

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act*

AMENDMENT TO NT PLANNING SCHEME

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

Dated

24 March

2014.

  
Minister for Lands, Planning and the Environment

**SCHEDULE**

**AMENDMENT TO NT PLANNING SCHEME**

**AMENDMENT No. 320**

**1. Citation**

This amendment to the NT Planning Scheme may be cited as Amendment No. 320.

**2. Amendment of clause 2.7**

*omit*

clause 2.7

*substitute:*

**2.7 Reference to Policy**

- |   |
|---|
| <p>1. The interpretation of this Planning Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in those documents appearing in Part 8 or Schedule 2 and ensure that a use or development or proposed use or development is consistent with them.</p> |
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**3. Amendment of clause 5.2**

*omit*

clause 5.2

*substitute:*

## Amendment No. 320

### 5.2 Zone MD – Multiple Dwelling Residential

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**.
2. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
3. A **single dwelling** on a lot less than 600m<sup>2</sup> should be integrated in terms of design and site layout with adjacent development and street infrastructure.

Clause 1.3 refers to Sheds.

Undefined uses are prohibited in this zone. See clause 2.2(3) & (4).

Clause 6.8 refers to **Demountable Structures**.

Clause 6.11 refers to Garages and Sheds.

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 7.10.2 refers to **caravans**.

Clauses 11.1.1 and 11.1.2 refer to subdivision lot size and 11.2 to subdivision standards.

Clause 13.5 refers to the erection of mobile telephone communications towers.

Clause 11.2.4 refers to lots less than 600m<sup>2</sup> for **single dwellings** in zone MD.

*amend*

column 3 in the zoning table – Zone MD that relates to clauses to defined **“single dwelling”**

*insert 2 new clauses 6.5.4 and 7.3.3 to read as follows:*

clauses 6.5.1, 6.5.4, 7.1, 7.3, 7.3.3, and 7.5

#### 4. Amendment of clause 11.1.1

*omit*

clause 11.1.1

*substitute:*

## Amendment No. 320

### 11.1.1 Minimum Lot Sizes and Requirement

1. The purpose of this clause is to ensure that unzoned land and lots in Zones SD, MD, MR, HR, RR, RL, R, LI, GI, DV, FD, RD, H, WM and T will be of a size capable of accommodating potential future uses.
2. Land to which this clause applies should be subdivided in accordance with the minimum lot size and requirements specified in the table to this clause.
3. The consent authority must not **consent** to a subdivision:
  - (a) in Zones SD, MR, RR or RL in Alice Springs and adjacent zoned areas; or
  - (b) in Zone SD otherwise than described in (a);
 that reduces a lot size by an area greater than 5% of the minimum specified in the table to this clause.
4. The consent authority must not **consent** to a subdivision in Zone MD that is not in accordance with the table to this clause.

TABLE TO CLAUSE 11.1.1		
Zone	Minimum Lot Size and Requirements	
SD, MR, HR and lots for <b>residential buildings</b> in Zone T	800m <sup>2</sup>	Clause 11.1.2 allows for provision of small lots on land within Zones SD and MD as part of an integrated residential development.
MD	300m <sup>2</sup>	Clause 11.2.4 refers to lots less than 600m <sup>2</sup> for <b>single dwellings</b> in Zone MD.
RR	0.4ha - all unconstrained land OR 1ha in Litchfield Shire - all unconstrained land	Clause 11.2 refers to residential subdivision requirements.
RL	2ha with a minimum of 1ha of unconstrained land	Clauses 11.4.1 to 11.4.5 refer to subdivision of rural and unzoned land.
R	8ha with a minimum of 1ha of unconstrained land or 40ha in the Alice Springs and Tennant Creek municipalities, with a minimum of 1ha of unconstrained land	
H	25ha all unconstrained land	
LI, GI, DV	1225m <sup>2</sup>	
FD, RD, WM	50ha	Clause 11.3 refers to industrial subdivision requirements.
Unzoned land	Lot size is to be determined on the basis of land capability and the	Clause 11.1.3 allows the subdivision of land Zoned FD.
		Clauses 11.4.1 to 11.4.5 refer to subdivision of rural

## Amendment No. 320

	availability of water adequate for the intended use; however, the minimum lot size should be no less than 8ha.	and unzoned land.
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### 5. Amendment of table to clause 11.2.3

*omit*

table to clause 11.2.3

*substitute:*

TABLE TO CLAUSE 11.2.3		
Lot Size	Minimum Building Envelope Requirement	
300m <sup>2</sup> to <450m <sup>2</sup>	7m x 15m (exclusive of any boundary setbacks or service authority easements)	Clause 7.3.3 allows a zero building setback for <b>single dwellings</b> on lots less than 600m <sup>2</sup> in Zone MD in some circumstances.
450m <sup>2</sup> to 600m <sup>2</sup>	10m x 15m (exclusive of any boundary setbacks or service authority easements) or 11.5m x 15m where there is a <b>common building boundary</b>	Clause 11.1.2 also refers to <b>common building boundaries</b> .
>600m <sup>2</sup>	17m x 17m (exclusive of any boundary setbacks or service authority easements)	

### 6. New Clause 11.2.4

after clause 11.2.3

*insert:*

#### 11.2.4 Lots less than 600m<sup>2</sup> for Single Dwellings in Zone MD

1.	The purpose of this clause is to provide for the subdivision of land in Zone MD to accommodate <b>single dwellings</b> on lots of less than 600m <sup>2</sup> and having regard for access, street parking and infrastructure.	Clause 11.1.1 prescribes the minimum lot size in Zone MD
2.	Lots subject to this clause shall not have a boundary to any public road of less than 10m in length.	Clause 7.1 refers to density limitations.
3.	Lots subject to this clause shall not be battleaxe lots.	Clause 7.3 refers to <b>residential building setbacks</b> .
4.	Lots subject to this clause must allow for future vehicle access via a single driveway unrestricted by street infrastructure or furniture.	Clause 7.3.3 allows a zero building setback for <b>single dwellings</b> on lots less than 600m <sup>2</sup> in Zone MD in some circumstances
5.	The consent authority must not <b>consent</b> to a subdivision that is not in accordance with sub clauses 2 and 3.	

**7. New Clause 6.5.4**

after clause 6.5.3

*insert:*

**6.5.4 Vehicle Access and On-site Parking for Single Dwellings on Lots less than 600m<sup>2</sup> in Zone MD**

1. The purpose of this clause is to ensure that vehicle access driveways and on-site parking spaces for **single dwellings** on lots less than 600m<sup>2</sup> do not unduly reduce the amenity of a public road or the availability of kerbside visitor parking.
2. On-site parking spaces shall be provided in a tandem configuration where a lot has a street frontage of 13m or less.
3. The on-site parking and its vehicle access from the public road shall be located to ensure that the lot's street frontage has a minimum continuous length of 6.5 metres without a vehicle access crossing within that length.

Clause 7.3.3 allows a zero building setback for **single dwellings** on lots less than 600m<sup>2</sup> in Zone MD in some circumstances.

**8. New Clause 7.3.3**

after clause 7.3.2

*insert:*

**7.3.3 Side Setbacks for Single Dwellings on Lots less than 600m<sup>2</sup> in Zone MD**

1. The purpose of this clause is to allow **single dwellings** on lots less than 600m<sup>2</sup> in Zone MD to maximise design opportunities without unduly impacting on adjacent development.
2. Despite Table A to clause 7.3, a **single dwelling** subject to this clause may have a zero building setback to no more than one side boundary of the lot, providing:
  - (a) that boundary is internal to the subdivision that created the lot; and
  - (b) that lot was created after the amendment that introduced this clause to the Planning Scheme.
3. Any part of a dwelling utilising a zero building setback shall have its external wall erected to the boundary with no gap.

Clause 6.5.4 refers to on-site parking and vehicular access for lots less than 600m<sup>2</sup> in Zone MD in some circumstances.

# NORTHERN TERRITORY OF AUSTRALIA

## *Planning Act*

### NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME AMENDMENT No. 320

I, PETER GLEN CHANDLER, the Minister for Lands, Planning and the Environment, under section 28(1) of the *Planning Act*, give notice that:

(a) I have, under section 25(2)(c) of the Act, amended the NT Planning Scheme by:

- i. revising clause 2.7 (Reference to Policy) to clarify the consent authority must have regard to a relevant Area Plan and associated planning principles;
- ii. revising clause 5.2 (Zone MD – Multiple Dwelling Residential) to amend the primary purpose to clarify that single dwellings are part of Zone MD, and that site design and street infrastructure should be considered;
- iii. revising clause 11.1.1 (Minimum Lot Sizes and Requirements) to reduce the minimum lot size in Zone MD from 800m<sup>2</sup> down to 300m<sup>2</sup> and to remove the consent authority's discretion to vary this minimum;
- iv. revising clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) to include lots between 300m<sup>2</sup> and 600m<sup>2</sup> and set the minimum envelope size for this range of lot sizes as 7m x 15m;
- v. introducing clause 11.2.4 (Lots less than 600m<sup>2</sup> for Single Dwellings in Zone MD) to provide guidance at the subdivision stage for lots less than 600m<sup>2</sup>;
- vi. introducing clause 6.5.4 (Vehicle Access and On-site Parking for Single Dwellings on Lots less than 600m<sup>2</sup> in Zone MD) to limit the width of on-site parking and vehicle access where the street frontage is 13m or less; and
- vii. introducing clause 7.3.3 (Side Setbacks for Single Dwellings on Lots less than 600m<sup>2</sup> in Zone MD) to allow dwellings on lots less than 600m<sup>2</sup> to have a zero building setback to one side boundary.

- (b) copies of the amendment (Amendment 320) are available from the offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated 24 March 2014

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a horizontal line and a small vertical stroke at the end.

Minister for Lands, Planning and the Environment

# **NORTHERN TERRITORY OF AUSTRALIA**

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

### **Reasons for Decision**

## **NORTHERN TERRITORY PLANNING SCHEME** **AMENDMENT No. 320**

I have approved an amendment to the NT Planning Scheme as detailed below.

### **PRELIMINARY CLAUSES**

- Revision of clause 2.7 (Reference to Policy) to clarify the consent authority must have regard to a relevant Area Plan and associated planning principles.
- Revision of clause 5.2 (Zone MD – Multiple Dwelling Residential) to amend the primary purpose to clarify that single dwellings are part of Zone MD, and that site design and street infrastructure should be considered.

### **SUBDIVISION**

- Revision of clause 11.1.1 (Minimum Lot Sizes and Requirements) to reduce the minimum lot size in Zone MD from 800 m<sup>2</sup> to 300 m<sup>2</sup> and to remove the consent authority's discretion to vary this minimum.
- Revision of clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) to include lots between 300m<sup>2</sup> and 600m<sup>2</sup> and set the minimum envelope size for this range of lot sizes as 7m x 15m.
- Introduction of clause 11.2.4 (Lots less than 600m<sup>2</sup> for Single Dwellings in Zone MD) to provide guidance at the subdivision stage for lots less than 600m<sup>2</sup>.

### **DEVELOPMENT OF SINGLE DWELLINGS**

- Introduction of clause 6.5.4 (Vehicle Access and On-site Parking for Single Dwellings on Lots less than 600 m<sup>2</sup> in Zone MD) to limit the width of on-site parking and vehicle access where the street frontage is 13m or less.
- Introduction of clause 7.3.3 (Side Setbacks for Single Dwellings on Lots less than 600m<sup>2</sup> in Zone MD) to allow dwellings on lots less than 600m<sup>2</sup> to have a zero building setback to one side boundary.



I believe these changes are necessary as they:

- provide a framework that responds to market demands for smaller, more affordable lots that are close to employment and community facilities;
- enable single dwelling lots from a minimum of 300m<sup>2</sup> in Zone MD (Multiple Dwelling Residential) on discrete freehold titles; and
- increase flexibility and efficiency in the delivery of a range of lot sizes.



PETER GLEN CHANDLER  
Minister for Lands, Planning and the Environment

24/ 03 /2014