

STATEMENT OF EFFECT

**LOT 8884 (18) CLAYMORE CIRCUIT, TOWN OF NIGHTCLIFF
Application for 3 Storeys instead of 2 Storeys within height of 8.5m
Dwelling Height 8.45m (8.5m permitted)**

APPLICATION FOR DEVELOPMENT CONSENT

SECTION 46 – PLANNING ACT

**LOT 8884 (18) CLAYMORE CIRCUIT,
TOWN OF NIGHTCLIFF**

PURPOSE:

**SD - SINGLE DWELLING
THREE STOREY BUILDING**

**3RD STOREY AIRCON AND MACHINERY PLATFORM
8.45M HEIGHT (8.5M PERMITTED)**

**Application for 3 Storeys instead of 2 Storeys within height of 8.5m
Dwelling Height 8.45m (8.5m permitted)**

6 September, 2019

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NATURE OF THE APPLICATION

Pursuant to section 46 (1) of the Planning Act the application seeks planning approval for the purpose of a SD - Single Dwelling, 3 Storey building within the height limit of 8.5m high.

Single Dwellings are a permitted use under the NT Planning Scheme on land zone SD (Single Dwelling Residential).

This application is for a variation to clause 7.1.2 Residential Height Limitations to allow 3 Storeys instead of 2 Storeys within the maximum height of 8.5m. Dwelling Height is 8.45m (8.5m permitted).

The 3rd storey is an Aircon and Machinery Platform for Aircon units and machinery equipment and will assist in the Energy Efficiency and Passive Cooling of the dwelling.

PROPERTY

Lot 8884 (18) Claymore Circuit, Town of Nightcliff

DIMENSION PLANS

This report has been prepared based on the drawings and layout details of plans SK1 to SK7 attached.

THE LOCATION AND ZONING OF THE LAND

The site is 1580sqm in area and located in the suburb of Brinkin.

The land is zoned SD (Single Dwelling Residential) and therefore subject to all the relevant clauses of the Planning Scheme that apply for the land within Zone SD.

The proposed development is consistent with the primary purpose of this zoning which is to provide for single dwellings on individual lots.

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PROPOSAL

The proposal is for construction of a SD Single Dwelling 3 Storey building 8.45m high (8.5m permitted).

The proposed Single Dwelling Ground Floor and 2nd Floor comprises bedrooms with on-suites, dining areas, living areas, kitchen, games area, gym area, yoga room, theatre, lifts, kitchenette, pantry, verandahs, outdoor areas and triple garage.

The 3rd Storey is an Aircon and Machinery Platform for Aircon units and Machinery equipment and to provide Energy Efficiency and Passive Cooling for the home.

The assessment is based on the attached set of plans numbered SK1 to SK7 and dwelling drawings.

The proposed development is consistent and compatible with nearby residences being 8.5m.

It has a 2 Storey appearance when viewed from the street.

The proposed development is 8.45m (8.5m permitted) in height consisting of 3 Storeys.

The building is inclusive of the 3rd Storey Aircon and Machinery Platform.

The purpose of the Aircon and Machinery Platform is to house, protect and reduce noise from all the Aircons and Machinery and is designed to provide Passive Cooling and Energy Efficiency.

The 3rd Storey Aircon and Machinery Platform has reduced setbacks to avoid overlooking of adjoining properties.

The 3rd Storey is set back 14m from the front boundary.

The 3rd Storey is set back 3.5m from the sides and rear boundaries.

Due to the 3rd Storey being set back 14m from the front boundary, it is not visible from the street.

The house design gives the appearance of a 2 Storey house, as seen on the elevation plans provided. Please see the attached drawings and elevation plans – SK1 to SK7.

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DESIGN INTENTION

**Application for 3 Storeys instead of 2 Storeys within height of 8.5m
Dwelling Height 8.45m (8.5m permitted)**

The 3rd Storey Aircon and Machinery Platform is set back 14m from the front boundary, and 3.5m from the side and rear boundaries.

The height of the Aircon and Machinery Platform is 2.2m.

The Total building height is 8.45m (8.5m permitted).

The 3rd Storey Aircon and Machinery Platform will have vents to facilitate air circulation.

The 3rd Storey Aircon and Machinery Platform is designed to provide Passive Cooling and Energy Efficiency.

The 3rd Storey Aircon and Machinery Platform allows wind flow ventilation through to keep the house cooler and protects the house with the extra layer providing greater Energy Efficiency.

Passive Cooling double skin roofs are designed for hot climates.

The air gap between the double layers works as an insulation layer to prevent heat transfer.

This method can reduce heat gains up to 71% in tropical climates and up to 85% when a reflective layer is used on the upper slab.

The thermal resistance for a double skin roof is dynamic and provides an efficient system to manage heat gains.

The 3rd Storey Aircon and Machinery Platform will accommodate the following:

- 32 Aircon unit motors
- 2 Hot water systems with 2 tanks
- 2 Water Pumps with 1000 litre tanks
- Solar batteries
- 2 Lift Operating Machinery

The Life span of the Aircon units and other mechanical units will be prolonged as they are preserved from harsh weather conditions and salt-water air as the site is located within proximity to the ocean.

The location of the 32 Aircon units and Machinery within the Aircon and Machinery Platform will promote a better aesthetical look of the building and minimise noise for the neighbouring properties.

The units will ideally perform better under a cooler environment.

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COMPLIANCE WITH APPLICABLE CLAUSES OF THE NT PLANNING SCHEME

STATUTORY PLANNING CONSIDERATION

46(3)(a) - RELEVANT CLAUSES OF THE NT PLANNING SCHEME APPLICABLE TO THE LAND

6.5.1 PARKING REQUIREMENTS

The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site. Single dwellings require 2 car parks to be provided on site.

The development provides three (3) car parking bays on site. Complies.

6.5.3 PARKING LAYOUT

The purpose of this clause is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose. The NT Planning Scheme defines "car parking area" as an area set aside or designated for the parking of three or more motor vehicles.

The development meets the requirement of this clause – three (3) car parking bays. Complies.

7.1 RESIDENTIAL DENSITY AND HEIGHT LIMITATIONS

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 having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.

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.*

There is only one single dwelling proposed on this site. Complies.

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7.1.2 RESIDENTIAL HEIGHT LIMITATIONS DWELLING HEIGHT AND MAXIMUM NUMBER OF STOREYS SD – 2 STOREYS TO A MAXIMUM HEIGHT OF 8.5M

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.*

The proposed development is 8.45m (8.5m permitted) in height consisting of 3 Storeys instead of 2 Storeys

The building is inclusive of an Aircon and Machinery Platform which creates the 3rd Storey.

The height is consistent and compatible with nearby residences being 8.5m.

The purpose of the Aircon and Machinery Platform is to house, protect and reduce noise from all the aircons and equipment and is designed to provide Passive Cooling and Energy Efficiency.

The 3rd Storey Aircon and Machinery Platform has reduced setbacks to avoid overlooking of adjoining properties.

The 3rd Storey is set back 14m from the front boundary.

The 3rd Storey is set back 3.5m from the sides and rear boundaries.

Due to the 3rd Storey being set back 14m from the front boundary, it is not visible from the street.

The house design gives the appearance of a 2 Storey house, as seen on the elevation plans provided.

Please see the attached drawings and elevation plans SK1 to SK7. Complies.

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7.3 BUILDING SETBACKS RESIDENTIAL BUILDINGS

The purpose of this clause is to ensure residential buildings and ancillary structures are located so:

- *they are compatible with the streetscape and surrounding development including residential buildings on the same site;*
- *as to minimise any adverse effects of building massing when viewed from adjoining land and the street;*
- *as to avoid undue overlooking of adjoining properties; and*
- *as to encourage breeze penetration through and between buildings.*

The proposed setbacks are as follows:

To the Primary Street boundary (Claymore Circuit)

The Building is set back 7m (6m required) from the front boundary.

The Verandah/Alfresco is set back 4.5m (4.5m required) from the front boundary.

The 3rd Storey Aircon and Machinery Platform is set back 14m (6m required) from the front boundary.

Complies.

To the rear and side boundaries:

The building and Verandahs/Balconies are set back 1.6m to 2.3m (1.5m required) from the rear and side boundaries.

The 3rd Storey Aircon and Machinery Platform is set back 3.5m from the rear and side boundaries.

Complies.

7.5 PRIVATE OPEN SPACE

The purpose of this clause is to ensure that each dwelling has private open space that is:

- (a) of an adequate size to provide for domestic purposes;*
- (b) appropriately sited, permeable and open to the sky; and*
- (c) inclusive of areas of deep soil for shade tree planting.*

There is no minimum private open space requirement for lots greater than 600m, however, the proposed development provides private open space area to be used for domestic purposes. Complies.

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46(3)(a) - RELEVANT CLAUSES OF THE NT PLANNING SCHEME APPLICABLE TO THE LAND

Please see Pages 5, 6, 7.

46(3)(b) – INTERIM DEVELOPMENT CONTROL ORDERS

There are no interim development control orders applicable to the site or development.

46(3)(c) – ENVIRONMENTAL REPORTS

The development does not require the preparation of any environmental reports or impact statements under the Environmental Assessment Act.

46(3)(d) - MERITS

The provision of a single dwelling residential accommodation within the area is consistent with the zoning for the land and the proposed dwelling provides a high degree of amenity for the residents. The building design is consistent with the other buildings of similar height within the locality.

46(3)(e) – LAND CAPABILITY

Single dwelling residential land use activities are permitted on the site. The site is considered capable of supporting the proposed development. The impact of the development is not beyond what would be normally expected for this type of development.

46(3)(f) – PUBLIC FACILITIES AND PRIVATE OPEN SPACE

The land is already nominated for Single Dwelling Residential land use and therefore the proposed development is not expected to create an additional need for public facilities or public open space as the needs are catered for within the requirements of the locality.

46(3)(g) – PUBLIC UTILITIES AND INFRASTRUCTURE

Reticulated power, water and sewer services are already available to service the proposed development. Appropriate measures will be taken to ensure all stormwater is directed into established draining system.

46(3)(h) – AMENITY

The NT Planning Scheme defines amenity, in relation to a locality or building, as any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable. The proposed development aims to promote the intent and purpose of the Scheme in relation to amenity by creating a built form that enhances functionality and compatibility with the existing developments within the locality. The proposal is a contemporary design, which will use light cool colours and materials. The house is designed to provide Energy Efficiency and incorporates Passive Cooling designs.

46(3)(j) – PUBLIC INTEREST

The proposed development is considered to be consistent with the public's expectation of land use in the area.

46(3)(k) – BUILDING ACT COMPLIANCE

The site is currently vacant, and all construction works on the site are subject to regulatory control and certification under the *Building Act*.