

PART 4

6.0 GENERAL PERFORMANCE CRITERIA

6.1 GENERAL HEIGHT CONTROL

Amendment No. 22 gazetted 11.07.2007 amends paragraph 2 to include reference to Zone TC.

Amendment No. 87 gazetted 09.09.2009 amends clause 6.1 to remove the height limit for **education establishments** in Zones CP and CL

1. The purpose of this clause is to ensure that the height of buildings in a zone is consistent with development provided for by that zone.
2. This clause does not apply within Zones CB or DV or TC or to **education establishments** within zones CL or CP or, subject to clause 7.1, Zone C
3. The height of any point of a building is to be measured from **ground level** vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
4. Unless expressly provided by this Planning Scheme, the height of any part of a building is not to exceed 8.5m above the **ground level**, unless it is:
 - (a) a flag pole, aerial or antenna; or
 - (b) for the housing of equipment relating to the operation of a lift.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 6.3 controls the height of buildings in central Darwin.

A topographical survey may be required to accurately determine ground level.

Clause 7.1 controls the height of **dwelling**s in some zones.

The NT Defence (Areas Control) Regulations restrict building height for land in the vicinity of RAAF Base Darwin.

6.2 BUILDING HEIGHTS IN ALICE SPRINGS

Amendment No. 97 gazetted 14.10.2009 omits and substitutes clause 6.2

1. The purpose of this clause is to maintain the low-rise character of development in Alice Springs.
2. Despite anything to the contrary in this Planning Scheme, the height of a building within the Municipality of Alice Springs is not to exceed the height specified in the table to this clause except for **education establishments** in Zone CP.
3. The height of any building or structure forming part of an **education establishment** is not to exceed three storeys or 14m above **ground level**.
4. The height of a building is to be determined as in sub-clause 6.1.
5. The consent authority must not **consent** to development that is not in accordance with this clause.

Clause 6.1 controls building heights generally.

Clause 7.1 controls the height of **dwelling**s in some zones.

A topographical survey may be required to accurately determine ground level.

Structures below ground level should consider the Alice Springs Town Basin aquifer.

TABLE TO CLAUSE 6.2

Zone	Maximum Building Height
CB, C, SC, TC and MR	3 storeys to a maximum of 14m
All other zones	2 storeys to a maximum of 8.5m

8.0 COMMERCIAL USE AND DEVELOPMENT PERFORMANCE CRITERIA

8.1 COMMERCIAL USES

8.1.1 Shops in Zones CV, CL, LI, GI, DV, OR and CN

1. The purpose of this clause is to facilitate retailing of a nature and intensity servicing only the needs of the zones in which the **shop** is located.
2. In Zones CV, CL, LI, GI, DV, OR and CN the **net floor area** of a **shop** is not to exceed 200m².

8.1.2 Offices, Restaurants and Shops in Zones CB and C

1. The purpose of this clause is to permit the change between the nominated uses of premises within Zone CB or Zone C without **consent**.
2. Where land is Zoned CB and there is in place a developer contributions plan for car parking under the *Planning Act*, premises that are lawfully used for an **office, restaurant or shop** may be used without **consent** for any one of those uses if the **net floor area** and any other area occupied by the use does not increase.
3. Where land is Zoned C and there is in place a developer contributions plan for car parking under the *Planning Act*, premises that are lawfully used for a **restaurant or shop** may be used without **consent** for a **restaurant or shop** if the **net floor area** and any other area occupied by the use does not increase.

8.1.3 Uses Requiring Consent in Zone CV

1. The purpose of this clause is to ensure the specified uses remain subsidiary to the primary use of the land as a **caravan park**.
2. Uses requiring **consent** in this zone may be established only in association with the primary use as a **caravan park**.
3. The consent authority must not **consent** to an application that is not in accordance with this clause.

8.2 COMMERCIAL AND OTHER DEVELOPMENT IN ZONES HR, CV, CB, C, SC, TC, OR, CP, FD AND T

1. The purpose of this clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.
2. The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:
 - (a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;
 - (b) be sympathetic to the character of buildings in the immediate vicinity;
 - (c) minimise expanses of blank walls;
 - (d) add variety and interest at street level and allow passive surveillance of public spaces;
 - (e) maximise energy efficiency through passive climate control measures;
 - (f) control on-site noise sources and minimise noise intrusion;
 - (g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;
 - (h) minimise use of reflective surfaces;
 - (i) provide safe and convenient movement of vehicles and pedestrians to and from the **site**;
 - (j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;
 - (k) provide protection for pedestrians from sun and rain;
 - (l) provide for loading and unloading of delivery vehicles and for refuse collection;
 - (m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;
 - (n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and
 - (o) provide bicycle access, storage facilities and shower facilities.
3. A development application must in addition to the matters described in sub-clause 2, demonstrate consideration of and the consent authority is to have regard to the *Community Safety Design Guide* (as amended from time to time) produced by the Department of Lands and Planning.

See clause 2.8.