



**PLANNING ACT 2002**

**NORFOLK ISLAND  
DEVELOPMENT CONTROL PLAN NO. 3**

**MULTI UNITS**

**Commenced 24 June 2011**

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## DEVELOPMENT CONTROL PLAN No.3 – MULTI UNITS

### PART A – GENERAL

#### 1. Norfolk Island Development Control Plan No.3 – Multi Units

This plan is called Development Control Plan No.3 – Multi Units

#### 2. Commencement

This plan comes into effect on the later of —

- (a) the date of publication in the Gazette of the relevant notice under paragraph 23(2)(a) of the *Planning Act 2002*; or
- (b) a later date of commencement specified in the relevant notice.

#### 3. Definitions

The following terms are as defined in the Norfolk Island Plan unless the contrary intention appears:

ACCESS  
AMENITY  
BUILDING  
BUILDING HEIGHT  
DEVELOPMENT STANDARD  
DWELLING UNIT  
ENVIRONMENT  
FRONT BOUNDARY  
GROSS FLOOR AREA  
LANDSCAPING  
LOT  
PARCEL OF LAND  
RESIDENCE (CLASS)  
RESIDENCE – ACCOMMODATION UNITS (LOW DENSITY)  
RESIDENCE – ACCOMMODATION UNITS (MEDIUM DENSITY)  
RESIDENCE – DUAL OCCUPANCY  
RESIDENCE – MULTIPLE DWELLING  
SETBACK  
SITE  
STREETSCAPE  
STRUCTURE

The following terms and definitions are to be adopted for the purposes of the plan unless the contrary appears:

**FLOOR SPACE RATIO** means the ratio of the *Gross Floor Area* of the *Building* to the *Site Area* of the development which contains or comprises the *Building*.

**MULTI UNIT DEVELOPMENT** means any use or development for the purposes of *Residence–Accommodation Units (Low Density)*, *Residence – Accommodation Units (Medium Density)*, *Residence–Dual Occupancy* and *Residence–Multiple Dwelling* and is used in this plan to collectively refer to these uses or developments.

**SITE AREA** means the area of the *Site* as defined in the Norfolk Island Plan.

If a term is not defined in this plan, the Norfolk Island Plan 2002 or the *Planning Act 2002*, the meaning of the word is taken to be the meaning used in the Shorter Oxford English Dictionary.

#### **4. Purpose of this Development Control Plan**

The purpose of this plan is—

- (a) To encourage and promote high quality residential amenity in multi unit developments on Norfolk Island, by setting appropriate guidelines for development, such as standards relating to building siting, design, landscaping, private open space, privacy, solar access, noise, vehicular parking and access.
- (b) To assist applicants in forming development proposals, and decision makers and practitioners in assessing development applications, by providing guidelines for multi unit development that are acceptable to the community.
- (c) To ensure that the impact of multi unit development on adjacent properties is considered and minimised.
- (d) To promote residential development, including tourist accommodation, which is of a high design standard and which is sensitive to and enhances the physical environment of Norfolk Island.

#### **5. Application of this Development Control Plan**

- (a) To the extent specified in subsection (2), this plan applies to all land on Norfolk Island to which the Norfolk Island Plan 2002 applies.
- (b) This plan applies to all use and development that is defined as Multi Unit Development.
- (c) However, this plan does not apply to development where the Chief Executive Officer, by instrument, states this plan does not apply to the development.

#### **6. Relationship between this Development Control Plan and any other plans**

- (a) This plan is a development control plan under the *Planning Act 2002* and forms part of the Norfolk Island Plan 2002. This plan provides additional details on development standards and design elements for multi unit development and accommodation unit development.
- (b) This plan is to be considered in conjunction with other plans and Acts which must be consulted to fully understand this plan, including the *Planning Act 2002*, *Building Act 2002*, Development Control Plan No.2 (Water Resources), and *Tourist Accommodation Act 1985*.

## **PART B – GUIDELINES AND CONTROLS**

### **7. How do these guidelines and controls work?**

- (a) This plan specifies guidelines and controls that are to be applied when a development application is made and assessed for multi unit development, unless variation or departure from those guidelines and controls can be reasonably justified.
- (b) In determining development applications for multi unit developments, the executive member will consider a range of matters including the provisions of this plan.
- (c) The executive member may refuse consent for a development application for multi unit development that does not comply with this plan.
- (d) Compliance with this plan does not prevent the executive member from refusing consent to a development application for multi unit development.
- (e) Generally, guidelines and controls provide the following information –
  - i. **objectives** - statements that define the intention of the guideline;
  - ii. **performance measures** – matters which must be satisfied if the objective is to be achieved.

### **8. Building Height**

#### **Objective**

- (a) Building height shall be controlled in a manner that maximises amenity for occupants of multi unit developments while at the same time being consistent with the low rise character and scale of development on Norfolk Island.

#### **Performance measures**

- (a) Building height shall be controlled in accordance with the provisions of the Norfolk Island Plan.
- (b) Building height shall be controlled in a manner that fits with the character of adjacent development and the character of the predominantly low density residential environment of Norfolk Island.
- (c) Building height shall be controlled in a manner that maximises privacy, solar access and views for occupants of new multi unit developments and for occupants of adjacent properties.

### **9. Building Setbacks from Front, Side and Rear Boundaries**

#### **Objective**

- (a) Building setbacks shall be maintained in order to minimise adverse impacts on adjacent and adjoining properties.

#### **Performance measures**

- (a) Building setbacks shall be controlled in accordance with the provisions of the Norfolk Island Plan and any provisions in the *Building Regulations 2004* applicable to dwellings. Compliance with building setbacks will contribute to and help to maintain the low density character of development throughout Norfolk Island.
- (b) Building setbacks shall achieve good orientation of multi unit development with regard to sun, shade, wind and neighbouring development.

- (c) Private open space and common landscaped areas must be useable as part of the living environment available for the occupants.
- (d) The front of buildings must contribute to the general attractiveness of the streetscape by means of good design, appropriate materials and effective landscaping.
- (e) Building setbacks shall achieve effective use of lots.

## 10. Density

### Objectives

- (a) The area of land proposed to be used or developed for particular forms of multi unit development shall be adequate to accommodate that particular form of multi unit development.
- (b) Use or development will be compatible with the existing and planned character of the environment in which it is located.
- (c) The low density character of residential development in Norfolk Island shall be maintained.
- (d) The combination of the site area provided for each dwelling unit and the lot size must be sufficient to accommodate the use or development, its access, landscaping requirements, parking requirements and required facilities and services in accordance with the Norfolk Island Plan 2002 and this plan and in a manner that ensures the use or development will be compatible with the existing and planned character of the locality.

### Performance measures

The minimum site area required per dwelling unit varies depending on the size of the dwelling unit. Larger dwelling units will require a larger site area to maintain a maximum floor space ratio (FSR) of 0.5:1. The following table establishes the minimum site area required per dwelling unit for small, medium, large and extra large dwelling units.

Dwelling Unit Size (Gross Floor Area – GFA)	Minimum Site Area per Dwelling Unit
Small < 75 sq m or 1 bedroom	150 sq m (or up to 0.5:1 FSR)
Medium 75 - 110 sq m or 2 bedroom	220 sq m (or up to 0.5:1 FSR)
Large 110 – 140 sq m or 3 bedroom	280 sq m (or up to 0.5:1 FSR)
Extra Large > 140 sq m	up to 0.5:1 FSR

Examples:

1) A multi unit development comprising 5 dwelling units each with an area of 75 sq m will require a total site area of at least 750 sq m.

GFA of total development: 5 x 75 sq m = 375 sq m  
 Minimum site area required: 2 x 375 sq m = 750 sq m.  
 FSR: 375:750 or 0.5:1

2) A multi unit development comprising 4 dwelling units each with an area of 120 sq m will require a total site of at least 960 sq m

GFA of total development: 4 x 120 sq m = 480 sq m  
Minimum site area required: 2 x 480 sq m = 960 sq m  
FSR: 480:960 or 0.5:1

3) If the same development in example 2 was undertaken on a site with an area greater than 960 sq m, FSR would be less than 0.5:1 and the proposed development meets the prescriptive measures, for example:

4 dwelling units each with an area of 120 sq m and a total site area of 1000 sq m:  
GFA of total development: 4 x 120 sq m = 480 sq m  
Proposed total site area: 1,000 sq m  
FSR: 480:1000 = 0.48:1

## 11. Building siting and design

### Objectives

- (a) To ensure that the design and scale of new developments is not excessive and relates to the local environmental context.
- (b) To encourage design that creates desirable living conditions and ensures that the amenity of surrounding properties is considered.
- (c) To allow natural light and ventilation between dwelling units
- (d) To design for climate control and energy efficiency and high quality aesthetic character.
- (e) To protect the natural aesthetic qualities and character of ridgelines and slopes on Norfolk Island.

### Performance Measures

- (a) Building siting and height will relate to landform and require minimal cut and fill.
- (b) Building bulk and design will be sensitive to the surrounding area and buildings.
- (c) Developments must be designed to be compatible with the natural environment and scenic qualities of the landscape.
- (d) Adequate separation between facing dwelling units will be provided for privacy.
- (e) If the development involves the alteration of an existing dwelling into two (2) dwelling units (i.e. attached dual occupancy use or development), the development must give the impression of a single dwelling unit, using similar materials, colours, textures, massing and roof pitches.
- (f) If the development involves the construction of new dwelling units within the immediate area of each other, the designs should use similar materials, colours, textures, massing and roof pitches, so as to create a harmonious grouping of buildings.
- (g) Windows should face an outdoor space open to the sky (e.g. open court, verandah or carport), and should not be less than 1.5m from any facing building wall.

## **12. Landscaping**

### **Objectives**

- (a) To preserve and enhance the unique visual quality of the vegetation and other natural features of the Island;
- (b) To provide for privacy between buildings and open space on adjoining lots;
- (c) To encourage new plantings and landscaping;
- (d) To enhance the setting of buildings.

### **Performance measures**

- (a) At least 50% of a site proposed to be used or developed for multi unit development must consist of landscaped area after the use or development has been constructed. The landscaped area may be used as open space.
- (b) Existing on-site vegetation and other natural features such as rock formations, water courses and landform should as far as reasonable be preserved;
- (c) Buildings and other facilities should be sited within existing cleared areas to minimise loss of vegetation where possible and reasonable;
- (d) Screen planting should be used to minimise the visual exposure of buildings and other structures and to ensure privacy between dwelling units. This may be achieved by conserving existing vegetation, planting new vegetation or a combination of both.

## **13. Private Open Space**

### **Objective**

- (a) To ensure that open space provided is useable and meets requirements for privacy, safety, access, outdoor activities and landscaping.

### **Performance measures**

- (a) Each dwelling unit must have access to an area of private open space.
- (b) Private open space must be clearly distinguishable from communal open space.
- (c) Private open space must be of reasonable dimensions to meet the projected needs of the residents and to accommodate outdoor recreational activities.
- (d) Private open space must be capable of serving as an extension to the living area of the dwelling unit, and part of the open space must be directly accessible from the main living area of the dwelling unit.
- (e) Private open space must be located so as to take advantage of outlook and natural features, and take account of the impact of adjoining buildings on privacy and overshadowing.
- (f) Orientation of the private open space helps to achieve comfortable year round use through the provision of both shade and solar access.
- (g) Shade and solar access can be provided through a semi-permeable screening (pergola or trellis), by providing space for mature plantings, and by positioning the open space in an area not shadowed by other buildings.
- (h) Screening and/or plantings can be used to ensure privacy.



## **14. Privacy**

### **Objectives**

- (a) To site and design buildings to protect visual privacy between units and private open space.
- (b) To avoid overlooking of main internal living spaces in buildings and private open spaces through building layout, location and design of windows and balconies, screening devices and landscape or by remoteness.

### **Performance measures**

- (a) A minimum of 9m separation should be provided between the living area windows of facing dwelling units.
- (b) Where the distance between windows or balconies/verandahs of dwelling units is less than 12m, direct views between living area rooms of dwelling units into the principle area of private open space of other adjoining units should be screened or obscured.
- (c) Views may be obscured through the use of solid fences, semi-permeable screening (e.g. lattice), or planting, and by offsetting the placement of windows on facing buildings so as not to create direct views between them.
- (d) Site layouts should ensure shared driveways have a line of separation of at least 3m from bedroom windows.
- (e) Separation could be achieved either by distance or changes in levels.

## **15. Solar Access**

### **Objective**

- (a) To provide reasonable access to sunlight for living spaces within buildings and open spaces around buildings.

### **Performance measures**

- (a) Buildings should not obscure sunlight to habitable rooms or open space of adjoining buildings.
- (b) Buildings will be sited and designed to provide adequate daylight to habitable rooms and winter sunlight to ground level open space.
- (c) Residential buildings shall be designed to ensure that adjacent residential buildings, and the major part of their landscaped open space, have at least four hours of sunlight between 9.00 am and 3.00 pm on 21 June.

## **16. Noise**

### **Objective**

- (a) To provide a reasonable acoustic environment within dwelling units by containing noise within dwelling units or communal areas without unreasonable transmission to surrounding units.

### **Performance measures**

- (a) Sources of noise, where practicable, must be sited away from adjoining properties and where necessary, be screened by acoustical treatments;
- (b) Division walls between dwelling units must meet the requirements of the Norfolk Island Building Act 2002 and its Regulations.

- (c) The floors in multi unit development consisting of attached dwelling units must be so constructed or treated as to minimise the conduct of sound between dwelling units.
- (d) Locate active recreation areas, such as swimming pools, away from the bedroom areas of adjoining dwelling units.
- (e) Design communal courtyards and vehicle driveways to minimise reflected noise.
- (f) Avoid noisy walking surfaces in hall ways, common decks and other communal areas.

## 17. Vehicular Access and Parking

### Objectives

- (a) To provide off street parking for residents and visitors.
- (b) Vehicular access and parking must be safe and convenient for residents, visitors and emergency vehicles.
- (c) Resident and visitor parking must be provided according to the number and size of multi unit development.

### Performance measures

Dwelling Size	Vehicle Space per Dwelling
Small < 75 sq m or 1 bedroom	1
Medium 75 - 110 sq m. or 2 bedroom	1.5
Large 110 – 125 sq m. or 3 bedroom	2
Extra Large > 125 sq m	2
Visitor Parking	0.25 or 1 per 4 dwelling units

## 18. Facilities and Amenities

### Objective

To provide for essential amenities and facilities to be incorporated within multi unit developments to meet the needs of residents and to maintain good amenity and good standards of public health.

### a) Waste Disposal and Garbage Storage Facilities

#### Performance measures

- i) Garbage enclosures must be provided to accommodate one standard garbage bin per dwelling unit.
- ii) Garbage enclosures must have a sound base and be enclosed with appropriate materials providing adequate side and top screening, protection from scavenging animals and visual integration with buildings and landscape treatment.
- iii) Garbage enclosures are to be located so as to be easy to use while also being unobtrusive and not causing nuisance or adverse impact on neighbouring properties. Adequate lighting must be provided.

## **b) Laundry facilities**

### **Performance measures**

- (a) Communal out door open space must be provided to meet the projected needs for residents' clothes drying and located to facilitate privacy and access to sunlight.
- (b) The minimum provision of clothes drying facilities must be at the rate of 7.5 metres of line per dwelling unit in suitably screened external drying areas having a minimum area of 6 sq m.

## **c) Television Antennas and Satellite Dishes**

### **Objective**

- (a) To minimise the visual impacts of television antenna and satellite dishes.

### **Performance measures**

- (a) Where television antennae and/or satellite dishes are to be provided, a communal facility will be provided.
- (b) A master or common television antenna or satellite dish system shall be provided for any development of more than 2 dwelling units, where such facilities are to be provided.

## **19. Pipes and Vents**

### **Objective**

- (a) To minimise visual impact of external pipes and vents.

### **Performance measures**

- (a) All service pipes and vents must be concealed within the walls of developments. Access must be provided as required by Telecom, NI Electricity, plumbers, electricians and other servicing bodies.
- (b) Provision of recessed service pipes in external walls may be acceptable subject to individual assessment.