

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, GERALD FRANCIS MCCARTHY the Minister for Lands and Planning, under section 25(2)(c) of the *Planning Act*, alter the proposal and amend the NT Planning Scheme without re-exhibition by making the amendment, specified in the Schedule.

Dated *29th August* 2011.


Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 176

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 176.

2. Insert definition of “ground level” in clause 3

After “**general industry**” in clause 3

insert

“**ground level**” means the ground surface level that exists on a site prior to the commencement of earth or construction works associated with the development of a building;

Clauses 6.1 and 7.1 ref to the measurement of residential building height.

3. Omission and substitution of sub-clause 1 at clauses 5.2 and 5.3

by omitting current

sub-clause 1 at clauses 5.2 and 5.3

and substituting with

5.2 ZONE MD – MULTIPLE DWELLING RESIDENTIAL

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| <p>1. The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two storeys above ground level.</p> |
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5.3 ZONE MR – MEDIUM DENSITY RESIDENTIAL

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| <p>1. The primary purpose of Zone MR is to provide for a range of housing options to a maximum height of four storeys above ground level.</p> |
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4. Omission and substitution of sub-clause 3 at clause 5.4

by omitting current

sub-clause 3 at clause 5.4

and substituting with

5.4 ZONE HR – HIGH DENSITY RESIDENTIAL

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| <p>3. Development is generally not expected to exceed eight storeys above ground level.</p> |
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5. Omission and substitution of sub-clauses 3 and 4 at clause 6.1

by omitting current

sub-clause 3 and 4 at clause 6.1

and substituting with

6.1 GENERAL HEIGHT CONTROL

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| <p>3. 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.</p> <p>4. Unless expressly provided by this Planning Scheme, the height of any part of a building is not to exceed 8.5m above the ground level, unless it is:</p> <ul style="list-style-type: none">(a) a flag pole, aerial or antenna; or(b) for the housing of equipment relating to the operation of a lift. | <p>Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.</p> <p>Clause 6.3 controls the height of buildings in central Darwin.</p> <p>A topographical survey may be required to accurately determine ground level.</p> <p>Clause 7.1 controls the height of dwellings in some zones.</p> <p>The NT Defence (Areas Control) Regulations restrict building height for land in the vicinity of RAAF Base Darwin.</p> |
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6. Omission and substitution of sub-clauses 3 and the table to clause 6.2

by omitting current

sub-clause 3 and the table to clause 6.2

and substituting with

6.2 BUILDING HEIGHTS IN ALICE SPRINGS

3. The height of any building or structure forming part of an **education establishment** is not to exceed three storeys or 14m above **ground level**.

Clause 6.1 controls building heights generally.

Clause 7.1 controls the height of dwellings in some zones.

A topographical survey may be required to accurately determine ground level.

Structures below ground level should consider the Alice Springs Town Basin aquifer.

TABLE TO CLAUSE 6.2

Zone	Maximum Building Height Above Ground Level
CB, C, SC, TC and MR	3 storeys to a maximum of 14m
All other zones	2 storeys to a maximum of 8.5m

7. Omission and substitution of clauses 7.1

by omitting current

clause 7.1 and the table to clause 7.1

and substituting with

7.1.1 RESIDENTIAL DENSITY LIMITATIONS

1. The purpose of this clause is to ensure that residential development is:
 - (a) of a density compatible with the existing and planned provision of reticulated services and community facilities which will service the area; and
 - (b) consistent with land capability.
2. The maximum number of **dwelling**s that may be constructed on a **site** are to be determined in accordance with tables A, B, C, D and E (as the case requires) to this clause.

Clause 6.1 limits the height of buildings generally.

Clause 6.2 limits the height of buildings in Alice Springs.

TABLE A TO CLAUSE 7.1.1 – DWELLING DENSITY IN CERTAIN ZONES	
Zone	Dwelling Density
SD, RR, RL, R and for a single dwelling in CL, CV and T	1 single dwelling per lot and may include a dependant unit .
MD and for multiple dwellings in CL and T	1 per 300m ²

Clause 11.1.2 allows for provision of higher densities of single dwellings as part of integrated residential developments in Zone SD.

Clause 11.1 refers to minimum lot sizes and other associated requirements.

TABLE B TO CLAUSE 7.1.1 – DWELLING DENSITY IN ZONE MR OTHER THAN IN ALICE SPRINGS			
Number of Storeys Above Ground Level	1 or 2 Bedrooms	3 Bedrooms	4 Bedrooms
1	155m ²	180m ²	215m ²
2	125m ²	170m ²	210m ²
3	95m ²	130m ²	180m ²
4	85m ²	130m ²	140m ²

Clause 7.1(a) limits building height in certain circumstances.

Amendment No. 176

Amendment 122
gazetted 31.03.2010
omits and substitutes
Table C to clause 7.1

TABLE C TO CLAUSE 7.1.1 – DWELLING DENSITY IN ZONES MR AND TC IN ALICE SPRINGS

Number of Storeys Above Ground Level	Dwelling Density
1	400m ²
2	200m ²
3	133m ²

Clause 6.2 limits building height in Alice Springs.

TABLE D TO CLAUSE 7.1.1 – DWELLING DENSITY IN ZONE HR

Number of Storeys Above Ground Level	1 or 2 Bedrooms	3 Bedrooms	4 Bedrooms
1	125m ²	170m ²	210m ²
2	95m ²	130m ²	160m ²
3	85m ²	130m ²	160m ²
4	80m ²	110m ²	130m ²
5	75m ²	105m ²	130m ²
6	75m ²	100m ²	125m ²
7	70m ²	100m ²	120m ²
8+	70m ²	95m ²	120m ²

TABLE E TO CLAUSE 7.1.1 – DWELLING DENSITY IN ZONE C FOR RESIDENTIAL BUILDINGS

Number of Storeys Above Ground Level for Residential Buildings	Dwelling Density
1 storey	1 per 400m ²
2 storeys	1 per 200m ²
3 storeys	1 per 133m ²

Clause 7.9 limits residential development at the ground floor level in Zone C.

7.1.2 RESIDENTIAL HEIGHT LIMITATIONS

1. The purpose of this clause is to ensure that residential development is of a height that:
 - (a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
 - (b) does not unduly overlook adjoining properties.
2. The height of any point of a **residential 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. Subject to clause 6.2, the height of **residential buildings** that may be constructed on a **site** are to be determined in accordance with the table to this clause.
4. A **residential building** in Zone MR that:
 - (a) abuts land in Zone SD; or
 - (b) has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is land in Zone SD;
 - (c) is not to exceed a height of 3 **storeys** above **ground level**; or
 - (d) subject to clause 6.2, in any other circumstance 4 **storeys** above **ground level**.

The consent authority must not **consent** to a development that is not in accordance with this sub-clause.
5. **Single dwellings** in Zones SD, MD, CL, CV, RR, RL, FD and T are not to contain any part of a room (habitable or otherwise), verandah or balcony 7m above **ground level** without **consent**. Where a room does not have a horizontal ceiling, a normal ceiling envelop of 2.7m shall be applied to the subject **storey**. Anything above the 2.7m envelop will be considered air space and should not be inhabited, unless **consent** is otherwise granted.

Clause 6.1 limits the height of buildings generally.

Clause 6.2 limits the height of buildings in Alice Springs.

A topographical survey may be required to accurately determine ground level.

TABLE TO CLAUSE 7.1.2 – DWELLING HEIGHT AND MAXIMUM NUMBER OF STOREYS IN CERTAIN ZONES	
Zone	Maximum Number of Storeys and Maximum Dwelling Height above Ground Level for Residential Buildings
SD and for a single dwelling in Zones CL, CV and T	2 – to a maximum height of 8.5m
MD and for multiple dwellings in Zones CL, T	2 – to a maximum height of 8.5m
MR other than in Alice Springs	4 maximum
MR and TC in Alice Springs	3 maximum
HR	8+*
RR	2 – to a maximum height of 8.5m
RL	2 – to a maximum height of 8.5m
R	2 – to a maximum height of 8.5m
C	3
* The consent authority may consent to a development application for a building that exceeds 8 storeys in height in Zone HR only if it is satisfied that special circumstances justify the giving of consent .	

Clause 6.2 limits building heights in Alice Springs.

Clause 7.9 limits residential development on the ground floor in Zone C.