

# Appendix A

## Individual Project Amendments – Economic Recovery Actions

PA2021/0254

## How to use this document

This document provides the individual project amendments proposed by the Economic Recovery Actions project.

This project incorporates:

- Part 1 - Location Specific Development Requirements (LSDRs), including a new Overlay and consequential amendments
- Part 2 - Interchangeable use and development
- Part 3 - Assessment categories

Within this document, each component includes:

1. An explanation of amendments that provides a summary of the changes;
2. Annotations to provide detailed information; and
3. Different coloured text to distinguish the source of the proposed changes:
  - **Dark blue text** – New or revised text that provides further clarification of the intent of the requirements. Primarily, this text provides further guidance within the administration sub-clauses to inform design and decision making.
  - **Purple text** – has been informed by an Area Plan.
  - **Green text** – has been shifted from other existing clauses in the scheme.
  - **Red text** – identifies alterations to existing text in Parts 2 and 3 of this document.

As some of these development requirements are also influenced by Designing Better changes (Appendix B), refer to the Integrated Schedule of Amendments for the final proposal.

Additional documents available:

- Summary Paper: A high level overview and introduction to the proposed planning scheme amendment
- Detailed Information Paper: An in-depth explanation of the proposed changes to support interpretation of the Integrated Schedule of Amendments
- Integrated Schedule of Amendments: A consolidated version of all the proposed changes
- Appendix B: Individual Project Amendments – Designing Better
- Appendix C: Supplementary Information to assist with interpretation of technical requirements

## Part 1 – Location Specific Development Requirements (LSDRs)

### 5.1 Preliminary

1. Development Requirements establish guidance and criteria for assessing development that is Permitted, Merit or Impact Assessable. Development requirements may apply:
  - (a) generally to a broad range of uses (General Development Requirements);
  - (b) specifically to an identified location (Location Specific Development Requirements); and
  - (c) specifically to one or a small set of related uses (Specific Development Requirements).
2. Each Development Requirement identifies:
  - (a) the purpose of the requirement;
  - (b) how the requirement is administered; and
  - (c) the details of the requirement.
3. The identification of the purpose and administration of the requirements are intended to:
  - i. meaningfully inform the exercise of discretion by the consent authority;
  - ii. provide clarity around the application of the requirement; and
  - iii. establish the basis for decisions.

## 5.2 General Development Requirements

### 5.2.1 General Height Control

#### Explanation of amendments

This clause has been amended to include all general and residential height controls currently within the Scheme, except for controls relevant to very specific locations which are addressed in the LSDRs.

This clause is made up of:

- Existing provisions in Clause 5.2.1;
- General height controls for Alice Springs found in Clause 5.2.2.1;
- Residential height controls found in Clause 5.4.2; and
- Varied height controls for Zone MR found in the Darwin Inner Suburbs Area Plan and the Darwin Mid Suburbs Area Plan.

While no new provisions have been introduced (with the exception of one Designing Better change), a new purpose statement has been written to give effect to the combined controls.

The definition of building height within Schedule 2 has also been amended for consistency and is defined as:

**“building height** means the vertical distance directly between the ground level and the highest point of the building roof (apex) or parapet at any point”.

#### Purpose

Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

#### Administration

1. This clause does not apply if:
  - (a) the development is for the purpose of:
    - i. a **telecommunications facility**;
    - ii. a chimney, flag pole, aerial, antenna or lightning rod; or
    - iii. the housing of equipment relating to the operation of a lift;
 or
  - (b) an alternative height control is specified in clause 5.9 (Location specific development requirements).
4. The consent authority must not **consent** to a development in Alice Springs that is not in accordance with sub-clause 5.
5. The consent authority must not **consent** to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.

6. Except as set out in sub-clause 3, the consent authority may **consent** to a development that is not in accordance with sub-clause 6 if it is satisfied the **building height** is consistent with the intended character and **amenity** of the area, having regard to:
- the heights of other buildings in the immediate vicinity; and
  - measures taken to mitigate potential impacts (such as unreasonable overshadowing, or overlooking of dwellings and private open space) on **abutting** properties.

#### Requirements

7. The **building height** of a development in the Municipality of Alice Springs is not to exceed:
- the maximum building height for the zone and use as specified in table A to this clause; or
  - two **storeys** to a maximum of 8.5m if the zone and use is not included in table A to this clause.
8. The **building height** in all other areas is not to exceed:
- the maximum building height for the zone and use as specified in table B to this clause; or
  - two **storeys** to a maximum of 8.5m if the zone and use is not included in table B to this clause.

<b>Zone</b>	<b>Use</b>	<b>Maximum building height</b>
MR, C, SC and TC	All uses	3 <b>storeys</b> to a maximum of 14m
CB	All uses	8 <b>storeys</b> to a maximum of 34m
CP	<b>Education establishment</b> or <b>hospital</b>	No height limit
All zones other than CP	<b>Education establishment</b>	3 <b>storeys</b> to a maximum of 14m

**Editor's Note: Structures below ground level should consider the impact on and from the Alice Springs Town Basin aquifer.**

Table B to clause 5.2.1: Height control outside Alice Springs		
Zone	Use	Maximum building height
MR	Development on a <b>site</b> in zone MR abutting a <b>site</b> in Zone LR	3 <b>storeys</b>
	Development on a <b>site</b> that is: <ul style="list-style-type: none"> <li>within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; and</li> <li>has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a <b>site</b> in Zone LR.</li> </ul>	3 <b>storeys</b>
	All other uses	4 <b>storeys</b>
HR	All uses	8 <b>storeys</b>
C	Development containing <b>dwelling-multiple</b>	3 <b>storeys</b>
	Development containing other <b>residential buildings</b>	3 <b>storeys</b>
	All other uses	No height limit
CL and CP	<b>Education establishment</b> or <b>hospital</b>	No height limit
CB, SC, TC and DV	All uses	No height limit

This has been translated from the DISAP and DMSAP under residential-medium density planning principles.

Note that Designing Better proposes to amend this requirement from 3 to 4 storeys

#### Editor's Notes:

- (1) If applicable, the **residential plot ratio** and/or the **commercial plot ratio** may impact on the **building height**.
- (2) Any use or development of land that intrudes into a protected airspace, such as the use of cranes, within 15km of an airport or RAAF base may have additional restrictions and approval requirements from the airport operator under the [Airports Act 1996 \(Cth\)](#), [Airports \(Protection of Airspace\) Regulations 1996 \(Cth\)](#), and [Defence Regulation 2016 \(Cth\)](#). More information is available on [NT.GOV.AU](#).

## 5.2.4 Car Parking

### Explanation of amendments

This clause amends and replaces existing clause 5.2.4 Vehicle Parking.

The title of the clause has been changed to more specifically reflect what is addressed by the clause.

Clause 5.2.4.2 Reduction in Parking Requirements outside of Zone CB in Darwin has been transitioned into administration clauses in 5.2.4.1 Car Parking.

The clause includes all the existing sub-clauses with the exception of:

- Specific numbers of car parking spaces required in the Darwin CBD; and
- Clause 5.2.4.3 Reduction in Parking Requirements within Zone CB in Darwin.

These have been moved to 5.9.2 Darwin City Centre.

### 5.2.4.1 Car Parking Spaces

#### Purpose

Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a **site**.

#### Administration

1. This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of **car parking spaces** is appropriate with regard to:
  - (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;
  - (b) the provision of **car parking spaces** in the vicinity of the land; and
  - (c) the availability of public transport in the vicinity of the land;
  - (d) the potential impact on the surrounding road network and the **amenity** of the locality and adjoining property;
 or if the use or development relates to a **heritage place** and the Minister responsible for the administration of the *Heritage Act 2011* supports the reduced provision of **car parking spaces** in the interest of preserving the significance of the **heritage place**.

This administration sub-clause translates the requirements of existing clause 5.2.4.2 which deals with variations of requirements.

3. The consent authority may require the provision of **car parking spaces** for any **ancillary** use or development in addition to that specified for the **primary use** or development in the table to this clause.

#### Requirements

4. Use and development is to include the minimum number of **car parking spaces** specified in the table to this clause (rounded up to the next whole number).

**Editor's Notes: Clause 5.2.4.4 provides for the design of a car parking area.**

Requirements relevant to the Darwin CBD have been relocated to 5.9.2 Darwin City Centre Locality Specific Development Requirements.

Table to Clause 5.2.4.1: Minimum number of required parking spaces	
Use or Development	Minimum Number of Car Parking Spaces Required
<b>Abattoir</b>	1 for every 100m <sup>2</sup> of <b>net floor area</b> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office
<b>Animal boarding</b>	1 for every employee <u>Plus</u> 4
<b>Bar-public</b>	16 for every 100m <sup>2</sup> of <b>net floor area</b> used as a lounge bar or beer garden <u>Plus</u> 50 for every 100m <sup>2</sup> of <b>net floor area</b> used as a bar <u>Plus</u> 10 for a drive-in bottle shop
<b>Bar-small</b>	6 for every 100m <sup>2</sup> of <b>net floor area</b> used as a bar
<b>Caravan park</b>	1.1 for every caravan, cabin, mobile home or tent site
<b>Car wash</b>	3 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes <u>Plus</u> 1 waiting bay for each car wash / vacuum bay
<b>Child care centre</b>	1 for every employee <u>Plus</u> 1 for every 20 children
<b>Club</b>	10 for every 100m <sup>2</sup> of <b>net floor area</b> used as a lounge bar or beer garden <u>Plus</u> 20 for every 100m <sup>2</sup> of <b>net floor area</b> used as a bar <u>Plus</u> 3 for every 100m <sup>2</sup> of <b>net floor area</b> used for dining
<b>Community centre</b>	5 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Dwelling-caretakeers</b>	1



<b>Table to Clause 5.2.4.1: Minimum number of required parking spaces</b>	
<b>Use or Development</b>	<b>Minimum Number of Car Parking Spaces Required</b>
<b>Dwelling-community residence</b>	1 for every 4 beds <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes
<b>Dwelling-group</b>	2 per <b>dwelling</b>
<b>Dwelling-independent</b>	1 per bedroom to a maximum of 2
<b>Dwelling-multiple</b>	2 per <b>dwelling</b>
<b>Dwelling-single</b>	2
<b>Emergency services facility</b>	1 for every 100m <sup>2</sup> of <b>net floor area</b> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Education establishment</b>	For a primary or secondary school: 1 for every classroom <u>Plus</u> 1 additional spaces <u>plus</u> an area for setting down and picking up passengers For a tertiary education establishment: 1 for every classroom <u>Plus</u> 1 for every 6 students <u>Plus</u> 2 additional spaces For a kindergarten: see <b>child care centre</b> For other education establishments: 2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Exhibition centre</b>	6 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Food premises (all)</b>	6 for every 100m <sup>2</sup> of <b>net floor area</b> and any <b>alfresco dining areas</b> <u>Plus</u> 10 for drive-through (if any) for cars being served or awaiting service * No more than 50% of the <b>car parking spaces</b> required for a fast food outlet may be accommodated within the associated drive-through
<b>Hospital</b>	1 for every 4 patient beds <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes <u>Plus</u> For a medical clinic 4 for every consulting room

<b>Table to Clause 5.2.4.1: Minimum number of required parking spaces</b>	
<b>Use or Development</b>	<b>Minimum Number of Car Parking Spaces Required</b>
<b>Hotel/Motel</b>	1 for every guest suite or bedroom <u>Plus</u> 3 for every 100m <sup>2</sup> used for dining
<b>Industry-general</b>	1 for every 100m <sup>2</sup> of <i>net floor area</i> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <i>net floor area</i> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Industry-light</b>	2 for every 100m <sup>2</sup> of <i>net floor area other than offices</i> <u>Plus</u> 4 for every 100m <sup>2</sup> of <i>net floor area</i> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Industry-primary</b>	1 for every 100m <sup>2</sup> of <i>net floor area</i> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <i>net floor area</i> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Leisure and recreation</b>	Indoor spectator facilities including cinema or theatre: 1 for every 4 seats Racquet court games: 4 for every court <u>Plus</u> For indoor spectator facilities (if any) 1 for every 4 seats Lawn bowls: 20 spaces per green Golf course: 4 per hole <u>Plus</u> 5 for every 100m <sup>2</sup> of <i>net floor area</i> used as a club house Otherwise than specified above, 10 for every 100m <sup>2</sup> of <i>net floor area</i> <u>Plus</u> Requirement for indoor spectator facilities (if any) 1 for every 4 seats
<b>Market</b>	1.5 per maximum number of stalls (may be existing <i>car parking spaces</i> in the vicinity of the market <i>site</i> )
<b>Medical clinic</b>	4 for every consulting room
<b>Motor body works</b>	6 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Motor repair station</b>	6 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Nightclub entertainment venue</b>	16 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Office</b> (not elsewhere referred to in this table)	2.5 for every 100m <sup>2</sup> of <i>net floor area</i>

<b>Table to Clause 5.2.4.1: Minimum number of required parking spaces</b>	
<b>Use or Development</b>	<b>Minimum Number of Car Parking Spaces Required</b>
<b>Passenger terminal</b>	5 for every 100m <sup>2</sup> of <b>net floor area</b> or as many car spaces as can be provided on 25% of the <b>site</b> area, whichever results in the greater number of spaces (calculated exclusive of areas used for taxi stands or bus loading purposes)
<b>Place of assembly</b>	5 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Place of worship</b>	5 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Plant nursery</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b> <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor nursery
<b>Recycling depot</b>	1 for every 100m <sup>2</sup> of <b>net floor area</b> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Renewable energy facility</b>	1 <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office
<b>Residential care facility</b>	1 for every 4 beds <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes
<b>Rooming accommodation</b>	1 for every 5 persons <u>Plus</u> 1 for every staff member <u>Plus</u> 1
<b>Serviced apartment</b>	1 for every <b>dwelling</b> <u>Plus</u> 3 for every 100m <sup>2</sup> of <b>net floor area</b> not within a <b>dwelling</b>
<b>Service station</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b> or 5 whichever is greater (not including parking serving bowsers)
<b>Sex services-commercial premises</b>	2.5 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Shop</b>	6 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Shopping centre</b>	6 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Showroom sales</b>	4 for every 100m <sup>2</sup> of <b>net floor area</b> <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Stables</b>	1 for every stall
<b>Telecommunications facility</b>	1

<b>Table to Clause 5.2.4.1: Minimum number of required parking spaces</b>	
<b>Use or Development</b>	<b>Minimum Number of Car Parking Spaces Required</b>
<b>Transport terminal</b>	1 for every 100m <sup>2</sup> of <b>net floor area</b> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Vehicle sales and hire</b>	4 for every 100m <sup>2</sup> of <b>net floor area</b> of office <u>Plus</u> 1 for every 200m <sup>2</sup> used for vehicle display
<b>Veterinary clinic</b>	4 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Warehouse</b>	1 for every 100m <sup>2</sup> of <b>net floor area</b> other than offices <u>Plus</u> 4 for every 100m <sup>2</sup> of <b>net floor area</b> of office <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
Any other uses (including undefined uses)	Minimum number of car parking spaces to be determined by the consent authority.

This has been included to provide clarity.

#### 5.2.4.4 Layout of car parking areas

##### Purpose

Ensure that a **car parking area** is appropriately designed, constructed and maintained for its intended purpose.

The title of existing clause 5.2.4.4 is amended for consistency in language.

##### Administration

1. This clause does not apply to a **car parking area** where the car parking is required in association with a **dwelling-single, dwelling-independent** or a **home based business**.
2. A **car parking area** may be used for the purpose of a **market** if:
  - (a) a market is Permitted in the zone; and
  - (b) the market operates outside of the operating hours of the use for which the car parking area is established.
3. The consent authority may **consent** to a **car parking area** that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the **amenity** of the surrounding locality.
4. The consent authority may **consent** to a **car parking area** that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.
5. The consent authority may **consent** to a **car parking area** that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.

Clarifies that a car parking area can be used as a market outside of operating hours.

These administration clauses provide more guidance for the consent authority when considering a variation.

##### Requirements

6. A **car parking area** is to:
  - (a) be not less than 3m from any lot boundary abutting a road; and
  - (b) provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the **car parking area** when viewed from the road.
7. A **car parking area** is to be constructed and maintained to be:
  - (a) of a suitable gradient for safe and convenient parking; and
  - (b) sealed and well drained. Dust suppression may be an acceptable alternative to sealed surfaces in non-urban areas.
8. The layout of a **car parking area** is to:
  - (a) be functional and provide separate access to every car parking space;
  - (b) allow a vehicle to enter from and exit to a road in a forward gear;

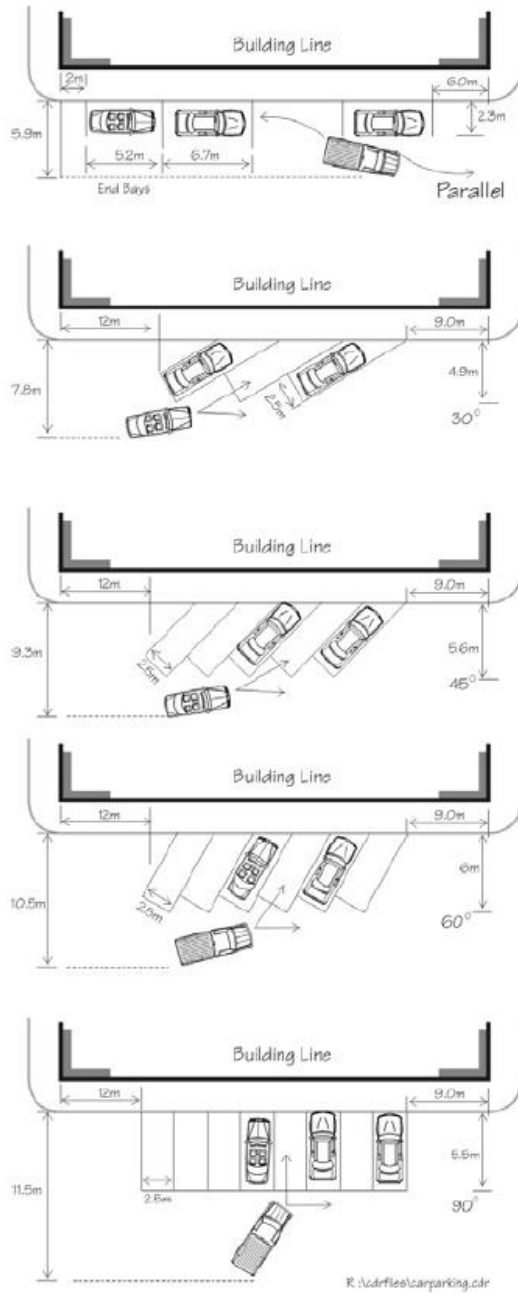
This requirement has been amended to provide clarity of its intention.

These requirements are translated from clause 5.2.4.4(3).

- (c) be in accordance with the dimensions set out in the diagram to this clause; and
  - (d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.
9. The number of **access** points to the road is to be limited, and **access** points to **car parking areas** are to:
- i. have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and
  - ii. maximise sight lines for drivers entering or exiting the car parking area.

Diagram to Clause 5.2.4.2: Parking Layout

### Carparking



## 5.2.5 Loading Bays

### Explanation of amendments

Existing clause 5.2.5 is amended to:

- improve administration clauses to provide guidance for design and decision making; and
- incorporate the requirements into a table for ease of use.

### Purpose

Provide for the loading and unloading of vehicles associated with the use of land.

### Administration

1. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 2 and 3 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:
  - (a) the scale of the use and development on the **site**;
  - (b) any potential adverse impacts on the local road network; and
  - (c) any agreements for off-site loading and unloading of vehicles, such shared loading areas or approval to carry out loading activities in a laneway or secondary street.

### Requirements

2. Use and development is to include provision of a minimum number of loading bays in accordance with the table to this clause (rounded up to the next whole number).
3. A **loading bay** is to:
  - (a) provide areas wholly within the **site** for loading and unloading of vehicles
  - (b) be at least 7.5m by 3.5m;
  - (c) have a clearance of at least 4m; and
  - (d) have access that is adequate for its purpose.



<b>Table to Clause 5.2.3: Minimum number of loading bays</b>	
<b>Use or development</b>	<b>Minimum number of loading bays</b>
Bar-public	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Club	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Emergency services facility	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Exhibition centre	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b>
Food premises (all)	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b> of a <b>fast food outlet</b> or <b>restaurant</b>
Hospital	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Hotel/Motel	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Industry-general	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Industry-light	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Nightclub entertainment venue	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Office	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b>
Place of assembly	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b>

<b>Table to Clause 5.2.3: Minimum number of loading bays</b>	
<b>Use or development</b>	<b>Minimum number of loading bays</b>
Shop	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b>
Shopping centre	1 <b>loading bay</b> for every 2000m <sup>2</sup> of the total <b>net floor area</b>
Showroom sales	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Transport terminal	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
Warehouse	1 <b>loading bay</b> for a single occupation of a <b>net floor area</b> of 10 000m <sup>2</sup> or less; and 1 <b>loading bay</b> for every 5000m <sup>2</sup> of <b>net floor area</b> or part thereof in excess of 10 000m <sup>2</sup>
All other uses	No loading bays required

Reference has been included to clarify that if the use is not within the table then no loading bay is required.

## 5.8.7 Demountable Structures

### Explanation of amendments

Existing clause 5.8.7 is amended to include Zone TC in sub-clause 1(b), to allow up to 2 demountable structures to be placed on the land without consent.

The assessment category has been changed in the Zone TC assessment table from merit assessable to permitted.

### Purpose

Ensure that **demountable structures** do not detract from the visual **amenity** of an area.

### Administration

1. Placement of a **demountable structure** on:
  - (a) zoned land other than land in Zone GI and DV requires **consent**, and
  - (b) land in Zone CL, SC, **TC**, LI, PS, OR, H, A, RL, R and CP does not require **consent** if there are no more than two **demountable structures** on the land.
2. Subject to sub-clause 3 the consent authority may **consent** to the placement of a **demountable structure** on land only if it is satisfied that:
  - (a) there will be landscaping or architectural embellishments to the **demountable structure** that will enhance the appearance of the structure; and
  - (b) the **demountable structure** will be visually consistent with adjoining or nearby development.
3. If the consent authority is satisfied that, because of the proposed use and location of a **demountable structure**, it is not necessary that sub-clause 2(a) and (b) apply to the **demountable structure** the consent authority may **consent** to the placement of it on land without being satisfied as to the matters set out in those paragraphs.

### Requirements

4. **Demountable structures** in:
  - (a) zones other than Zones LI, GI and DV are to be set back from lot boundaries in accordance with the table to this clause; and
  - (b) zones LI, GI and DV are to be set back from lot boundaries in accordance with the Table to Clause 5.6.1.

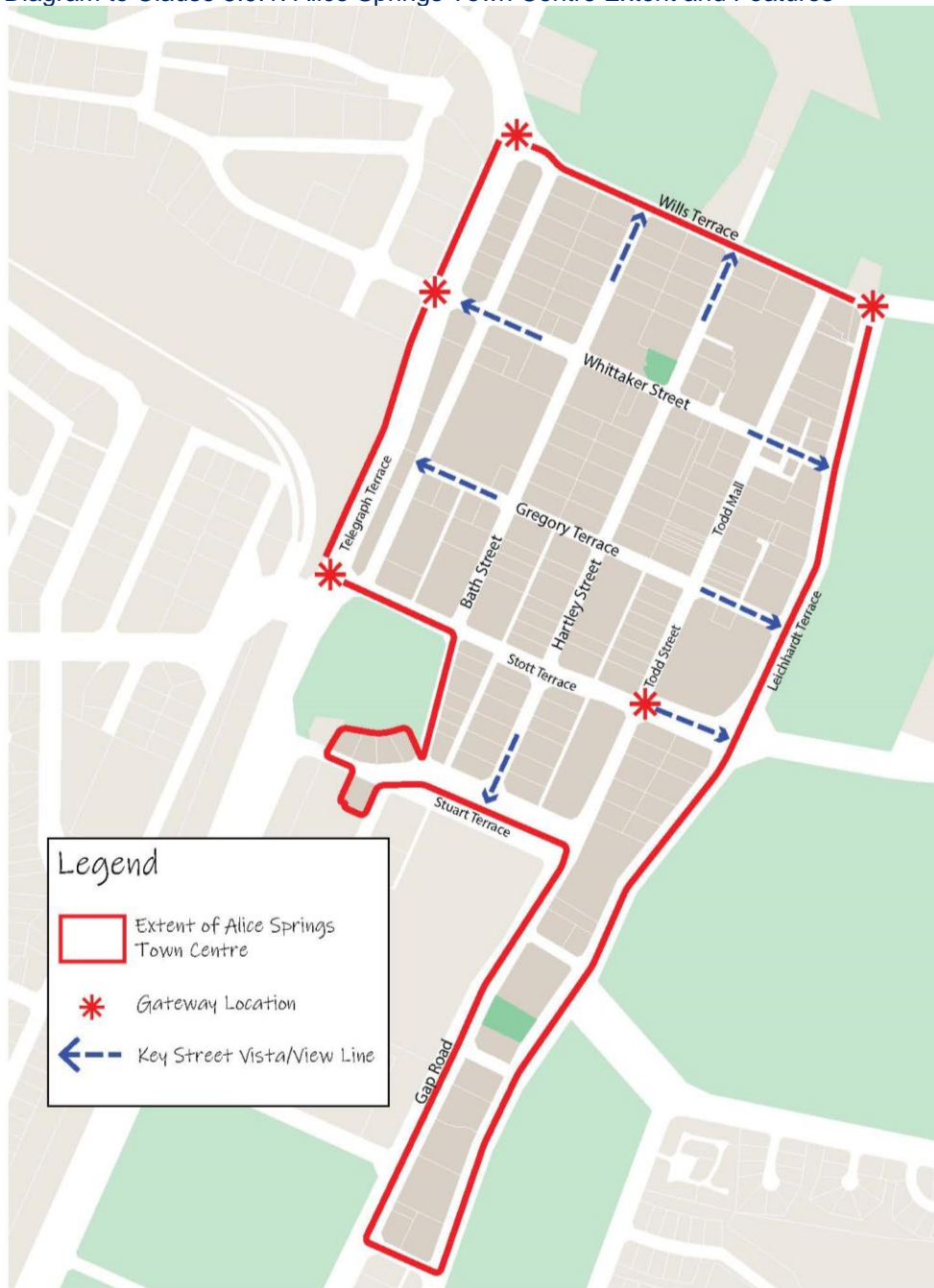
<b>Table to Clause 5.8.7: Demountable Structures</b>		
<b>Lot Boundary</b>	<b>Minimum Setbacks</b>	
	<b>In zones other than CB, C, H, A, R, RL, RR, LI, GI and DV</b>	<b>In zones H, A, RR, R and RL</b>
<b>Primary street</b> frontage	6m	10m <u>or</u> 7.5m in Zones RR and RL for lots with areas less than 1ha
<b>Secondary street</b> frontage	2.5m	10m <u>or</u> 5m in Zones RR and RL for lots with areas less than 1ha
Side and rear lot boundaries	1.5m	10m <u>or</u> 5m in Zones RR and RL for lots with areas less than 1ha
<p><b>Building setback</b> is measured from all boundaries to:</p> <p>The wall of a <b>demountable structure</b>; and</p> <p>Where there is no wall, to the outer surface of any support column of the structure.</p> <p>No part of the roof structure including gutters and eaves, is to encroach more than 0.9m into the minimum <b>building setbacks</b> from the lot boundaries described in the Table to Clause 5.4.3.</p>		

## 5.9 Location Specific Development Requirements

### 5.9.1 Alice Springs Town Centre

1. The diagram to this clause identifies the land to which the requirements of 5.9.1 (Alice Springs Town Centre) apply and key features referred to in the requirements.

Diagram to Clause 5.9.1: Alice Springs Town Centre Extent and Features



### 5.9.1.1 General Building Design

#### Explanation of amendments

The Designing Better project introduces generic urban design requirements relevant to all Zones CB and C.

This clause identifies additional requirements relevant to Alice Springs and includes:

- design related acceptable responses from the Central Alice Springs Area Plan; and
- requirement 8 from clause 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs.

#### Purpose

Promote buildings in the Alice Springs town centre that are designed to support a mix of land uses now and into the future, incorporate appropriate landscaping and features that contribute to a high level of **amenity** of the public realm, provide for a high level of accessibility for pedestrians and cyclists to and within the town centre, and respond sympathetically to the local arid climate, environmental, cultural and heritage features.

This purpose statement reflects additional design requirements relevant to buildings in Alice Springs.

#### Administration

1. This clause applies to land in Zones CB, C and TC within the area included in the Diagram to Clause 5.9.1 (Alice Springs Town Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 7 if it is satisfied that the development is designed to support the ability of ground floor tenancies to adapt to different uses over time.
3. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 8 if it is satisfied there are sufficient existing connections in the immediate locality to facilitate safe and convenient movement between desirable locations.
4. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 9 if it is satisfied that the design contributes to the functionality of the streetscape.
5. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 10-12 if it is satisfied that compliance would be impractical having regard to the location, nature and scale of the use or development and surrounding built form

6. A development application for land in Zone CB is to demonstrate consideration of, and the consent authority is to have regard to, the *Design Guidance for Development in Zone CB (Central Business) in Alice Springs* Guideline.

Reflects Objective 9.1/9.2 – acceptable response vi of the CASAP.

Requirements

7. New residential buildings are to provide a minimum 4m floor to ceiling height to the ground floor.
8. Development is to contribute to the network of safe and pleasant public spaces by:
- (a) facilitating public surveillance and responding to the role and function of adjacent public spaces;
  - (b) creating or maintaining pedestrian and cycle connections to adjacent sites and public transport;
  - (c) encouraging site permeability through the provision of arcades or other pedestrian connections to surrounding thoroughfares; and
  - (d) prioritising legibility and connectivity by incorporating wayfinding to areas and places of interest into building and landscaping design.
9. Any communal facilities, such as bicycle parking and seating, located at the front of the building are to be integrated into the site layout and building design.
10. Development along Leichardt Terrace, particularly between Gregory Terrace and Parsons Street, is to focus al fresco dining and orient balconies towards the Todd River.
11. Development is to maintain and/or creates visual connections from development and public places to:
- (a) Annie Myers Hill;
  - (b) Anzac Hill;
  - (c) Billy Goat Hill; and
  - (d) the Todd River.
12. New development is to respond sympathetically to the historic context provided by adjoining declared **heritage places** and registered and recorded sacred sites.

Reflects Objective 1.1 – acceptable response iii of the CASAP. Note that the 4m requirement is derived from the *Guidance for Development in Zone CB (Central Business) in Alice Springs* Guideline.

Reflects Objective 3.2 – acceptable responses ii & iii, Objective 4.1 – acceptable response ii, & Objective 4.2/4.3 – acceptable responses iv & v.

Reflects Objective 1.2 – acceptable response vii.

Reflects Objective 1.5 – acceptable response i.

Reflects Objective 1.2 – acceptable response v. Note that Annie Myers Hill has been included as per the *Guidance for Development in Zone CB (Central Business) in Alice Springs* Guideline.

Existing Requirement within Clause 5.2.2.3(8) of the Scheme.

### 5.9.1.2 Volumetric Control

#### Explanation of amendments

The requirements in this clause are based on existing clause 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs.

The purpose of the clause reflects the intention of the objectives contained in the reference document - *Design Guidance for development in Zone CB in Alice Springs*.

#### Purpose

Ensure the siting and mass of buildings within the Alice Springs town centre promotes urban form that is of a scale appropriate to the locality, and provides adequate separation to allow:

- (a) preservation of significant view corridors and vistas;
- (b) penetration of daylight into habitable rooms; and
- (c) reasonable privacy for residents.

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.1 (Alice Springs Town Centre Extent and Features).
2. The consent authority must not **consent** to a development that is not in accordance with sub-clauses 3-5.

#### Requirements

3. The podium of a development is to:
  - (a) have a maximum **building height** of 3 **storeys**, up to 14m; and
  - (b) provide a minimum setback of 6m from any **site** boundary, for any verandah, balcony or **habitable room** with a window other than to a street or public open space.
4. The tower of a development is to provide minimum setbacks of
  - (a) 5m from any street boundary; and
  - (b) 6m from any **site** boundary, for any verandah, balcony or **habitable room** with a window other than to a street or public open space.
5. Buildings above 3 **storeys** must:
  - (a) be located on a **site** with a combined area equal to or greater than 2000m<sup>2</sup>; and
  - (b) not obstruct significant view lines identified in the Diagram to Clause 5.9.1 (Alice Springs Town Centre Extent and Features).

Transitioned from requirements in table to clause 5.2.2.3 of the Scheme

Existing Requirement Clause 5.2.2.2(2) of the Scheme.

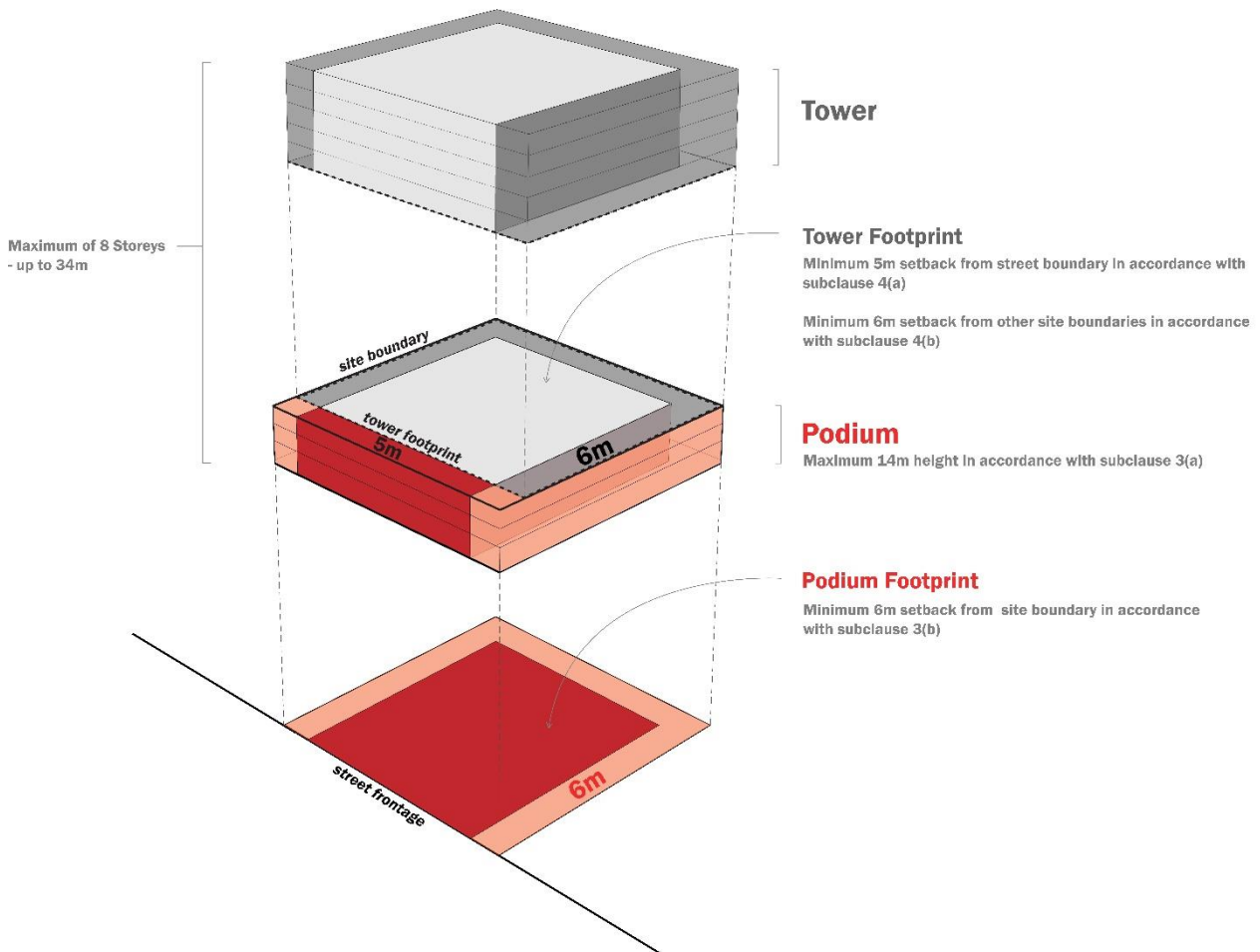


6. An application for development above 3 **storeys** or 14m must provide suitable 3D imaging demonstrating how the building responds to the identified view scapes and significant view lines in the Diagram to Clause 5.9.1 (Alice Springs Town Centre Extent and Features).

Existing Requirement within Clause 5.2.2.2(3) of the Scheme.

**Editor’s Note: Design guidance is provided for significant view lines in the referenced document *Design Guidance for Development in Zone CB (Central Business) in Alice Springs*. 3D electronic files are to be provided in accordance with the *Design Guidance*.**

Diagram to Clause 5.9.1.2: Volumetric Control



### 5.9.1.3 Active Street Frontages in Alice Springs Town Centre

#### Explanation of amendments

The Designing Better Project includes a new clause that establishes generic requirements in relation to activated frontages in Zones CB and C.

This clause establishes additional requirements relevant to the Alice Springs Town Centre which includes the existing requirements from Clause 5.2.3.3(5).

#### Purpose

Promote highly activated commercial frontages within the Alice Springs town centre that encourages pedestrian activity and strengthens the relationship between buildings and the public realm.

#### Administration

1. This clause provides for additional **active street frontage** requirements further to clause 5.5.16 (Active Street Frontage of Commercial and Mixed Use Buildings) in a manner that is appropriate for development in the Alice Springs town centre.
2. The consent authority may **consent** to a development that is not in accordance with sub-clause 3 if it is satisfied that compliance would be impractical due to servicing requirements, and all reasonable effort has been made to minimise the **amenity** impacts of services.

#### Requirements

3. In addition to being in accordance with clause 5.5.16, buildings are to provide a minimum of 75% of the length of the **site** boundary fronting a **primary** or **secondary street**, or public space, as **active street frontage**.

This means that in addition to meeting the requirements of Clause 5.5.16, the extent of activated frontage is to be 75% instead of 60%

### 5.9.1.4 Development in Gateway Locations

#### Explanation of amendments

This new clause transitions development related objective 1.6 of the Central Alice Springs Area Plan into requirements that will inform design and decisions in relation to development in gateway locations in the Darwin city centre.

The map to clause 5.9.1 identifies the Gateway locations subject to these requirements.

This clause provides more detail to support the introduction of Overlay 3.x – Development in Gateway Locations, which requires consent for development of identified gateway locations. The proposed Overlay is included at the end of these LSDR's.

#### Purpose

Ensure that the design of development on prominent corner sites:

- (a) establishes a strong sense of arrival, and respects and enhances the unique characteristics of the locality;
- (b) contributes to the visual appeal of the streetscape; and
- (c) aids wayfinding.

#### Administration

1. This clause applies to any use or development fronting a Gateway Location identified on the Diagram to Clause 5.9.1 (Alice Springs Town Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that the development either:
  - (a) provides a better alternative; or
  - (b) is a short term use or development that will not frustrate the ability for future use and development to maximise the development potential of the **site**.

#### Requirements

3. Development is to provide one or more of the following design elements:
  - (a) an increased building height, up to the limit prescribed by Clause 5.2.1 (General Height Control);
  - (b) varied roof sections, raised parapets and spires;
  - (c) signage incorporated into the building design; or
  - (d) public art.
 Parapets, spires, roof sections or other architectural embellishments may be up to 1 **storey** above the limit prescribed by Clause 5.2.1 (General Height Control).

This requirement reflects Objective 1.6 – acceptable response i

5.9.1.5 Design of car parking areas and vehicle access in Zone CB

**Explanation of amendments**

This new clause amalgamates existing car parking design requirements from clause 5.2.2.3 Building Design Requirements within Zone CB in Alice Springs with car parking objectives and acceptable responses related to car parking from the Central Alice Springs Area Plan.

Purpose

Promote design of car parking, vehicle access points and onsite movement that:

- (a) minimise visual impact to the street and other public areas,
- (b) minimise impacts to pedestrian and cyclist movement,
- (c) is easily adapted to meet changing demand.

Administration

1. This clause applies to the design of car parking, vehicle access points and onsite vehicle movement for new buildings, and the establishment of new car parking areas in Zone CB.
2. The consent authority may **consent** to a development that is not in accordance with sub-clauses 3-8 if it is satisfied the use or development is appropriate to the **site** having regard to the potential impacts on the surrounding road network and the **amenity** of the locality.

Requirements

3. **Ground level car parking areas** are to be designed so that they are not visible from the street or public spaces.
4. Floors constructed as car parking in mixed use buildings are to have level surfaces (excluding ramps) and ceiling heights that enable future conversion to commercial or residential use.
5. Vehicle access, parking and loading areas should be consolidated and located away from street frontages.
6. Minimise impacts to key pedestrian and cyclist movements when locating driveways and loading bays
7. Open, ground level car parking areas are to be designed to reduce heat island effects through measures such as tree planting and shade structures.

Existing requirement clause 5.2.2.3(7)

Reflects Objective 1.1 – acceptable response iv

Reflects Objective 15.2 – acceptable response iii

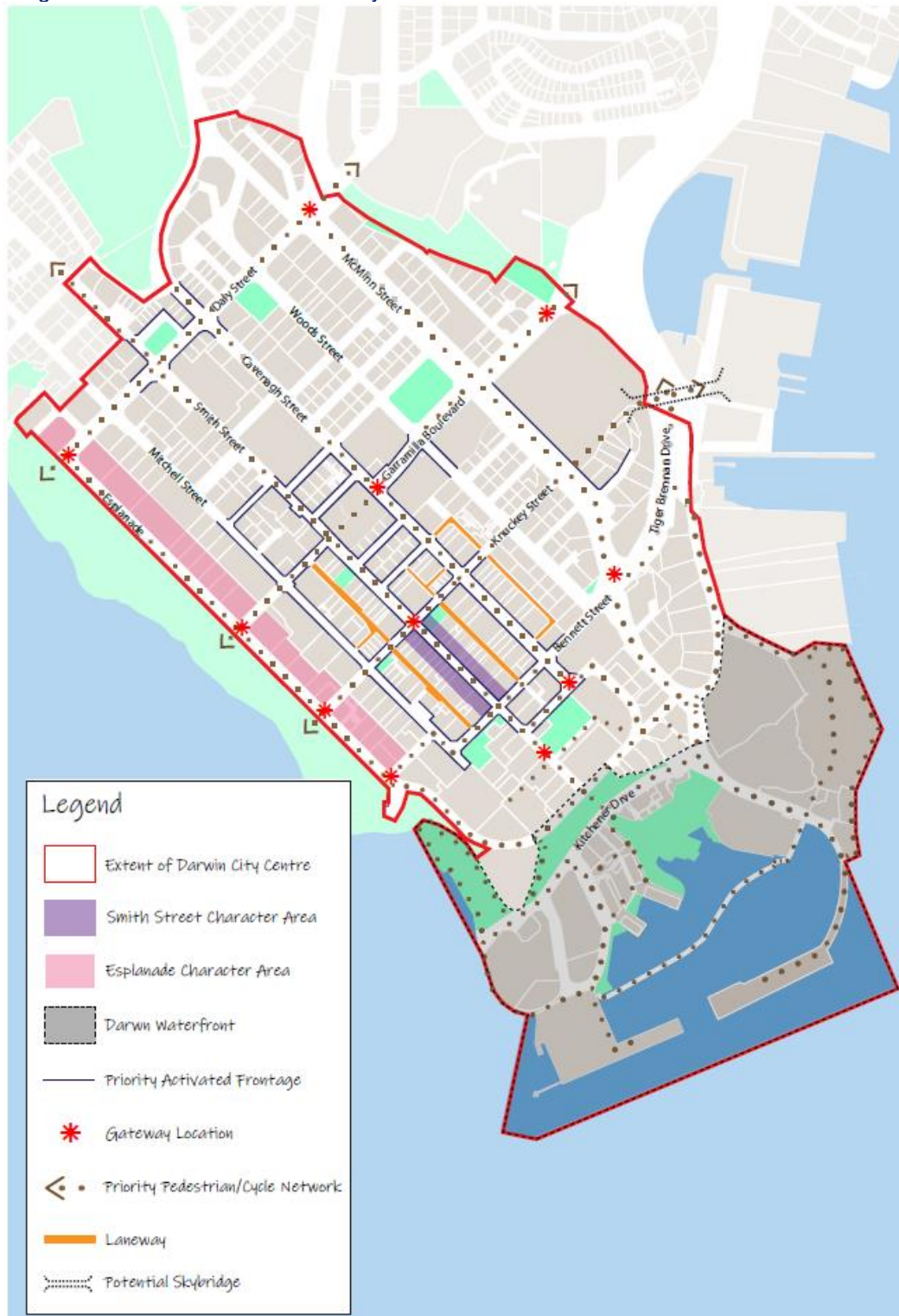
Reflects Objective 4.3 – acceptable response vi

Reflects Objective 15.2 – acceptable response v

### 5.9.2 Darwin City Centre

1. The diagram to this clause identifies the land to which the requirements of the clauses within 5.9.2 (Darwin City Centre) apply, and the key features referred to in the requirements.

Diagram to Clause 5.9.2: Darwin City Centre Extent and Features



### 5.9.2.1 General Building Design

#### Explanation of amendments

The Designing Better Project incorporates some urban design requirements relevant to Central Darwin (existing clause 5.2.3.3) into a generic design clause relevant to Zones CB and C.

This clause identifies additional requirements that are specific to Darwin and include:

- Existing requirements from clause 5.2.3.3 (Urban Design Requirements in Central Darwin) not included in Designing Better; and
- Design related acceptable responses from the Central Darwin Area Plan.

New administration clauses provide enhanced guidance to inform design and decision making.

#### Purpose

Promote buildings in the Darwin city centre that are designed to support a mix of land uses now and in the future, contribute to a high level of **amenity** in the public realm and enable convenient pedestrian and cyclist movement to and across the city centre.

This purpose reflects design requirements specific to buildings in Darwin city centre.

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 6 if it is satisfied that the development is designed to support the ability of ground floor tenancies to adapt to different uses over time.
3. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design contributes to the functionality and visual interest of the streetscape.
4. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 9 if it is satisfied that roof top plant equipment will not be seen from the street and will not unreasonably impact on the visual **amenity** of the public realm.
5. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 10 and 11 if it is satisfied there are sufficient existing connections in the immediate locality to facilitate safe and convenient movement between desirable locations and across the priority pedestrian/cycle network (identified in the Diagram to Clause 5.9.2).



Requirements

6. New residential buildings are to provide a minimum 4m floor to ceiling height to the ground floor.
7. Building facades are to have a clearly distinguished base, middle and top.
8. Any communal facilities, such as bicycle parking and seating, located at the front of the building are to be integrated into the site layout and building design.
9. Any roof top plant and equipment is to be integrated into the building design, and screened from the public realm through planting or façade treatments.
10. Buildings with dual street frontage, excluding corner lots, are to provide mid-block pedestrian linkages (arcades) through the building at **ground level** to connect the two street frontages.
11. Development is to contribute to the network of safe and pleasant public spaces by:
  - (a) facilitating public surveillance and responding to the role and function of adjacent public spaces; and
  - (b) prioritising legibility through the incorporation of wayfinding measures into building and landscaping design to places of interest.

Reflects Objective 2.2 – acceptable response i of CDAP

Existing requirement clause 5.2.3.3 (6c) and (6d)

Reflects Objective 2.6 – acceptable response iv of CDAP

Existing requirement clause 5.2.3.3 (6d)

Revision of existing clause 5.2.3.3 (6b)

Reflects Objective 1.2 – acceptable response ii and Objective 2.6 – acceptable response ii

### 5.9.2.2 Volumetric Control

#### Explanation of amendments

The requirements in this clause come from:

- The existing volumetric control clause 5.2.3.2 (Volumetric Control in Central Darwin); and
- The Smith Street Focus Area from the Central Darwin Area Plan.

New administration clauses provide enhanced guidance to inform design and decision making.

#### Purpose

Ensure the siting and mass of buildings within the Darwin city centre promotes urban form that is of a scale appropriate to the locality, and provides adequate separation to allow:

- (a) potential for view corridors to Darwin Harbour;
- (b) breeze circulation between buildings;
- (c) penetration of daylight into habitable rooms; and
- (d) reasonable privacy for residents.

Purpose statement based on existing purpose statement in clause 5.3.3.2

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. In this clause:
  - (a) the Smith Street Character Area is identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features); and
  - (b) the podium and tower components of a building are illustrated in the diagram to this clause.
3. The consent authority may **consent** to a development, excluding development located within the Smith Street Character Area, that is not in accordance with sub-clauses 5 and 6 if it is satisfied the development:
  - (a) is appropriate to the location considering the scale of the development and surrounding built form; and
  - (b) will not unreasonably restrict the future development of adjoining **sites**.
4. The consent authority may **consent** to a development within the Smith Street Character Area that is not in accordance with sub-clauses 5-7 if it is satisfied that the development:
  - (a) provides adequate separation to neighbouring buildings and will not unreasonably restrict the future development of adjoining **sites**;



- (b) responds to the existing street front building heights; and
- (c) provides an equivalent or better outcome to maintain a human scale at street level.

**Requirements**

5. The podium of a development is to:
- (a) have a maximum height of 25m, excluding any plant, equipment, aerials, **outbuildings** or visually permeable balustrades; and
  - (b) provide a minimum setback of 6m from any **site** boundary, for any verandah, balcony or **habitable room** with a window other than to a street or public open space.

Existing requirement in the diagram to clause 5.2.3.2(3)

6. The tower of a development is to:
- (a) have a footprint that covers a maximum of 56% of the **site** area, to a maximum of 1200m<sup>2</sup> in any single tower;
  - (b) have the length of each side of the tower be no more than 75% of the length of the adjacent boundary; and
  - (c) provide minimum setbacks of:
    - i. 6m from any site boundary; and
    - ii. 12m between towers on the same site.

Existing requirement in the diagram to clause 5.2.3.2(3)

7. Despite sub-clauses 5 and 6, development within the Smith Street Mall Area may instead be designed so that:
- (a) the podium height is reduced below 25m; and
  - (b) the tower is setback a minimum of 3m from all street boundaries; and
  - (c) the total volume of the tower section that is not in accordance with sub-clause 6 does not exceed the theoretical podium volume that is lost by reducing the height of the podium below 25m.

Reflects Objective 8.2/8.3 – acceptable response iv

Diagram A to Clause 5.9.2.2: Volumetric Control in Darwin City Centre

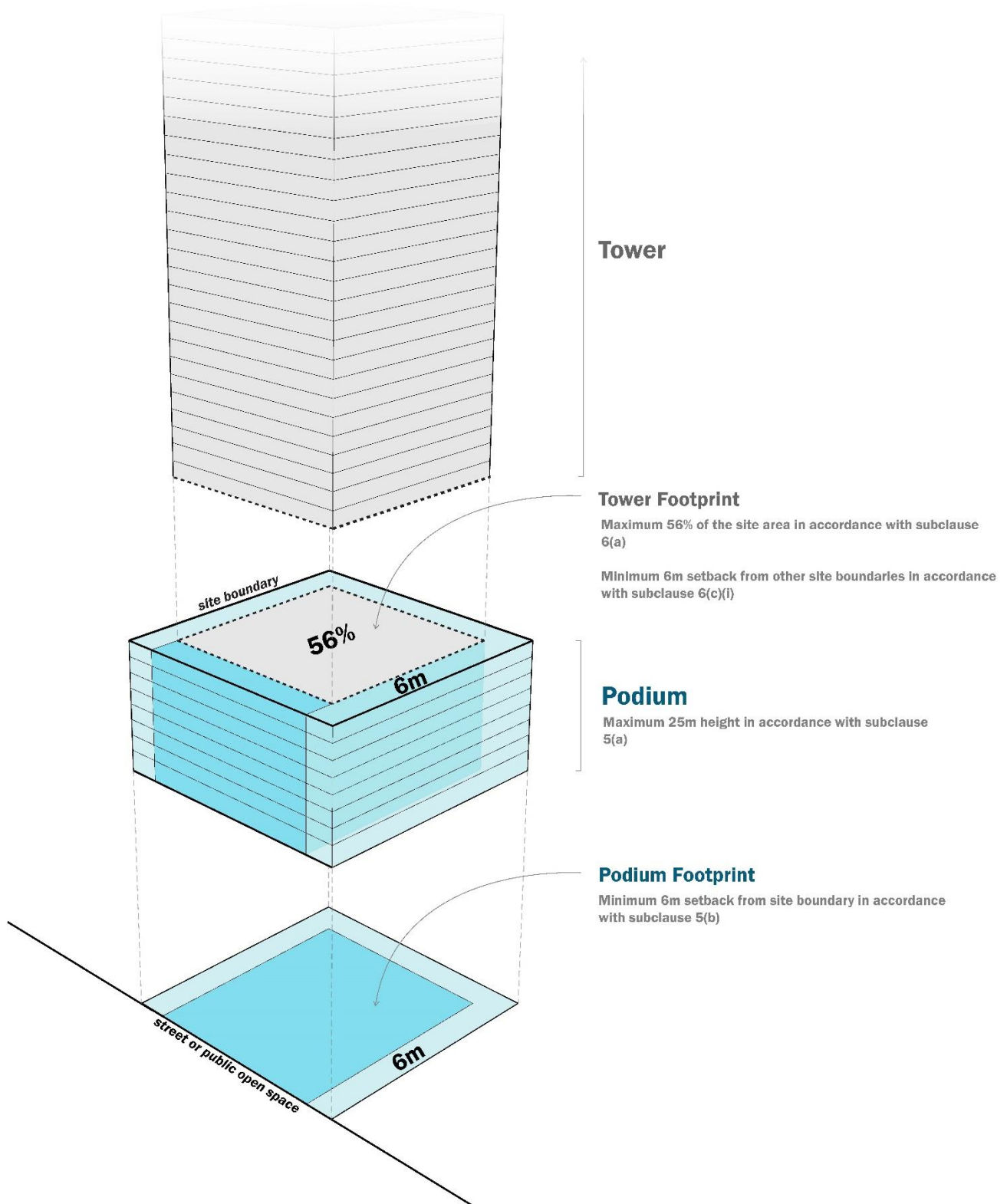
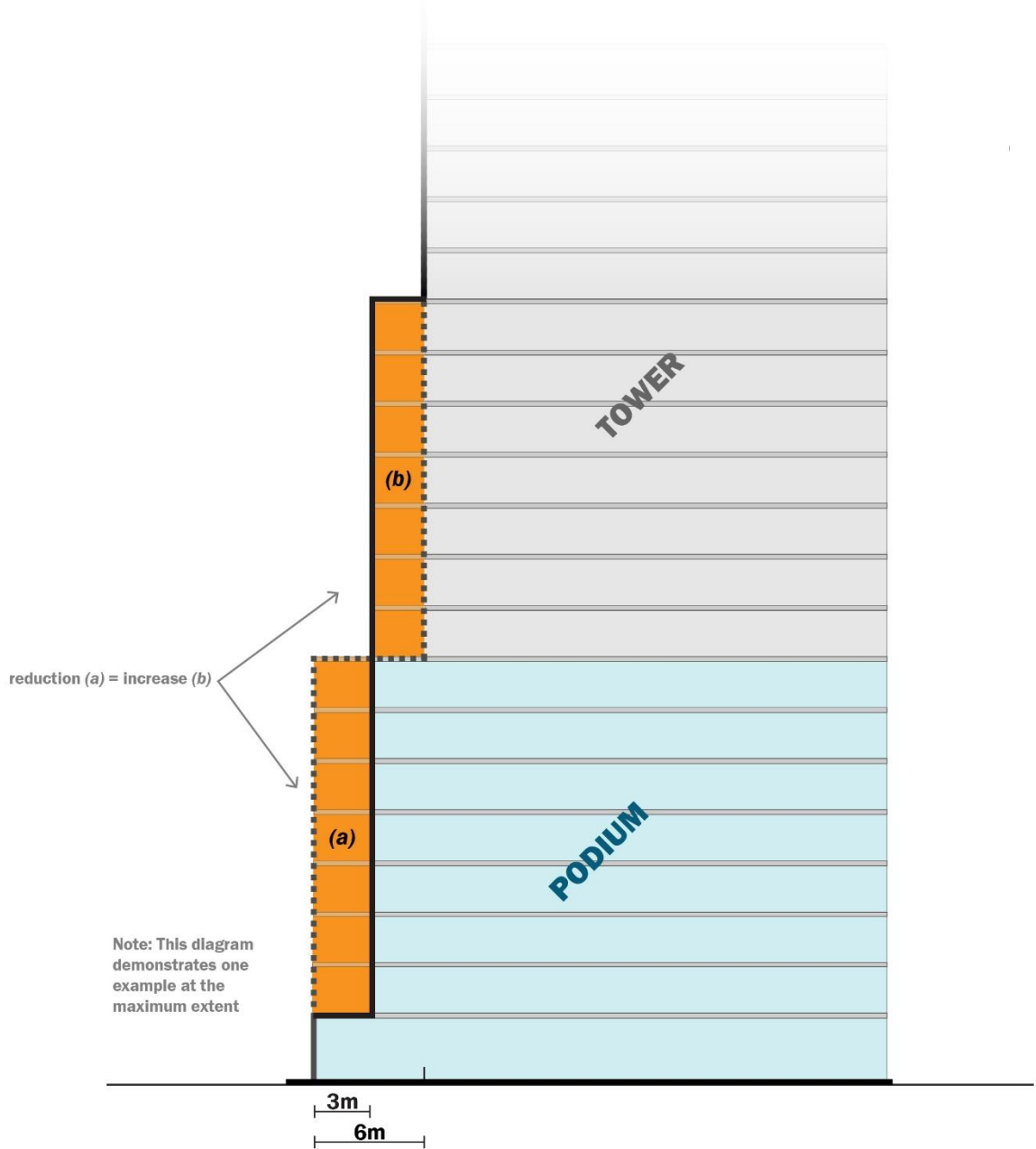


Diagram B to Clause 5.9.2.2: Volumetric Control - Smith Street Mall Alternative.



### 5.9.2.3 Building Height in the Esplanade Character Area

#### Explanation of amendments

This clause is a direct translation from the existing clause 5.2.3.1 (Building Heights in the Esplanade Character Area).

Requirement 6 in clause 5.2.3.1 is now identified as administration clause 3 in this clause to recognise its role in informing design and decision making.

#### Purpose

Ensure that the height of buildings within the Esplanade Character Area optimise opportunities for harbour views, and deliver high quality built form outcomes appropriate for development that fronts Bicentennial Park and the Darwin Harbour.

#### Administration

1. In this clause, the Esplanade Character Area is identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features);
2. The consent authority may **consent** to a development that is not in accordance with sub-clauses 4 or 5 if it is satisfied that the development demonstrates an exemplary response to building bulk, scale, street interface and on-site landscaping that provides an equivalent or higher standard of urban **amenity** than compliance with sub-clauses 5(a)-(f).
3. An application for a development under sub-clause 5 must include a site analysis and urban design study prepared by appropriately qualified professionals that demonstrate that the proposed development responds to the attributes of the site and the surrounding neighbourhoods, to the satisfaction of the consent authority.

#### Requirements

4. A building within the Esplanade Character Area is to have a maximum building height of 55m, including any plant, equipment or aerials.
5. Despite sub-clause 4, development within the Esplanade Character Area may have a building height above 55m if designed so that the development:
  - (a) provides podiums to a reduced height of 15m, or 4 **storeys** (i.e. lower than the maximum permitted height of 25m);
  - (b) provides tower elements which promote the visual separation between buildings, i.e. slender tower forms;

- (c) provides activated facades and/or habitable rooms to podiums with street frontage;
- (d) does not provide ground floor car parking or a car parking area that is visible from the street;
- (e) does not provide impermeable fencing within the front setback; and
- (f) provides deep soil planting zone(s) and generous landscaping within a setback area(s).

### 5.9.2.4 Development within the Darwin Waterfront

#### Explanation of amendments

This new clause transitions development related objectives and outcomes from the Darwin Waterfront Focus Area (Focus Area B) within the CDAP into requirements.

#### Purpose

Ensure that design and scale of development within the Darwin Waterfront responds to and respects the established role, character and constraints of the waterfront area and the surrounding escarpment.

#### Administration

1. This clause applies to the use and development of land within the Darwin Waterfront identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority may **consent** to a development that is not in accordance with sub-clause 4 if it is satisfied the application demonstrates that there is no increased risk from storm surge to people and property, including adjoining property.
3. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 5 and 6 if it is satisfied:
  - (a) the scale of the development is consistent with the intended built form and character of the waterfront area; and
  - (b) the development will not unreasonably restrict the future development of adjoining **sites**.

#### Requirements

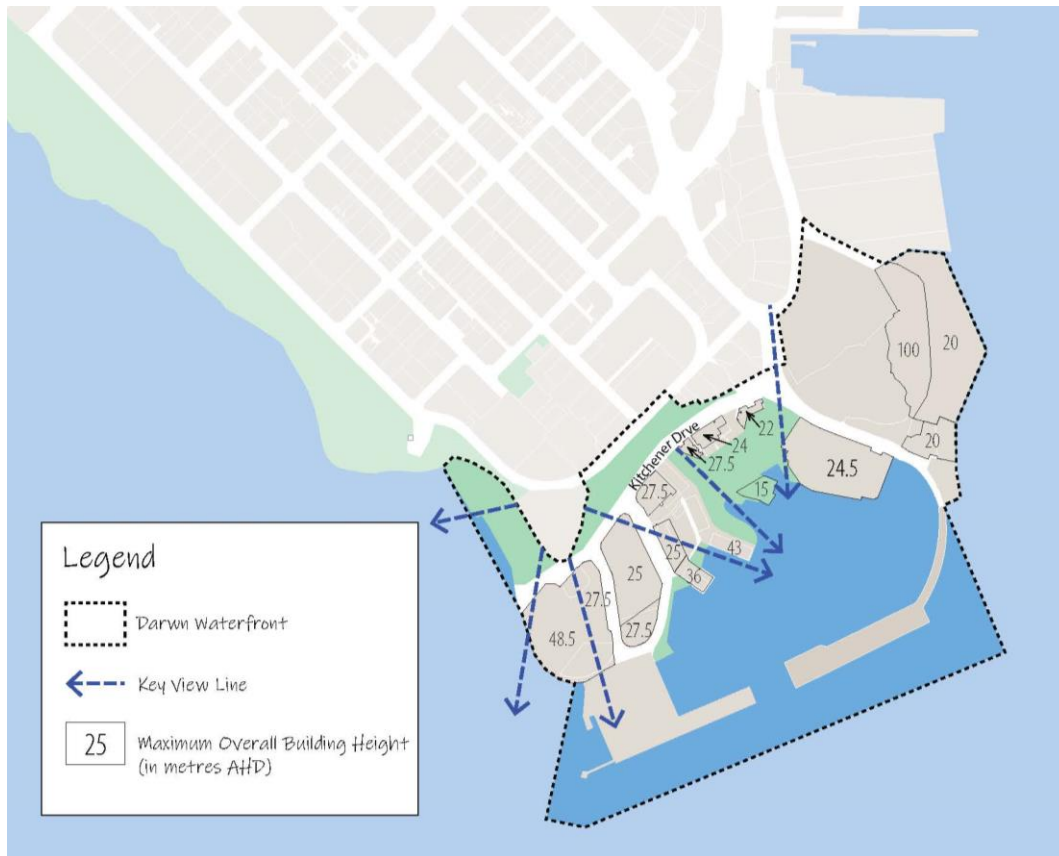
4. The lowest floors (commercial and residential) within the development are to be sited at a minimum of 6.5m AHD.
5. Development does not obstruct view lines identified in the Diagram to this clause.
6. **Building height** does not exceed the height identified on the Diagram to this clause.

Reflects Objective 12.6/12.7 – acceptable response i (b) of CDAP

Reflects Objective 12.5 – acceptable response ii of CDAP

Reflects Objective 12.4 – acceptable response iv and v of CDAP

Diagram to Clause 5.9.2.10: Darwin Waterfront Building Heights and View Lines



### 5.9.2.5 Development along Priority Activated Frontages

#### Explanation of amendments

The Designing Better Project includes a new clause that establishes generic requirements in relation to activated frontages in Zones CB and C.

This clause establishes additional requirements relevant to the Darwin city centre and includes:

- Existing requirements from Clause 5.2.3.3(5), and
- Objective 2.3 of the CDAP.

The extent of the 'priority activated frontage' identified on the map to clause 5.9.2 reflect the activated frontages identified on the Residential and Mixed Use map on page 16 of the CDAP.

#### Purpose

Prioritise active frontage along key streets in the Darwin city centre to encourage pedestrian activity and strengthen the relationship between buildings and the public realm.

#### Administration

1. This clause provides for additional **active street frontage** requirements further to clause 5.5.16 (Active Street Frontage of Commercial and Mixed Use Buildings) in a manner that is appropriate for development in Darwin city centre.
2. 'Priority activated frontages' are identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
3. The consent authority may **consent** to a development that is not in accordance with sub-clauses 4 if it is satisfied that compliance would be impractical due to servicing requirements, and all reasonable effort has been made to:
  - (a) maximise the **active street frontage** on 'priority activated frontages'; and
  - (b) minimise the **amenity** impacts of services.

This references the proposed Designing Better clause

#### Requirements

4. Where a **site boundary** is located on a street identified as 'priority activated frontage', in addition to being in accordance with Clause 5.5.16, the development is to provide a minimum of 75% of the length of that **site boundary at ground level as active street frontage**.

This means that in addition to meeting the requirements of Clause 5.5.16, the extent of activated frontage is to be 75% instead of 60% (where identified on the map to this clause)

**Editor's Note: clause 5.5.6 (Active Street Frontage of Commercial and Mixed Use Buildings in Zones CB and C) provides information on active street frontage for buildings in other areas.**



5.9.2.6 Development Fronting Laneways

**Explanation of amendments**

This new clause transitions design related objectives and outcomes relevant to laneways from the Central Darwin Area Plan into requirements.

The map to clause 5.9.2 identifies the Laneways subject to these requirements.

**Purpose**

Ensure that new developments enhance the use of laneways as shared spaces, are functional for commercial loading and servicing requirements, are safe for pedestrians, and contribute to the overall **amenity** of the laneway.

This purpose is based on Objective 2.12 within the CDAP

**Administration**

1. This clause applies to any development with frontage to an existing laneway identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features), or any development that proposes establishment of a new laneway.
2. The consent authority may **consent** to a development that is not in accordance with sub-clauses 3-5 if it is satisfied that compliance would be impractical with regard to the scale, nature and location of the development, and it is satisfied that the development provides an alternative response that is consistent with the intent of the requirements.

**Requirements**

3. Windows and balconies are to be provided to levels above the ground floor that overlook laneways, excluding levels used as car parking which are designed to facilitate passive surveillance of the laneway.
4. Facades of buildings fronting laneways are to provide visual and architectural interest.
5. Development is to facilitate pedestrian movement across the laneway to adjoining arcades in a manner that is safe, attractive and distinct.

Reflects Objective 2.12 - acceptable response i

Reflects Objective 2.12 - acceptable response ii

Reflects Objective 6.3 - acceptable response ii

### 5.9.2.7 Development along the Priority Pedestrian and Cycle Network

#### Explanation of amendments

This new clause transitions design related objectives and outcomes relevant to the pedestrian and cycle network identified in the Central Darwin Area Plan into requirements.

The map to clause 5.9.2 identifies the priority pedestrian and cycle network referenced in these requirements.

#### Purpose

Encourage safe and convenient pedestrian and cyclist movement to and across the Darwin city centre.

#### Administration

1. This clause applies to any use or development fronting the priority pedestrian/cycle network identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority must not **consent** to a use or development that is not in accordance with sub-clauses 3-5.

#### Requirements

3. Pedestrian and cycle links within a **site** are to be connected to the existing and future priority pedestrian/cycle network, identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
4. Any pedestrian or cycle links or facilities provided within a **site** are to be well lit.
5. Use or development is not to impede the future connection between the priority pedestrian cycle network and Frances Bay via a sky bridge.

Reflects Objective  
2.6 – acceptable  
response ii

Reflects Objective  
6.3 – acceptable  
response i

Reflects Objective  
9.3 – acceptable  
response ii

### 5.9.2.8 Development in Gateway Locations

#### Explanation of amendments

This new clause transitions development related objective 2.10 of the Central Darwin Area plan into requirements that will inform design and decisions in relation to development in gateway locations in the Darwin city centre.

The map to clause 5.9.2 identifies the Gateway locations subject to these requirements.

This clause provides more detail to support the introduction of Overlay 3.x – Development in Gateway Locations, which requires consent for development of identified gateway locations. The proposed Overlay is included at the end of these LSDR's.

#### Purpose

Ensure that the design of development on prominent corner **sites**:

- (a) establishes a strong sense of arrival, and respects and enhances the unique characteristics of the locality;
- (b) contributes to the visual appeal of the streetscape; and
- (c) aids wayfinding.

This purpose statement is based of Objective 2.10

#### Administration

1. This clause applies to any use or development fronting a Gateway Location identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that the development either:
  - (a) provides a better alternative; or
  - (b) is a short term use or development that will not frustrate the ability for future use and development to maximise the development potential of the **site**.

#### Requirements

3. Development is to provide one or more of the following design elements such as:
  - (a) an increased building height of at least one **storey** compared to adjacent buildings;
  - (b) varied roof sections, raised parapets and spires;
  - (c) signage incorporated into the building design; or
  - (d) public art.

This requirement reflects Objective 2.10 – acceptable response ii

### 5.9.2.9 Public Realm Contributions for Development on Large Sites

#### Explanation of amendments

This new clause transitions Objective 3.3 from the Central Darwin Area Plan into requirements. As with the objective from the area plan, these requirements are relevant to the establishment of new and enhanced public spaces in association with the development of large sites.

The requirement at subclause 3 for an area equivalent to 10% of the site to be publicly available establishes a quantifiable parameter noting that subclause 2 identifies criteria that will inform decisions in relation to variations of this requirement.

#### Purpose

Encourage development on large sites that supports the public realm by contributing to an integrated, high-quality network of public spaces, recreation facilities and places for wildlife.

This purpose statement is based on Objective 3.3 of the CDAP

#### Administration

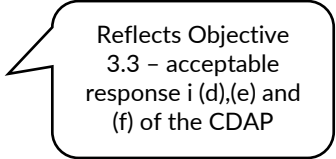
1. This clause applies to the development or redevelopment of a **site** of 3500m<sup>2</sup> or more within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority may **consent** to development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that:
  - (a) the development provides an alternative provision of publically accessible open space that is appropriate to the **site**, having regard to the locality and scale of the development; or
  - (b) the application provides an equivalent contribution to publically accessible open space outside of the subject **site**.

#### Requirements

3. A minimum of 10% of the **site** area is to be provided as publically accessible open space that is designed to:
  - (a) incorporate park furniture, display of art, lighting, shade structures and landscaping and interpretive information where appropriate;
  - (b) support a variety of passive uses, and active recreation and events, including:
    - i. recreation;
    - ii. fitness;
    - iii. play; and
    - iv. cultural and artistic functions; and
  - (c) enable effective stormwater management.

Reflects Objective 3.3 – acceptable response i and ii of the CDAP

4. The open space provided under sub-clause 3 is to integrate and connect with:
- (a) existing and future cycle and pedestrian networks;
  - (b) sites of significant natural, cultural or heritage value; and
  - (c) habitats, wildlife corridors and public greenspaces from adjoining **sites**.



Reflects Objective 3.3 – acceptable response i (d),(e) and (f) of the CDAP

### 5.9.2.10 Alfresco Dining Areas

#### Explanation of amendments

This clause relocates existing clause 5.5.6 (Alfresco Dining in Zone CB in Darwin).

#### Purpose

Provide for the establishment of **alfresco dining areas** that contribute positively to the **amenity**, safety and activation of streets in the Darwin's Central Business area.

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. An **alfresco dining area** may be established without **consent** if it complies with sub-clause 4.
3. Where the **alfresco dining area** does not comply with sub-clause 4, the use or development is subject to the assessment requirements set out in the relevant assessment table for the zone.

#### Requirements

4. An **alfresco dining area** may occur as a *Permitted* development only if it:
  - (a) is located at **ground level**;
  - (b) is permanently open along at least two sides;
  - (c) has open sides that are at least of equal length to the sides bounded by a wall or the like;
  - (d) is associated with a lawfully established use;
  - (e) does not constrain the function or reduce the number of any on-site **car parking spaces, loading bays** or **ancillary** manoeuvring spaces; and
  - (f) does not involve development adjacent to a tree within a road reserve or park, or has written agreement from the relevant authority to indicate that the development will not adversely impact on either the root system or branches of a tree within the road reserve.

### 5.9.2.11 Car parking spaces in Darwin City Centre

#### Explanation of amendments

Clause 5.2.4.1 (Car Parking Spaces) establishes parking requirements relevant to all uses and development with separate requirements for uses within Zone CB in Darwin and clause 5.2.4.3 (Reduction in Parking Requirements in Zone CB in Darwin).

The introduction of Location Specific Development Requirements creates the opportunity to collocate all requirements relevant to a particular area.

This clause and the next relocate the requirements relevant to Zone CB in Darwin to new clauses within the Location Specific Development Requirements.

#### Purpose

Ensure that sufficient off-street car parking spaces, constructed to a standard and conveniently located, are provided to service the proposed use of a **site**.

#### Administration

1. This requirement overrides general car parking space requirements under general clause 5.2.4.1 (Car parking spaces) within the extent of the Darwin City Centre identified in Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 5 as set out in clause 5.9.2.12 (Reduction in car parking spaces in Darwin City Centre).
3. An **alfresco dining area** on a site located along priority activated frontages identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features) may result in the loss of up to 25 ground level car parking spaces associated with any existing development without requiring replacement **car parking spaces**. However, a change of use from an **alfresco dining area** (including the provision of air conditioning) will result in the new use being subject to full car parking space requirements of this clause.
4. The consent authority may require the provision of **car parking spaces** for any **ancillary** use or development in addition to that specified for the **primary use** or development in the table to this clause.

#### Requirements

5. Use and development is to include the minimum number of **car parking spaces** specified in the table to this clause (rounded up to the next whole number).

Table to Clause 5.9.2.11: Minimum number of required parking spaces in Central Darwin	
Use or development	Minimum number of required car parking spaces
Bar-public	2 for every 100m <sup>2</sup> of <i>net floor area</i> , excluding <i>alfresco dining areas</i>
Bar-small	2 for every 100m <sup>2</sup> of <i>net floor area</i> , excluding <i>alfresco dining areas</i>
Car wash	2 for every 100m <sup>2</sup> of <i>net floor area</i> used for administrative purposes or 5 whichever is greater Plus 1 waiting bay for each car wash / vacuum bay
Child care centre	2 for every 100m <sup>2</sup> of <i>net floor area</i>
Club	2 for every 100m <sup>2</sup> of <i>net floor area</i> *  *Only 1 <i>car parking space</i> where a building has a <i>net floor area</i> of up to 500m <sup>2</sup> .
Community centre	2 for every 100m <sup>2</sup> of <i>net floor area</i>
Dwelling-caretakers	1
Dwelling-community residence	1 for every 4 beds Plus 2 for every 100m <sup>2</sup> of <i>net floor area</i> used for administrative purposes
Dwelling-group	1 per one bedroom <i>dwelling</i> 1.5 per two bedroom <i>dwelling</i> 1.7 per three bedroom <i>dwelling</i> 2 per <i>dwelling</i> with four or more bedrooms
Dwelling-independent	1 per bedroom to a maximum of 2
Dwelling-multiple	1 per bed-sitter and one bedroom <i>dwelling</i> 1.5 per two bedroom <i>dwelling</i> 1.7 per three bedroom <i>dwelling</i> 2 per <i>dwelling</i> with four or more bedrooms
Dwelling-single	2
Emergency services facility	2 for every 100m <sup>2</sup> of <i>net floor area</i>
Education establishment	2 for every 100m <sup>2</sup> of <i>net floor area</i>
Exhibition centre	2 for every 100m <sup>2</sup> of <i>net floor area</i>
Food premises (all)	2 for every 100m <sup>2</sup> of <i>net floor area</i> *  *Only 1 <i>car parking space</i> where a building has a <i>net floor area</i> of up to 500m <sup>2</sup> .



Table to Clause 5.9.2.11: Minimum number of required parking spaces in Central Darwin	
Use or development	Minimum number of required car parking spaces
<b>Hospital</b>	1 for every 4 patient beds <u>Plus</u> 2 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes <u>Plus</u> For a medical clinic 2.5 for every consulting room
<b>Hotel/Motel</b>	0.4 for every guest suite or bedroom <u>Plus</u> 2 for every 100m <sup>2</sup> of <b>net floor area</b> of all other areas
<b>Leisure and recreation</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b> *  *Only 1 <b>car parking space</b> where a building has a <b>net floor area</b> of up to 500m <sup>2</sup> .
<b>Market</b>	1.5 per maximum number of stalls (may be existing <b>car parking spaces</b> in the vicinity of the market site)
<b>Medical clinic</b>	2.5 for every consulting room
<b>Motor body works</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Motor repair station</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Nightclub entertainment venue</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Office</b> (not elsewhere referred to in this table)	2 for every 100m <sup>2</sup> of <b>net floor area</b> *  *Only 1 <b>car parking space</b> where a building has a <b>net floor area</b> of up to 500m <sup>2</sup> .
<b>Passenger terminal</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Place of assembly</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Place of worship</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b>
<b>Plant nursery</b>	2 for every 100m <sup>2</sup> of <b>net floor area</b> <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor nursery
<b>Residential care facility</b>	1 for every 4 beds <u>Plus</u> 2 for every 100m <sup>2</sup> of <b>net floor area</b> used for administrative purposes
<b>Rooming accommodation</b>	1 for every 15 persons <u>Plus</u> 1 for every staff member <u>Plus</u> 1

<b>Table to Clause 5.9.2.11: Minimum number of required parking spaces in Central Darwin</b>	
<b>Use or development</b>	<b>Minimum number of required car parking spaces</b>
<b>Serviced apartment</b>	1 for every <i>dwelling</i> <u>Plus</u> 3 for every 100m <sup>2</sup> of <i>net floor area</i> not within a <i>dwelling</i>
<b>Service station</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i> or 5 whichever is greater (not including parking serving bowsers)
<b>Sex services-commercial premises</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i> *  *Only 1 <i>car parking space</i> required where a building has a <i>net floor area</i> of up to 500m <sup>2</sup> .
<b>Shop</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Shopping centre</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Showroom sales</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i> <u>Plus</u> 1 for every 250m <sup>2</sup> used as outdoor storage
<b>Telecommunications facility</b>	1
<b>Vehicle sales and hire</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i> of office <u>Plus</u> 1 for every 200m <sup>2</sup> used for vehicle display
<b>Veterinary clinic</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Warehouse</b>	2 for every 100m <sup>2</sup> of <i>net floor area</i>
<b>Any other uses</b>	Minimum number of <i>car parking spaces</i> to be determined by the consent authority

### 5.9.2.12 Reduction in car parking spaces in Darwin City Centre

#### Purpose

Provide for a use or development with fewer **car parking spaces** than required by clause 5.9.2.11 (Car parking spaces in Darwin City Centre).

#### Administration

1. The consent authority may **consent** to:
  - (a) a reduction of 1 **car parking space** for every 3 motorcycle parking spaces proposed for a use or development, but only to a maximum of 1 motorcycle parking space for every 25 (or more) **car parking spaces** required by clause 5.2.4.1 (Parking Requirements); and
  - (b) for any bicycle spaces proposed for a use or development in excess of those required by the table to clause 5.3.7 (End of trip facilities in Zones HR, CB, C, SC and C), a reduction of 1 **car parking space** for every 10 excess bicycle parking spaces are appropriate in function and number for the use of the building, up to 2% of the number of **car parking spaces** required by clause 5.2.4.1 (Parking Requirements).
2. The consent authority may also **consent** to a use or development with fewer **car parking spaces** than required by Clause 5.9.2.11 (Car parking spaces in Darwin City Centre), in accordance with the table to this clause.
3. In using the table to this clause to calculate a reduction, only one reduction percentage is permitted per category.

#### Requirements

4. An application to reduce car parking requirements through the inclusion of vertical landscaping under category 3 of the table to this clause must demonstrate:
  - (a) vertical landscaping (such as green walls, living walls or vertical gardens) that is fully vegetated, well-integrated with the overall building design and publically visible on the external building façade(s) fronting key pedestrian thoroughfares, major public spaces and/or main entrance areas;
  - (b) the suitability of the plants to be used in the landscaping;
  - (c) sufficient soil depth to accommodate the proposed types of plants;
  - (d) how the landscaping will be practically maintained for the lifetime of the development; and
  - (e) suitable management of drainage.

Table to Clause 5.2.4.3: Reduction in Parking Requirements within Zone CB in Darwin		
Category		Reduction permitted
1	Access to alternative transport options	
(a)	The development is located within 200m walking distance of a public bus stop that provides <b>access</b> to: five or more bus routes; or a bus route with a minimum 15 minute frequency during morning and afternoon peak hours Monday to Friday.	15%
(b)	The development is located within 400m walking distance of a public bus stop that provides <b>access</b> to: five or more bus routes; or+ a bus route with a minimum 15 minute frequency during morning and afternoon peak hours Monday to Friday.	10%
(c)	The development is located within 200m of a dedicated off-road bicycle path or on-road bicycle lane.	5%
2	Use of shared parking areas / proximity to public car parking	
(a)	The development consists of two or more uses that have different day / night peak parking times and these uses share a <b>car parking area</b> on the <b>site</b> .	10% This reduction applies to <b>non-residential</b> uses only.
(b)	The development is within 200m walking distance of an existing, publically accessible <b>car park</b> with a combined total of 100 <b>car parking spaces</b> or more.	10%
(c)	The development is within 400m walking distance of an existing, publically accessible <b>car park</b> with a combined total of 100 <b>car parking spaces</b> or more.	5%
3	Inclusion of vertical landscaping	
(a)	Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 75% or more of the <b>site</b> area.	25%
(b)	Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 50-75% of the <b>site</b> area.	20%
(c)	Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 25-50% of the <b>site</b> area.	15%
(d)	Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 10-25% of the <b>site</b> area.	10%
4	Improved car parking design outcomes	
(a)	All car parking on the <b>site</b> is provided in an underground parking area	20%
5	Preservation of a heritage place	
(a)	the use or development relates to a <b>heritage place</b> and the Minister responsible for the administration of the <i>Heritage Act 2011</i> supports the reduced provision of car parking spaces in the interest of preserving the significance of the <b>heritage place</b> .	As determined by the consent authority, taking into account advice received from the Minister responsible for the administration of the <i>Heritage Act 2011</i> .

### 5.9.2.13 Design of Car Parking Areas and Vehicle Access

#### Explanation of amendments

This new clause amalgamates existing car parking design requirements from clause 5.2.3.3 (Urban Design Requirements in Central Darwin) with Objectives and acceptable responses related to car parking from the Central Darwin Area Plan.

#### Purpose

Promote design of car parking, vehicle access points and onsite movement that:

- (a) is easily adapted to meet changing demand;
- (b) minimises visual impact to the street and other public areas; and
- (c) minimises impacts to pedestrian and cyclist movement.

#### Administration

1. This clause applies to the design of car parking, vehicle access points and onsite vehicle movement for new buildings, and the establishment of new car parking areas in Zone CB.
2. The consent authority may **consent** to a development that is not in accordance with sub-clauses 3-8 if it is satisfied the use or development is appropriate to the **site** having regard to the potential impact on the surrounding road network and the **amenity** of the locality.

#### Requirements

3. Ground level car parking areas in buildings are limited to the number of car parking spaces required for ground level retail tenancies.
4. All car parking spaces are to be screened so that they are not visible from the street or public spaces.
5. Floors constructed as car parking in mixed use buildings are to have level surfaces (excluding ramps) and ceiling heights that enable future conversion to commercial or residential use.
6. Vehicle access, parking and loading areas are to be consolidated and located away from street frontages.
7. Entry and access from a car parking area is to be from the lowest order vehicle access way. In order of priority, access should be from:
  - (a) a laneway;
  - (b) a secondary street; or
  - (c) a primary street only if no other access is possible.

Exiting requirement from Clause 5.2.3.3 (7)

Exiting requirement from Clause 5.2.3.3 (8)

Reflects Objective 2.2 – acceptable response ii of the CDAP

Reflects Objective 2.8 – acceptable response i of the CDAP

Reflects Objective 2.8 – acceptable response ii of the CDAP

8. The location and design of vehicle access, parking and loading areas on the site is to minimise the number and widths of crossovers.

Reflects Objective  
2.8 – acceptable  
response iv of the  
CDAP

### 5.9.3 Palmerston City Centre

1. The diagram to this clause identifies the land to which the requirements of the clauses within 5.9.3 (Palmerston City Centre) apply and key features referred to in the requirements.

Diagram to Clause 5.9.3: Palmerston City Centre Extent and Features



### 5.9.3.1 General Building Design

#### Explanation of amendments

The Designing Better project introduces design requirements to guide development in Zones CB and C.

The additional requirements relevant to Palmerston included in this clause reflect objectives and acceptable responses from the Central Palmerston Area Plan.

The administration clauses also reflect acceptable responses from CPAP to provide enhanced guidance to inform design and decision making.

#### Purpose

Promote a built form in the Palmerston city centre that facilitates environmental sustainability, and enables convenient pedestrian and cyclist movement to and across the city centre.

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
2. The consent authority may **consent** to a development that is not in accordance with sub-clause 4 if it is satisfied the development provides an alternative response that achieves an equivalent or better sustainable design outcome to:
  - (a) facilitate passive cooling;
  - (b) contribute to greening beyond the minimum landscaping requirements;
  - (c) reduce waste; and/or
  - (d) improve water and energy efficiency.
3. The consent authority may **consent** to a development that is not in accordance with sub-clause 5 if it is satisfied there are sufficient existing connections in the immediate locality to facilitate safe and convenient movement between desirable locations and across the green links (identified in the Diagram to Clause 5.9.3).

Reflects Objective 1.2 – acceptable response i of the CPAP

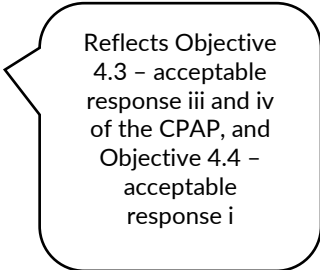
#### Requirements

4. New buildings are to incorporate and maintain heat mitigation strategies that reduce the 'urban heat island effect', through measures such as:
  - (a) minimising direct solar penetration to buildings through orientation and use of screens, awnings, eaves, louvres and the like;

Reflects Objective 1.2 – acceptable response ii of the CPAP



- (b) providing climatically appropriate green roofs, canopy trees with dense foliage and shade trees that define spaces as comfortable outdoor rooms; and/or
  - (c) incorporating cool roofs and/or cool pavements.
5. Development is to create or maintain legible pedestrian and cycle connections to adjacent sites and public transport.



Reflects Objective 4.3 – acceptable response iii and iv of the CPAP, and Objective 4.4 – acceptable response i

### 5.9.3.2 Volumetric Control

#### Explanation of amendments

This clause translates objectives and responses relating to the design of buildings from a volumetric perspective into requirements and associated administration clauses to inform design and decision making.

The diagram included in the clause assists in interpretation of the requirements.

#### Purpose

Ensure the siting and mass of buildings in the Palmerston city centre promotes urban form that is of a scale appropriate to the locality and provides adequate separation to allow for:

- (a) breeze circulation between buildings;
- (b) penetration of daylight into habitable rooms; and
- (c) reasonable privacy for residents.

#### Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
2. In this clause:
  - (a) the Southern Interface Area is identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features); and
  - (b) the podium and tower components of a building are illustrated in the diagram to this clause.
3. The consent authority may **consent** to a development that is not in accordance with sub-clauses 5 and 6 if it is satisfied the development:
  - (a) is appropriate to the location considering the scale of the development and surrounding built form; and
  - (b) will not unreasonably restrict the future development of adjoining **sites**.
9. The consent authority may **consent** to a development that is not in accordance with sub-clause 7 if it is satisfied the development provides an alternative response that creates a transition in building form to protect the **amenity** of the adjacent low density residential area.

#### Requirements

10. The podium of a development, excluding development in the Southern Interface Area, is to be up to 4 **storeys** in height, to a maximum height of 15m, excluding any plant, equipment, aerials, **outbuildings** or visually permeable balustrades.

11. The tower component of a development is to have setbacks that are a minimum of:

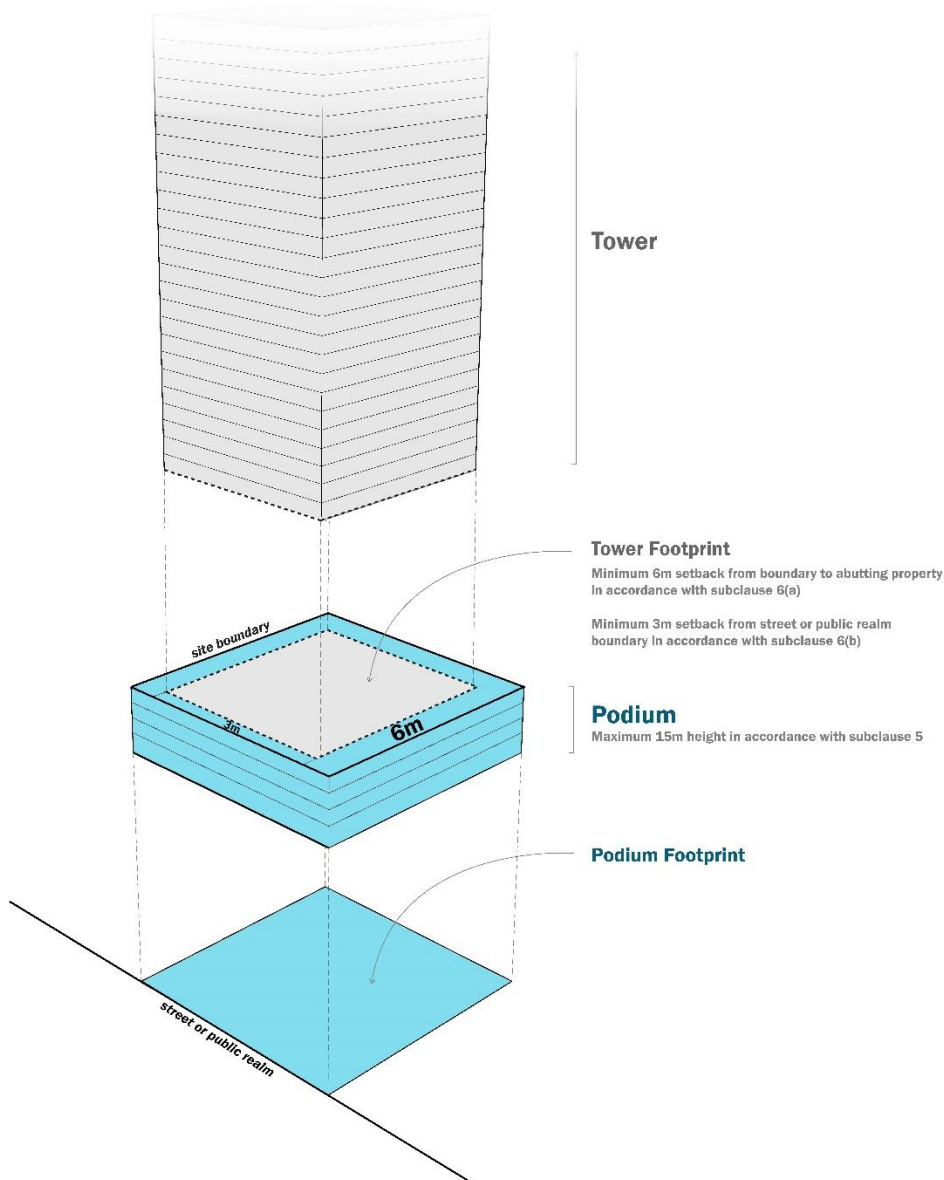
- (a) 6m from any boundary to an abutting property; and
- (b) 3m from any boundary to a street or the public realm.

12. The maximum height of a podium in the Southern Interface Area is to be 3 **storeys**.

Reflects Objective 2.2 – acceptable response ii

Reflects intent for “Possible Lower-Scale Interface Benefit Area” in South Link focus area.

Diagram to Clause 5.9.3.2: Volumetric Control



5.9.3.3 Development along Priority Activated Frontages

**Explanation of amendments**

The Designing Better project includes a new clause that establishes generic requirements in relation to activated frontages in Zones CB and C.

This clause includes differing requirements relevant to Central Palmerston which reflect objectives and acceptable responses from the Central Palmerston Area Plan.

The extent of the 'priority activated frontage' on the map to clause 5.9.3 reflect the activated frontages on the Street Frontage Plan on page 15 of the CPAP.

**Purpose**

Prioritise active frontage along key streets in the Palmerston city centre to encourage pedestrian activity and strengthen the relationship between buildings and the public realm.

**Administration**

1. This clause provides for additional **active street frontage** requirements further to clause 5.5.16 (Active Street Frontage of Commercial and Mixed Use Buildings) in a manner that is appropriate for development in Palmerston City Centre.
2. 'Priority activated frontages' are identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
3. The consent authority may **consent** to a development that is not in accordance with sub-clauses 5 and 6 if it is satisfied that compliance would be impractical due to servicing requirements, and all reasonable effort has been made to:
  - (a) maximise the active street frontage on 'priority activated frontages'; and
  - (b) minimise the **amenity** impacts of services.
4. The consent authority may **consent** to a development that is not in accordance with sub-clause 7 if it is satisfied the development provides an equivalent or better response to help frame Goyder Square and create a comfortable microclimate in the locality.

Requirements

5. Where a **site boundary** is located on a street identified as ‘priority activated frontage’, in addition to being in accordance with clause 5.5.16, the development is to provide a minimum of 75% of the length of that **site boundary** at **ground level** as **active street frontage**.

Reflects Objective 2.5 – acceptable response iii

6. Where a **site boundary** is located on a street not identified as ‘priority activated frontage’, despite clause 5.5.16, the development may provide a minimum of 50% of the length of the **site boundary** at **ground level** as **active street frontage**.

Reflects Objective 2.5 – acceptable response ii

7. New buildings fronting Goyder Square are to incorporate continuous awnings along the Goyder Square frontage and should provide:

- (a) shade structures and shade trees;
- (b) new seating opportunities; or
- (c) private domain al fresco spaces.

Reflects Objective 7.2 iii – acceptable response ii

### 5.9.3.4 Development along Green Links

#### Explanation of amendments

This new clause transitions design related objectives and outcomes relevant to the green links identified in the Central Palmerston Area Plan into requirements.

The map to clause 5.9.3 identifies the green links referenced in these requirements.

#### Purpose

Encourage pedestrian and cyclist connections between developments and identified green links to contribute to safe and convenient movement of people across the Palmerston city centre.

#### Administration

1. This clause applies to any development fronting a 'green link' identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
2. The consent authority must not **consent** to a development that is not in accordance with sub-clause 4.
3. The consent authority may **consent** to a development that is not in accordance with sub-clause 5 if satisfied vehicle access from a green link is the best option for the **site**, having regard to advice from the local authority.

#### Requirements

4. Any new pedestrian or cycle links within a **site** are to connect with 'green links' identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
5. Development on corner lots is to avoid locating driveways and vehicle parking accesses along identified green links where alternative access options are possible.

Reflects Objective  
4.5 - acceptable  
response iii

Reflects Objective  
4.5 - acceptable  
response iv

### 5.9.3.5 Development in Gateway Locations

#### Explanation of amendments

This new clause transitions development related objective 2.7 of the Central Palmerston Area Plan into development requirements that will inform design and decisions in relation to development in gateway locations in the Palmerston city centre.

The map to clause 5.9.3 identifies the gateway locations subject to these requirements.

This clause provides more detail to support the introduction of Overlay 3.x – Development in Gateway Locations, which requires consent for development of identified gateway locations. The proposed Overlay is included at the end of these LSDR's.

#### Purpose

Ensure that the design of development on prominent corner **sites**:

- (a) establishes a strong sense of arrival, and respects and enhances the unique characteristics of the locality;
- (b) contributes to the visual appeal of the streetscape; and
- (c) aids wayfinding.

This purpose statement is based on objective 2.7

#### Administration

1. This clause applies to any use or development fronting a Gateway Location identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied that the development either:
  - (a) provides a better alternative; or
  - (b) is a short term use or development that will not frustrate the ability for future use and development to maximise the development potential of the **site**.

#### Requirements

3. Building design provides one or more vertical elements such as:
  - (a) an increased building height of at least one **storey** compared to adjacent buildings;
  - (b) varied roof sections, raised parapets and spires;
  - (c) signage incorporated into the building design; or
  - (d) public art.

This requirement reflects Objective 2.7 – acceptable response i

### 5.9.3.6 Public Realm Contributions for Developments above 8 storeys

#### Explanation of amendments

This new clause transitions objectives and acceptable responses related to car parking design from the Central Palmerston Area Plan into requirements.

#### Purpose

Encourage positive contributions to the fabric of the Palmerston city centre that are designed to:

- (a) maximise strong and vibrant public realm outcomes;
- (b) foster shared spaces for a range of culturally and socially diverse groups;
- (c) be safe and welcoming; and
- (d) enhance quality of life for all community members.

#### Administration

1. This clause applies to development of a building with a height above 8 storeys or 34m, and is within the area identified in the Diagram to Clause 5.9.3 (Palmerston City Centre Extent and Features)
2. The consent authority may **consent** to a development that is not in accordance with sub-clause 3 if it is satisfied that the development provides an alternative response that is appropriate to the **site**, having regard to such matters as its location, nature, scale and impact on surrounding **amenity**.

This parameter comes from Objective 2.3 – acceptable response i

#### Requirements

3. Development is to provide elements of public benefit within the lot, such as:
  - (a) public road connections, where practical, to the satisfaction of the controlling agency;
  - (b) publically accessible walkways and thoroughfares to improve permeability; and
  - (c) publically accessible parks or plazas, to the satisfaction of the City of Palmerston, which:
    - i. are flexible and provide for a variety of uses and events including recreation, fitness, play, cultural and artistic functions in addition to ecological and stormwater management functions;
    - ii. contribute to an integrated, high quality network of public spaces;
    - iii. facilitate a range of active and passive recreation to meet the needs of the community; and

Reflects Objective 2.3 – acceptable response i



- iv. allow for temporary uses such as street activities and special events including cultural, entertainment and artistic performances.

5.9.3.7 Design of Car Parking Areas and Vehicle Access

**Explanation of amendments**

This new clause transitions objectives and acceptable responses related to car parking design from the Central Palmerston Area Plan into requirements.

**Purpose**

Promote design of car parking, vehicle access points and onsite movement that:

- (a) minimise visual impact to the street and other public areas; and
- (b) is easily adapted to meet changing demand.

**Administration**

1. This clause applies to the design of car parking, vehicle access points and onsite vehicle movement for new buildings, and the establishment of new car parking areas in the Palmerston City Centre.
2. The consent authority may **consent** to a development that is not in accordance with sub-clause 4 if it is satisfied the use or development is appropriate to the **site**.
3. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 5 if it is satisfied that the development is designed to support the ability of floors dedicated to car parking to adapt to different uses over time.

**Requirements**

4. All car parking spaces are to be screened so that they are not visible from the street or public spaces.
5. Floors constructed as car parking in mixed use buildings are to have level surfaces (excluding ramps) and a minimum floor to ceiling height of 3m.

Reflects Objective 2.2 – acceptable response iv

Reflects Objective 2.2 – acceptable response v

## PART 3 - OVERLAYS

### 3.x GL - Gateway Locations

#### Explanation of amendments

This new overlay works in conjunction with:

- 5.9.1.4 Development in Gateway Locations (Alice Springs town centre);
- 5.9.2.8 Development in Gateway Locations (Darwin city centre); and
- 5.9.3.5 Development in Gateway Locations (Palmerston city centre).

As an overlay, it changes the level of consent for any development on land that it applies to.

#### Purpose

Ensure that the use or development of land identified as a Gateway Location is designed to respect and enhance the unique characteristics of the locality.

#### Administration

1. This Overlay applies to any **site** identified as a Gateway Location in Clause 5.9 (Location Specific Development Requirements).
2. The use and development of land subject to this Overlay requires **consent**.
3. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 4 only if it grants **consent** through the relevant clause in Clause 5.9 (Location Specific Development Requirements).

This sub-clause means that any development identified at a gateway location needs consent.

#### Requirements

4. Building design must be in accordance with the relevant requirements for gateway locations identified in Clause 5.9 (Location Specific Development Requirements).

## Part 2 – Interchange Use and Development

### 5.5.1 Interchangeable use and development in Zones CB and C

#### Explanation of amendments

This clause has been split to deal with the specific zones individually.

New uses have been added in both Zones CB and C. Limits to the extent a use may be interchangeable have been introduced for some uses.

#### 5.5.1.1 Interchangeable Use and Development in Zone CB

##### Purpose

Facilitate changes between the nominated use or development of premises within Zone CB.

##### Administration

1. The following uses are interchangeable in Zone CB:
  - **bar-small**
  - **club**
  - **education establishment**
  - **exhibition centre**
  - **food premises-café/takeaway**
  - **food premises-restaurant**
  - **leisure and recreation**
  - **medical clinic**
  - **office**
  - **shop**
  - **showroom sales**
2. A shift between the interchangeable uses listed in sub-clause 1 is *Permitted* without **consent** if the new use complies with sub-clauses 4-7.
3. Where the shift between uses listed in sub-clause 1 does not comply with subclauses 4-7, the use is subject to the assessment category and relevant development requirements as established in the assessment table for the zone.

##### Requirements

4. The new use must not decrease the number of existing **car parking spaces** on the **site**.
5. The design of the façade of premises at ground level must not reduce the existing extent of the **active street frontage**.
6. Where the change in use is a tenancy within a **shopping centre**, the **shopping centre** must continue to comply with Clause 5.5.12 (Shopping Centres).

7. Where the change of use is for an **education establishment**, the maximum **net floor area** of the use must not exceed 2000m<sup>2</sup>.

#### 5.5.1.2 Interchangeable Use and Development in Zone C

##### Purpose

Facilitate changes between the nominated use or development of premises within Zone C.

##### Administration

1. The following uses are interchangeable in Zone C:
  - **education establishment**
  - **exhibition centre**
  - **food premises-café/takeaway**
  - **food premises-restaurant**
  - **medical clinic**
  - **office**
  - **shop**
  - **showroom sales**
2. A shift between the interchangeable uses listed in sub-clause 1 is *Permitted* without **consent** if the new use complies with sub-clauses 4-8.
3. Where the shift between uses listed in sub-clause 1 does not comply with subclauses 4-9, the use is subject to the assessment category and relevant development requirements as established in the assessment table for the zone.

##### Requirements

4. The new use must not decrease the number of existing **car parking spaces** on the **site**.
5. The design of the façade of premises at ground level must not reduce the existing extent of the **active street frontage**.
6. Where the change in use is a tenancy within a **shopping centre**, the **shopping centre** must continue to comply with Clause 5.5.12 (Shopping Centres).
7. Where the change of use is for an **education establishment**, the maximum **net floor area** of the use must not exceed 400m<sup>2</sup>.
8. Where the change in use is for an **exhibition centre**, the **net floor area** of the use is not to exceed 400m<sup>2</sup>.
9. Where the change of use is for a **medical clinic**, the use is not to include more than 4 consulting rooms.

## Part 3 – Assessment Categories

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

Defined Use	LMR	CB	C	TC
Industry-general	x	x	x	x
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 <sup>1</sup>	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

<sup>1</sup> Height controlled by existing plot ratio requirements