair of pumps and filters.

(b) The outdoor display area for agricultural machinery and materials is to occupy no more than 2200m$^2$;

(c) Buildings and structures other than signs are to be set back 10m from each boundary; and

(d) A continuous landscaped buffer with a minimum width of 6m is to be planted and maintained along at least 50% of the Stuart Highway frontage and the remaining frontage to include a landscaped buffer within a minimum width of 3m.

6. Direct vehicular or pedestrian access to the Stuart Highway is not permitted.

7. Any signs on the site are to conform to the requirement of clause 6.7 Signs in relation to Zone C (Commercial).

8. The consent authority must not consent to development outlined in paragraph 3, which does not comply with the requirements listed in paragraphs 5 and 6.
1. The purpose of this zone is to facilitate the use and development of the land for **light industry**, with a predetermined limit on the size and scale of development.

2. Without consent the land may be used for a **single dwelling** if the development complies with all other requirements of the Planning Scheme as if the land were in Zone RL (Rural Living).

3. With consent:
   (a) accommodation rooms for visiting staff;
   (b) **business sign**;
   (c) **caretakers residence**;
   (d) **light industry**;
   (e) **office**;
   (f) **transport terminal**;
   (g) **warehouse**;
   (h) outdoor storage area; and
   (i) sheds for:
      i. storage, vehicle servicing and maintenance; and
      ii. a wash-down bay.

   if the development complies with all other requirements of the Planning Scheme as if the land were in Zone LI (Light Industry).

4. The **car parking** requirement for the uses or developments listed in paragraph 3 are to be assessed at a rate of:
   - 1 space for each accommodation room;
   - 1 space for every 250m² used for outdoor storage area; and
   - 4 for every 100m² used for the storage and vehicle servicing maintenance

5. Landscape buffers are to be planted and maintained as follows:
   - a continuous landscaped buffer with a minimum width of 10 metres along the boundaries with Lots 5 and 6; and
   - a landscaped buffer with a minimum width of 6 metres along the boundaries with Lots 19 and 29, except where this requirement would conflict with necessary drainage and vehicle circulation functions.

6. Landscaping shall be provided to mitigate the noise and visual impact on the caretaker’s residence from the light industrial development on the site and on other adjoining development.

7. For effective management of water quality, baseline data for a Sampling and Analysis Plan should be collected prior to any development application being made.
8. The purpose of this clause is ensure that development is of an intensity that is not likely to have a detrimental impact on the locality.

(a) Development within this zone is to have a maximum floor area of:

i. 250m² for no more than four accommodation rooms for visiting staff;

ii. 510m² for the office in a building with no more than two storeys;

iii. 520m² for the sheds for storage and vehicle servicing maintenance;

iv. 1200m² for the vehicle storage sheds including a wash-down bay;

v. 810m² for the storage units; and

vi. 280m² for the container storage shed.

(b) The outdoor storage area is to occupy no more than 3500m²; and.

(c) Except for the eastern boundary of the land, buildings and structures (other than signs) are to be set back 10 m from site boundaries.

9. The consent authority must not consent to the development outlined in paragraph 3 if it does not comply with the requirements listed in paragraph 8.

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Lots 17 and 18, Hundred of Bagot (175 and 155 Stuart Highway, Howard Springs).

1. The purpose of this zone is to facilitate the use and development of the land as a rural residential complex with a predetermined limit on the number of dwellings.

2. With consent, land within this zone may be developed for the purpose of a residential estate for a maximum of 18 dwellings.

3. An application to develop the land in stages is to be accompanied by a drawing showing the stage boundaries and indicating the number of dwellings to be constructed in each stage, and an approved version of that drawing will be endorsed under the development permit.

4. The purpose of this paragraph is to enhance the amenity of adjacent properties and dwellings, to maintain a rural residential setting, and to prevent detriment to the natural environment.

With consent the land may be developed for the purpose of dwellings if:

(a) each dwelling is provided with private open space with a minimum area of 120m², exclusive of driveways and parking areas, but inclusive of an area with minimum dimensions of 6m x 6m;
(b) each **dwelling** is set back at least 15m from any boundary of the site and within this set back a continuous landscaped buffer with a minimum width of 10m is to be planted and maintained;

(c) a minimum separation of 10m is maintained between dwellings;

(d) structure without external walls are set back at least 10m from any boundary of the site and a minimum separation of 6m is maintained between structures without external walls;

(e) outbuildings associated with dwellings are set back at least 10m from any boundary of the site;

(f) access to the site is via a single sealed access driveway from Bow Hunters Road to the property boundary; and

(g) details of the waste disposal system are provided, and it is demonstrated that the method of waste disposal will have no detrimental effect on the environment, especially to ground and surface waters.

5. Without **consent** land within this zone may be developed for the purpose of a **home occupation** if the development complies with clause 7.10.7 (Home Occupation), and otherwise only with the **consent** of the consent authority

6. The consent authority must not **consent** to the subdivision of the land for the purpose of creating free hold titles or a unit title scheme.
Lot 1 LTO 77/005, Hundred of Strangways (10 Arnhem Highway, Humpty Doo).

1. The purpose of this zone is to facilitate the use and development of the land as a service centre providing a range of services to the rural community, with a predetermined limit on the size and scale of the intended development in order to uphold the amenity of the area and to mitigate traffic impacts on the Arnhem Highway.

2. Without consent the land may be developed for the purpose of
   
   (a) caretakers residence;
   
   (b) home based contracting; and
   
   (c) business sign.

   If the proposal complies with the requirements of this Planning Scheme as if the land were in Zone RL.

3. With consent the land may be developed for the purpose of:

   (a) office;

   (a) showroom sales; and

   (a) warehouse.

   If the proposal complies with the requirements of this Planning Scheme as if the land were in Zone SC.

4. The purpose of this clause is to ensure that development is of an intensity that is not likely to have a detrimental impact on the locality.

   The consent authority must not consent to a total net floor area for any of the uses listed in Clause 3 that exceeds the corresponding figures shown in the Table A to Clause 4.

5. Landscaping on the Stuart Highway and Arnhem Highway frontages are to be enhanced to minimise the visual impacts of the development.

<table>
<thead>
<tr>
<th>Table A to Clause 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uses Permissible</td>
</tr>
<tr>
<td>showroom sales</td>
</tr>
<tr>
<td>office</td>
</tr>
<tr>
<td>warehouse</td>
</tr>
<tr>
<td>outdoor storage</td>
</tr>
<tr>
<td>Maximum floor area of development</td>
</tr>
</tbody>
</table>

OMITTED
Section 3425 Hundred of Strangways (940 Stuart Highway, Bees Creek)

1. The purpose of this zone is to provide for development in accordance with Zone LI (Light Industrial) which responds to the physical characteristics of the land.

2. Land within this zone may be subdivided for the purposes of light industrial in accordance with the provisions of the NTPS, with the following difference:
   (a) The minimum lot size permissible within the zone is 4000m².

3. Use and development within the zone is to be in accordance with the provisions of Zone LI (Light Industry).

Lots 16, 17 and 24 LTO 67/002 and Sections 4185, 4579 and 4580 Hundred of Strangways (155A, 155B, 155C, 175, 195 and 205 Lowther Road, Bees Creek).

1. The purpose of this zone is to provide for the rural residential use and development of the land in a manner that responds to the physical characteristics of the land, its location, availability of services and the amenity of the locality.

2. Development shall be in accordance with Clause 5.18 and Part 5 as if the land were located in Zone RR (Rural Residential) except to the extent of any conflict with the following conditions:
   (a) The minimum lot size pursuant to the Table to Clause 11.1.1 shall be 1ha.
   (b) Clause 11.4.5 Subdivision of Land Zoned RR, subclause 2(a) is not applicable to the subdivision of the land.
   (c) All built form shall have a minimum 20m setback to the boundary to Lowther Road. This setback area shall be required to be re-vegetated to provide a visual buffer of a minimum width of 10m as a condition of a development permit for subdivision of the land.
   (d) All built form shall have a minimum 15m setback to the external boundaries of the subject land where the adjoining land is within Zone RL (Rural Living). This setback area shall be required to be re-vegetated to a minimum depth of 10m, located outside that area required for a firebreak, to provide a visual buffer as a condition of a development permit for subdivision of the land.
   (e) Clearing of vegetation retained or established pursuant to sub-clause 2(d) and 2(e) above is prohibited, other than for the purpose of the establishment or maintenance of a firebreak up to 5m wide along the boundary of a lot or if the clearing is otherwise required or controlled under any Act in force in the Territory.
   (f) Prior to an application for a development permit for subdivision of the land, a vulnerable flora survey shall be undertaken in accordance with the requirements of the department responsible for the implementation of the Territory Parks and Wildlife Conservation Act and
measures for the management of any identified vulnerable species shall be reflected in the proposed subdivision plan.

(g) No substantial tree may be felled or removed except where reasonably necessary for the construction of a dwelling and uses ancillary to that dwelling or for removal of a tree that is dead, dying or dangerous.

For the purpose of this clause a substantial tree is a tree with a trunk diameter of minimum 100mm at 1m above ground level.

(h) Roads shall be designed to:

i. interconnect with the existing road network;

ii. provide for connections to potential future subdivision of adjoining lands; and

iii. prevent individual lot access to major roads.

(i) An application for subdivision of the land shall include a Wastewater Management Plan (WMP) approved by the Department of Health: Environmental Health which as a minimum shall include the following:

i. a Land Capability Assessment for the site undertaken in accordance with the Environmental Health Guidelines for Land Capability Assessment for On-site Wastewater Management (March 2014);

ii. the identification of any proposed lots which do not achieve at least a high capability for on-site effluent disposal based on physical and chemical characteristics of the site taking into account proposed subdivision site works;

iii. for all lots identified in 2(i)(ii) the specification of works to be undertaken to introduce amended soils or alter the ground conditions as required so that the site physical and chemical characteristics meet a minimum of a moderate capability for onsite effluent disposal. The identification of these works is to be undertaken concurrently with, and be consistent with, the preparation and outcomes of a stormwater management plan prepared for the site;

iv. the identification of a wastewater treatment system and an associated sub-surface irrigation envelope for each lot that provides sufficient area and capability for onsite effluent disposal to service a single dwelling;

v. the requirement for all development to be undertaken in accordance with the approved WMP shall be registered as a notification on title of the parent lot, to apply to each lot created, as a condition of a development permit for a subdivision of the land; and

vi. each dwelling shall be connected to a Department of Health approved wastewater treatment system that provides secondary treatment and, with the associated sub-surface irrigation system, shall be located within the wastewater disposal envelope for that lot as designated in the approved WMP.
1. For the purposes of this zone, Section 5544 Hundred of Strangways is to be considered as two areas of land, shown as Area A and Area B on the diagram to this zone, where:

   (a) Area A, bounded by a thick black line, shown solid where the boundary is fixed; and shown dashed where the boundary may be adjusted for site design purposes providing Area A is not greater than 22.7 hectares; and

   (b) Area B is the remaining area of Section 5544.

2. The purpose of this zone is to facilitate:

   (a) development within Area A for uses related to or servicing the agriculture, horticulture or mining industries in northern Australia, and which address the rural character of the area; and

   (b) development of Area B in accordance with Zone R (Rural) Provisions for Area A

3. Without consent Area A may be used or developed for a caretaker’s residence and light industry in accordance with this zone and the requirements of Zone GI (General Industry).

4. With consent Area A may be used or developed for the following purposes in accordance with Zone GI:

   (a) Fuel Depot

   (b) General Industry

   (c) Office

   (d) Warehouse

5. All other defined land uses within the NT Planning Scheme if proposed as the primary use of the land are prohibited.

6. Any land use established under subclauses 3 and 4, including set down areas, outdoor storage and the like, shall be located a minimum distance from the boundaries to:

   (a) the Stuart Highway of 50 m, inclusive of a 5 m firebreak and a 15 m width of established native vegetation; and

   (b) Section 4048 of 15 m, inclusive of a 5 m firebreak and a 10 m width of established native vegetation.

   There is to be a minimum 10m setback to all other boundaries, including any unit title boundaries.

7. Subdivision of the land within Area A is to be in accordance with the provisions for industrial subdivision under Part 5 of the
Planning Scheme.

8. Notwithstanding subclause 7, the minimum lot size within Area A is 1 hectare.

Provisions for Area B

9. Area B may be used or developed in accordance with the requirements of Zone R (Rural).

10. Notwithstanding subclause 9, retail agricultural stall and plant nursery require consent in Area B.

11. Subdivision of the land within Area B is to be accordance with the requirements of Part 5 of the Northern Territory Planning Scheme as if the land were in Zone R.
NT Portion 1731 (804 Arnhem Highway, Marrakai).

1. The purpose of this zone is to facilitate a rural living subdivision which responds to the unique natural and physical characteristics of the land and the locality, including:

   (a) Responding to the nature and needs of the locality, both now and in the future, including the allowance of land for any necessary community or commercial facilities;
   
   (b) responding to the proximity of the site to the Adelaide River Flood Plains;
   
   (c) responding to the high quality local environment features including wetlands, floodplains, seasonal billabongs and woodland and monsoon forest areas;
   
   (d) repairing and protecting areas which are currently exposed to erosion and/or degradation;
   
   (e) minimising the potential for localised flooding;
   
   (f) ensuring lots are appropriately sized and configured; and
   
   (g) providing for individual ownership of environmental and drainage features of the land to enable improved management of these areas.

2. Unless otherwise stated in this clause, development within the land shall be in accordance with Clause 5.19 as if the land were located in the Rural Living Zone.

3. Notwithstanding Clause 2, with consent, land may be used or developed for the purpose of agriculture provided the following:

   (a) the scale and intensity of the use or development is appropriate for the size of allotment and accords with the objectives of Clause 1;
   
   (b) the application demonstrates the capability of the land for the intended purpose, including soil and terrain types, availability of groundwater and the consideration of environmental impacts from erosion and runoff;
   
   (c) large scale agriculture and intensive farming does not occur; and
   
   (d) that agriculture is generally ancillary to the primary use on the site.

4. In addition to those identified within Clause 5.19, the following uses are also prohibited within the zone:

   (a) stables;
   
   (b) rural industry;
   
   (c) plant nursery;
   
   (d) intensive animal husbandry;
   
   (e) horticulture; and
   
   (f) animal boarding.
5. With consent, lots 1-7 identified on diagram A may also be developed for tourism, commercial or community purposes as if the land were located in zone TC. Multiple Dwellings are not permitted on these lots.

6. Subdivision design should:
   (a) provide a minimum lot size of 2.0 hectares, including 1.0 hectare of unconstrained land (identified in Diagram C to this clause), comprising land which is above seepage lines, not of excessive slope (greater than 1:10) and not affected by consistent seasonal inundation;
   (b) provide an average lot size of not less than 7.0 hectares;
   (c) demonstrate that each lot has access to groundwater or rainwater adequate for domestic purposes, and will not pose unsustainable demands on groundwater;
   (d) ensure each lot can accommodate an on-site waste water storage/treatment system without adverse impact on the environment;
   (e) confirm the location of notional and existing bores and on-site effluent disposal systems, including:
      i. a separation of 70 metres between bores;
      ii. effluent disposal systems located at least 50 metres up slope from any seepage line and above the 1% AEP flood event; and
      iii. effluent disposal systems at least 100 metres from any groundwater extraction point;
   (f) ensure that each lot can contain a square area not less than 90 metres by 90 metres; and
   (g) avoid battle-axe lots.

7. Subdivision and subsequent allotment development should ensure all allotments are consistent with Diagram B to this clause.

8. As per the Diagram A to this clause, Environmental Control Areas comprise unstable, or otherwise unsuitable soils or natural drainage lines. The following requirements apply:
   (a) aside from domestic livestock, no development including clearing can be undertaken within an Environmental Control Area;
   (b) notwithstanding the above, Environmental Control Areas within Lots 1, 2, 3 and 4 may be developed for the following, in accordance with clause 1 of this zone, and in accordance with Zone TC:
      i. business sign;
      ii. caravan park;
      iii. hotel;
      iv. leisure and recreation;
      v. motel
vi. restaurant; and

vii. shop.

(c) fencing, whether along boundaries or otherwise, should comprise specifically selected environmental control fencing, to ensure unimpeded wildlife access. Environmental control fencing is to comprise single wire strands, with lower strand consisting only of barbless wire, a minimum of 0.5 metres above ground level, supported by galvanised star pickets. Each galvanised star picket is to be separated by at least 4.0 metres.

(d) fire breaks within Environmental Control Areas will be slashed or compacted gravel only, and no grading or other earthworks are to occur.

9. As per Diagram A to this clause, Sanctuary Areas comprise features and areas of high conservation value, including areas of monsoon vine forest, seasonal billabongs and drainage areas. The following requirements apply to Sanctuary Areas:

(a) no development, including clearing can be undertaken; and

(b) the construction of fencing and fire breaks is not permitted.

10. The clearing of native vegetation on land not contained within an Environmental Control Area or Sanctuary Area as defined in Diagram B to this clause, and of more than one hectare in aggregate of land (including any area already cleared of native vegetation) requires consent.

11. Clause 10 does not apply to selective clearing permitted pursuant to clause 13, the exemptions contained within Part 4, Clause 10.2 sub-clause 2 of the NT Planning Scheme, or if the clearing of native vegetation is required or controlled under any Act in force in the Territory.

12. Notwithstanding the above, the provisions of this clause do not restrict the clearing of a firebreak or fire access trail in accordance with written instructions from Bushfires NT.

13. All road frontages, except access driveways, firebreaks or footpaths, are to be vegetated to a minimum depth of 15 metres, comprising the retention of existing vegetation with a trunk diameter of 100mm or more, measured at 1m above ground level.

14. Roads in subdivision design should:

(a) be designed to interconnect with the existing road network;

(b) provide for connections to reticulated services where practicable;

(c) provide for connections to potential future subdivisions of adjoining;

(d) provide a clear hierarchy of roads;

(e) minimise individual lot accesses to major roads;

(f) ensure every lot has direct and unconstrained access to a sealed, all weather public road;
(g) ensure internal road reserves are constructed in accordance with Northern Territory Government requirements;

(h) minimise disturbance through earthworks and respond to the physical characteristics of the locality by following ridge lines or contours, and minimising watercourse crossings as far as possible; and

(i) be designed with discharge drains placed to minimise erosion and associations engineering and maintenance costs.

15. Where it is unavoidable that roads cross below seepage lines in Environmental Control and Sanctuary Areas:

(a) the crossing should be provided at or near as practical to right angles to the watercourse;

(b) crossings should be designed to minimise impedance to water flow, and allow for the safe passage of aquatic and smaller terrestrial fauna species; and

(c) signage should be employed to reduce speed limits and slow traffic.
Diagram A: Sanctuary & Environmental Control Areas

MARRAKAI

Legend:
- Tourism, Commercial or Community Use
- Proposed Access Location
- Environmental Control Area
- Sanctuary (No Impact) Area

Scale: 1:40000 @ A4
0 800m
SN1

Amendment No. 6
gazetted 23.05.2007
includes Sections 3230
and 3231 Hundred of
Glyde

Amendment No. 57
gazetted 30.07.2008
omits and replaces SN1

1. The purpose of this zone is to:
   (a) ensure that development of the land is consistent with the
   conservation of the natural environment and the services
   and infrastructure that are available; and
   (b) protect the aquifer from salt water intrusion.

2. The land shown on the diagram to this clause that is
surrounded by a thick black line but not shaded:
   (a) may be used with or without consent as the case may be
   in accordance with the provisions of Zone RR; and
   (b) may not be subdivided to create a lot of less than 0.4ha in
   area.

3. The land shown on the diagram to this clause that is
surrounded by a thick black line and shaded:
   (a) may be used with or without consent as the case may be
   in accordance with the provisions of Zone RL; and
   (b) may not be subdivided to create a lot of less than 1.0ha in
   area.

4. No bore or well may be sunk on land subject to this zone.
**Specific Uses – Palmerston**

**SP1**

Lot 1219, Town of Palmerston (15 Temple Terrace and Chung Wah Terrace, Palmerston City).

1. The purpose of this zone is to facilitate the use and development of the land for the purpose of a shopping centre and ancillary services.

2. With consent and subject to paragraphs 3 – 8 (inclusive):
   - (a) community centre;
   - (b) leisure and recreation;
   - (c) medical clinic;
   - (d) office;
   - (e) plant nursery;
   - (f) restaurant;
   - (g) shop; and
   - (h) showroom sales.

3. Fencing, landscaping and/or the creation of mounds of earth are to be constructed and continuously maintained to provide a visual and acoustic barrier between the development and adjoining lots.

4. Between the hours of 7pm to 7am:
   - (a) vehicles must not enter the development for the purpose of delivering goods to the supermarket; and
   - (b) unloading of goods to or for the supermarket must not take place.

5. Any security lighting is to be constructed and maintained to ensure the minimum practicable spillage of light onto adjoining lots.

6. Vehicular entry to or exit from the development via Chung Wah Terrace is restricted to a roundabout constructed at the intersection of Chung Wah Terrace and Rolyat Street.

7. Vehicular exit from the development to Temple Terrace is restricted to a “left out” manoeuvre.

8. In considering a development application for a use or development the consent authority shall have regard to:
   - (a) the provisions of this Planning Scheme as though the land were in Zone C; and
   - (b) whether the proposed use or development is compatible with adjacent land uses.
<table>
<thead>
<tr>
<th>SP2</th>
<th>Part Lot 4635, Town of Palmerston (74 University Avenue, Durack).</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The purpose of this zone is to facilitate the subdivision and development of the land as a residential suburb.</td>
</tr>
<tr>
<td>2.</td>
<td>The land may be subdivided and developed with <strong>consent</strong> as a residential suburb provided that a development application to subdivide the land is accompanied by:</td>
</tr>
<tr>
<td></td>
<td>(a) a drawing indicating the proposed use and zoning of each lot; and</td>
</tr>
<tr>
<td></td>
<td>(b) a report indicating the stages at which each lot will be rezoned.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SP3</th>
<th>Part Lot 4640. Town of Palmerston (109 Chung Wah Terrace, Gunn).</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The purpose of this zone is to facilitate the subdivision and development of the land as a residential suburb.</td>
</tr>
<tr>
<td>2.</td>
<td>The land may be subdivided and developed with <strong>consent</strong> as a residential suburb provided that a development application to subdivide the land is accompanied by:</td>
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<tr>
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<td>(a) a drawing indicating the proposed use and zoning of each lot; and</td>
</tr>
<tr>
<td></td>
<td>(b) a report indicating the stages at which each lot will be rezoned.</td>
</tr>
</tbody>
</table>

| SP4 | **SP4 which was part Lot 7652, Town of Palmerston (Stuart Highway, Farrar) has been rezoned to Zones SD, MD, PS and CN on commencement of the consolidated NT Planning Scheme on 01.02.2007** |

**OMITTED**
Lots 8410 and 8511, Town of Palmerston (4 and 2 Brennan Court, Farrar).

1. The purpose of this zone is to facilitate the use and development of the land for the purposes of health related services and facilities.

2. With consent and subject to paragraphs 3 and 4, the land may be used and developed for a health precinct inclusive of:
   (a) a range of health facilities and services;
   (b) limited residential development; and
   (c) ancillary commercial development related to the health activities within the precinct.

3. Buildings or structures must not cover more than 50% of a lot at ground level.

4. The setbacks of residential buildings are to:
   (a) ensure that the buildings do not unduly look out over neighbouring buildings; and
   (b) have regard to and accommodate prevailing breezes.

Lot 8480, Town of Palmerston (2 Emerald Place, Durack).

1. The purpose of this zone is to facilitate the use and development of the land for limited commercial purposes which are compatible with the surrounding residential suburb.

2. With consent, the land may be used and developed for the purposes of:
   (a) medical clinic;
   (b) office; and/or
   (c) shop.

OMITTED
Part Lot 9765, Town of Palmerston (50 University Avenue, Durack).

**SP8 Specific Use Zone Palmerston No. 8** is structured as follows:

<table>
<thead>
<tr>
<th>Part</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Purpose</td>
</tr>
<tr>
<td>2.</td>
<td>Development Design Philosophy</td>
</tr>
<tr>
<td>3.</td>
<td>Subdivision</td>
</tr>
<tr>
<td>4.</td>
<td>Lot Size and Configuration</td>
</tr>
<tr>
<td>5.</td>
<td>Minimum Site Areas</td>
</tr>
<tr>
<td>6.</td>
<td>Land Use</td>
</tr>
<tr>
<td>7.</td>
<td>Home Based Business</td>
</tr>
<tr>
<td>8.</td>
<td>Small Lot Integrated Housing</td>
</tr>
<tr>
<td>9.</td>
<td>Retirement Living</td>
</tr>
<tr>
<td>10.</td>
<td>Secondary Dwellings</td>
</tr>
<tr>
<td>11.</td>
<td>Building Setbacks</td>
</tr>
<tr>
<td>12.</td>
<td>Building Height</td>
</tr>
<tr>
<td>13.</td>
<td>Plot Ratio</td>
</tr>
<tr>
<td>14.</td>
<td>Vehicle Parking</td>
</tr>
<tr>
<td>15.</td>
<td>Loading Bays</td>
</tr>
<tr>
<td>16.</td>
<td>Private Open Space</td>
</tr>
<tr>
<td>17.</td>
<td>Communal Open Space</td>
</tr>
<tr>
<td>18.</td>
<td>Master Plan</td>
</tr>
</tbody>
</table>

The master plan text is referenced under clause 2.7 of the NT Planning Scheme as referenced policy and includes:

- Open Space Overlay
- Landscape Guiding Principles
- Housing Design Principles
- Housing Location Principles
- Climate Principles

NT Planning Scheme definitions apply and appear in **bold** throughout this zone.
Part 1

1. **PURPOSE**

1. The purpose of this zone is to facilitate the subdivision, use and development of the land that provides for housing choice through a range of lot sizes and housing types and includes opportunities for commercial and community uses.

2. **DEVELOPMENT DESIGN PHILOSOPHY**

1. Any subdivision and future development is expected to be designed to respond to Palmerston’s tropical climate and lifestyle attributes.

2. This includes, but is not limited to, adherence to the overarching design principles which are graphically expressed in the master plan. The master plan is annexed to this specific use zone and the text to the master plan is referenced under clause 2.7 of the NT Planning Scheme.

3. The overarching design principles are:

   (a) to create a community that is connected with the University through open space links to the existing lake and University campus;

   (b) to build on and improve the amenity of the site and context by:

   • enhancing the natural features of the site through good subdivision design, orientation of lots and housing, linkages and landscaping;

   • accommodating existing landscape features, such as Packard’s Knob, into the open space network; and

   • providing acoustic treatment along the Tiger Brennan Drive and Roystonea Avenue interface to the requirements of the Department of Lands and Planning.

   (c) to integrate sensitively with the surrounding neighbourhoods by:

   • linking new walking and cycling paths into the Palmerston Central Business District networks;

   • developing multiple walking and cycling paths into the adjoining Durack networks;

   • minimising vehicle traffic movement into Durack with only one point of vehicular egress through Cambridge Close; and

   • linking cycle pathways into the regional cycling trails to Palmerston and Darwin.

   (d) to create distinctive and walkable neighbourhoods by:

   • designing a street network that is permeable and promotes walking and cycling;

   • developing parks and open spaces that reflect the Community Safety Design Guide principles; and

   • developing safe routes to school for children and pathways that encourage individuals to exercise and reduce vehicle use.
(e) to accommodate a diverse community by:
- providing for a range of housing opportunities that suit a wide range of households, for example, the inclusion of secondary dwellings and retirement living;
- distributing different housing types throughout the development;
- providing for limited commercial uses, generally concentrated between the University lake and Roystonea Avenue.

(f) to provide variety in housing design and the streetscape by:
- including a range of lot sizes;
- maximising the individuality of dwellings which will create variety to streetscape design;
- minimising the dominance of on-site car parking, including garages and carports, from the street; and
- maximising outdoor/indoor relationships.

(g) to maximise environmental integrity by orientating lots and designing housing to minimise solar loading and encourage shading, cross ventilation and landscaping.

Refer to the Housing Design and Location Principles in the Durack Master Plan at Schedule 2.

Refer to the Climate Principles in the Durack Master Plan at Schedule 2.

Part 2

3. **Subdivision**

1. With **consent** land within this zone may be developed for the purpose of a subdivision if:

   (a) the development application to subdivide the land is for the purpose of the initial staging.

   (b) the subsequent development application is accompanied by:

   i. a detailed land use plan indicating the proposed land use;

   ii. a plan(s) indicating minimum **building setbacks** for each lot, as stated in clause 11 of this zone;

   iii. a land and house package design for each integrated housing lot;

   and the plans will form part of any development permit for subdivision.

   (c) the overall subdivision design includes the following:

   i. open space corridors that link to the existing open space network in Durack, incorporating stormwater drainage systems and Water Sensitive Urban Design principles appropriate for the Northern Territory climate;

   ii. a proposed public open space network incorporating Packard’s Knob, a European heritage site;

   iii. one or more parcels of land for community purposes with a combined area of 0.6ha; and

Refer to the Housing Design and Location Principles in the Durack Master Plan at Schedule 2.
iv. vehicle ingress and egress points from Roystonea Avenue and University Avenue and an egress point at Cambridge Close.

(d) provide a minimum of 10% of the subdivision area as public open space, with no more than 20% of the total area of public open space allocated for stormwater management/drainage purposes (e.g. creeks, drainage channels, wetlands, detention basins etc).

4. **LOT SIZE AND CONFIGURATION**

1. The purpose of this clause is to ensure that the development contains lots of a size, configuration and orientation suitable for residential purposes.

2. The overall subdivision design should be in accordance with the minimum lot size requirements specified in table A to this clause and:
   
   (a) ensure that lots have sufficient area and appropriate dimensions to provide for the proposed density of development including dwellings, vehicle access, parking and ancillary buildings by conforming with the building envelope requirements in table B to this clause;
   
   (b) orientate lots and design housing to take advantage of prevailing breezes and minimise solar loading; and
   
   (c) the subdivision design should promote user safety and links to schools, the Palmerston Central Business District and the Charles Darwin University campus.

   (d) accommodate a range and mixture of the housing typologies, identified in Table A to this Clause, across the subdivision as one way to achieve a diverse community as required by sub-clause (e) of this zone.

   (e) the range and mixture in housing typology composition should allow for an element of flexibility across the development within the limits of:

   - a maximum Gross Dwelling Density of 14 Dwellings per Hectare;
   - the minimum lot size is 250m²;
   - small lot integrated housing (250m² to 299m²) limited to a maximum percentage of all residential lots of 5%; and
   - multiple dwellings limited to a maximum percentage of all residential lots of 5%.

<table>
<thead>
<tr>
<th>Table A to Clause 4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Housing Type</strong></td>
</tr>
<tr>
<td>small lot integrated housing (250m² - 300m²)</td>
</tr>
<tr>
<td>compact lot housing 1 (300m² - 399m²)</td>
</tr>
<tr>
<td>compact lot housing 2 (400m² - 499m²)</td>
</tr>
</tbody>
</table>

Refer to the Community Safety Design Guide at Schedule 3.

Gross Dwelling Density refers to the ratio of the number of residential dwellings to the area of land covered by SP8.
Table A to Clause 4

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Minimum Lot Size</th>
<th>Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>traditional 1 (500m² - 699m²)</td>
<td>500m²</td>
<td>1 plus one secondary dwelling</td>
</tr>
<tr>
<td>traditional 2 (700m²)</td>
<td>700m²</td>
<td>1 plus one secondary dwelling</td>
</tr>
<tr>
<td>multiple dwelling (600m²)</td>
<td>600m²</td>
<td>1 per 300m²</td>
</tr>
<tr>
<td>retirement living</td>
<td>800m²</td>
<td>1 per 200m²</td>
</tr>
</tbody>
</table>

Note: the gross dwelling density is maximum 14 dwellings per hectare.

Table B to Clause 4 Minimum Building Envelopes

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum Building Envelope</th>
</tr>
</thead>
<tbody>
<tr>
<td>250m² – 399m²</td>
<td>10m x 12m (exclusive of any boundary setbacks or service authority easements)</td>
</tr>
<tr>
<td>400m² – 599m²</td>
<td>10m x 12.5m (exclusive of any boundary setbacks or service authority easements)</td>
</tr>
<tr>
<td>≥600m²</td>
<td>12m x 15m (exclusive of any boundary setbacks or service authority easements)</td>
</tr>
</tbody>
</table>

5. **Minimum Site Areas**

1. The purpose of this clause is to ensure that lots in this zone will be of a size capable of accommodating the potential future use.
2. The land uses listed in clause 6 may only be developed on lots that meet the minimum lot sizes listed in the table to this clause.
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>display home</td>
<td>250m²</td>
</tr>
<tr>
<td><strong>single dwelling</strong> (small lot integrated housing)</td>
<td></td>
</tr>
<tr>
<td>single dwelling</td>
<td>300m²</td>
</tr>
<tr>
<td>temporary sales office</td>
<td>400m²</td>
</tr>
<tr>
<td>secondary dwelling</td>
<td>500m²</td>
</tr>
<tr>
<td>multiple dwellings</td>
<td>600m²</td>
</tr>
<tr>
<td>office</td>
<td></td>
</tr>
<tr>
<td>restaurant</td>
<td></td>
</tr>
<tr>
<td>shop</td>
<td></td>
</tr>
<tr>
<td>supporting accommodation</td>
<td></td>
</tr>
<tr>
<td><strong>home based visitor accommodation</strong></td>
<td>700m²</td>
</tr>
<tr>
<td>home based business</td>
<td></td>
</tr>
<tr>
<td><strong>home based child care centre</strong></td>
<td></td>
</tr>
<tr>
<td>home based contracting</td>
<td></td>
</tr>
<tr>
<td>medical consulting rooms</td>
<td></td>
</tr>
<tr>
<td><strong>child care centre</strong></td>
<td>800m²</td>
</tr>
<tr>
<td>community centre</td>
<td></td>
</tr>
<tr>
<td>group home</td>
<td></td>
</tr>
<tr>
<td>hostel</td>
<td></td>
</tr>
<tr>
<td>medical clinic</td>
<td>1,200m²</td>
</tr>
</tbody>
</table>
Part 3

6. LAND USE

1. The parts of Lot 9765 that are subject to this clause are the areas of land bounded by a thick black line and marked as A and B on the diagram to this clause.

2. The intended uses for:
   - Area A are residential and community uses; and
   - Area B are residential, commercial and community uses.

3. A lot in Area A may be used for the purposes outlined in Table A to this clause if the development is consistent with the building setback plan endorsed for the lot under clause 3 and the development complies with all other requirements of this zone.

4. A lot in Area B may be used for the purposes outlined in Table B to this clause if the development is consistent with the building setback plan endorsed for the lot under clause 3 and the development complies with all other requirements of this zone.

5. For lots identified as commercial on the detailed land use plan endorsed under clause 3 of this zone:
   - (a) single dwellings or multiple dwellings are permitted with consent to be developed in conjunction with a commercial use; and
   - (b) clause 7.9 of the NT Planning Scheme does not apply.
## Table A to Clause 6

<table>
<thead>
<tr>
<th>Land Use</th>
<th>specific use zone clause</th>
<th>NT Planning Scheme clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>child care centre</td>
<td>D</td>
<td>5, 11, 14</td>
</tr>
<tr>
<td>community centre</td>
<td>D</td>
<td>5, 11, 12, 14</td>
</tr>
<tr>
<td>display home</td>
<td>P</td>
<td>5</td>
</tr>
<tr>
<td>group home</td>
<td>P</td>
<td>5, 11, 12</td>
</tr>
<tr>
<td>home based business</td>
<td>P</td>
<td>5, 7</td>
</tr>
<tr>
<td>home based child care centre</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>home based contracting</td>
<td>P</td>
<td>5, 14</td>
</tr>
<tr>
<td>home based visitor accommodation</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>hostel</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>medical clinic</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>medical consulting rooms</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>multiple dwellings</td>
<td>D</td>
<td>5, 11, 12, 14, 16</td>
</tr>
<tr>
<td>multiple dwellings (retirement living)</td>
<td>P</td>
<td>9</td>
</tr>
<tr>
<td>office</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>restaurant</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>secondary dwelling</td>
<td>P</td>
<td>5, 10</td>
</tr>
<tr>
<td>shop</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>single dwelling</td>
<td>P</td>
<td>5, 11, 12, 14, 16</td>
</tr>
<tr>
<td>single dwelling (small lot integrated housing)</td>
<td>P</td>
<td>5, 8, 11, 12, 14, 16</td>
</tr>
<tr>
<td>supporting accommodation</td>
<td>D</td>
<td>5, 11, 12, 14</td>
</tr>
</tbody>
</table>

## Table B to Clause 6

<table>
<thead>
<tr>
<th>Land Use</th>
<th>specific use zone clause</th>
<th>NT Planning Scheme clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>child care centre</td>
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</tr>
<tr>
<td>community centre</td>
<td>D</td>
<td>5, 11, 12, 14</td>
</tr>
<tr>
<td>display home</td>
<td>P</td>
<td>5</td>
</tr>
<tr>
<td>group home</td>
<td>P</td>
<td>5, 11, 12</td>
</tr>
<tr>
<td>home based business</td>
<td>P</td>
<td>5, 7</td>
</tr>
<tr>
<td>home based child care centre</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>home based contracting</td>
<td>P</td>
<td>5, 14</td>
</tr>
<tr>
<td>home based visitor accommodation</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>hostel</td>
<td>D</td>
<td>5, 11, 12, 13, 14</td>
</tr>
<tr>
<td>medical clinic</td>
<td>D</td>
<td>5, 11, 12, 13, 14, 15</td>
</tr>
<tr>
<td>medical consulting rooms</td>
<td>D</td>
<td>5, 14</td>
</tr>
<tr>
<td>multiple dwellings</td>
<td>D</td>
<td>5, 11, 12, 14, 16</td>
</tr>
<tr>
<td>multiple dwellings (retirement living)</td>
<td>P</td>
<td>9</td>
</tr>
<tr>
<td>office</td>
<td>D</td>
<td>5, 11, 12, 13, 14</td>
</tr>
<tr>
<td>restaurant</td>
<td>D</td>
<td>5, 11, 12, 13, 14</td>
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<tr>
<td>shop</td>
<td>D</td>
<td>5, 11, 12, 13, 14</td>
</tr>
<tr>
<td>secondary dwelling</td>
<td>P</td>
<td>5, 10</td>
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<tr>
<td>single dwelling</td>
<td>P</td>
<td>5, 11, 12, 14, 16</td>
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<tr>
<td>single dwelling (small lot integrated housing)</td>
<td>P</td>
<td>5, 8, 11, 12, 14, 16</td>
</tr>
<tr>
<td>supporting accommodation</td>
<td>D</td>
<td>5, 11, 12, 14</td>
</tr>
</tbody>
</table>
7. **Home Based Business**

1. The purpose of this clause is to ensure that home based businesses are established and operated in a manner that does not detract from the residential amenity of the locality.

2. In this zone, a home based business means a business which is carried on in a dwelling or on the site of a dwelling by a person resident in the dwelling and may include the caring for up to five children including children who reside in the dwelling.

3. A dwelling may be used for the purpose of a home based business where:
   
   (a) the business does not employ more than 2 people not members of the household;
   
   (b) the total floor area of the dwelling plus the other areas of the site that are used for the home based business does not occupy an area greater than 50m\(^2\);
   
   (c) no goods or equipment are visible from public areas;
   
   (d) there is one on-site car parking space for every non-resident employee in addition to two on-site parking spaces for the dwelling; and
   
   (e) not more than one vehicle kept on the site is used for the purpose of the home based business.

4. If 3 or more vehicles are required to be parked on the site then the car parking layout should meet the requirements of NT Planning Scheme clause 6.5.3. The consent authority may approve an application for a home based business that does not meet the requirements of clause 6.5.3 only if it is satisfied that there will be no loss of amenity to the locality.

5. A home based business may not establish in a secondary dwelling.

8. **Small Lot Integrated Housing**

1. The purpose of this clause is to ensure that small lot integrated housing has a high level of residential amenity.

2. Small lot integrated housing consists of two adjoining lots with a minimum area of 250m\(^2\) each, a total area of not less than 500m\(^2\), which contain two purpose designed dwellings on freehold titles.

3. A site identified for integrated housing on the land use plan endorsed under clause 3 of this zone should:
   
   (a) have a house and land package design that has been endorsed by the consent authority and developed in accordance with the endorsed design;
   
   (b) be generally located no more than 250m to public open space;
   
   (c) be generally located within 400m of a public transport stop; and
   
   (d) not be located in a cul-de-sac.

Refer to the Housing Design and Location Principles in the Durack Master Plan at Schedule 2.
9. **Retirement Living**

1. The purpose of this clause is to ensure that retirement living has a high level of residential *amenity* that meets the needs of the intended residents.

2. A *site* identified for retirement living on the land use plan endorsed under clause 3 of this zone and as defined under the *Retirement Villages Act* of the Northern Territory should be located within a 400m radius of community or commercial facilities and a public transport stop.

3. Multiple dwellings are permitted in an area identified as retirement living, provided that the dwellings:
   
   (a) have a residential density of not more than 1 dwelling per 200m²;
   
   (b) provide 1 vehicle parking space per dwelling;
   
   (c) provide 1 visitor vehicle parking space per 4 dwellings;
   
   (d) provide minimum setbacks for residential buildings including verandahs and balconies and structures without external walls, excluding garages and carports, of:
      
      i. 3m to primary street frontage, including garages and carports;
      
      ii. 1.5m to secondary street frontage;
      
      iii. 0m to side and rear boundaries, including structures without external walls and carports, for a maximum of 50% of the length of that side or rear boundary and to a maximum height of 3.7m. At 1.5m from the side or rear boundary, the maximum height may be increased to 8.5m; and
   
   (e) provide private open space of 30m² (exclusive of driveways and car parking areas) but inclusive of an area with minimum dimensions of 4m x 4m for each dwelling.

10. **Secondary Dwellings**

1. The purpose of this clause is to ensure that a secondary dwelling is ancillary to the single dwelling on a *site*.

2. A maximum of one secondary dwelling may be permitted on lots identified for single dwellings on the plan endorsed under clause 3 of this zone, provided that the secondary dwelling:
   
   (a) is located on a lot not less than 500m² in area;
   
   (b) does not or will not exceed 50m² in floor area;
   
   (c) is not separately serviced; and
   
   (d) is not to be separately titled under the *Unit Titles Scheme Act*.

3. The consent authority may approve an application for a secondary dwelling that has a floor area greater than 50m² but not more than 100m² as long as the building footprint of both dwellings does not exceed 60% of the area of the *site*. 
11. **Building Setbacks**

1. The purpose of this clause is to ensure that buildings and ancillary structures are located so:
   - they are compatible with the streetscape and surrounding development including residential buildings on the same site;
   - as to minimise any adverse effects of building massing when viewed from adjoining land and the street;
   - as to avoid undue overlooking of adjoining properties; and
   - as to encourage breeze penetration through and between buildings.

2. **Building setbacks** for dwellings and ancillary structures shall adhere to the building setback plan endorsed under clause 3 of this zone, which achieves the following siting outcomes:

   (a) single dwelling residential lots where:
   - carports and garages are to be setback a minimum of 6m to the primary street frontages;
   - gate entryway structures, with no more than 2 solid walls and roof, and with maximum dimensions of 2m x 2m, are permitted within the primary street frontage setback area; and
   - on lots of 400m² - 500m² in size, storage structures may be located with a 0m side setback on one side boundary for a length not exceeding 5.5m along the side boundary and the maximum height of the storage structure shall be no more than 2.1m.

   (b) small lot integrated housing and compact housing on lots 250m² - 399m² in size and multiple dwelling lots less than 800m² in size where:
   - the primary street frontage setback shall be 4.5m with 3.0m permitted for structures without enclosed walls such as balconies, porches but excluding carports;
   - garages and carports are to be setback a minimum of 6m to the primary street frontage;
   - gate entryway structures, with no more than 2 solid walls and roof, and with maximum dimensions of 2m x 2m, are permitted within the primary street frontage setback area; and
   - for side and/or rear setback a maximum of two setbacks may be 0m, including structures without external walls, provided that the structure along one of the two boundaries is limited to a maximum height of 3.7m. At 1.5m from the reduced setback boundary, the maximum height may be increased to 8.5m.
(c) single dwelling lots 400m² and greater in size identified specifically on the building setback plan endorsed under clause 3 of this zone where:

i. the primary street frontage setback shall be 4.5m with 3.0m permitted for structures without enclosed walls such as balconies, porches but excluding any structure used for undercover parking; and

ii. garages, carports or any other structure used for undercover parking are to be setback a minimum of 6m to the primary street frontage.

(d) the consent authority must not consent to building setbacks that are not in accordance with this clause.

3. The additional setback requirements for residential buildings longer than 18m outlined in clause 7.3.1 of the NT Planning Scheme apply.

4. The setback requirements for more than one building on one site outlines in clause 7.3.2 of the NT Planning Scheme apply.

12. BUILDING HEIGHT

1. The purpose of this clause is to ensure that the height of buildings is compatible with adjoining or nearby development or development reasonably anticipated and does not unduly overlook adjoining properties.

2. The height of any point of a building is to be measured from ground level vertically below that point and includes the height of a mound specifically provided or made to elevate the building.

3. The height of any part of a building is not to exceed:

   (a) 8.5m above ground level in Area A, unless it is a flag pole, aerial or antenna.

   (b) 8.5m above ground level in Area B, unless:

      i. it is a flag pole, aerial or antenna; or

      ii. the site has been identified on the detailed land use plan which is part of the development permit for subdivision as stated in clause 3 of this zone and in that circumstance the building may not exceed 4 storeys above ground level.

13. PLOT RATIO

1. The purpose of this clause is to provide for development that will, in terms of building massing, be compatible with adjacent and nearby development.

2. Development of sites within Area B for a hostel, office, restaurant or shop should not exceed a plot ratio of 1.

14. VEHICLE PARKING

1. The car parking requirements and parking layout provisions outlined in clause 6.5 of the NT Planning Scheme apply except for retirement living units.
15. **LOADING BAYS**

1. The purpose of this clause is to provide for the loading and unloading of vehicles associated with the use of land.

2. An office, restaurant or shop use or development on a site must provide areas wholly within the site for loading and unloading of vehicles at the ratio of 1 loading bay for every 2000m$^2$ of the total **net floor area**.

   A loading bay is to:
   
   (a) be at least 7.5m by 3.5m;
   
   (b) have a clearance of at least 4m; and
   
   (c) have access that is adequate for its purpose.

16. **PRIVATE OPEN SPACE**

1. The purpose of this clause is to ensure that each dwelling has private open space that is appropriately sited to provide for domestic purposes.

2. Private open space areas should:

   (a) satisfy the minimum area and dimensions contained in the table to this clause;

   (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling;

   (c) be located to take into account views from the site, the natural features of the site and the location of any private open space or habitable room associated with neighbouring dwellings; and

   (d) be ‘open to the sky’ in accordance with relevant guidelines except for areas within side building setbacks on lots less than 400m$^2$.

3. Where the private open space is at ground level on a side or rear boundary and other than for a single dwelling it should be:

   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or

   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

4. Where the private open space is at ground level on a primary or secondary street frontage and other than for a single dwelling it should be fenced to a height of 1.8m such that a visual screen is provided while allowing permeability that permits surveillance of the street and the fencing shall not obscure the front entrance to the dwelling.

5. If a dwelling within a multiple dwelling development has no direct access at ground level to private open space, the multiple dwelling development should incorporate communal open space.
### Table to Clause 16 Minimum Areas of Private Open Space

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Private Open Space Area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Single dwellings</strong> on a lot less than 600m²</td>
<td>50m² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 4m x 4m</td>
</tr>
<tr>
<td><strong>Multiple dwellings</strong> (for each dwelling with direct ground level access)</td>
<td>45m² (exclusive of driveways and car parking areas) but inclusive of an area with minimum dimensions of 4m x 4m</td>
</tr>
<tr>
<td><strong>Multiple dwellings</strong> (for each dwelling without direct ground level access)</td>
<td>12m² inclusive of an area with minimum dimensions of 2.8m x 4m</td>
</tr>
</tbody>
</table>

#### 17. Communal Open Space

1. For **multiple dwelling** developments where all **dwellings** have access to private open space at ground level, communal open space in accordance with clause 7.6 of the NT Planning Scheme is not required.
INDICATIVE CONCEPT MASTERPLAN
Lot 11705, Town of Palmerston (270 Lambrick Avenue, Zuccoli).

1. The purpose of this zone is to facilitate the subdivision, use and development of the land as a predominantly residential estate that provides for housing choice and affordability by offering a range of lot sizes and housing types.

2. With consent land within this zone may be developed for the purpose of a subdivision if the development application to subdivide the land is accompanied by:

   (a) a drawing indicating the proposed land use, type of dwelling and zoning of each lot; and

   (b) a drawing showing the building envelope for each dwelling lot, which is to be consistent with the “Proposed Housing Typology for Phases 2 & 3” plans supporting this zone.

Subject to sub-clause 2(b), if a drawing showing the building envelope for a dwelling lot is not consistent with the “Proposed Housing Typology for Phases 2 & 3” plans supporting this zone, a drawing required under sub-clause 2(b) may propose an alternative building envelope for that lot.

Approved building envelope drawings are to be endorsed as forming part of a development permit for subdivision.

3. The purpose of this paragraph is to ensure that the residential subdivision contains lots of a size, configuration and orientation suitable for climatically responsive residential development.

   The subdivision of the land to which this zone applies should:

   (a) maintain a maximum gross dwelling yield of 14 dwellings per hectare, taken across all phases and sub-phases of the subdivision, where gross dwelling yield is taken as the number of dwellings per hectare of the area to be subdivided for residential use;

   (b) provide for lot sizes in accordance with Table A to this paragraph;

   (c) ensure that lots are generally rectangular in shape, unless truncated at road intersections;

   (d) provide lots with sufficient area and dimensions to accommodate dwellings, vehicle access, parking, open space areas, and outbuildings, and conform with the building envelopes forming part of a development permit for subdivision;

   (e) provide at least 0.5 ha of land for local commercial and community facilities.

Unless provided for specifically in this zone, the matters listed in clauses 11.2.2 and 11.2.3 apply to subdivision for residential development in this zone.
Table A to Paragraph 3 - Lot Sizes

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Average lot size (square metres)</th>
<th>Average lot frontage (metres) on 30m grid</th>
<th>Maximum proportion of all dwelling types in the subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrace</td>
<td>255</td>
<td>8.5</td>
<td>5.0%</td>
</tr>
<tr>
<td>Villa</td>
<td>355</td>
<td>11.3</td>
<td>15.0%</td>
</tr>
<tr>
<td>Courtyard</td>
<td>410</td>
<td>13.8</td>
<td>30.0%</td>
</tr>
<tr>
<td>Economy Traditional</td>
<td>500</td>
<td>16.7</td>
<td>20.0%</td>
</tr>
<tr>
<td>Traditional</td>
<td>570</td>
<td>19.0</td>
<td>12.5%</td>
</tr>
<tr>
<td>Premium Traditional</td>
<td>660</td>
<td>22.0</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Estate Lots</td>
<td>1000</td>
<td>33.3</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

4. Parking for a dwelling is to be provided in accordance with the table to clause 6.5.1.

5. For a dwelling constructed on a lot with an area of less than 500m², tandem parking may be provided.

6. The height of residential buildings is to be in accordance with clause 7.1.2 as applicable to dwellings in Zone SD.

7. The building setbacks for residential buildings are to be in accordance with the housing typologies for Phases 2 and 3 or the building envelope drawings endorsed as forming part of a development permit for subdivision in accordance with sub-clause 2.

8. The purpose of this clause is to ensure that each dwelling has private open space that appropriately sited, and of an adequate size to provide for domestic purposes.

   (a) private open space areas must satisfy the minimum area and dimensions contained in the table to this clause, and be directly accessible from the dwelling and enable an extension of the function of the dwelling.

   (b) the location of private open space should take into account views from the site, the natural features of the site and the location of any private open space or habitable room of a neighbouring dwelling.
Table to Paragraph 8 - Private Open Space

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Private Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Dwelling on a lot less than 450m²</td>
<td>35m² exclusive of driveways and parking areas, but including an area with minimum dimensions of 4m x 4m</td>
</tr>
<tr>
<td>Single dwelling on a lot more than 450m²</td>
<td>45m² exclusive of driveways and parking areas, but including an area with minimum dimensions of 4m x 4m</td>
</tr>
</tbody>
</table>

9. The purpose of this clause is to ensure that an independent unit is constructed only on single dwelling lots that are of sufficient size to support an ancillary dwelling.

   (a) an independent unit must not be developed on a single dwelling lot that has an area of less than 500m².

   (b) subject to sub-clause 9 (a) without consent a building or part of a building may be used, constructed or modified for use as an independent unit only if the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.

10. The purpose of this clause is to ensure that a group home is established on a single dwelling lot that is of sufficient size to support a group home.

   (a) a group home must not be developed on a single dwelling lot that has an area of less than 500m².

   (b) with consent, a group home may be established where:

      i. the dwelling is suitable for the use;

      ii. no greater demand or load is imposed on the services provided by a public utility than that which is ordinarily required in the locality; and

      iii. there are no more than 6 persons residing in the group home.

   (c) the consent authority may approve an application for a group home that is not in accordance with sub-clause 10 (b) only if it is satisfied the proposed group home is appropriate to the site having regard to the potential impact of the group home on the residential amenity of adjoining and nearby property.
11. The purpose of this clause is to ensure that home occupations are established and operated in a manner that does not detract from the residential amenity of the locality.

(a) with consent, a dwelling may be used for the purpose of a home occupation where:

1. the occupation or profession is carried out only by persons residing in the dwelling;
2. the total of the floor area of the dwelling plus the other areas of the site that are used for the home occupation (including areas used temporarily) does not exceed 30m²
3. no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality;
4. no sign is displayed, other than a business sign that is not more than 0.5m² in area;
5. no goods or equipment are visible from outside the site; and
6. not more than one vehicle kept on the site is used for the purpose of the home occupation.

(b) the consent authority may approve an application for a home occupation that is not in accordance with sub-clause 11 (a) only if it is satisfied the proposed home occupation is appropriate to the site having regard to the potential impact of the home occupation on the residential amenity of adjoining and nearby property.

12. With consent, a lot may be developed for the purpose of:

(a) a display home; and
(b) a temporary sales office

13. The provisions of Zone C (Commercial) apply to any lot shown as being for local commercial and community facilities on an endorsed subdivision drawing approved pursuant to sub-clause 2 (a) and generally in accordance with the Palmerston Eastern Suburbs Area Plan 2 of 3.

14. A use or development not specifically provided for in this zone is prohibited.

15. The consent authority for the consideration and determination of applications for development consent specified in this zone is the Development Consent Authority.
Proposed Housing Typology for Phases 2 & 3

Key Objective
- A mix of housing types and designs that will create attractive and varied street-scales
- Various housing forms allowing for greater affordability, market choice and social mix
- Built form that varies in style, is well detailed and has a strong sense of cohesiveness
- Standardised lot depth modules to housing products allowing for ease of market adaptability and potential reduction in built cost
- Maximise environmental design response

Note
All allotments to have active and passive zones allocated to avoid livability conflicts

Legend
- Building envelope
- Built to boundary line
- Allowable driveway access
- Building areas for porches, verandas, decks and balconies

General Front Setback Requirements
- Terraces and Villas - 3m to main building line and 4.5m to garage or carport respectively.
- Courtyards & Traditionsals - 6m to main building line, 1m to garage or carport respectively.

Porches, verandas, decks and balconies may encroach to a setback of 4.5m from the front boundary on Courtyard or Traditional lots.
Proposed Housing Typology for Phases 2 & 3

Corner Lots
Part Lot 11498 Town of Palmerston (15 Maluka Drive, Gunn).

Single Dwellings

1. The purpose of this zone is to facilitate subdivision, use and development of the land for purposes generally consistent with Zone SD whilst providing the opportunity to develop lots of a size that are generally compatible with those already developed on adjacent land in Miller Court.

2. With consent land within this zone may be developed for the purpose of a residential subdivision if each lot:
   (a) has an area of at least 600 m²; and
   (b) has an average width of not less than 20 metres.

3. Subdivisions within this zone are not subject to the requirements of clause 11.2.1 and clause 11.2.2 of the Planning Scheme.

4. Without consent a lot may be developed for the purpose of:
   (a) business sign;
   (b) group home;
   (c) home based contracting;
   (d) home occupation;
   (e) independent unit;
   (f) single dwelling;
   if the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.

5. Without consent, but subject to the self-assessment requirements of the Planning Scheme, a lot may be developed for the purpose of home based visitor accommodation if the development complies with all other requirements of the Planning Scheme as if the land were in Zone SD.

Part Lot 11498, Town of Palmerston (15 Maluka Drive, Gunn)

1. The purpose of this zone is to create a unique mixed-use commercial and residential precinct that includes a pedestrian-focused retail and restaurant precinct as a primary activity centre for the site.

2. Development Design Philosophy is to:
   (a) integrate sensitively with the surrounding neighbourhood by:
      i. creating an appropriate “city edge” mixed use development;
      ii. providing a stepped development that is proportionally suitable in height to the existing single dwelling uses across Maluka Drive; and
      iii. providing an ordered and consistent development to integrate with adjacent uses on surrounding sites;
   (b) create a landmark development through quality architecture and well-designed street scapes;
(c) create buildings designed for a pedestrian scale at ground level;
(d) develop pedestrian connections within the precinct and to surrounding development; and
(e) maximise environmental integrity by encouraging landscaping, provision of shade and cross ventilation.

3. The overall development design, which may be developed in stages, should include the following:
   (a) a commercial retail and restaurant precinct adjacent Maluka Drive that provides for pedestrian activity through the centre of the precinct;
   (b) a multi-level mixed-use building containing primarily retail and restaurant space on the ground floor, with office uses above ground floor and multiple dwellings on higher levels;
   (c) an on-grade car parking area fronting Road C may be provided for convenience parking to service the retail precinct, which must include soft landscaping to enhance the visual amenity of the site;
   (d) basement and podium level parking may be provided to service the commercial, office and multiple dwelling uses;
   (e) vehicle access points provided from both Road A and Road C, with office and multiple dwelling uses accessing the site from Road A;
   (f) active street frontage to Maluka Drive, noting any limitations required by item (g) below;
   (g) provision for minor loading and waste access from expanded road reserve in Maluka Drive;
   (h) activated frontages to both ends of the retail and restaurant precinct, to address Road A and Road C; and
   (i) development in accordance with the Community Safety Design Guide principles.

4. Unless otherwise stated in this clause, development within the land shall be in accordance with Clause 5.7 of the Planning Scheme as if the land were located in Zone CB (Central Business).

5. The purpose of this paragraph is to ensure the residential amenity of the dwellings across Maluka Drive is not compromised. For the area of the site within 20m of Maluka Drive, building height shall be limited to 10m. For the remaining area of the site, building height shall be in line with the requirements of Zone CB.

6. In addition to those uses identified within Clause 5.7 of the Planning Scheme, the following uses are also prohibited within this zone:
   (a) motor body works;
   (b) motor repair station;
   (c) passenger terminal; and
   (d) service station.
SPECIFIC USES – PELLEW

SPW

Lots 1 to 24 (inclusive) Town of Pellew and three islands within NT Portion 4319 (all part of the Sir Edward Pellew group).

1. The purpose of this zone is to ensure that development of the land is consistent with the conservation of the natural environment.

2. With consent, the land may be used or developed for any appropriate use or development.

3. Consistent with the conservation of the natural environment, the consent authority shall, in respect of a proposed use or development, have regard to:

   (a) the intensity of the proposed use and its likely effect on the native fauna and flora on this and adjacent lands;

   (b) the nature and extent of landscaping, in particular the species of plants to be used;

   (c) the control of introduced plants or animals, including domestic pets; and

   (d) the management of public access to the land.
1. The purpose of the zone is to:
   (a) Facilitate continuation of the existing use of the land for aeronautical purposes;
   (b) Ensure that there is adequate land for expansion of aviation activity and aviation support facilities;
   (c) Enable the future development of the site for commercial purposes which respond to constraints associated with the airport, such as aircraft noise and protected airspace;
   (d) Reduce risk to public safety on land near the runway approach to the Tennant Creek Airport; and
   (e) Ensure that subdivisions in this zone provide lots compatible with the Zone, and provide infrastructure and facilities which ensure appropriate levels of amenity.

2. Without consent, subject to the relevant provisions of Clause 5.9 and subject to paragraphs 4 to 9 below, the land may be developed for the purposes listed below:
   (a) **Aviation activity** - means any activity for the arrival, departure, movement or operation of aircraft and includes aprons, helipads, heliports, runways, taxiways, areas set aside for the parking and/or storage of aircraft either short or long term, and includes general aviation, charter operations, aeromedical operations, agricultural aviation businesses, aviation-based firefighting services, and the like.
   (b) **Aviation support facility** - means any aircraft maintenance facility, engine-run area, ground support equipment, transport depot and associated ground base activities necessary for the orderly and efficient operation of aviation activity and includes the provision and storage of fuel, navigational aids and equipment and utilities and infrastructure;
   (c) **business sign**; and
   (d) **caretakers residence**.
3. With consent, and subject to paragraphs 4 to 9 below, the land may be developed for the purposes listed below:

(a) animal boarding;  
(b) caravan park;  
(c) car park;  
(d) childcare centre;  
(e) community centre;  
(f) education establishment;  
(g) fuel depot;  
(h) general industry;  
(i) hostel;  
(j) hotel;  
(k) leisure and recreation;  
(l) licensed club;  
(m) medical clinic;  
(n) motel;  
(o) motor body works;  
(p) motor repair station;  
(q) office;  
(r) passenger terminal;  
(s) place of worship;  
(t) plant nursery;  
(u) promotion sign;  
(v) restaurant;  
(w) rural industry;  
(x) service station;  
(y) shop;  
(z) showroom sales;  
(aa) transport terminal;  
(ab) vehicle sales and hire;  
(ac) veterinary clinic; and  
(ad) warehouse.

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 SC; 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 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.

7. Development within the zone shall not cause any temporary or permanent structure to breach the defined airspaces for civil or military (as applicable) aviation purposes.

8. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

9. The consent authority must not consent to an application that is not in accordance with the clauses of this zone.