NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 25 (2)(c) of the Planning Act:

(a) alter the proposal to amend the NT Planning Scheme numbered PA2009/0229 in accordance with the Schedule to this instrument; and

(b) amend the NT Planning Scheme in accordance with the altered proposal.

Dated 27 October 2009.

[Signature]

Minister for Planning and Lands

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 89

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 89.

2. Definition

In this amendment—

"amending map" means the map, signed by the Minister for Planning and Lands and marked "NT Planning Scheme Amendment No. 89", deposited in the office of the Department of Planning and Infrastructure, 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:

(a) 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 SD30, which is Lots 7466 and 7468 Town of Darwin (129 Stuart Highway and 10 Salonika Street Parap); and

(b) amending Schedule 1 to clause 2.4 – Specific Uses to include the following table:
Lots 7466 and 7468 (129 Stuart Highway and 10 Salonika Street), Town of Darwin.

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 landmark development through definitive streetscaping and quality architecture.

3. With consent, and subject to paragraphs 4 to 12 inclusive:
   (a) bed and breakfast accommodation;
   (b) caretaker's residence;
   (c) child care centre;
   (d) community centre;
   (e) convention centre;
   (f) education establishment;
   (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 Planning and Infrastructure. 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.
NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 89

DARWIN LOCALITY

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 28(1) of the Planning Act, give notice that –

(a) I have, under section 25 of the Act, amended the NT Planning Scheme by rezoning Lots 7466 and 7468 Town of Darwin (129 Stuart Highway and 10 Salonika Street Parap) to Zone SD30 (Specific Use Zone Darwin No. 30); and

(b) copies of the amendment, (Amendment No. 89), are available from the Offices of the Department of Planning and Infrastructure, Ground Floor, 38 Cavenagh Street, Darwin.

Dated 27 October 2009

[Signature]

Minister for Planning and Lands
NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

NT PLANNING SCHEME AMENDMENT

AMENDMENT No. 89

Reasons for Decision

The proximity of Lots 7466 and 7468 Town of Darwin (129 Stuart Highway and 10 Salonika Street Parap) to Darwin's Central Business District makes it a suitable location for an activity hub. The new specific use zone will facilitate the transformation of this prominent precinct to a master planned mixed use area that will complement Darwin's Central Business District.

The exhibited version of the planning scheme amendment has been altered to clarify the intention of the specific use zone provisions.

DELIA PHOEBE LAWRIE
Minister for Planning and Lands

27/10/2009