

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

AMENDMENT TO NT PLANNING SCHEME

I, DAVID WILLIAM TOLLNER, Minister for Lands and Planning, under section 25(2)(c) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated

9 | 7 | 2015.



Minister for Lands and Planning

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**SCHEDULE**

**AMENDMENT TO NT PLANNING SCHEME**

**AMENDMENT No. 384**

**1. Citation**

This amendment to the NT Planning Scheme may be cited as Amendment No. 384.

**2. Definition**

In this amendment –

"amending map" means the map, signed by the Minister for Lands and Planning and marked "NT Planning Scheme Amendment No. 384", deposited in the office of the Department of Lands, Planning and the Environment, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme.

### 3. Amendment of Zoning Map

The NT Planning Scheme is amended by amending the zoning map relating to Darwin to the extent of its inconsistency with the amending map in respect of the area of land shown on the amending map bounded by a thick black line and lettered **SD46** which is Lot 7820 Town of Darwin.

### 4. Amendment to Schedule 1 to clause 2.4

The NT Planning Scheme is amended by:

- (a) amending Schedule 1 to clause 2.4 – Specific Uses to introduce new **SD46** (Specific Use Zone Darwin No. 46):

**SD46** Lot 7820 Town of Darwin (4 Blake Street, Stuart Park).

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;

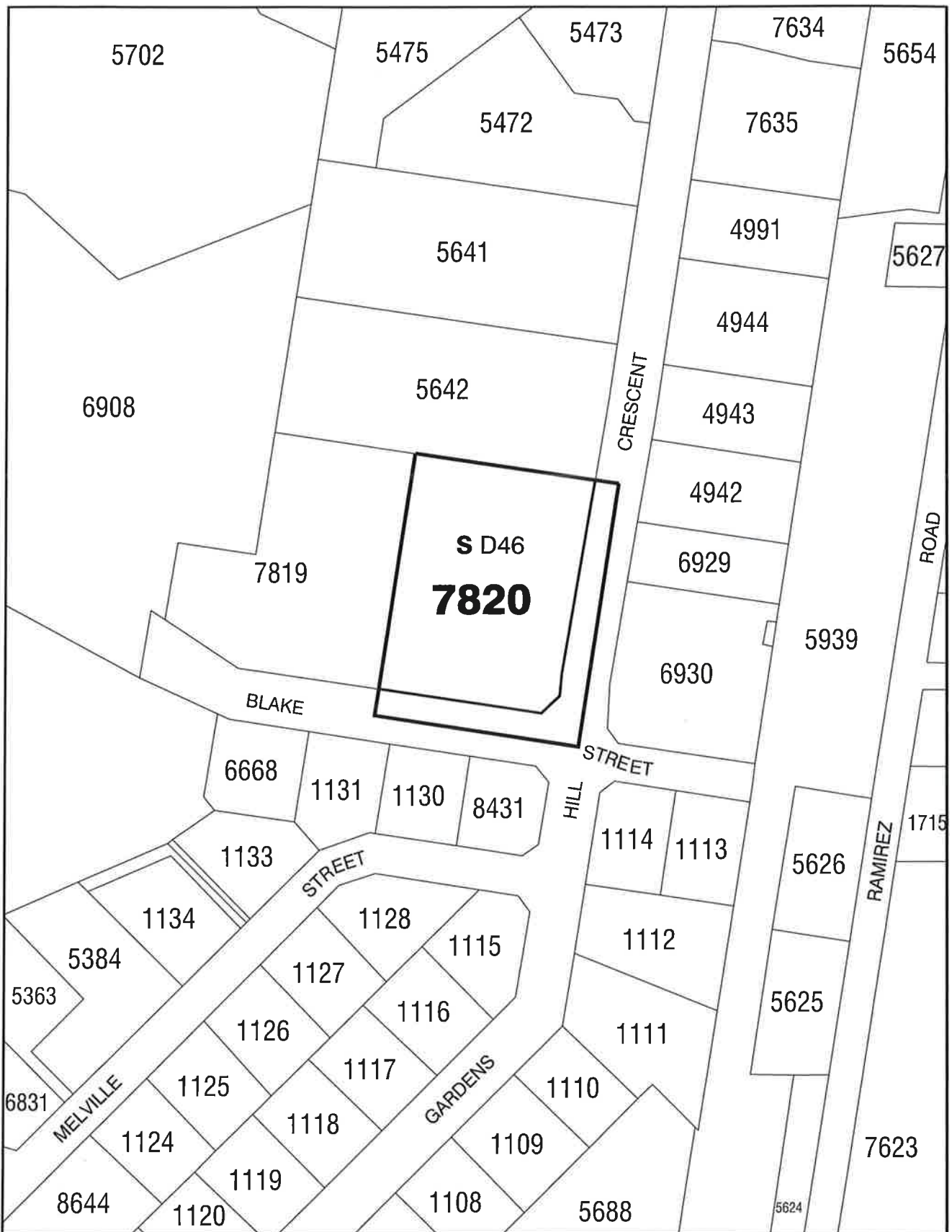
- (e) a landscape plan for the proposed development and adjoining streets;
  - (f) a schedule of external building materials, including type and colour, to be used in the construction of buildings and streetscapes; and
  - (g) a traffic study by qualified traffic engineering consultants, to the requirements 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 250m<sup>2</sup>.
  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**

1. Minimum building setbacks for a podium of residential building.	
<b>Lot Boundary</b>	<b>Minimum Setback, in metres</b>
Gardens Hill Crescent	6m
Side boundary (common boundary with Lot 5642)	6.3m
Rear boundary (common boundary with Lot 7819)	2m
Blake Street	2m
2. Minimum building setbacks for a tower of a residential building.	

Lot Boundary	Minimum Setback, in metres
Gardens Hill Crescent, for a distance of 40m measured from the boundary with Lot 5642	13.50m
Gardens Hill Crescent, beyond 40m measured from the boundary with Lot 5642	4.10m
Side boundary (common boundary with Lot 5642)	7.50m
Rear boundary (common boundary with Lot 7819)	17m
Blake Street	5.75m
<p>3. Shops, restaurants and offices are to be located at the intersection of Blake Street and Gardens Hill Crescent and setback not more than 1m of these site boundaries.</p>	
<p>4. Minimum distance between residential towers on the site. The minimum distance between residential buildings on the site is to be 9m.</p>	
<p>For the purposes of this table:</p> <p>"ground level means the highest point on the site boundary;</p> <p>"podium" means the part of a residential building situated between ground level and 5m above ground level; and</p> <p>"tower" means the part of a residential building situated above a height of 5m above ground level.</p> <p>Building setback is measured from site boundaries to:</p> <ul style="list-style-type: none"> <li>○ the wall of a residential building;</li> <li>○ the outer surface of the railings of a balcony or a verandah of a dwelling; and</li> <li>○ the outer surface of any support column of a ground level verandah of a dwelling.</li> </ul> <p>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.</p>	
<p>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.</p>	



NT PLANNING SCHEME  
AMENDMENT No. 384  
LOT 7820 TOWN OF DARWIN

MINISTER FOR LANDS AND PLANNING

Date 9/7/15



Northern  
Territory  
Government

Department of Lands, Planning and the Environment



Scale 1: 2000 @ A4



File No. PA2014/0240

Date: 8-Aug-14

Drawing Name: PSA Lot 7820 Twn of Darwin.dgn

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME  
AMENDMENT No. 384

I, DAVID WILLIAM TOLLNER, Minister for Lands and Planning, under section 28(1) of the *Planning Act*, give notice that:

- (a) I have, under section 25(2)(c) of the Act:
- i. altered the proposal to rezone Lot 7820 Town of Darwin (4 Blake Street, The Gardens) from Zone CP (Community Purposes) to **SD46** (Specific Use Zone Darwin No.46) by:
    - reducing the number of dwelling originally proposed on the site from 143 dwellings to 118 dwellings;
    - reducing the building heights from nine storeys to seven storeys;
    - introducing a setback clause to minimise the effects of building mass, avoid undue overlooking of adjoining properties, encourage breeze penetration between buildings and protect the amenity of adjoining properties;
    - requiring extra car parking space such that one bedroom plus one study is 2 car parking spaces; and
    - providing a requirement for including private open space, communal open space and landscaping to be in compliance with the NT Planning Scheme requirements as if the site is in Zone HR (Higher Density Residential);
  - ii. determined under section 27(2) that the alteration is not so significant as to justify the exhibition of the altered proposal;
  - iii. amended the NT Planning Scheme by rezoning Lot 7820 Town of Darwin (4 Blake Street, The Gardens) from Zone CP (Community Purposes) to **SD46** (Specific Use Zone Darwin No.46); and
- (b) copies of the amendment, (Amendment No. 384), are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated

9/7/ 2015



Minister for Lands and Planning

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***  
**Section 29**

**Reasons for Decision**

**NORTHERN TERRITORY PLANNING SCHEME**  
**AMENDMENT No. 384**

The original proposal has been altered to reduce the potential impacts of the proposed development by:

- reducing the number of dwellings to 118;
- reducing the building heights from nine storeys to seven storeys;
- introducing a setback clause to minimise the effects of building mass, avoid undue overlooking of adjoining properties, encourage breeze penetration between buildings and protect the amenity of adjoining properties;
- requiring extra car parking space such that one bedroom plus one study is 2 car parking spaces; and
- providing a requirement for including private open space, communal open space and landscaping to be in compliance with the NT Planning Scheme requirements as if the site is in Zone HR (Higher Density Residential).

The specific use zone will facilitate the use and development of this strategically located site. Infill residential will be consistent with the future development of the locality particularly given the existing Zone HR immediately to the north of the site.

The predominantly residential development, with complementary and subsidiary commercial activities, will improve the amenity of the Blake Street Precinct and provide housing choice with ready access to facilities and services available in the nearby Central Business District.



DAVID WILLIAM TOLLNER  
Minister for Lands and Planning

9 / 7 / 2015