

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

AMENDMENT TO NT PLANNING SCHEME 2020

I, EVA DINA LAWLER, Minister for Infrastructure, Planning and Logistics, under sections 13(3)(b) of the *Planning Act 1999*, amend the NT Planning Scheme 2020 by making the amendment, specified in the Schedule.

Dated 17th May 2022.



Minister for Infrastructure, Planning and Logistics

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME 2020

AMENDMENT No. 45

1. Citation

This amendment to the NT Planning Scheme 2020 may be cited as Amendment No. 45.

2. Definition

In this amendment –

"amending map" means the map, signed by the Minister for Infrastructure, Planning and Logistics and marked "NT Planning Scheme 2020 Amendment No. 45", deposited in the office of the Department of Infrastructure, Planning and Logistics, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme 2020.

3. Amendment of Zoning Map

The NT Planning Scheme 2020 is amended by amending the zoning map relating to Palmerston 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 SP1 which is Lot 15460 Town of Palmerston.

4. Amendment to Schedule 4: Specific Use Zones

4.1.2 Specific Uses – Palmerston

4.1.2.1 SP1 Part Lot 15460 Town of Palmerston (Zuccoli)

Purpose

Provide for a range of lot sizes that will facilitate a variety of low rise housing options and compatible residential uses in a location supported by appropriate commercial and community facilities and where full reticulated services are available.

Administration

1. This specific use zone applies to Lot 15460 Town of Palmerston.
2. Clause 4.3 (Zone LMR – Low-Medium Density Residential) applies to the use and development of land subject to this specific use zone, to the extent of any inconsistencies within this zone.
3. Clause 6.2 (Subdivision in Zones LR, LMR, MR and HR) applies to the subdivision of land subject to this specific use zone, to the extent of any inconsistencies within this zone. The subdivision requirements are to be applied as if the land were in Zone LMR (Low-Medium Density Residential).
4. The consent authority may **consent** to the subdivision of land that is not in accordance with sub-clauses 14 - 16 if it is satisfied that all lots created are consistent with the zone purpose and outcomes.
5. The consent authority may **consent** to a development that is not in accordance with sub-clauses 17 and 19 if it is satisfied that the reduced setback or private open space is consistent with the zone purpose and outcomes and it is appropriate to the **site** having regard to such matters

as its location, scale and impact on adjoining and nearby property.

6. The consent authority may **consent** to a **dwelling-independent** or **dwelling-community residence** that is not in accordance with sub-clauses 20 and 21 respectively if it is satisfied the proposed use or development is consistent with the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on surrounding **amenity**.
7. The proprietors of Zuccoli Village or its agents may use and develop **residential buildings** for the purpose of a display home without **consent**, where the development is in accordance with sub-clause 22. The consent authority may **consent** to a display home that is not in accordance with sub-clause 22 if it is satisfied that it is consistent with the zone purpose and outcomes, and is appropriate to the **site** having regard to such matters as its location, nature, scale and impact on surrounding **amenity**.
8. The proprietors of Zuccoli Village or its agents may use and develop **residential buildings** for the purpose of a temporary sales office with **consent**. The assessment level will be Merit Assessable and the development is to be in accordance with sub-clause 23. The consent authority may **consent** to a temporary sales office that is not in accordance with sub-clause 23 if it is satisfied that it is consistent with the zone purpose and outcomes, and is appropriate to the **site** having regard to such matters as its location, nature, scale and impact on surrounding **amenity**.

Zone Outcomes

9. Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and between neighbours, provides privacy and attractive outdoor spaces.
10. Residential buildings for use as a display home or temporary sales office are of a scale and conducted in a manner consistent with residential amenity.
11. An efficient pattern of land use with all residential lots connected to reticulated services, integrated with existing transport networks, and with reasonable access to open space and community facilities.

Requirements

12. An application to subdivide land must include:
 - (a) a drawing indicating the proposed land use, type of dwelling and zoning of each lot; and
 - (b) a drawing showing the building envelope for each dwelling lot, which is to be consistent with the diagrams to this zone.

13. Subject to sub-clause 12(b), if a drawing showing the building envelope for a dwelling lot is not consistent with the diagrams to this zone, a drawing required under sub-clause 12(b) may propose an alternative building envelope for that lot.

Editor's Note: Drawings made under sub-clause 12(b) are to be included in Schedule 9.

14. The maximum gross dwelling yield is 14 dwellings per hectare, taken across all phases and sub-phases of the subdivision intended for residential development, where gross dwelling yield is taken as the number of dwellings per hectare of the area to be subdivided for residential use.

Table A to SP 1 – Lot Sizes

Dwelling Type	Minimum average lot size (per phase)	Minimum lot frontage	Maximum proportion of all dwelling types in the subdivision
Villa	330m ²	10m	5%
Courtyard	410m ²	12.5m	25%
Economy Traditional	490m ²	15m	30%
Traditional	550m ²	18m	20%
Premium Traditional	630m ²	20m	Not Applicable
Estate Lots	1,000m ²	30m	Not Applicable

15. Land is to be subdivided in accordance with Table A to this zone.

16. Subdivision is to ensure that lots are generally rectangular in shape, unless truncated at road intersections or located around a cul-de-sac.

17. The building setbacks for **residential buildings** are to be in

accordance with the diagrams to this zone or the building setback plans included in Schedule 9.

18. Outbuildings and other ancillary structures associated with a residential building are to be set back in accordance with Clause 5.4.3
19. **Dwellings-single** and **Dwellings-independent** must include private open space that:
 - (a) Satisfies the minimum area and dimension requirements contained in Table B to this zone;
 - (b) Is directly accessible from the dwelling and enables an extension of the function of the dwelling; and
 - (c) Is located to take into account views from the site, the natural features of the site and the location of any private open space or habitable room of a neighbouring dwelling.

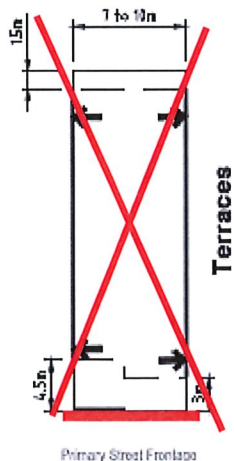
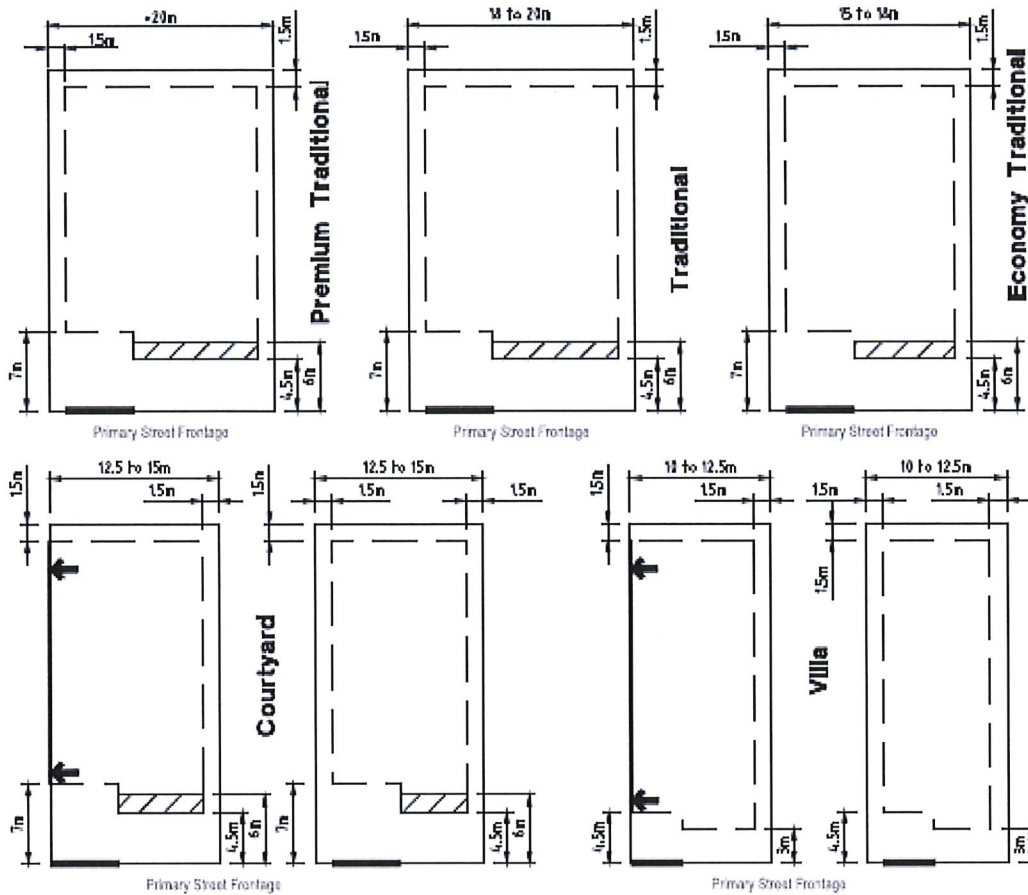
Table B to SP 1 – Private Open Space

Dwelling Type	Private Open Space
Dwelling-Single on a lot less than 450m²	35m ² exclusive of driveways and parking areas, but including an area with minimum dimensions of 4m x 4m
Dwelling-Single on a lot more than 450m²	45m ² exclusive of driveways and parking areas, but including an area with minimum dimensions of 4m x 4m

20. A **dwelling-independent** may only be developed on a lot that has an area greater than 500m².
21. A **dwelling-community residence** may only:
 - (a) be developed on a dwelling-single lot that has an area greater than 500m², and
 - (b) accommodate a maximum of 6 persons residing in the **dwelling**.
22. A display home is to be developed as a **residential building** in accordance with this specific use zone.

23. A temporary sales office is to:

- (a) be set back as if it were a residential building in accordance with this specific use zone: and
- (b) provide car parking for the development in accordance with Clause 5.2.4 (Vehicle Parking).



Note

All allotments to have active and passive zones allocated to avoid livability conflicts

Key Objective

- A mix of housing types and designs that will create attractive and varied street-scapes
- Various housing forms allowing for greater affordability, market choice and social mix
- Built form that varies in style, is well detailed and has a strong sense of cohesiveness
- Standardised lot depth modules to housing products allowing for ease of market adaptability and potential reduction in built cost
- Maximise environmental design response

Legend

- Building envelope
- ↓ Build to boundary line
- Allowable driveway access
- ▨ Building areas for porches, verandahs, decks and balconies

General Front Setback Requirements

Terraces and Villas - 3m to main building line and 4.5m to garage or carport respectively.

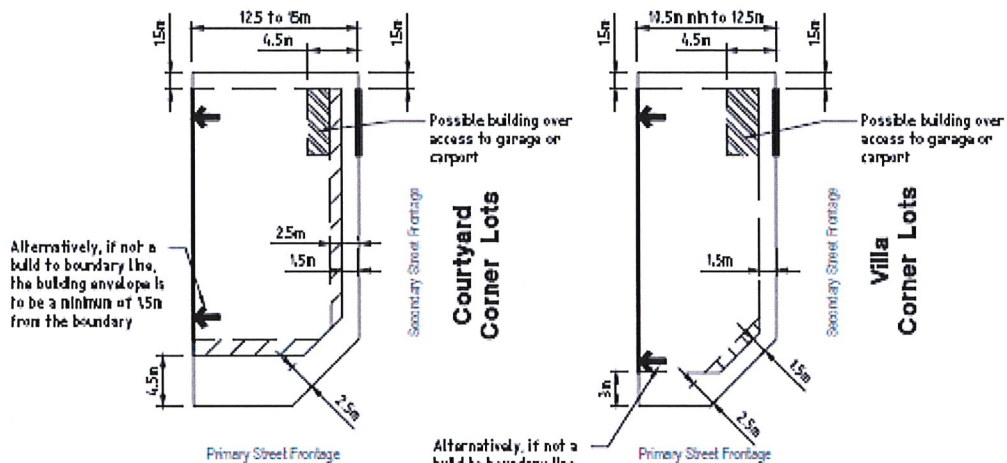
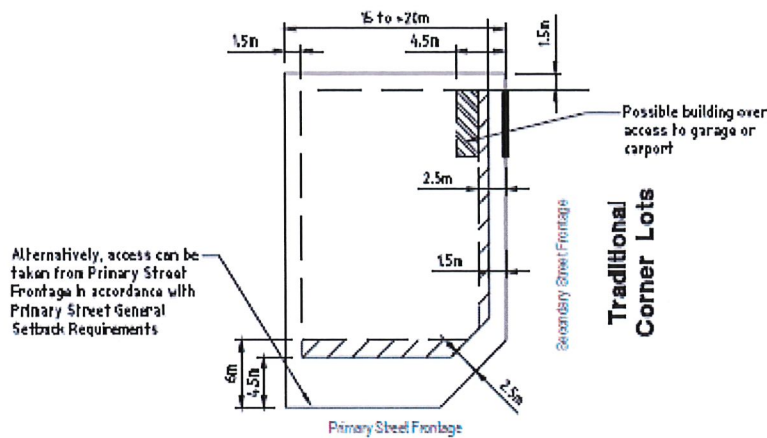
Courtyards & Traditionals - 6m to main building line, 7m to garage or carport respectively.

Porches, verandahs, decks and balconies may encroach to a setback of 4.5m from the front boundary on Courtyard or Traditional lots.

Proposed Housing Typology for Phases 2 & 3



Diagram to SP1



Note

All allotments to have active and passive zones allocated to avoid livability conflicts

Primary Street

General Setback Requirements

Terraces and Villas - 3m to main building line and 4.5m to garage or carport respectively.

Courtyards & Traditionals - 6m to main building line, 7m to garage or carport respectively.

Porches, verandahs, decks and balconies may encroach to a setback of 4.5m from the front boundary on Courtyard or Traditional lots.

Secondary Street

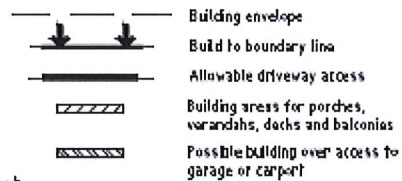
General Setback Requirements

Villas - 1.5m to main building line and 4.5m to garage or carport respectively.

Courtyards & Traditionals - 2.5m to main building line, 4.5m to garage or carport respectively.

Porches, verandahs, decks and balconies may encroach to a setback of 1.5m from Secondary Street Frontage

Legend

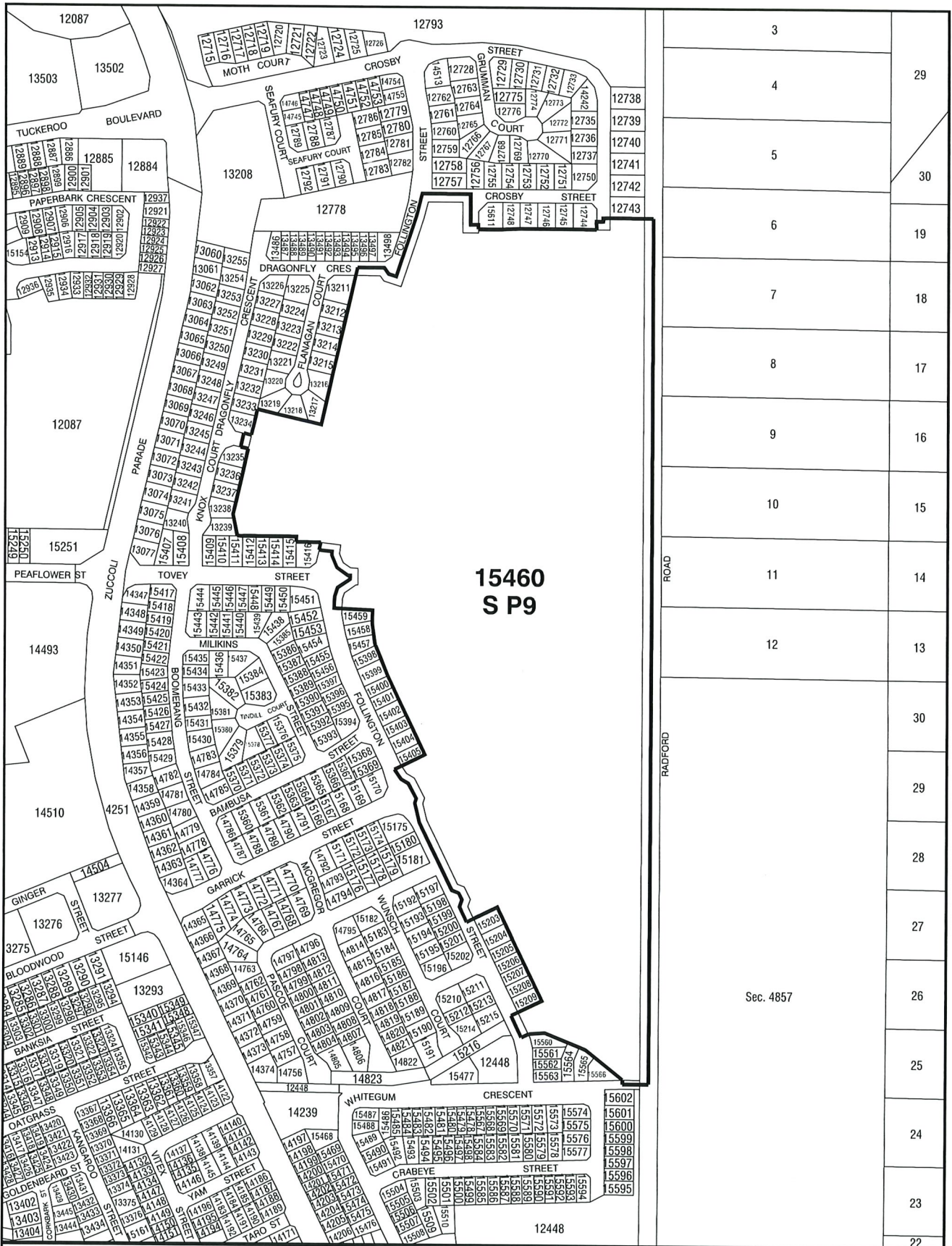


Proposed Housing Typology for Phases 2 & 3 Corner Lots

Diagram to SP1



ASSESSMENT TABLE – ZONE SP1				
Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Caravan Accommodation	Permitted		5.2.1 General Height Control	5.4.11 Caravan Accommodation
Demountable Structures	Merit assessable		5.2.4 Vehicle Parking	5.8.7 Demountable Structures
Dwelling-Community Residence	Merit assessable		5.2.6 Landscaping	5.4.14 Dwelling-Community Residence
Dwelling-Independent	Permitted			5.4.2 Residential Height Limitations 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Apace 5.4.13 Dwelling-Independent
Dwelling-Single	Permitted			5.4.1 Residential Density Limitations 5.4.2 Residential Height Limitations 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space
Excavation and Fill	Impact assessable			5.8.9 Excavation and Fill
Home Based Business	Permitted			5.4.10 Home Based Businesses
Residential Care Facility	Impact assessable			5.4.7 Communal Open Space 5.4.8 Building Design for Dwelling-Group, Dwelling-Multiple, Rooming Accommodation and Residential Care Facility 5.4.15 Residential Care Facility
Sex Services-Home Based Business	Permitted			5.4.10 Home Based Businesses
Telecommunications Facility	Impact Assessable			5.8.10 Telecommunications facility
All other uses defined in Schedule 2 (Definitions)	Prohibited			
Undefined Uses Unless contained elsewhere in this table, any use not defined in Schedule 2 (Definitions)	Prohibited			



NT PLANNING SCHEME
 AMENDMENT No. 45
 LOT 1546 TOWN OF PALMERSTON

MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

Ea Lawler

Date 17/5/22



Department of Infrastructure, Planning and Logistics



Scale 1: 6000 @ A4



File No.

Date: 11-Apr-22

Drawing Name: Lot 1546 Palmerston.dgn

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999
Section 29

REASONS FOR DECISION

NORTHERN TERRITORY PLANNING SCHEME 2020
AMENDMENT No. 45

Pursuant to section 13(3)(b), I have decided to rezone lot 15460 Town of Palmerston from Zone SP9 (NTPS 2007) to a new Specific Use Zone SP1 under the NT Planning Scheme 2020 (NTPS 2020).

I am satisfied that, pursuant to section 13(1), the amendment:

- (a) promotes the purpose and objectives of the Act as it:
 - i. is consistent with the strategic framework of the locality; and
 - ii. helps deliver a clear and comprehensive planning system;
- (b) is consistent with Palmerston Eastern Suburbs Planning Principles and Area Plan, as it facilitates continued development of the Zuccoli residential estate.
- (d) is not significant enough to require exhibition; and
- (e) has merit and is in the public interest as it will:
 - i. update requirements relating to the mix of lots and associated dwelling products across the subject site;
 - ii. transition the requirements of the existing specific use zone to the format and structure of the NT Planning Scheme 2020; and
 - iii. enable the consent authority to exercise discretion pursuant to Clause 1.10 of the NT Planning Scheme 2020.

Pursuant to section 13(2)(b) I am satisfied that the amendment is not significant enough to require exhibition as it is generally consistent with existing planning outcomes, represents minor administrative changes, and improves the applicability of the NT Planning Scheme 2020.



EVA DINA LAWLER
Minister for Infrastructure, Planning and Logistics

17/ 5 /2022