

NORTHERN TERRITORY OF AUSTRALIA
PROPOSAL TO AMEND NT PLANNING SCHEME

PA2011/0935

DUAL OCCUPANCY

The Minister for Lands and Planning is seeking comments on a review of Zone SD (Single Dwelling Residential) to allow for multiple dwellings (dual occupancy) in certain circumstances where:

- there are no more than two dwellings on the lot;
- there is no dependant unit on the lot;
- the lot has a site area of at least 1,000m²;
- the lot is not affected by the 1% (primary) storm surge;
- the lot is not located within the ANEF 20 unit value contour line or greater;
- there is only one point of vehicular access to the site unless the site is located on a corner;
- the development meets all the Planning Scheme requirements for multiple dwellings ie car parking, height, setbacks, private open space and building design as well as the new clause 7.2A.

The information below highlights the proposed amendments to the NT Planning Scheme. Edits to existing provisions are in **red** text.

Altering the Zone SD zone purpose statement

5.0 ZONE PURPOSE AND TABLES

Zone SD – Single Dwelling Residential

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| <ol style="list-style-type: none">1. The primary purpose of Zone SD is to provide predominantly for single dwellings on individual lots.2. A single dwelling may include a dependant unit.3. In certain circumstances in Zone SD, two attached or separate dwellings (multiple dwellings) may be developed on a lot ie a maximum of two dwellings only with no dependant units.4. Non-residential uses or development should be limited to those which predominantly service the local neighbourhood and do not have any detrimental effect on residential amenity. |
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Altering the Zone SD zoning table

The Zone SD zoning table will be altered to indicate that multiple dwellings require Development Consent Authority approval.

Altering table A to clause 7.1.1

The table that describes dwelling density, table A to clause 7.1.1 will be altered as follows:

7.1.1 Residential Density Limitations

1. The purpose of this clause is to ensure that residential development is:
 - (a) of a density compatible with the existing and planned provision of reticulated services and community facilities which will service the area; and
 - (b) consistent with land capability.
2. The maximum number of **dwellings** that may be constructed on a **site** are to be determined in accordance with tables A, B, C, D and E (as the case requires) to this clause.

TABLE A TO CLAUSE 7.1.1 – DWELLING DENSITY IN CERTAIN ZONES	
Zone	Dwelling Density
SD, RR, RL, R and for a single dwelling in CL, CV and T	1 single dwelling per lot and may include a dependant unit . Two dwelling s may be developed on a lot in Zone SD that: <ul style="list-style-type: none">• has a site area of at least 1000m²; and• meets all the requirements of clauses 6.5, 7.1, 7.2A, 7.3, 7.5, 7.7 and 7.8.
MD and for multiple dwellings in CL and T	1 per 300m ²

Altering the table to clause 7.1.2

The table that describes building height will be altered to limit building height to 2 storeys or 8.5 metres:

7.1.2 Residential Height Limitations

1. The purpose of this clause is to ensure that residential development is of a height that:
 - (a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
 - (b) does not unduly overlook adjoining properties.
2. The height of any point of a **residential building** is to be measured from **ground level** vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
3. Subject to clause 6.2, the height of **residential buildings** that may be constructed on a **site** are to be determined in accordance with the table to this clause.

4. A **residential building** in Zone MR that:
- (a) abuts land in Zone SD; or
 - (b) has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is land in Zone SD;
 - (c) is not to exceed a height of 3 **storeys** above **ground level**; or
 - (d) subject to clause 6.2, in any other circumstance 4 **storeys** above **ground level**.
- The consent authority must not **consent** to a development that is not in accordance with this sub-clause.
5. **Single dwellings** in Zones SD, MD, CL, CV, RR, RL, FD and T are not to contain any part of a room (habitable or otherwise), verandah or balcony 7m above **ground level** without **consent**. Where a room does not have a horizontal ceiling, a normal ceiling envelop of 2.7m shall be applied to the subject **storey**. Anything above the 2.7m envelop will be considered air space and should not be inhabited, unless **consent** is otherwise granted.

TABLE TO CLAUSE 7.1.2 – DWELLING HEIGHT AND MAXIMUM NUMBER OF STOREYS IN CERTAIN ZONES	
Zone	Maximum Number of Storeys and Maximum Dwelling Height above Ground Level for Residential Buildings
SD and for a single dwelling in Zones CL, CV and T	2 – to a maximum height of 8.5m
MD and for multiple dwellings in Zones SD, CL and T	2 – to a maximum height of 8.5m
MR other than in Alice Springs	4 maximum
MR and TC in Alice Springs	3 maximum
HR	8+*
RR	2 – to a maximum height of 8.5m
RL	2 – to a maximum height of 8.5m
R	2 – to a maximum height of 8.5m
C	3
* The consent authority may consent to a development application for a building that exceeds 8 storeys in height in Zone HR only if it is satisfied that special circumstances justify the giving of consent .	

Introducing a new clause 7.2A

7.2A Multiple Dwellings in Zone SD

1. The purpose of this clause is to:
 - allow two **dwellings** on certain lots in Zone SD;
 - ensure the development does not detract from the amenity of the locality.
2. **Multiple dwellings** may be developed on a lot in Zone SD provided:
 - (a) there are no more than two **dwellings** on the lot;
 - (b) there is no dependant unit on the lot;
 - (c) the lot has a site area of at least 1,000m²;
 - (d) the lot is not affected by the 1% (primary) storm surge;
 - (e) the lot is not located within the ANEF 20 unit value contour line or greater; and
 - (f) there is only one point of vehicular access to the site unless the site is located on a corner.
3. **Multiple dwellings** may only occur in Zone SD if the development meets all the requirements of this clause as well as clauses 6.5, 7.1, 7.3, 7.5, 7.7 and 7.8.
4. There is no requirement for **communal open space** for **multiple dwellings** in Zone SD where there are only two **dwellings**.

Attached is the Notice of Exhibition under section 17 of the *Planning Act*.

The exhibition period is from Friday 3 February 2012 to Friday 2 March 2012.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday, 2 March 2012 and made to:

Ms Ann Stephens
Project Manager
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801; or

Email: planning@nt.gov.au

Fax: (08) 8999 7189 or

Hand delivered to:

- Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin until Thursday 17 February 2012; then
- Ground Floor, Arnhemica House, 16 Parap Road, Parap until the completion of exhibition.

For more information please telephone 8999 8963.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF EXHIBITION OF PROPOSAL
TO AMEND NT PLANNING SCHEME
PA2011/0935**

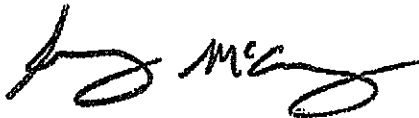
I, GERALD FRANCIS MCCARTHY, the Minister for Lands and Planning, give notice under section 17 of the *Planning Act* of the following:

- (a) a proposal to amend the NT Planning Scheme, numbered PA2011/0935 as referred to in (e), is to be exhibited under Division 3 of Part 2 of the Act;
- (b) the proposal is to be placed on exhibition at 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.
- (c) the period of exhibition is 28 days commencing on the date on which this notice is first published in a newspaper circulating in the Northern Territory;
- (d) written submissions about the proposal may be made to:
- Ms Ann Stephens
Project Manager
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801; or
- Facsimile: (08) 8999 7189
- Email: planning@nt.gov.au
- (e) the proposed amendment is to the NT Planning Scheme to alter the requirements for multiple dwellings (dual occupancy) in Zone SD (Single Dwelling Residential) in the NT Planning Scheme by:
- altering the Zone SD (Single Dwelling Residential) zone purpose statement;
 - altering the Zone SD zoning table to indicate that multiple dwellings are a discretionary use;
 - altering Table A to clause 7.1.1 – the table that describes dwelling density;

- introducing a new clause 7.2A that allows for multiple dwellings (dual occupancy) in Zone SD (Single Dwelling Residential) provided:
 - there are no more than two dwellings on the lot;
 - there is no dependant unit on the lot;
 - the lot has a site area of at least 1000m²;
 - the lot is not affected by the 1% (primary) storm surge;
 - the lot is not located within the ANEF 20 unit value contour line or greater; and
 - there is only one point of vehicular access to the site unless the site is located on a corner;
- the development meets all the Planning Scheme requirements for multiple dwellings ie car parking, height, setbacks, private open space and building design as well as the new clause 7.2A

Dated 10 January

2012



GERALD FRANCIS MCCARTHY
Minister for Lands and Planning