

PLANNING REFORM PHASE 2

STAGE 1 REFORMS

INCORPORATING ECONOMIC RECOVERY
ACTIONS AND DESIGNING BETTER
DETAILED INFORMATION PAPER

*Building Confidence through Better
Planning for the Northern Territory*

Acronyms	Full form
CASAP	Central Alice Springs Area Plan
CDAP	Central Darwin Area Plan
CPAP	Central Palmerston Area Plan
DIPL	Department of Infrastructure, Planning and Logistics
LSDRs	Location Specific Development Requirements
NT	Northern Territory
NTPC	NT Planning Commission
NTPS 2020	NT Planning Scheme 2020
TERC	Territory Economic Reconstruction Commission

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This document provides a comprehensive, technical guide to proposed changes to the NTPS 2020.

It should be read in conjunction with the Integrated Schedule of Amendments and:

Appendix A: Individual Project Amendments – Economic Recovery Actions

Appendix B: Individual Project Amendments – Designing Better

Appendix C: Supplementary Information

1. Introduction

On 31 July 2020 the outcomes of Phase 1 of the NT Planning Reform project came into effect, establishing a new planning system by amending the *Planning Act 1999* and the Planning Regulations 2000, and introducing the NTPS 2020. Upgrades to the Development Applications Online portal and other online systems and information were also implemented (and continue to be implemented) to support the new system.

To further enhance the planning system and to address matters that could not be accommodated as priority reforms in Phase 1, DIPL continues to scope the nature and extent of Planning Reform Phase 2. A first stage of Phase 2 provides opportunities to progress recommendations from the TERC that are focused on streamlining regulatory processes to reduce application timeframes, while maintaining necessary standards and protections.

The economic recovery actions that form this first stage of Phase 2 use the opportunities created by the systemic restructure of the NTPS 2020 that was achieved in Phase 1 to:

- incorporate local design responses from area plans into location specific development requirements, to more succinctly inform design and decision making about developments in strategic locations;
- increase the number of low-risk uses that can be interchanged in commercial zones without the need for a development application; and
- move some uses to permitted or simpler assessment categories.

Parallel to this work, the NT Planning Commission has, over the past two years, been progressing the Designing Better project. Designing Better is an initiative that aims to better facilitate the achievement of best practice design outcomes in apartment and mixed use development.

The Commission has engaged widely with the community and industry to explore options for amending the planning scheme. These amendments are to development requirements relating to themes such as landscaping, private open space, residential density, residential and commercial building design, articulation and setbacks, and active street frontages for commercial buildings.

The proposed economic recovery actions build on those changes explored through the Designing Better project. Both of these projects propose changes to development requirements within the planning scheme, and seek to improve processes and outcomes relating to the design of buildings. This synergy requires their joint consideration. To reduce the confusion of two similar projects on exhibition at the same time, and to maximise the benefits of integrated consideration of these related projects, a single, comprehensive planning scheme amendment is proposed that:

- introduces an overlay to Part 3 to guide development of gateway locations in central Darwin, Palmerston and Alice Springs;
- amends components of Parts 4 and 5 to implement the revised assessment categories and development requirements; and
- amends Schedule 2.2 (General Definitions) of the NT Planning Scheme 2020 to support the changes in Part 5.

2. How to Use this Document

The following documents form the exhibition package and are available to assist in your understanding:



Proposed Amendment	Integrated Schedule of Amendments	A consolidated, 'clean' version of all the proposed changes integrated with the relevant parts of the planning scheme
Information Documents	Detailed Information Paper	An in-depth explanation of the proposed changes to support interpretation of the Integrated Schedule of Amendments
	Summary Paper	A high level introduction to the proposed amendments
Technical Documents	Appendix A: Individual Project Amendments - Economic Recovery Actions	A document identifying the changes proposed by the Economic Recovery Actions project
	Appendix B: Individual Project Amendments - Designing Better	A document identifying the changes proposed by the Designing Better project
	Appendix C: Supplementary information	New guidance notes to assist interpretation of technical requirements

Read the Summary Paper first for an introduction to the two separate projects that have informed the integrated planning scheme amendment. The Summary Paper also includes general information regarding the proposed amendment.

This Detailed Information Paper will then guide you through the proposed amendments to the planning scheme. An index at the end of this document identifies all the affected components of the planning scheme and an indication of which project has informed the change. The index of changes will also assist in identifying the proposed changes in the Integrated Schedule of Amendments.

Appendices A and B are referenced in this document, and specifically in the index of changes at the end, to direct you to the relevant project that informed the proposed change. In some instances both projects have informed a proposed change, and the final version is an amalgamation of the individual recommendations.

3. Individual Project Amendments

3.1. Summary

This proposed amendment integrates two separate yet related projects:

1. Economic Recovery Actions, prepared by the Department of Infrastructure, Planning and Logistics; and
2. Designing Better, prepared by the NT Planning Commission.

The individual components of each project are discussed below.

3.2. Economic Recovery Actions Project

This project is comprised of three components that are interrelated. When combined, these components address the TERC recommendation that seeks to streamline regulatory processes to reduce application timeframes, while maintaining necessary standards and protections.

3.2.1. Location Specific Development Requirements (LSDRs)

The first component of the Economic Recovery Actions project is to include 'Location Specific Development Requirements' in Part 5 of the NTPS 2020. LSDRs seek to increase confidence in the planning system by:

- reinforcing the importance of the wishes of the community and industry, reflected in area plans, in informing development outcomes; and
- streamlining processes to enhance the ability of strategic planning to guide development and influence decisions.

A review of the Central Alice Springs, Darwin, and Palmerston Area Plans identified that they each contain a number of quasi development requirements as acceptable responses to land use objectives. Translating these quasi requirements into Part 5 of the planning scheme will create development requirements that:

- reflect the local communities' wishes with respect to design matters;
- provide clearer guidance to developers; and
- ensure specific design requirements relating to local areas inform design and decision making for all development.

Part 5 of the NTPS 2020 currently includes existing development requirements that respond to local design matters in specific localities, such as building heights in Alice Springs or Central Darwin, and alfresco dining in Zone CB. The LSDRs integrate these existing requirements and the quasi requirements from the area plans into one location within the planning scheme.

Separate LSDRs have been drafted for Alice Springs, Darwin and Palmerston, and each includes a map to visually identify the area where requirements apply to and the components referred to. Components covered by the LSDRs include volumetric control, building design, priority pedestrian and cycle networks, and gateway locations.

Recognising the importance of appropriate design and development at gateway locations, a new overlay is proposed as part of the LSDRs, requiring development at those locations to obtain consent.

The administration clauses are designed to provide more detailed guidance to applicants, the community and the consent authority as to how any variation to a requirement is to be considered.

This approach will allow for specific development requirements to be applied to identified locations, and provide a framework for local design variations, as envisaged through an area plan, to be considered.

This component also includes some consequential amendments, including:

- consolidation of all building height limits (excluding those covered by the LSDRs) into one development requirements;
- review of the structure and format of car parking and loading bay requirements; and
- minor amendments to some requirements to reflect changes in assessment categories, such as clause 5.8.7 Demountable Structures.

Appendix A Part 1 provides a copy of all the changes proposed through the LSDR component of this project.

3.2.2. Interchangeable Use and Development

The second component of the Economic Recovery Actions project is expanding the number of uses that can be interchanged without consent within Zone CB (Central Business) and within Zone C (Commercial).

Expanding those uses that can be interchanged without consent helps achieve the TERC recommendation of streamlining by reducing the need for lodging planning applications. The proposed changes are considered appropriate while maintaining necessary standards and protections, and are limited to uses within existing buildings.

Expanding the interchangeable uses is supported by more robust development requirements that provide specific guidance relevant to developments in either Zone CB or Zone C. In some instances, a limit to the extent of a use or development that may be interchanged has been introduced, such as for an education establishment in Zone CB. More detailed administration clauses are also provided.

Appendix A Part 2 provides a copy of the proposed changes to the interchangeable use and development requirements.

3.2.3. Assessment Categories

The more specific guidance that will be provided by the LSDRs will ensure that local design matters from area plans are considered as requirements at all assessment levels. This has facilitated the third component of the Economic Recovery Actions project, which is a review of the assessment categories of development within Zones CB and C. In most cases, the proposed assessment category changes involve moving merit assessable development to permitted.

It is important to keep in mind that for a development to remain permitted, and therefore not require a development application, it must comply with all the relevant development requirements. If a development does not comply with one or more development requirements, it will require a development application at the merit assessable level. In considering such an application, the consent authority must consider only those requirements that are not complied with, and whether or not the proposal meets the purpose of the requirements.

Appendix A Part 3 provides an excerpt of the zoning matrix. It highlights the proposed changes to specific assessment categories of the affected zones.

3.3. Designing Better

The NT Planning Commission's Designing Better project is a review of building design requirements for apartment and mixed use development, and aims to deliver better quality building design that:

- responds to context and celebrates local and regional differences;
- responds to the varied and often extreme climate of the Northern Territory through quality design of the built form;
- embraces innovation through flexible, best practice design solutions; and
- creates great places that provide meaningful, vibrant and liveable spaces for people.

Designing Better has been informed by two stages of comprehensive community and industry consultation over the past two years. This has allowed the Commission to:

- engage with stakeholders on the ideas and concepts suggested by Designing Better; and
- prepare a suite of draft development requirements and guidance notes specifically relating to apartment and mixed use buildings in Zones MR, HR, CB and C.

The proposed development requirements and consequential amendments relate to themes such as landscaping, private open space, residential density, residential and commercial building design, articulation and setbacks, and active street frontages for commercial buildings. Supporting these changes is the introduction or amendment of several general definitions in Schedule 2.2.

Appendix B provides a copy of the final recommendations of the Commission and an index of changes made since the previous consultation.

3.4. Integrated Planning Scheme Amendment

The outcomes sought to be achieved by the Commission through Designing Better complement the objectives of the Economic Recovery Actions project to improve processes and outcomes relating to the design of buildings.

Because of the synergies between the development requirements proposed by Designing Better, and those proposed by the Economic Recovery Actions project, the two projects have been integrated and are presented together to minimise potential confusion.

4. Issues outside the scope of this Amendment

Whilst this amendment is an initial stage of Planning Reform Phase 2, it is not a broadscale review of all standards and measures included in the planning scheme.

Changes to assessment categories in zones other than LMR, CB, C and TC are not being considered at this stage. Likewise, changes to measurable aspects of requirements beyond that which supports the objectives of responding to the TERC recommendation and the Designing Better project are also outside the scope of this amendment.

Minor amendments to the *Planning Act 1999* and Planning Regulations 2000 to support the response to the TERC recommendations have recently been progressed through the [Statute Law Amendment \(Territory Economic Reconstruction\) Bill 2021](#) and more may be addressed in a second such Bill in the future.

5. Details of the Proposed Amendment

5.1. Summary

This proposed amendment consolidates all the components of the two projects identified above to:

- introduce an overlay to Part 3;
- amend components of Parts 4 and 5; and
- amend Schedule 2 (Definitions).

The proposed changes include many small adjustments to zones and development requirements throughout Parts 4 and 5. The Integrated Schedule of Amendments presents these changes in a way that allows the amendments to be considered in the context of the whole of these parts, and indicates how the scheme would look should the amendments be approved.

Clause numbers are not being removed or reallocated. New development requirements will have new clause numbers. This is an interim measure until the planning scheme is reviewed in full as part of further stages of planning reform. Appendices A, B and C provide technical information to assist with following and interpreting the proposed changes.

This amendment does not include any rezoning of land. It also does not include any changes to the strategic framework or any other parts of the planning scheme not mentioned.

5.2. How to read the proposed changes

The proposed changes to the scheme are presented below in the order in which they appear in the planning scheme. A summary is provided for each proposed change.

If you are interested in what the final proposal looks like, read the below first, and then use the index of changes at the end of this document to guide you through the Integrated Schedule of Amendments.

If you are interested in understanding what informed the proposed changes, each summary below, as well as the index of changes at the end of this document, identifies the relevant technical document that will provide further information.

Note that a number of guidance notes have been prepared to assist with the interpretation of the new requirements. These do not form part of the planning scheme amendment, and will be published on the planning website for reference if the amendments are approved.

Refer also to:

Integrated Schedule of Amendments - a consolidated version of all the proposed changes

Appendix A: Individual Project Amendments – Economic Recovery Actions

Appendix B: Individual Project Amendments – Designing Better

Appendix C: Supplementary Information

5.3. Proposed changes to Part 3 – Overlays

The Central Alice Springs, Darwin and Palmerston Area Plans each identify and talk to ‘Gateway Locations’ or prominent sites or corners. These sites are key intersections in these localities, and the respective area plans identify the need to provide for a sense of arrival and enhanced building design.

Overlays can change the level of assessment, and/or apply additional requirements to proposed development.

Proposed Overlay 3.x GL - Gateway Locations does both of these to ensure development at these key sites achieves the objectives of the area plans. The proposed overlay is supported by an LSDR for each location that provides further location-based specific requirements relevant to the particular locality.

Refer to Appendix A for further detail.

Case Study 1

John is designing a new shop on a vacant corner block in Alice Springs. The block is within Zone CB (Central Business). John looks at the Assessment Table in Part 4 of the NT Planning Scheme 2020 to find out the assessment category and to see which overlays and development requirements might apply. He sees that a shop is a permitted use in Zone CB, and that Overlay 3.x GL – Gateway Locations may apply.

John checks the overlay and it says that it applies to any site identified as a Gateway Location in Clause 5.9 (Location Specific Development Requirements). When John looks at Clause 5.9.1 (Alice Springs), the map identifies his site as a gateway location.

John returns to Overlay 3.12, and reads that the use and development of land subject to the overlay requires consent. This means that his proposed development will now become merit assessable.

John will now need to prepare a development application at merit assessment level. The application must address the overlay and all other development requirements identified in the assessment table, including Clause 5.9.1.4 (Development in Gateway Locations).

5.4. Proposed changes to Part 4 – Zones and Assessment Tables

Proposed changes to Part 4 of the NTPS 2020 include minor amendments to specific zone outcomes, and changes to specific assessment categories in Zones LMR, CB, C and TC.

Refer to Appendix A for further detail.

4.3 Zone LMR (Low-Medium Density Residential)

The only change in Zone LMR is the proposed increase in the number of dwellings-group that are permitted without consent from two (2) to four (4). Five (5) or more dwellings-group in one development on a site will remain as merit assessable. Dwellings-group is a low risk development that is expected and appropriate in Zone LMR, and allowing up to ten dwellings without consent (provided the proposal is fully compliant with the relevant requirements of the planning scheme) negates the need for a development application. This will support the construction industry to get more Territorians into housing more quickly.

Case Study 2

Eliza owns an 1150m² block of land zoned LMR (Low-Medium Density Residential). There's an existing house on the block that she wants to demolish and replace with townhouses (dwellings-group).

Eliza looks at the assessment table for Zone LMR in Part 4 of the NT Planning Scheme 2020. She sees that dwellings-group (4) is a permitted use, subject to the identified overlays and development requirements.

After checking that no overlays apply to her block of land, Eliza starts looking at the development requirements. She's particularly keen to know how many townhouses she can build on her block of land. Clause 5.4.1 (Residential Density and Residential Plot Ratio) says that for Zone LMR the density for dwellings-group is 1 per 300m². This means Eliza can build up to 3 dwellings-group on her 1150m² block without planning consent, as long as she complies with all the relevant development requirements. These requirements include standards for building setbacks, building height, car parking and density.

Eliza meets with an architect, and they prepare a design that is for 4 dwellings-group on the block. Although the design complies with all the other relevant development requirements, it does not comply with the density requirements.

As there is a non-compliance, the proposed development can no longer proceed as a permitted use. The proposed development is now merit assessable and requires a development application.

Eliza prepares the development application. The application only needs to focus on the part of the development that does not comply with the planning scheme, being the density requirements.

The development application is put on public exhibition for 2 weeks, allowing service authorities and Eliza's neighbours the opportunity to review the proposal and make a submission. The Development Consent Authority then makes a decision on whether or not it will vary the density requirements to allow 4 dwellings-group rather than 3.

4.10 Zone CB (Central Business)

Changes have been made to the assessment category of a number of uses within Zone CB based on the more specific guidance that will be provided in Part 5 and the types of use and development that would be appropriate and expected within the zone to support the zone purpose.

1. Bar-small is proposed to become permitted, noting that clause 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small) and the definition of bar-small in Schedule 2.1 (Defined Uses) limit the size of a bar-small to a maximum of 100 patrons. This is consistent with the definition of a small bar approval issued through Licensing NT, who will still have a role in considering the appropriateness of the licensed premises.
2. Education establishment is proposed to become merit assessable acknowledging the increase in demand for smaller scale vocational education training establishments and the contribution they can make to the achievement of the zone purpose.
3. Food premises-café/take away and food premises-restaurant are proposed to become permitted to streamline the achievement of the zone purpose.
4. Office up to three (3) storeys is proposed to become permitted. Office is an appropriate and expected use within Zone CB. Within the context of thresholds for infrastructure and servicing requirements through other legislation and the intricacy of design requirements in Part 5 of the planning scheme, three storeys is considered an appropriate limit for permitted development without adversely impacting on the amenity of an area.

5. Shop is proposed to become permitted to streamline the achievement of the zone purpose.

The application of Clause 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T) against some commercial and residential uses in Zone CB is omitted. Designing Better introduces a new commercial specific development requirement instead to address the design of commercial and mixed use development in Zone CB.

Case Study 3

Rex wants to build a 2 storey office building on a vacant block of land on the periphery of the Darwin CBD. The land is zoned CB (Central Business) and an office building up to (3) storeys is permitted.

Rex's architect reviews the relevant development requirements, and advises Rex that a 3 storey building that is fully compliant with the NT Planning Scheme 2020 is achievable. Rex decides to proceed with this proposal and submits plans to Development Assessment Services, DIPL, for a Compliance Check.

Development Assessment Services confirms that the proposed development fully complies with the NT Planning Scheme 2020. This means the development can proceed as a permitted use and without a planning application.

Rex will need to work with his building certifier to confirm the standards and requirements of other agencies, including the local council, NTPFES and Power and Water.

4.11 Zone C (Commercial)

Changes have been made to the assessment category of a number of uses within Zone C based on the more specific guidance that will be provided in Part 5 and the types of use and development that would be expected within the zone to support the zone purpose.

1. Bar small is proposed to become merit assessable, noting that clause 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small) and the definition of bar-small in Schedule 2.1 (Defined Uses) limit the size of a bar-small to a maximum of 100 patrons. This is consistent with the definition of a small bar approval issued through Licensing NT.
2. Dwellings-multiple are proposed to become permitted, based on the new residential plot ratio requirements being introduced to Part 5 through Designing Better.
3. Education establishment is proposed to become impact assessable, acknowledging the increase in demand for smaller scale vocational education training establishments and the contribution they can make to the achievement of the zone purpose. It is balanced against the need to ensure that larger scale development does not detrimentally impact on the ability of smaller commercial areas to provide an appropriate mix of activities that serve the associated surrounding community.
4. Exhibition centre is proposed to become merit assessable to streamline the achievement of the zone purpose.
5. Food premises-café/take away and food premises-restaurant are proposed to become permitted, to streamline the achievement of the zone purpose.
6. Office is proposed to become permitted to streamline the achievement of the zone purpose. The application of a commercial plot ratio will continue to control the building height of offices and other commercial uses within Zone C.
7. Shop is proposed to become permitted to streamline the achievement of the zone purpose.

The application of Clause 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T) against some commercial and residential uses in Zone C is omitted. Designing Better

introduces a new commercial specific development requirement instead to address the design of commercial and mixed use development in Zone C.

Changes have also been made to zone outcomes (1) and (3) to further refine the guidance provided as to the type and form of development that will contribute to the achievement of the purpose of the zone, acknowledging the varying scale of localities in which Zone C applies.

Case Study 4

Jane is redeveloping a block of land in Zone C (Commercial). She thinks a mixed use development of ground floor shops and offices and upper level residential would benefit the local neighbourhood.

Jane looks at the NT Planning Scheme 2020 to check the assessment categories and the relevant development requirements. Dwellings-multiple, office and shop are all permitted uses, and Jane notices that instead of a height limit, residential and commercial plot ratios apply. Jane engages an architect to help her with the design of her development.

Jane's architect advises that although they could design a building that is fully compliant with the planning scheme and therefore be a permitted use, they think a better outcome could be achieved by varying some of the requirements. Jane prepares a development application at merit assessment level to vary the commercial plot ratio, building articulation and communal open space requirements.

The development application is put on public exhibition for 2 weeks, allowing service authorities and local residents the opportunity to review the proposal and make a submission. The Development Consent Authority then makes a decision on whether or not it will vary the identified development requirements.

4.13 Zone TC (Tourist Commercial)

Minor amendments provide greater flexibility for development in Zone TC and consistency with other expected development in the zone.

1. Up to two (2) demountable structures are proposed to be permitted without consent to support development within that zone. This is supported by a consequential amendment to clause 5.8.7 (Demountable Structures). Three (3) or more demountable structures will require a development application with a variation to clause 5.8.7.
2. Dwelling-independent is proposed to become permitted, on the premise that the suitability of the site for low density residential use has been assessed through an application for a dwelling-single, which remains impact assessable.
3. Food premises-café/take away is proposed to become permitted, noting that clause 5.5.11 (Food Premises) limits the net floor area of a café/take away to 80m². A café/take away with a net floor area of more than 80m² will require a development application with a variation to clause 5.5.11.

A minor change has been made to outcome (1) to clarify the reference to food premises.

The zoning matrix extract on the next page shows all the above proposed assessment category changes with the use of track changes.

A fact sheet is available to assist in understanding the requirements and processes for a permitted development (refer Appendix C).

Amended Zoning Matrix

Defined Use	LMR	CB	C	TC
Abattoir	x	x	x	x
Agriculture	x	x	x	x
Animal boarding	x	x	x	x
Bar-public	x	M	I	M
Bar-small	x	M P	I M	M
Caravan accommodation	P	x	P	P
Caravan park	x	x	x	M
Car park	x	M	M	M
Car wash	x	I	I	I
Child care centre	x	M	M	M
Club	x	M	M	M
Community centre	I	M	M	I
Demountable structure	M	I	M	M P
Dwelling-caretakers	x	P	P	P
Dwelling-community residence	P	P	x	x
Dwelling-group (2) (4)	P	I	x	I
Dwelling-group (3+)-(5+)	M	I	x	I
Dwelling-independent	P	M	x	M P
Dwelling-multiple	M	M	M P	I
Dwelling-single	P	x	x	I
Education establishment	x	I M	x I	I
Emergency services facility	x	I	x	x
Excavation and fill	I	I	I	I
Exhibition centre	x	M	I M	M
Food premises-café/takeaway	x	M P	M P	M P
Food premises-fast food outlet	x	I	I	I
Food premises-restaurant	x	M P	M P	M
Fuel depot	x	x	x	x
Helicopter landing site	x	x	x	x
Home based business	P	P	P	P
Horticulture	x	x	x	x
Hospital	x	x	x	x
Hotel/motel	x	M	I	M
Industry-general	x	x	x	x

Defined Use	LMR	CB	C	TC
Industry-light	x	I	x	x
Industry-primary	x	x	x	x
Intensive animal husbandry	x	x	x	x
Leisure and recreation	x	M	M	M
Market	x	P	P	x
Medical clinic	x	M	M	I
Motor body works	x	I	x	x
Motor repair station	x	I	I	x
Nightclub entertainment venue	x	M	I	I
Office (Up to 3 storeys above ground level)		M P	M P	I
Office (4 storeys or more above ground level)		M	M p ¹	I
Passenger terminal	x	I	x	I
Place of assembly	x	M	I	I
Place of worship	x	M	I	I
Plant nursery	x	I	I	I
Recycling depot	x	x	x	x
Renewable energy facility	x	x	x	x
Residential care facility	I	M	I	x
Retail agricultural stall	x	x	x	x
Rooming accommodation	x	M	I	M
Service station	x	I	I	I
Sex Services-Commercial Premises	x	I	x	x
Sex Services-Home Based Business	P	P	P	P
Shop	x	M P	M P	M
Shopping centre	x	I	I	x
Showroom sales	x	M	I	x
Stables	x	x	x	x
Telecommunications facility	I	I	I	I
Transport terminal	x	x	x	x
Vehicle sales and hire	x	I	I	I
Veterinary clinic	x	I	I	x
Warehouse	x	x	x	x

P = Permitted

M = Merit Assessable

I = Impact Assessable

x = Prohibited

¹ Height controlled by existing plot ratio requirements

Assessment Tables

The individual assessment tables have been amended to include an additional column to accommodate any LSDRs. The figure below is an example of the new format for an assessment table:

ASSESSMENT TABLE – ZONE XY – Xxxxxxxx Yyyyyyyyyy					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
<i>Defined uses found in Schedule 2 will be listed in this column</i>	<i>The applicable assessment category (Permitted, Merit assessable or Impact Assessable) will be listed in this column</i>	<i>Any overlays that may be applicable will be listed in this column</i>	<i>All relevant general development requirements will be listed here</i>	<i>Any relevant Location Specific Development Requirements will be listed here</i>	<i>Additional development requirements that apply to specific developments will be listed in this column</i>
All other uses defined in Schedule 2 (Definitions)	Prohibited				
Any use not defined in Schedule 2 (Definitions)	<i>The applicable assessment category (Impact Assessable or Prohibited) will be listed here</i>				Part 2, Part 3, Part 4, and Part 5 of this Planning Scheme

5.5. Proposed changes to Part 5 – Development Requirements

Proposed changes to Part 5 of the NTPS 2020 include the introduction of LSDRs, amendments to some development requirements relating to apartment and mixed use developments, and consequential amendments to other general and specific development requirements.

An overview of the proposed changes is provided below. Appendices A and B provide the individual project amendments and give the background to each proposed change. In some instances both projects have informed a proposed change, and the final version is an amalgamation of the individual recommendations. The final version of the proposed changes can be found in the Integrated Schedule of Amendments.

Appendix C includes guidance notes for particular development requirements to assist in their interpretation.

If an existing section or clause of Part 5 is not listed, no changes are proposed. Existing clauses are not being re-numbered or numbers reallocated.

5.1 Preliminary

Sub-clause 1 has been updated to give effect to the Location Specific Development Requirements.

5.2 General Development Requirements

Height Controls (5.2.1 General; 5.2.2 in Alice Springs; 5.2.3 in Central Darwin)

The LSDRs now include the specific height controls for Alice Springs and Darwin. This process identified benefits for consolidating all other general height controls into one clause for easy reference. Minor

amendments have been made to the purpose and administration to give effect to the new consolidated clause.

The definition of 'building height' has been amended to remove duplication with content included in the administration of the general height clause.

5.2.4 Car Parking

The LSDRs now include the specific car parking requirements for Zone CB in Darwin. The remaining requirements have been renamed and restructured to better reflect the content and intent of the requirements, including clearer administration.

5.2.5 Loading Bays

This development requirement has been reformatted to more clearly present the requirements, with minor changes to the administration.

5.2.6 Landscaping

Designing Better introduces additional requirements for landscaping in Zones MR and HR, and a new general development requirement for landscaping in Zone CB. As a result, the existing clause has been restructured into two separate clauses to provide more clarity. A guidance note is available at Appendix C to assist in understanding and interpreting the new landscaping requirements.

5.4 Residential Specific Development Requirements

5.4.1 Residential Density and Residential Plot Ratio

Designing Better introduces residential plot ratio to replace fixed dwelling densities for apartment and mixed use buildings (dwellings-multiple) in Zones MR, HR and C. A number of the existing tables have been amended to give effect to this change, as well as the purpose and administration.

The existing definition of 'plot ratio' is being omitted. New definitions for 'commercial plot ratio' and 'residential plot ratio' are being introduced, as well as new definitions for 'commercial floor area' and 'residential floor area' to support and clarify this change (refer section 3.5 of this document). A guidance note is available to assist in understanding and interpreting the new plot ratio requirements.

5.4.2 Residential Height Limitations

Designing Better amends the height limit for dwellings-multiple in Zone C from 3 storeys to 4 storeys. This clause is then omitted as requirements have been consolidated into Clause 5.2.1 General Height Control.

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

Designing Better introduces new setbacks in Zones MR, HR and C for residential buildings and ancillary structures. New tables are inserted to give effect to these setbacks, as well as additional editor's notes to provide further clarification. Minor amendments have also been made to the administration. A guidance note is available to assist in understanding and interpreting the new setback requirements.

Designing Better also omits Clause 5.4.3.1 Additional Setback Requirements for Residential Buildings longer than 18 metres and for Residential Buildings over 4 storeys in Height. These requirements have been replaced by a new specific development requirement, Clause 5.4.18 Building Articulation.

5.4.5 Building Setbacks and Fencing of Dwellings-group, Dwellings-multiple and Residential Care Facilities in Zone MR

Designing Better omits this clause and incorporates the requirements into Clause 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures, and Clause 5.4.19.1 Fencing of Dwellings-multiple in Zones MR and HR.

5.4.6 Private Open Space

Designing Better introduces a new residential specific development requirement for private open space for dwellings-multiple. As a result, the existing clause has been restructured into two separate clauses to provide more clarity. A guidance note is available to assist in understanding and interpreting the new private open space requirements.

5.4.7 Communal Open Space

Designing Better amends the administration of this requirement to provide guidance on the exercise of discretion for the provision of communal open space in Zones CB and C.

5.4.8 Building Design for Dwelling-group, Dwelling-multiple, Rooming Accommodation and Residential Care Facility

Designing Better introduces a new residential specific development requirement for the design of dwellings-multiple. As a result, the existing clause has been restructured into two separate clauses to provide more clarity.

5.4.17 Building Articulation

Designing Better introduces a new residential specific development requirement that seeks to reduce the perceived bulk of long residential buildings. This new requirement incorporates the intent of Clause 5.4.3.1 Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 storeys in Height, which is proposed to be omitted.

A new definition for 'articulation' is being introduced to support and clarify this change (refer section 3.5 of this document). A guidance note is available to assist in understanding and interpreting the new articulation requirements.

5.4.18 Fencing

This new overarching title is introduced to provide for the introduction of future fencing requirements in particular zones or for other development types.

Designing Better introduces a new residential specific development requirement for the fencing of dwellings-multiple in Zones MR and HR. This new requirement incorporates the intent of Clause 5.4.5 Building Setbacks and Fencing of Dwellings-group, Dwellings-multiple and Residential Care Facilities in Zone MR.

A new definition for 'visually permeable' is being introduced to support and clarify this change (refer section 3.5 of this document). A guidance note is available to assist in understanding and interpreting the new fencing requirements.

5.4.19 Street Frontage of Residential Buildings in Zone CB

Designing Better introduces a new specific development requirement to address the ground level interface between residential development and the street frontage in Zone CB.

5.5 Commercial Specific Development Requirements

5.5.1 Interchangeable Use and Development

This clause is significantly restructured to better reflect the format of the NTPS 2020. This restructure creates two separate clauses with requirements dealing specifically with the individual zones it applies to. These changes will make it easier to distinguish between the administration and the requirements of the clause.

The amended clauses also introduce limitations on the scale to which a specific use may be interchangeable. For example, education establishment is proposed as an interchangeable use within Zone CB; however, clause 5.5.1.1 limits this to a net floor area of 2000m². A proposed education establishment in excess of 2000m² would revert to its assessment category listed in Part 4, which in this case is merit assessable.

The tables below identify the proposed additions to interchangeable use and development in Zones CB and C respectively.

Zone CB		Zone C	
Existing	Additions	Existing	Additions
Club	Bar-small	Food premises- café/take away	Education Establishment
Food premises- café/take away	Education establishment	Food premises- restaurant	Exhibition centre
Food premises- restaurant	Exhibition centre	Office	Medical clinic
Leisure and recreation	Medical clinic	Shop	
Office	Showroom sales	Showroom sales	
Shop			

Case Study 5

James is a teacher and wants to establish a tutoring business. He finds an empty tenancy within a small enclave of offices that would be perfect.

James speaks with the property manager, who says the tenancy was previously an office and has been empty for 6 months. The tenancy is 150m² in size.

James then speaks with a planner at Development Assessment Services, DIPL, to find out about any planning requirements. He is advised that his tutoring business would be considered as an education establishment under the NT Planning Scheme 2020. The land is zoned C (Commercial) and an education establishment is impact assessable.

However, the planner further advises James that education establishment is an interchangeable use listed in Clause 5.5.1.2 (Interchangeable Use and Development in Zone C). As the net floor area of the education establishment will not exceed 400m², and as long as James does not remove any carparks or reduce the existing extent of active frontage, development consent is not required.

5.5.6 Alfresco Dining Areas in Zone CB in Central Darwin

This clause is omitted as the LSDRs now include the specific alfresco dining requirements for Zone CB in Darwin.

5.5.15 Design of Commercial and Mixed Use Development in Zones CB and C

Designing Better introduces a new commercial specific development requirement to address the design of commercial and mixed use development in Zones CB and C. Where this development requirement is applied, the application of Clause 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T) is omitted.

5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zones CB and C

Designing Better introduces a new commercial specific development requirement that sets a minimum standard for active street frontage for all land within Zones CB and C. The LSDRs include alternative requirements for Alice Springs and Darwin.

The definition of 'active street frontage' has also been amended, refer to section 4.5 of active street frontage requirements.

5.6 Industrial Specific Development Requirements

5.6.1 Setbacks and Building Design Requirements in Zones LI, GI and DV

Designing Better makes a consequential amendment to requirement (4) to remove any potential confusion with the term 'articulation'.

5.8 Miscellaneous Specific Development Requirements

5.8.7 Demountable Structures

This clause is amended to allow up to two (2) demountable structures to be placed on land zoned TC without consent. This supports the change in the assessment category from merit assessable to permitted in Part 4.

5.9 Location Specific Development Requirements

As discussed throughout this document, LSDRs are transitioning quasi development requirements from the Central Alice Springs, Darwin and Palmerston Area Plans into development requirements within Part 5 of the planning scheme.

The area plans establish policy to guide future development. This is achieved through overarching planning principles and policy statements that are based on several themes. The planning principles are supported by objectives that will contribute to achievement of the principle, and acceptable responses that describe specific and practical actions and measures to achieve the associated objective.

The objectives in the area plans have been used to inform the purpose statements for the LSDR clauses, and the acceptable responses have informed the corresponding requirements.

It is important to note that in many cases, the acceptable responses have not been transitioned verbatim from an area plan. The requirements have transitioned the intent of those acceptable responses into legible and measurable development requirements to guide the design of future development and the making of decisions.

The existing development requirements in Part 5 that respond to local design matters in the Darwin city centre and Alice Springs town centre are integrated in the LSDRs with the quasi development requirements from the area plans.

The LSDRs apply in addition to general development requirements and specific development requirements. However, they may provide for a variation of, or a different standard to, that provided elsewhere in Part 5.

Appendix A provides an explanation of all the proposed new and amended requirements associated with the Economic Recovery Actions project.

Case Study 6

Adrian is developing a large, vacant block of land in the Darwin CBD. The land is within Zone CB (Central Business). Adrian looks at the Zone CB assessment table in Part 4 of the NT Planning Scheme 2020 to get an idea of the different uses that he may be able to establish on the site. The assessment table also tells him which overlays and development requirements might apply.

Adrian confirms that no overlays apply to the block of land. He also sees that there are location specific development requirements for Darwin. As Adrian's site is within the boundaries of the map at 5.9.2 (Darwin City Centre), he must address any relevant location specific development requirements as well as any general and specific development requirements.

By reading the requirements at 5.9.2 (Darwin City Centre), Adrian understands the building and site design characteristics that are expected of a development in the CBD. He can also consider these requirements in preliminary discussions with his architect when deciding the type of development he wants to proceed with. If Adrian complies with these requirements (and the rest of the identified development requirements in Part 5), then he may be able to undertake a permitted use and not submit a planning application.

5.6. Proposed changes to Schedule 2 - Definitions

To support the changes proposed by both projects, the following amendments to Schedule 2.2 General Definitions are proposed:

New	Amended	Omitted
<i>articulation</i>	<i>active street frontage</i>	<i>plot ratio</i>
<i>commercial plot ratio</i>	<i>building height²</i>	
<i>commercial floor area</i>		
<i>residential plot ratio</i>		
<i>residential floor area</i>		
<i>visually permeable</i>		

² The definition of *building height* has been amended to support the consequential change to clause 5.2.1 General Height Control, which now contains height limits for all development, including residential development.

Refer to the Integrated Schedule of Amendments for the proposed definitions.

5.7. Additional matters

Why Location Specific Development Requirements?

The LSDRs are intended to achieve good design outcomes within the established framework of the NTPS 2020, and reduce the need for some planning applications. This facilitates increasing the number of interchangeable uses in Zones CB and C, and moving some uses to simpler assessment categories. This will enable businesses to begin operating faster with less regulatory burden and red tape.

The LSDR component of this proposed amendment responds to the TERC recommendation to streamline application processes and timeframes while maintaining necessary standards and protections. Other options were considered, including:

- amendments to the strategic framework, including restructuring area plans or appending a schedule of development requirements to area plans; and
- amendments to the NTPS 2020, including the use of overlays or new zones for local development areas.

The transition of the quasi development requirements in area plans to LSDRs within the NTPS 2020 provides the best outcome as it:

- strengthens and builds on the simple and clear regulatory structure established through Planning Reform Phase 1;
- reinforces the relationship between the strategic and statutory frameworks;
- gives effect to the principles and objectives contained within area plans to all use and development;
- makes the planning system more accessible and easier to use, by having all relevant development requirements in one place; and
- strengthens community and industry confidence in the planning system by incorporating design-related needs and wishes as requirements to inform design and decision making.

Area Plans

Existing area plans are not being reviewed or changed as a result of the introduction of LSDRs. Area plans will continue to provide context and guidance to planning decisions. This includes informing rezoning and development decisions, particularly impact assessable development and developments where variations to requirements are sought. In the future the development of area plans may include the parallel drafting of relevant LSDRs, which will be included in the planning scheme concurrently with the inclusion of an area plan.

The LSDRs facilitate more permitted and merit assessable development. This reinforces the importance of the focus on encouraging the community and industry to be involved in the NTPC's consultation processes and to have their say on future planning policy.

Future LSDRs

The introduction of LSDRs provides greater flexibility within the planning scheme to provide for location-based design requirements and variations. Future work may first include a review of remaining existing area plans for any possible LSDRs.

6. Consideration of Legislative Framework

6.1. Alignment with the Planning Act 1999

The proposed amendment aims to:

- further enhance the planning system and its efficiency, clarity and ease of use;
- clarify the purpose and influence of area plans to meaningfully guide development and influence decisions; and
- improve the validity of the Planning Commission's commitments to capturing and implementing community wishes and needs.

This intent is consistent with the purpose of the Act to establish a system to facilitate planning for the orderly use and development of land, and contributes specifically to the achievement of the following objectives:

- (a) *ensure that strategic planning is applied to planning schemes and individual planning decisions;*
- (d) *ensure that the planning system is clear, comprehensive, effective, efficient and accessible to the community;*
- (j) *promote the good design of buildings and other works that respects the amenity of the locality;*
- (l) *respect and encourage fair and open decision making and public access to processes for review of planning related decisions.*

6.2. Alignment with the NTPS 2020 Strategic Framework

The proposed changes do not seek to amend the strategic framework of the NTPS 2020.

The role of area plans in guiding design and decision making, specifically in strategic locations, will be enhanced through the incorporation of local design responses into location specific development requirements. The ability to respond to local design matters is further supported by the changes proposed by Designing Better to development requirements relating to apartments and mixed use buildings.

This has resulted in an increase in the number of low-risk uses that can be interchanged in commercial zones without the need for a development application. It has also informed the movement of some uses to simpler assessment categories.

6.3. Merits of the proposed amendment

The proposed amendment seeks to implement changes to the NTPS 2020 that:

- respond to the TERC recommendation to streamline application processes and timeframes by introducing more permitted and interchangeable uses, while maintaining necessary standards and protections through LSDRs; and
- incorporate building design requirements for apartment and mixed use buildings through the NTPC's Designing Better project.

The greater guidance that is achieved through the integrated changes to Part 5 of the NTPS 2020 has facilitated a review of assessment categories and interchangeable use rights for particular uses in Zones CB and C, and to a lesser extent in Zones LMR and TC.

This has created the opportunity to reduce the assessment category of a number of uses in those zones, particularly from merit assessable to permitted. As long as the proposal is compliant with the relevant requirements of the NTPS 2020, this will negate the need for obtaining planning consent.

Section 4.6 of this document lists additional merits and benefits to the public interest in proceeding with this proposal.

7. Implementation

These changes seek to streamline development application processes and timeframes. The more specific guidance now included in Part 5, including the changes to apartment and mixed use development requirements and LSDRs, means requirements are now contained in one place within the NTPS 2020.

This capitalises on the robust framework established by the NTPS 2020. The integration of strategic planning and the restructure of development requirements allows the exercise of discretion by the consent authority to be more responsive to specific sites and proposals.

More uses are now proposed as permitted development within Zones CB and C. Permitted development is not a new concept within the planning scheme. Permitted developments are used in other zones to facilitate streamlined processes for low-risk, expected and appropriate development in a zone, such as a single house in Zone LR (Low Density Residential) or a motor repair station in Zone LI (Light Industry).

Proponents should contact the relevant [local authority and service authorities](#) (such as Power and Water Corporation and NT Fire and Rescue Service) to ensure all relevant requirements of those authorities are addressed in the design, construction and completion of a development.

A development application will still be required should any aspect of that proposed development not comply with a development requirement; however, that application will only need to address the area/s of non-compliance rather than prepare a comprehensive application that addresses all the applicable requirements.

A building certifier will need to be satisfied that the proposed development meets the requirements of the *Planning Act 1999* prior to issuing a building permit and subsequent certificate of occupancy under the *Building Act 1993*. Whilst it is not mandatory, a certifier may ask for a [Compliance Check](#) from [Development Assessment Services](#) to provide this confirmation or may seek the services of an independent planning professional.

A compliance check is an assessment of whether or not the proposed development complies with the requirements of the NTPS 2020, and an application can be lodged online through [Development Applications Online](#) ([fees apply](#)).

8. Progressing existing Planning Applications

All planning applications will continue to be assessed against the existing requirements in the NTPS 2020, including the assessment categories.

In determining an existing development application, the consent authority must take into account any proposed amendments to the planning scheme that:

- have been exhibited; and
- have not yet been determined; and
- are relevant to the proposed development in the development application.

This means that from now and until the Minister for Infrastructure, Planning and Logistics makes a decision on these proposed amendments, the consent authority will need to take into account both the existing and proposed requirements when making a decision.

If you have any questions regarding the status of your existing planning application, please contact Development Assessment Services on (08) 8999 6046 or through das.ntg@nt.gov.au.

9. Further information

9.1. Be involved

1. Read the documents

Read this Detailed Information Paper in conjunction with the Integrated Schedule of Amendments. Individual Project Amendments (Appendices A and B) provide background to the proposed changes.

Documents are available on [Have Your Say](#), the Planning Reform [website](#), and [Planning Notices Online](#)

2. Speak with a planner

Visit [Have Your Say](#) to make an appointment to speak with a planner about anything you need clarification on, or any issues or concerns about the proposal.

3. Write a submission

You may make a submission to the proposed amendment during the exhibition period through the following means:

Online: <https://www.ntlis.nt.gov.au/planning-notices-online/notices#/>

Email: planning.ntg@nt.gov.au

Post: NT Planning Commission, GPO Box 1680, DARWIN NT 0801

Hand delivered: Level 1, Energy House, 18-20 Cavenagh Street, DARWIN NT 0800

All submissions must include the name, contact details and signature of the person making the submission to be considered valid.

9.2. Contact details

For further information on the details of this proposed planning scheme amendment, please contact Lands Planning, Department of Infrastructure, Planning and Logistics.

Phone: 08 8999 8963

Email: planning.ntg@nt.gov.au

Please quote application number PA2021/0254 to be directed to one of the Project Team.

10. Index of Changes

The following tables are an index of all proposed changes to the NTPS 2020. This index should be used in conjunction with the Integrated Schedule of Amendments. For further detail on the proposed change, refer to either Appendix A or B as identified.

Part 3 Overlays

Clause	Status	Comments	Relevant Appendix
3.x GL – Gateway Locations	New	Introduction of new overlay to support 5.9 Location Specific Development Requirements	A – Economic Recovery Actions

Part 4 Zones and Assessment Tables

Clause	Status	Comments	Relevant Appendix
4.3 Zone LMR – Low-Medium Density Residential	Amended	Changes to specific assessment categories	A – Economic Recovery Actions
4.10 Zone CB – Central Business	Amended	Changes to specific assessment categories	A – Economic Recovery Actions
4.11 Zone C – Commercial	Amended	Changes to specific assessment categories and zone outcomes	A – Economic Recovery Actions
4.13 Zone TC – Tourist Commercial	Amended	Changes to specific assessment categories and zone outcomes	A – Economic Recovery Actions

Part 5 Development Requirements

Clause	Status	Comments	Relevant Appendix
5.1 Preliminary			
5.1 Preliminary	Amended	Incorporates reference to Location Specific Development Requirements	A – Economic Recovery Actions
5.2 General Development Requirements			
5.2.1 General Height Control	Amended	Consequential amendment (consolidates all building height controls)	A – Economic Recovery Actions
5.2.2 Building Heights in Alice Springs	Omitted	Consequential amendment	A – Economic Recovery Actions
5.2.2.1 General Height Controls in Alice Springs	Omitted	Incorporated into 5.2.1 General Height Control	A – Economic Recovery Actions

Clause	Status	Comments	Relevant Appendix
5.2.2.2 Design for Buildings above 3 storeys within Zone CB in Alice Springs	Omitted	Incorporated into 5.9.1 Alice Springs Town Centre	A – Economic Recovery Actions
5.2.2.3 Building Design Requirements within Zone CB in Alice Springs	Omitted	Incorporated into 5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zone CB and 5.9.1 Alice Springs Town Centre	A – Economic Recovery Actions (5.9.1) B – Designing Better (5.5.16)
5.2.3 Building Heights in Central Darwin	Omitted	Consequential amendment	A – Economic Recovery Actions
5.2.3.1 Building Heights in the Esplanade Character Area	Omitted	Incorporated into 5.9.2 Darwin City Centre	A – Economic Recovery Actions
5.2.3.2 Volumetric Control in Central Darwin	Omitted	Incorporated into 5.9.2 Darwin City Centre	A – Economic Recovery Actions
5.2.3.3 Urban Design Requirements in Central Darwin	Omitted	Incorporated into 5.5.15 Design of Commercial and Mixed Use Buildings in Zones CB and C, 5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zones CB and C, and 5.9.2 Darwin City Centre	A – Economic Recovery Actions (5.9.2) B – Designing Better (5.5.15 and 5.5.16)
5.2.4 Car Parking	Amended	Previously Vehicle Parking	
5.2.4.1 Car parking spaces	Amended	Previously Parking Requirements	A – Economic Recovery Actions
5.2.4.2 Reduction in Parking Requirements outside of Zone CB in Darwin	Omitted	Incorporated into 5.2.4.1 Car Parking Spaces	A – Economic Recovery Actions
5.2.4.3 Reduction in Parking Requirements within Zone CB in Darwin	Omitted	Incorporated into 5.9.2 Darwin	A – Economic Recovery Actions
5.2.4.4 Layout of car parking areas	Amended	Previously Parking Layout	A – Economic Recovery Actions
5.2.5 Loading Bays	Amended	Consequential amendment	A – Economic Recovery Actions
5.2.6 Landscaping	Amended	Split into 2 requirements to differentiate requirements relevant to Zone CB	
5.2.6.1 Landscaping in Zones other than Zone CB	Amended	Informed by Designing Better	B – Designing Better
5.2.6.2 Landscaping in Zone CB	New	Informed by Designing Better	B – Designing Better

Clause	Status	Comments	Relevant Appendix
5.4 Residential Specific Development Requirements			
5.4.1 Residential Density and Residential Plot Ratio	Amended	Previously Residential Density Limitations	B – Designing Better
5.4.2 Residential Height Limitations	Amended / Omitted	Amendment informed by Designing Better, and consequently incorporated into 5.2.1 General Height Control	A – Economic Recovery Actions B – Designing Better
5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures	Amended	Amendment informed by Designing Better, and consequential amendments (incorporates components of 5.4.5 Building Setbacks and Fencing of Dwellings-group, Dwellings-multiple and Residential Care Facilities in Zone MR)	B – Designing Better
5.4.3.1 Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 storeys in Height	Omitted	Informed by Designing Better	B – Designing Better
5.4.5 Building Setbacks and Fencing of Dwellings-group, Dwellings-multiple and Residential Care Facilities in Zone MR	Omitted	Incorporated into 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures, and 5.4.19.1 Fencing of Dwellings-multiple in Zones MR and HR	B – Designing Better
5.4.6 Private Open Space	Amended	Split into 2 requirements to differentiate requirements for dwellings-multiple	
5.4.6.1 Private Open Space for Dwellings-single, Dwellings-independent, Dwellings-group and Residential Care Facility	Amended	Removes reference to Dwelling-multiple	B – Designing Better
5.4.6.2 Private Open Space for Dwellings-multiple	New	Informed by Designing Better	B – Designing Better
5.4.7 Communal Open Space	Amended	Informed by Designing Better	B – Designing Better
5.4.8 Building Design	Amended	Split into 2 requirements to differentiate requirements for dwellings-multiple	

Clause	Status	Comments	Relevant Appendix
5.4.8.1 Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility	Amended	Removes reference to Dwelling-multiple	B – Designing Better
5.4.8.2 Building Design for Dwelling-multiple	New	Informed by Designing Better	B – Designing Better
5.4.17 Building Articulation	New	Informed by Designing Better and replaces 5.4.3.1 Additional Setback Requirements for Residential Buildings longer than 18m and for Residential Buildings over 4 storeys in Height	B – Designing Better
5.4.18 Fencing	New	Overarching clause title	
5.4.19.1 Fencing of Dwellings-multiple in Zones MR and HR	New	Informed by Designing Better and also incorporates 5.4.5 Building Setbacks and Fencing of Dwellings-group, Dwellings-multiple and Residential Care Facilities in Zone MR	B – Designing Better
5.4.19 Street Frontage of Residential Buildings in Zone CB	New	Informed by Designing Better	B – Designing Better
5.5 Commercial Specific Development Requirements			
5.5.1 Interchangeable Use and Development	Amended	Split into 2 requirements to differentiate between Zone CB and Zone C	
5.5.1.1 Interchangeable Use and Development in Zone CB	New	Introduces new interchangeable uses and requirements	A – Economic Recovery Actions
5.5.1.2 Interchangeable Use and Development in Zone C	New	Introduces new interchangeable uses and requirements	A – Economic Recovery Actions
5.5.6 Al Fresco Dining Areas in Zone CB in Central Darwin	Omitted	Incorporated into 5.9.2.10	A – Economic Recovery Actions
5.5.15 Design of Commercial and Mixed Use Development in Zones CB and C	New	Informed by Designing Better	B – Designing Better
5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zones CB and C	New	Informed by Designing Better	B – Designing Better

Clause	Status	Comments	Relevant Appendix
5.6 Industrial Specific Development Requirements			
5.6.1 Setbacks and Building Design Requirements in Zones LI, GI and DV	Amended	Consequential amendment	B – Designing Better
5.8 Miscellaneous Specific Development Requirements			
5.8.7 Demountable Structures	Amended	Consequential amendment	A – Economic Recovery Actions
5.9 Location Specific Development Requirements			
5.9 Location Specific Development Requirements	New		A – Economic Recovery Actions
5.9.1 Alice Springs Town Centre	New	Includes map identifying the locality the requirement applies to	A – Economic Recovery Actions
5.9.1.1 General Building Design	New	Incorporates 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs	A – Economic Recovery Actions
5.9.1.2 Volumetric Control	New	Incorporates 5.2.2.2 Design for Buildings above 3 storeys within Zone CB in Alice Springs and 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs	A – Economic Recovery Actions
5.9.1.3 Active Street Frontages in Alice Springs Town Centre	New	Incorporates 5.2.2.3 Urban Design Requirements within Zone CB in Alice Springs and 5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zone CB and C	A – Economic Recovery Actions (5.2.2.3) B – Designing Better (5.5.16)
5.9.1.4 Development in Gateway Locations	New	Informed by CASAP	A – Economic Recovery Actions
5.9.1.5 Design of Car Parking Areas and Vehicle Access in Zone CB	New	Incorporates 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs	A – Economic Recovery Actions
5.9.2 Darwin City Centre	New	Includes map identifying the locality the requirement applies to	A – Economic Recovery Actions
5.9.2.1 General Building Design	New	Incorporates 5.2.3.3 Urban Design Requirements in Central Darwin	A – Economic Recovery Actions

Clause	Status	Comments	Relevant Appendix
5.9.2.2 Volumetric Control	New	Incorporates 5.2.3.2 Volumetric Control in Central Darwin	A – Economic Recovery Actions
5.9.2.3 Building Height in the Esplanade Character Area	New	Incorporates 5.2.3.1 Building Heights in the Esplanade Character Area	A – Economic Recovery Actions
5.9.2.4 Development within the Darwin Waterfront	New	Informed by CDAP	A – Economic Recovery Actions
5.9.2.5 Development along Priority Activated Frontages	New	Informed by CDAP and incorporates 5.2.3.3 Urban Design Requirements in Central Darwin and 5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zone CB and C	A – Economic Recovery Actions (5.2.3.3) B – Designing Better (5.5.16)
5.9.2.6 Development Fronting Laneways	New	Informed by CDAP	A – Economic Recovery Actions
5.9.2.7 Development along the Priority Pedestrian and Cycle Network	New	Informed by CDAP	A – Economic Recovery Actions
5.9.2.8 Development in Gateway Locations	New	Informed by CDAP	A – Economic Recovery Actions
5.9.2.9 Public Realm Contributions for Development on Large Sites	New	Informed by CDAP	A – Economic Recovery Actions
5.9.2.10 Alfresco Dining Areas	New	Incorporates 5.5.6 Al Fresco Dining Areas in Zone CB in Central Darwin	A – Economic Recovery Actions
5.9.2.11 Car Parking Spaces in Darwin City Centre	New	Incorporates 5.2.4.1 Parking Requirements (Zone CB in Darwin)	A – Economic Recovery Actions
5.9.2.12 Reduction in Car Parking Spaces in Darwin City Centre	New	Incorporates 5.2.4.3 Reduction in Parking Requirements within Zone CB in Darwin	A – Economic Recovery Actions
5.9.2.13 Design of Car Parking Areas and Vehicle Access	New	Incorporates 5.2.3.3 Urban Design Requirements in Central Darwin	A – Economic Recovery Actions
5.9.3 Palmerston City Centre	New	Includes map identifying the locality the requirement applies to	A – Economic Recovery Actions
5.9.3.1 General Building Design	New	Informed by CPAP	A – Economic Recovery Actions
5.9.3.2 Volumetric Control	New	Informed by CPAP	A – Economic Recovery Actions

Clause	Status	Comments	Relevant Appendix
5.9.3.3 Development along Priority Activated Frontages	New	Informed by CPAP and incorporates 5.5.16 Active Street Frontage of Commercial and Mixed Use Buildings in Zone CB and C	A – Economic Recovery Actions B – Designing Better (5.5.16)
5.9.3.4 Development along Green Links	New	Informed by CPAP	A – Economic Recovery Actions
5.9.3.5 Development in Gateway Locations	New	Informed by CPAP	A – Economic Recovery Actions
5.9.3.6 Public Realm Contributions for Developments above 8 storeys	New	Informed by CPAP	A – Economic Recovery Actions
5.9.3.7 Design of Car Parking Areas and Vehicle Access	New	Informed by CPAP	A – Economic Recovery Actions

Schedule 2.2 General Definitions

Definition	Status	Comments	Relevant Appendix
<i>active street frontage</i>	Amended	Informed by Designing Better	B – Designing Better
<i>articulation</i>	New	Informed by Designing Better	B – Designing Better
<i>building height</i>	Amended	Consequential amendment informed by Economic Recovery Actions	A – Economic Recovery Actions (5.2.1)
<i>commercial plot ratio</i>	New	Informed by Designing Better	B – Designing Better
<i>commercial floor area</i>	New	Informed by Designing Better	B – Designing Better
<i>plot ratio</i>	Omitted	Informed by Designing Better and incorporated into commercial plot ratio and residential plot ratio	B – Designing Better
<i>residential plot ratio</i>	New	Informed by Designing Better	B – Designing Better
<i>residential floor area</i>	New	Informed by Designing Better	B – Designing Better
<i>visually permeable</i>	New	Informed by Designing Better	B – Designing Better

