

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

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

- (a) alter the proposal to amend the NT Planning Scheme numbered PA2009/0221 in accordance with the Schedule to this instrument; and
- (b) amend the NT Planning Scheme in accordance with the altered proposal.

Dated 21st March 2010.

Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT NO. 122

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 122.

2. Amendment of clause 6.4

Omit clause 6.4 and substitute:

6.4 Plot Ratios

Amendment 22 gazetted 11.07.2007 alters clause 6.4 by omitting paragraph 2 and 3 and substitutes paragraphs 2, 3 and 4.

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:
 - Zone TC other than in the Municipality Darwin; or
 - Zone C; or
 - Zone SC;should not exceed a **plot ratio** of 1.
3. Sub-clause 2 does not apply to a **residential building** development other than a **hostel**.
4. Development of sites within Zone TC in the Municipality of Darwin should not exceed a plot ratio of 3.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 7.1 limits the height of **residential buildings** in some zones.

3. Amendment of Table C to clause 7.1

Omit Table C to clause 7.1 and substitute:

| TABLE C TO CLAUSE 7.1 – DWELLING DENSITY IN ZONES MR AND TC IN ALICE SPRINGS | |
|--|-------------------|
| Number of Storeys | Dwelling Density |
| 1 | 400m ² |
| 2 | 200m ² |
| 3 (maximum) | 133m ² |

Clause 6.2 limits building heights in Alice Springs.

4. Amendment of clause 7.5

Insert new sub-clause 6:

6. The consent authority may approve an application for a **multiple dwelling** development comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

5. Amendment of clause 7.6

Insert new sub-clause 4:

4. The consent authority may approve an application for a **multiple dwelling** development comprising serviced apartments in Zone TC that is not in accordance with sub-clause 2 only if it is satisfied that the private open space associated with each dwelling provides appropriate opportunities for outdoor activities.

6. Amendment of clause 7.9

Omit clause 7.9 and substitute:

7.9 RESIDENTIAL DEVELOPMENT IN ZONES C

1. The purpose of this clause is to ensure residential development on a **site** in Zone C does not prejudice the use or development of the **site** for commercial or retail activity in accordance with the purpose of the zone.
 2. A **site** in Zone C is only to be used or developed for a **residential building** where the development includes, on the ground floor, occupancies for commercial activity of a **floor area** that is consistent with the service function of the **site**.
 3. The consent authority must not **consent** to development that is not in accordance with this clause.
-
-

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF AMENDMENT OF NT PLANNING SCHEME
AMENDMENT No. 122**

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

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

- altering clause 6.4 Plot Ratio to reduce the plot ratio in areas other than Darwin;
- altering the Table C to clause 7.1 to establish residential densities for Zone TC (Tourist Commercial) in Alice Springs;
- inserting a new sub-clause 6 to clause 7.5 such that there is reduced or no requirement for private open space to serviced apartments where appropriate communal open space and facilities are provided;
- inserting a new sub-clause 4 to clause 7.6 such that there is a reduced requirement for communal open space in association with serviced apartments where private open space has been provided; and
- replacing clause 7.9 such that it removes the need for ground floor commercial occupancies in a residential building in Zone TC (Tourist Commercial);

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

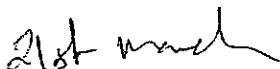
Ground Floor Cavenagh House 38 Cavenagh Street ,Darwin;

Level 1 Alice Plaza Todd Mall, Alice Springs;

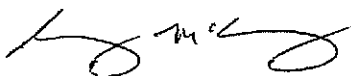
Level 1 Government Centre 5 First Street, Katherine; and

Regional Office Leichhardt Street, Tennant Creek.

Dated



2010



Minister for Lands and Planning

NORTHERN TERRITORY OF AUSTRALIA

Planning Act **Section 29**

NT PLANNING SCHEME AMENDMENT

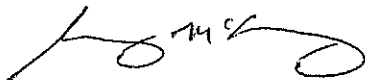
AMENDMENT No. 122

Reason for Decision

The purpose of Amendment No. 122 is to clarify the rules for tourist accommodation in Zone TC (Tourist Commercial) in the NT Planning Scheme rules. The changes involve:

- altering clause 6.4 Plot Ratio to reduce the plot ratio in areas other than Darwin;
- altering the Table C to clause 7.1 to establish residential densities for Zone TC (Tourist Commercial) in Alice Springs;
- inserting a new sub-clause 6 to clause 7.5 such that there is reduced or no requirement for private open space to serviced apartments where appropriate communal open space and facilities are provided;
- inserting a new sub-clause 4 to clause 7.6 such that there is a reduced requirement for communal open space in association with serviced apartments where private open space has been provided; and
- replacing clause 7.9 such that it removes the need for ground floor commercial occupancies in a residential building in Zone TC (Tourist Commercial);

As a result of the submissions received during the public exhibition period, I have altered the exhibited version of the proposed amendment to clarify the rules.



GERALD FRANCIS MCCARTHY
Minister for Lands and Planning

21/3/2010