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)(a) of the Planning Act, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated 9th February 2011.

Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 152

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 152.

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. 152", deposited in the office of the Department of Lands and Planning, 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 SD33 (Specific Use Zone Darwin No. 33) which is Lot 9327 Town of Nightcliff (125 Dick Ward Drive, Coconut Grove).

4. Amendment of Schedule 1 to Clause 2.4 – Specific Uses

The NT Planning Scheme is amended by:

(a) deleting the provisions of SD24 (Specific Use Darwin No. 24); and

(b) adding a new Specific Use SD33 (Specific Use Darwin No. 33) to Schedule 1 to clause 2.4 Specific Use Zones which reads:

<table>
<thead>
<tr>
<th>SD33</th>
<th>Lot 9327 Town of Nightcliff (125 Dick Ward Drive, Coconut Grove)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The purpose of this zone is to facilitate the development and use of the land as a residential estate with single storey multiple dwellings;</td>
</tr>
<tr>
<td>2.</td>
<td>With consent, land within this zone may be developed for the purpose of a residential estate for a maximum number of 16 dwellings.</td>
</tr>
<tr>
<td>3.</td>
<td>An application to develop the land in stages is to be accompanied by a drawing showing the stage boundaries and indicating the number of dwellings to be constructed in each stage and an approved version of that drawing will be endorsed under the development permit.</td>
</tr>
<tr>
<td>4.</td>
<td>The purpose of this paragraph is to ensure that residential development in this zone will ensure appropriate levels of residential amenity.</td>
</tr>
</tbody>
</table>

The design of the residential estate should:

a) include details of street and feature landscaping at the interface of the site with Dick Ward Drive and internally;

b) include solid boundary fencing to adjoining properties that is a minimum of 1.8m in height. Details of proposed finished both internal to the subdivision and to adjoining properties must be provided.

c) Provide for connection to reticulated services;
d) Demonstrate consideration of, mitigate potential impacts on adjoining properties with respect to stormwater flow and flooding; and

e) Provide connections to the existing pedestrian network on Dick Ward.

5. The purpose of this paragraph is to enhance the amenity of properties and dwellings and to reduce risk to people, damage to property and costs to the general community caused by storm surge.

With consent the land may be developed for the purpose of a single dwelling or multiple dwellings if:

i. the building contains a single storey only and, subject to paragraph 5(a)(ii), is a ground level structure;

ii. the finished floor level of habitable rooms of a dwelling is at least 300 mm above the primary storm surge level of the site ("primary storm surge level" means the water level is associated with a 1% Annual Exceedence Probability of inundation by storm surge);

iii. the dwelling incorporates aircraft noise mitigation measures, in accordance with a report by a qualified acoustic consultant, that would produce night time indoor design sound levels not exceeding 50 Db(a) in bedrooms and 55 Db(A) in other habitable rooms; and

iv. each dwelling is provided with private open space with a minimum area of 100 m², exclusive of driveways and parking areas, but inclusive of an area with minimum dimensions of 5m x 5m.

If single dwellings or multiple dwellings do not comply with the requirements of this paragraph, the consent authority may consent only if it is satisfied that special circumstances justify the giving of consent.

6. Clause 7.6 does not apply in this zone.

7. Residential buildings and structures without external walls are to be set back from Dick Ward Drive a minimum of 5.0m in the case of a residential building, and a minimum of 1.5 m in the case of a veranda or structure without external walls.

Building setbacks to side rear boundaries are to comply with the requirements of Table A to clause 7.3.
8. Without consent land within this zone may be developed for the purpose of a home occupation if the development complies with clause 7.10.7 (home occupation), and otherwise only with the consent of the consent authority.

9. With consent land within this zone may be developed for the purpose of:

   (a) bed and breakfast accommodation;
   (b) dependant unit;
   (c) display homes;
   (d) group home;
   (e) supporting accommodation;
   (f) temporary sales centre

Development for a purpose specified in this paragraph is subject to the relevant clauses of the Planning Scheme which would apply if the land were within Zone MD, and the finished floor level of habitable rooms of any new building must be at least 300mm above the primary storm surge level of the site ("primary storm surge level" means the water associated with a 1% Annual Exceedence Probability of inundation by storm surge).
NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 152

DARWIN LOCALITY

I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, 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 Lot 9327 Town of Nightcliff (125 Dick Ward Drive, Coconut Grove) from Zone SD24 (Specific Use Zone Darwin No. 24) to Zone SD33 (Specific Use Zone Darwin No. 33); and

(b) copies of the amendment, (Amendment No 152), are available from the Offices of the Department of Lands and Planning, Ground Floor, 38 Cavenagh Street, Darwin.

Dated 9th February 2011

[Signature]

Minister for Lands and Planning
Lot 9327 Town of Nightcliff (125 Dick Ward Drive, Coconut Grove) is suitable for the proposed development as sufficient strategic merit exists for the rezoning of the land. The site is also located near services including local schools and shops, and is unlikely to adversely impact on the amenity of the locality.

The proposed rezoning would provide housing choice and affordability to the wider Darwin community.

The proposed rezoning would not locate any future development below the primary storm surge levels.

The proposed rezoning will not adversely affect the privacy of the adjoining properties and will not alter the character of the wider Coconut Grove area.

GERALD FRANCIS MCCARTHY
Minister for Lands and Planning

9/12/2011