DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING NO. 285 – FRIDAY 16 OCTOBER 2026

AGORA ROOM, HUDSON BERRIMAH
4 BERRIMAH ROAD, BERRIMAH

MEMBERS PRESENT: Suzanne Philip, Trevor Dalton, Elisha Harris, Sarah Henderson and Mark Fraser

APOLOGIES: None
LEAVE OF ABSENCE: None

OFFICERS PRESENT: Benjamin Taylor, Daniel Herlihy, Shaik Aamir Shaik Alaudeen and Wayne Vowles (Development Assessment Services)

COUNCIL REPRESENTATIVE: Christopher Tickner

Meeting opened at 10.25 am and closed at 11.20 am

THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIME DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 DWELLING-INDEPENDENT WITH REDUCED BUILDING SETBACK TO
PA2026/0287 PRIMARY STREET BOUNDARY

LOT 1286 (22) HANNIBAL CRESCENT, GRAY, TOWN OF PALMERSTON

APPLICANT TATAM PLANNING CO.

Applicant: Catriona Tatam attended via teleconference
Landowner: Neeraj Khetarpal attended via teleconference
Submitters in attendance: -Ms Jo Easson,
via teleconference -Mr Kris Norrington on behalf of Anna Pritchard

RESOLVED 25/26 That, pursuant to section 53(c) of the *Planning Act 1999*, the Development Consent Authority refuse to consent to the application to develop Lot 1286 (22) Hannibal Crescent, Gray, Town of Palmerston for the purpose of a dwelling-independent with a reduced building setback to the primary street boundary for the following reasons:

REASONS FOR REFUSAL

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, in considering a development application, the consent authority must take into account any planning scheme that applies to the land.

   The NT Planning Scheme 2020 (NTPS2020) applies to the land, which is zoned LR (Low Density Residential). A dwelling-independent ancillary to an existing dwelling-single is permitted in this zone where it complies with the applicable development requirements.

   The application seeks consent to retain a dwelling-independent that does not fully comply with:
   - Clause 5.2.4.1 (Car Parking Spaces);
   - Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures); and
   - Clause 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group).

   Consequently, the development has become Merit Assessable under Clause 1.8(1)(b)(ii)(2) and requires consent.

   Sub-clause 2 of Clause 1.10 of the NTPS2020 specifies that *in considering an application for consent for a use or development that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), the consent authority must consider the requirements in part 5 that are not complied with and whether the proposal meets the purpose of the requirements.*

   Furthermore, section 51(3) of the *Planning Act 1999* specifies that – *when considering a development application under subsection (1) of section 51, the consent authority must apply the relevant considerations to only those components*

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of the development that triggered the requirement for consent under the planning scheme.

Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)

The purpose of Clause 5.4.3 is to: *Ensure that residential buildings and ancillary structures are located in a manner that:*

(a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
(b) minimises adverse effects of building massing when viewed from adjoining land and the street;
(c) avoids undue overlooking of adjoining properties; and
(d) facilitates breeze penetration through and between buildings.

Pursuant to sub-clause 3 of Clause 5.4.3 of the NTPS2020, the Development Consent Authority – *may consent to a development that is not in accordance that is not in accordance with sub-clauses 6-8 (of Clause 5.4.3) only if it is satisfied that the reduced setback is consistent with the purpose of Clause 5.4.3 and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.*

Pursuant to sub-clause 3 of Clause 5.4.3 of the NTPS2020, the Development Consent Authority – *may consent to a development that is not in accordance that is not in accordance with sub-clauses 6-8 (of Clause 5.4.3) only if it is satisfied that the reduced setback is consistent with the purpose of Clause 5.4.3 and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.*

Compatible with the streetscape and surrounding development including residential buildings on the same site

Hannibal Crescent is the only street adjoining the site. Although the frontage comprises several boundary segments around a bend, those segments form the primary street frontage. Their configuration does not establish a secondary street frontage.

The dwelling-independent requires a minimum external wall setback of 6 m. The submitted plans identify setbacks of approximately 2.758 m to the eastern street boundary and 5 m to the northern street boundary/truncation, representing reductions of approximately 3.242 m and 1 m respectively.

The building is approximately 13.2 m long, 3.3 m wide and 3.55 m high above natural ground level. Its length, height, limited façade articulation and proximity to the curved street boundary combine to create a visually prominent built form when viewed from several directions along Hannibal Crescent. Its materials, colours and architectural treatment also differ significantly from those of the existing dwelling-single and surrounding residential development.

The Authority acknowledges the varied residential character of the locality. However, it considers that the reduced setbacks accentuate the building's

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visual bulk and prominence, resulting in an unsympathetic relationship with the existing dwelling-single and surrounding streetscape.

Minimises adverse effects of building massing when viewed from adjoining land and the street

The Authority has considered the proposed fencing and landscaping, the architectural treatments recommended by Development Assessment Services and the verbal evidence presented at the meeting on 16 October 2026 regarding the landowner's willingness to undertake further improvements.

These measures could soften the building's appearance but would not sufficiently mitigate the visual bulk and prominence arising from its dimensions and proximity to the street. Landscaping would require time to establish and ongoing maintenance, while the feasibility of lowering the structure has not been adequately demonstrated. Public submissions also raised concerns about the development's existing visual impact on the streetscape.

Avoids undue overlooking of adjoining properties

No undue overlooking of the adjoining property at 24 Hannibal Crescent has been identified, and the building complies with the applicable setback to that boundary. Its windows are oriented towards the street. However, the absence of undue overlooking does not overcome the adverse streetscape and building massing effects associated with the reduced street setbacks.

Breeze penetration

Despite the reduced setbacks, adequate separation remains between buildings on the site and surrounding properties to maintain opportunities for breeze penetration. This aspect of the clause purpose does not outweigh the identified streetscape and building massing impacts.

Having considered the location, scale and impacts of the dwelling-independent, the Authority is not satisfied that the reduced street setbacks are consistent with the purpose of Clause 5.4.3 or appropriate to the site under sub-clause 3. In particular, the reduced setbacks accentuate the building's visual bulk and prominence and create an incompatible relationship with the existing dwelling-single and surrounding streetscape.

Accordingly, the Authority is not satisfied that the setback variations are appropriate under Clause 1.10(5).

Clause 5.2.4.1 (Car Parking Spaces)

Clause 5.2.4.1(5) requires four car parking spaces: two for the existing dwelling-single and two for the two-bedroom dwelling-independent. The submitted layout provides three spaces and therefore does not comply.

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The Authority has considered DAS's recommendation that amended drawings be required to demonstrate an additional compliant parking space. It accepts that the shortfall could potentially be resolved through an amended layout and does not rely on this non-compliance as a reason for refusal.

Clause 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group)

Under sub-clause 2 of Clause 5.4.6.1 of Clause 5.4.6.1 of the NTPS2020, the dwelling-independent requires an Area B private open space of at least 24 m^2, with no dimension less than 4 m. The nominated space achieves the minimum area but not the minimum dimension.

Administratively, sub-clause 1 of Clause 5.4.6.1 provides that the consent authority may consent to private open space that is not in accordance with sub-clauses 2 and 3 only if is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

The Authority's concern extends beyond the dimensional shortfall to the configuration and usability of the nominated space. Its constrained location between the dwelling-independent and the street boundary limits its capacity to accommodate outdoor domestic activities while also providing access, landscaping and effective privacy screening. These constraints undermine its ability to function as an appropriate extension of the dwelling's internal living areas.

The Authority has considered the intended occupation by the landowner's son and the proposed shared use of other outdoor areas on the site. However, these arrangements do not adequately demonstrate that suitable private open space will remain available and functional throughout the dwelling's ongoing use, including under different occupancy arrangements. The Authority notes that there is no guarantee that the landowner's son will be the only occupant and the applicant's acknowledged intention that the dwelling-independent be a permanent structure, not limited to the son's proposed occupation.

Accordingly, the Authority is not satisfied that the proposed arrangement is consistent with the purpose of Clause 5.4.6.1 or appropriate to the site under its administration provisions. It is therefore not satisfied that the variation is appropriate under Clause 1.10(5).

2. Pursuant to section 51(1)(e) of the *Planning Act 1999*, in considering a development application, the Authority must take into account any submissions made under section 49 and evidence or information received under section 50.

   The application was publicly exhibited from 28 August to 11 September 2026. Two submissions complying with section 49 of the Act were received. Both opposed the application and raised concerns regarding the development's street presentation, including the extent of the setback

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variation, building bulk, visual prominence and the effectiveness of landscaping and fencing.

The applicant and landowner attended the public hearing on 16 October 2026 via Microsoft Teams and provided information under section 50 of the Act. Ms Tatam outlined the history of the development, including advice sought by the landowner and their representatives from DAS DLPE regarding NTPS2020 requirements. She advised that the landowner had obtained approval under the *Building Act 1993* on the understanding that the development complied with the NTPS2020.

Ms Tatam advised that the landowner was agreeable to further architectural embellishments, including awnings and changes to paint colours, to improve the development's visual presentation. The feasibility of lowering the structure by reducing the footing heights had not been fully investigated. She indicated that this may have implications for compliance with the Building Code of Australia, including requirements relating to subfloor ventilation and access for termite and pest inspections and maintenance.

Submitter Ms Jo Easson also attended via Microsoft Teams and noted the discussion between the applicant and the Authority regarding potential architectural embellishments and landscaping improvements. Mr Kris Norrington, representing submitter Ms Anna Pritchard, attended the hearing via Microsoft Teams and confirmed their continued opposition to the application, citing its architectural style, visual bulk and the potential for approval to encourage similar prefabricated structures on other properties in the locality.

Mr Christopher Tickner, representing the City of Palmerston, attended the public hearing under section 50(2) of the Act. Council provided technical comments rather than a submission under section 49. Mr Tickner advised that any solid metal fencing erected along the street boundary would need to address sightlines for pedestrians and vehicles within the road reserve and for vehicles entering and exiting the site.

The Authority considers that the concerns regarding streetscape compatibility and building prominence are supported by the building's dimensions, siting and relationship with the curved street frontage. These matters inform the Authority's findings under sections 51(1)(a) and (n) of the Act.

The Authority also noted the concerns raised regarding potential impacts on property values. However, as acknowledged by the Chair during the hearing, the impact on property values is not a proper planning consideration. The Authority has not relied on any asserted reduction in property values as a reason for refusal.

3. Pursuant to section 51(1)(n) of the *Planning Act 1999*, in considering a development application, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

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The Act defines "amenity", *in relation to a locality or building, as any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable.*

The Authority notes the following outcomes for Zone LR (Low Density Residential) under the NT Planning Scheme 2020 (NTPS2020):

- Outcome 4: Dwellings and outbuildings are set back in a manner sympathetic to neighbours, the streetscape and the scale and character of surrounding development.
- Outcome 6: Building design, site layout and landscaping provide a sympathetic interface with adjoining public spaces and between neighbours, privacy and attractive outdoor spaces.

The application sought consent to retain an existing dwelling-independent with variations to the requirements of Part 5 of the NTPS2020.

Having considered the applicable NTPS2020 provisions, the public submissions, the evidence and information received under section 50 of the Act, and the built form and character of the surrounding streetscape, the Authority considers that the dwelling-independent's visual bulk, height and proximity to the curved street frontage create an unduly prominent built form that is incompatible with the scale and character of surrounding residential development.

The Authority acknowledges the landowner's willingness to undertake further architectural embellishments, including awnings and changes to paint colours, and to improve landscaping. However, these measures would not sufficiently address the building's visual bulk, height and proximity to the street boundary. The feasibility of lowering the structure has not been fully established, and the Authority must assess the development on the information before it.

On balance, the Authority is not satisfied that the requested setback variations are appropriate. Retention of the dwelling-independent in its proposed form and location would adversely affect the amenity of adjoining residential land and the Hannibal Crescent streetscape and would be inconsistent with Zone LR Outcomes 4 and 6.

4. Pursuant to section 51(1)(t) of the *Planning Act 1999*, in considering a development application the Authority must take into account other matters it thinks fit.

   The Authority has considered the matters identified in the report by Development Assessment Services, including advice provided before construction, the building approval history and the building's existing presence on the site.

   Recorded, written Development Assessment Services advice dated 11 April 2024 and 12 August 2025 identified a secondary street frontage applying to the site. The Authority acknowledges that this advice differs from the interpretation applied in determining this application and is relevant to the circumstances in which the building was erected.

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The Authority has also considered the building approval history described in the assessment report and the applicant's explanation that building approval was obtained on the understanding that the development complied with the NTPS2020. However, building approval is based on an interpretation of the development as a detached extension to the existing single dwelling. The Authority has determined that the correct categorisation of the development for the purposes of the Planning Act 1999 and the NTPS 2020 is a dwelling-independent. The building approval cannot override the Authority's determination and cannot establish that the requested NTPS2020 variations are acceptable.

The Authority acknowledges the practical and financial implications of modifying, relocating or removing the building. Having weighed these circumstances, it considers that the previous advice, building approval history and building's existing presence do not outweigh the adverse planning and amenity impacts identified above.

FOR: 4 **AGAINST: 0** **ABSTAIN: 1**

ACTION: Notice of Refusal

NOTE: Authority member Trevor Dalton abstained from voting on the resolution to refuse the application. He supported altering the proposed development and consenting to the application under section 53(b) of the *Planning Act 1999*, subject to conditions requiring architectural embellishments to the building to be completed as soon as practicable and the building to be removed within a specified timeframe.

ITEM 2 **RECONSIDERATION**
PA2026/0138 **19 X 3 BEDROOM DWELLINGS-GROUP IN 9 SINGLE STOREY BUILDINGS**

LOT 13502 (6) TUCKEROO BOULEVARD, ZUCCOLI, TOWN OF PALMERSTON

APPLICANT **ONE PLANNING CONSULT**

Applicant: Brad Cunnington attended on behalf of Israel-Tshepo Kgosiemang
Landowner: George Savvas
Submitter: Ian Lunney

RESOLVED 26/26 That, the Development Consent Authority vary the requirements of Clause 5.2.6.1 (Landscaping in Zones Other Than Zone CB), Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), Clause 5.4.17 (Building Articulation) of the Northern Territory Planning Scheme 2020, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Lot 13502 (6) Tuckeroo Boulevard, Zuccoli, Town of Palmerston for the purpose of dwelling-group (19 x 3 bedroom) in 9 single storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of drawings and commencement of works, amended drawings must be submitted to and approved by the consent

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authority. When approved, the drawings will be endorsed and form part of the permit. The drawings must be drawn to scale, include dimensions and be generally in accordance with the drawings dated 29 September 2026 prepared by Concept Designs (Job Number 25015), included at Bookmark E of the agenda report (considered at the 16 October 2026 meeting of the Development Consent Authority), but modified to show:

(a) Updated vehicle swept path diagrams demonstrating that vehicle movements will not conflict with landscaped planting areas.
(b) Visually permeable fencing (to a height of 1.8m above finished ground level) along the boundary of Lot 12087, Town of Palmerston)
(c) Deletion of the proposed pedestrian path within the Tuckeroo Boulevard road reserve and the associated pedestrian gate on the Tuckeroo Boulevard frontage of Lot 13502.
(d) An amended landscaping plan clearly identifying the species, location and number of plants proposed within each planting area, together with a planting schedule specifying the total quantity of each species. The plan must be consistent with the landscaping arrangements considered by the consent authority and demonstrate that the proposed planting can be accommodated within the available landscaped areas.
(e) The final locations and levels of stormwater pits and associated drainage infrastructure within private open space areas, demonstrating that this infrastructure will not compromise the required private open space dimensions, deep-soil planting areas or the intended use of those spaces.
(f) Correct identification of adjoining Lot 12087 as land held by Bellamack Pty Ltd under Crown Lease Term 2445.

2. Prior to the endorsement of drawings and prior to the commencement of works, a Traffic Impact Assessment report is to be prepared by a suitably qualified traffic engineer to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

3. Prior to the commencement of works, a stormwater plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority.

4. Prior to the commencement of works, a waste management plan addressing the City of Palmerston's Waste Management Guidelines must be prepared, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

GENERAL CONDITIONS

5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

6. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

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7. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.

8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity and telecommunication services to the development shown on the endorsed drawings in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations 1, 2 and 3 for further information.

9. Stormwater must be collected and discharged into the City of Palmerston drainage network in accordance with the City of Palmerston's technical standards and at no cost to the City of Palmerston, to the satisfaction of the consent authority.

10. Stormwater must not be discharged, directly or indirectly, onto Lot 12087, Town of Palmerston or into any drains managed by the Department of Lands, Planning and Environment, or into any watercourse.

11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston, to the satisfaction of the consent authority.

12. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston to the satisfaction of the consent authority.

13. No fence, hedge, tree or other obstruction exceeding 0.6 m in height may be planted, erected or placed where it would obscure sight lines at the junction of the driveway and the public street, in accordance with the City of Palmerston's requirements and to the satisfaction of the consent authority.

14. All works recommended by the Traffic Impact Assessment are to be completed to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

15. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the meters within the development in accordance with the allocation. A Certificate of Compliance (in full) (section 65 *Planning Act 1999*) will not be able to be issued until such time as addressing is obtained. Please refer to note 4 for further information.

16. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both developer.concierge@powerwater.com.au and powerconnections@powerwater.com.au

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17. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed drawings must be:
    (a) constructed;
    (b) properly formed to such levels that they can be used in accordance with the drawings;
    (c) surfaced with an all-weather-seal coat;
    (d) drained;
    (e) line marked or otherwise suitably delineated to indicate each car space and all access lanes; and
    (f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.

18. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

19. Before the use/occupation of the development starts, the landscaping works shown on the endorsed drawings must be carried out and completed to the satisfaction of the consent authority.

20. The landscaping shown on the endorsed drawings must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

21. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (developer.concierge@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind

3. If you choose NBN to service your development, you will need to enter into a development agreement with NBN. The first step is to register the

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development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to NBN guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

4. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 8995 5346 (surveylandrecords@nt.gov.au).

5. Notwithstanding the approved drawings, any signage is subject to the City of Palmerston approval, at no cost to Council.

6. A "Permit to Work Within a Road Reserve" or similar approval may be required from the City of Palmerston before commencing any works within public road reserves or Zuccoli Dog Park. A licence under the *Crown Lands Act 1992* or other relevant authorisation may also be required from the Department of Lands, Planning and Environment before commencing any works within Lot 13503 or other land subject to that Act.

7. This development permit does not authorise building work or commencement of the use. Before commencing any demolition or construction works, contact a Northern Territory registered building certifier to determine whether a building permit is required under the Building Act 1993 and obtain any required permit.

8. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 2005 must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act

9. For the purposes of best practice land management and environmental protection, it is recommended that:
   (a) an Erosion and Sediment Control Plan (ESCP) be prepared before any works commence;
   (b) the ESCP be implemented throughout the construction phase, including clearing and early works; and
   (c) all disturbed soil surfaces be stabilised against erosion upon completion of the works.

10. Resources on erosion and sediment control are available on the IECA website at www.austieca.com.au and in the Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation.
    For further advice, contact the Development Coordination Branch on (08) 8999 4446.

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REASONS FOR DECISION

1. The Development Consent Authority (consent authority) notes the following chronology for development application PA2026/0138:

   - The application was registered on 27 April 2026, seeking consent for 21 × 3-bedroom dwellings-group in 12 single-storey buildings.

   - The application was publicly exhibited from 1 May 2026 to 15 May 2026, pursuant to section 47 of the *Planning Act 1999*.

   - On 14 July 2026, a delegate of the consent authority issued a letter deferring consideration of the application and requesting further information pursuant to section 46(4) of the Act.

   - On 27 July 2026, the applicant submitted amended drawings and a written response to the deferral.

   - At its meeting on 14 August 2026, the consent authority considered the application, including further amended drawings tabled at the meeting, and resolved to defer consideration pursuant to section 46(4)(b) of the Act.

   - By letter dated 24 August 2026, the applicant was notified of the consent authority's resolution and the additional information required to enable proper consideration of the application.

   - On 27 August 2026, the applicant submitted amended drawings and a written response to the further deferral.

   - On 15 September 2026, Development Assessment Services referred the applicant's response to the relevant service authorities and the public submitter for comment.

   - On 30 September 2026 and 1 October 2026, the applicant submitted further amended drawings, reducing the proposal to 19 × 3-bedroom dwellings-group in 9 single-storey buildings.

   - The amended application was considered by the consent authority at its meeting on 16 October 2026.

2. Pursuant to section 51(1)(a) of the *Planning Act 1999*, in considering a development application, the consent authority must take into account any planning scheme that applies to the land to which the application relates.

   The NT Planning Scheme 2020 (NTPS2020) applies to the land, which is zoned MR (Medium Density Residential).

   Pursuant to sub-clause 1(c)(i) of Clause 1.8 of the NTPS2020, the development of "dwelling-group" is listed as 'Impact Assessable' on the Zone MR assessment table. Impact Assessable means - *use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the site and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.*

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Therefore, pursuant to sub-clause 1 of Clause 1.7 and sub-clause 4 of Clause 1.10 (Exercise of Discretion by the Consent Authority), the consent authority must consider the following components of the NTPS2020:

(a) *any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;*

The relevant 'Part 5' requirements are set out in:

- Clause 5.2.1 (General Height control)
- Clause 5.2.4.1 (Car Parking Spaces)
- Clause 5.2.4.4 (Layout of Car Parking Areas)
- Clause 5.2.6.1 (Landscaping in Zones Other Than Zone CB)
- Clause 5.4.1 (Residential Density)
- Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)
- Clause 5.4.3.2 (Distance Between Residential Buildings on one Site)
- Clause 5.4.6. (Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group)
- Clause 5.4.8.1 (Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility)
- Clause 5.4.17 (Building Articulation)
- Clause 5.4.18 (Fencing)

'Part 6' of the NTPS2020 is not applicable (as the application does not propose subdivision or consolidation)

(b) *any Overlays and associated requirements in Part 3 that apply to the land*

No Overlays apply to the subject site or type of development proposed

(c) *the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and*

The subject site is Zoned MR (Medium Density Residential). No Specific Use zones apply to the site.

(d) *any component of the Strategic Framework relevant to the land as set out in Part 2.*

In the case of this development application (as amended), the following components of Part 2 of the NTPS2020 are relevant to the proposed use and development of the subject land:

- Compact Urban Growth Policy
- Darwin Regional Land Use Plan Palmerston Eastern Suburbs Planning Principles and Area Plans

These clauses have been considered, and the application, as amended, does not fully comply with the following requirements:

- 5.2.6.1 (Landscaping in Zones Other Than Zone CB)

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- 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)
- 5.4.8.1 (Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility)
- 5.4.17 (Building Articulation)

Although the amended application does not comply with all aspects of Clause 5.4.8.1 (Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility), conditions included in the permit require amendments to secure compliance with that clause.

Clause 5.4.8.1, the purpose and outcomes of Zone MR (Medium Density Residential), and the relevant components of the Strategic Framework are discussed under Reason 2.
The non-compliances with Clauses 5.2.6.1, 5.4.3 and 5.4.17 are discussed under Reason 3.

Clause 5.4.8.1 (Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility)

Sub-clause 8 of Clause 5.4.8.1 requires development to locate bedrooms and private open spaces away from noise sources. Sub-clause 10 requires development close to high noise sources, such as busy roads and airport flight paths, to incorporate appropriate acoustic design and construction.

Regarding sub-clause 8, some air-conditioning units remain within private open space areas and adjacent to bedrooms. These locations are not necessarily unacceptable; however, operational noise, heat discharge and maintenance access need to be managed to protect the amenity and usability of these spaces.

On balance, the consent authority considers that the amended drawings included in the DAS assessment report considered at the meeting on 16 October 2026 adequately address this aspect of its deferral, subject to permit conditions requiring air-conditioning units to be located, installed and maintained so that they do not unreasonably compromise pedestrian access, car parking functionality or the amenity and usability of private open space areas and adjoining bedrooms.

Regarding sub-clause 10, the amended drawings show revised fencing arrangements along Zuccoli Parade, including solid fencing and visually permeable fencing supplemented by dense landscaping. The drawings also specify double glazing to sliding doors and windows facing Zuccoli Parade to assist in mitigating traffic noise.

The applicant has not provided an acoustic assessment prepared by a suitably qualified professional. Consequently, the acoustic performance of the proposed measures, particularly in outdoor private open space areas, has not been quantified. Potential noise impacts from the adjoining community-purpose land have also not been assessed in detail.

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The consent authority considered the verbal evidence provided by Mr Brad Cunnington, representing the applicant, at the public hearing on 16 October 2026. This included advice that the site does not abut an NT Government-controlled road reserve, that the City of Palmerston does not appear to have a traffic noise policy, and that the applicant has responded to potential traffic noise through the nominated building materials and design measures.

On balance, having considered the location of the site, the proposed fencing and glazing treatments, and the evidence presented at the hearing, the consent authority accepts the proposed acoustic design response and does not require a separate acoustic assessment. The nominated acoustic treatments must be incorporated into the final development and retained thereafter.

Clause 4.4 – Zone MR (Medium Density Residential) purpose and outcomes

The consent authority considers that the amended proposal is consistent with the residential land use contemplated by Zone MR and would provide additional housing within an established urban area with access to existing infrastructure, public transport, open space and community facilities.

The proposal comprises exclusively single-storey, three-bedroom dwellings-group of broadly similar design, providing limited housing diversity and a relatively low-intensity residential outcome for a strategically located Zone MR site. Although the development complies with the applicable residential density requirements of Clause 5.4.1, it does not fully realise the opportunities for more compact and diverse residential development contemplated by the zone purpose and Outcome 1.

The amended drawings considered at the meeting on 16 October 2026 improve the development's response to Outcome 5, particularly in relation to building separation, site levels and the interface with adjoining land. However, departures from the applicable building setback, landscaping and fencing requirements remain.

The proposal generally responds to the infrastructure servicing, accessibility and transport integration elements of Outcome 6. Its relatively low-intensity built form nevertheless makes less efficient use of the site's location and access to existing and planned infrastructure and community facilities than a more compact residential development could achieve.

On balance, the consent authority considers that the amended development partially achieves Outcomes 1, 5 and 6. The proposal is acceptable having regard to its contribution to housing supply, its relationship with surrounding development, the improvements incorporated into the amended design and the assessment of variations against the relevant Part 5 requirements and purposes. Permit conditions address the outstanding design and servicing matters, while the proposed housing mix and intensity are accepted as part of the development.

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Strategic Framework (Part 2 of NTPS2020)

The subject land is within the established and developing suburb of Zuccoli, in an area identified for residential growth, and is zoned MR (Medium Density Residential). The site benefits from proximity to existing and planned commercial, educational, recreational, community and public transport infrastructure.

The Darwin Regional Land Use Plan, Compact Urban Growth Policy and Palmerston Eastern Suburbs Planning Principles and Area Plans collectively encourage compact urban development, housing diversity and the efficient use of appropriately located residential land and infrastructure.

The proposal would provide additional housing within an area identified for urban growth and utilise existing infrastructure and services. In these respects, it supports the strategic residential role of the land and the broader objective of accommodating population growth within established and developing urban areas.

However, the proposal provides limited diversity in dwelling types and sizes. Its exclusively single-storey built form and proposed residential density do not fully realise the opportunities for more compact and diverse housing contemplated by the relevant strategic planning documents, particularly given the site's proximity to a neighbourhood centre, public transport, open space and existing and planned community facilities.

The Strategic Framework must be considered alongside the applicable zoning provisions, development requirements and site-specific circumstances. Although the Compact Urban Growth Policy identifies approximately 60 dwellings per hectare as indicative of medium-density neighbourhoods, this figure does not establish a mandatory minimum density for individual development sites. The opportunity to accommodate higher-density development therefore does not, of itself, render the proposal unacceptable.

The consent authority also notes the following previous approvals for the site:

- DP17/0230 — 72 × 2-bedroom multiple dwellings in five four-storey buildings. This permit has lapsed.
- DP22/0121 — 1 × 2-bedroom and 19 × 3-bedroom dwellings-group in 12 single-storey buildings. This permit has lapsed.
- DP2025/0309 — a child care centre in a single-storey building and 11 × 3-bedroom dwellings-group in seven single-storey buildings. This permit remains active.

These approvals demonstrate the range of development previously contemplated for the site, although the current application must be assessed on its own merits.

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On balance, the consent authority considers that the amended proposal considered at its meeting on 16 October 2026 is generally consistent with the residential land use objectives of the Strategic Framework. While it does not fully realise the broader objectives of housing diversity, compact urban development and efficient use of strategically located medium-density residential land, its contribution to housing supply and use of existing infrastructure and services are considered acceptable in the circumstances of this application.

3. Pursuant to sections 51(3) and 52 of the *Planning Act 1999* and Clause 1.10(4)(a) of the NT Planning Scheme 2020 (NTPS2020), in considering an Impact Assessable application, the consent authority must take into account the relevant requirements of Part 5, including the purposes of those requirements.

   These requirements must be read and interpreted in conjunction with Clause 1.7(1). Clause 1.10(5) allows the consent authority to approve a variation to a requirement in Parts 3, 5 or 6 only where it is satisfied that the variation is appropriate having regard to the purpose and administration clauses of the requirement and the considerations listed in Clause 1.10(4).

   Accordingly, the assessment of a variation extends beyond numerical compliance. It requires consideration of the extent and implications of the departure, the purpose and administration of the relevant requirement, the applicable zone purpose and outcomes, the Strategic Framework and potential impacts on adjoining land and amenity.

   The amended application, including the drawings considered at the meeting on 16 October 2026, has been assessed against the relevant Part 5 requirements, including those identified in the consent authority's previous deferral. Departures remain from aspects of:
   - Clause 5.2.6.1 (Landscaping in Zones Other Than Zone CB);
   - Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures);
   - Clause 5.4.8.1 (Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility); and
   - Clause 5.4.17 (Building Articulation).

   Clause 5.4.8.1 is addressed under Reason 2. The remaining variations are discussed below.

   <u>Clause 5.2.6.1 – Landscaping in Zones Other Than Zone CB</u>

   Clause 5.2.6.1(7) requires planting at least 2 m deep along the length of side and rear setbacks in Zones MR and HR, except in areas used for private open space.

   The amended drawings substantially improve the landscaping arrangements compared with the application originally exhibited. However, the following departures from the required planting depth remain:
   - Northern boundary adjoining Lot 12087: Waste storage facilities and pedestrian pathways occupy portions of the required planting area,

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reducing its depth and continuity.
- Western boundary adjoining Lot 13503: Waste storage facilities and water meters occupy portions of the required planting area, reducing the space available for landscaping.

Clause 5.2.6.1(2) allows variations to sub-clauses 5, 6 and 7 where the consent authority is satisfied that the landscaping is consistent with the clause purpose and the zone purpose and outcomes, and is appropriate to the site having regard to streetscape amenity and potential impacts on the locality and adjoining property. Clause 1.10(5) also applies to the consideration of these variations.

The purpose of Clause 5.2.6.1 is to encourage landscaping that enhances local amenity through safe and attractive public spaces, planting suited to local climate and soil conditions, cooler internal and outdoor areas, and recognition of the value of existing plants and trees. Zone MR Outcome 5 is also relevant and is discussed under Reason 2.

Northern boundary
The northern boundary adjoins a creek corridor on Lot 12087 containing established native vegetation. This provides an existing landscape setting that assists in softening the development's appearance when viewed from adjoining land.

The applicant's site section also shows a substantial difference in finished ground levels between the development and adjoining land, limiting opportunities for pedestrian access and interaction across this boundary.

The proposed fencing does not incorporate the proportion of visually permeable fencing required by Clause 5.4.18.1. Permit conditions require revised fencing along the relevant boundary sections, while retaining necessary privacy and screening for private open space, service areas and waste storage facilities. This will reduce the visual dominance of solid fencing and allow views towards the adjoining vegetation.

The adjoining vegetation does not replace the requirement for landscaping within the development site. However, it is relevant to the assessment of the visual and amenity impacts of the reduced planting depth.

Western boundary
Along the western boundary adjoining Lot 13503, the water meters are necessary service infrastructure located towards the south-western corner of the site. Their localised extent and location are unlikely to cause significant adverse visual impacts.

The waste storage facilities are screened by solid enclosures, limiting their visibility from adjoining land. Although these facilities interrupt the required planting area, their location and screening mitigate the associated visual impacts.

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Permeable fencing along the remaining relevant portions of this boundary, as required by permit conditions, will improve the interface with the adjoining public open space by reducing the extent of solid fencing and allowing views towards the existing landscape setting.

The consent authority acknowledges that the amended proposal does not achieve a continuous 2 m planting depth along all relevant portions of the northern and western boundaries. However, the departures are associated with identified access and servicing facilities, and their impacts are moderated by the proposed screening, adjoining landscape setting and revised fencing required by the permit.

Conditions also require an amended landscaping plan identifying planting species, locations and quantities and demonstrating that the planting can be accommodated within the available areas.

Having considered the purpose and administration provisions of Clause 5.2.6.1, the Zone MR purpose and outcomes and the considerations in Clause 1.10(4), the consent authority is satisfied that the variations to sub-clause 7 are appropriate. Subject to the permit conditions, the landscaping will provide an acceptable interface with adjoining land and contribute to the amenity of the development and locality.

5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)

As the land is zoned MR and all proposed buildings are single-storey sub-clause 6 of Clause 5.4.3 of the NTPS2020 requires residential buildings and ancillary structures to be set back in accordance with Table B.

Having regard to Clause 5.4.3(2)(b) and the NTPS2020 definitions of primary street and secondary street, Tuckeroo Boulevard is treated as the primary street frontage and Zuccoli Parade as a side/rear boundary for setback assessment purposes.

The applicable minimum building setbacks are:

- Primary street boundary (Tuckeroo Boulevard): 6 m for buildings, with roof structures permitted to encroach up to 0.9 m into that setback.
- All other boundaries: 3 m for buildings and 2.1 m for roof structures.

The amended drawings retain the following departures:

- Building containing Units 5 and 6: The building and roof structure setbacks associated with Unit 5 adjoining Lot 13503 are less than the required 3 m and 2.1 m respectively.
- Building containing Units 3 and 4: A supporting member is approximately 5.9 m from the primary street boundary, compared with the required 6 m. The remaining roof structure complies with the applicable setback.
- Buildings containing Units 9 and 10, Unit 17, and Units 18 and 19: Portions of the roof structures encroach into the applicable minimum setbacks.

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In considering these variations against the purpose of Clause 5.4.3 and the criteria in sub-clause 3, the consent authority has had regard to the following:

- Character and amenity: The single-storey scale, roof forms and overall building arrangement are generally compatible with surrounding residential development. The reduced setbacks are unlikely to cause significant adverse impacts on the existing or future amenity of the locality.
- Building articulation: The orientation and arrangement of buildings, together with stepped roof forms, provide visual relief when viewed from adjoining public areas and reduce the perceived mass of the development. Although departures from Clause 5.4.17 remain, as discussed separately, these design elements assist in moderating the visual impacts of the setback variations.
- Privacy: The single-storey built form limits opportunities for overlooking. The setback variations are not expected to cause significant adverse privacy impacts on adjoining land.
- Natural ventilation: The separation and arrangement of buildings generally provide opportunities for breeze penetration. Visually permeable fencing along the relevant boundary sections, as required by permit conditions, will further support airflow through the site.

On balance, the consent authority considers that the remaining building and roof structure setback variations are acceptable having regard to their limited anticipated impacts, the single-storey built form, the articulation provided and the surrounding development context.

Having considered the purpose and administration provisions of Clause 5.4.3, including the criteria in sub-clause 3, and the considerations in Clause 1.10(4), the consent authority is satisfied that the variations are appropriate and will not result in unacceptable impacts on adjoining land or the amenity of the locality.

5.4.17 (Building Articulation)

Sub-clause 4 of Clause 5.4.17 requires relevant development to '*step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part Thereof*'. The amended proposal does not fully comply because the building containing Unit 17 is 17.8 m long and does not incorporate the required step or recess.

The administration provisions of Clause 5.4.17 allow the consent authority to approve a departure from sub-clause 4 where it is satisfied that the development is consistent with the clause purpose.

The purpose of the clause is to mitigate the perception of residential building mass and bulk when viewed from adjoining properties and the street, and to provide opportunities for cross-ventilation within buildings.

Although the building containing Unit 17 does not incorporate the prescribed step or recess, the elevations demonstrate façade articulation that provides visual relief. Together with the proposed landscaping and single-storey scale,

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these features assist in reducing the perceived mass and bulk of the building.

The development also provides separation between buildings and incorporates openings that provide opportunities for cross-ventilation.

Having regard to these design features and the considerations in Clause 1.10(4), the consent authority is satisfied that the proposed development is consistent with the purpose of Clause 5.4.17 and that the variation to sub-clause 4 is appropriate.

4. Pursuant to section 51(1)(e) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

   The application was publicly exhibited from 1 May to 15 May 2026. One written public submission was received from Mr Ian Lunney. Mr Lunney also provided further written comments in response to amended drawings and information submitted following the consent authority's deferral.

   Mr Lunney's principal concerns related to:
   - Visitor parking: He considered that four visitor spaces were necessary. Although he acknowledged that two spaces improved on the original proposal, he remained concerned about parking demand. At the hearing on 14 August 2026, he suggested that each bedroom could generate demand for approximately one vehicle and referred to existing overflow parking within local road reserves.
   - Privacy and fencing: He opposed tubular fencing and gates along Zuccoli Parade that would allow footpath users to look directly into private open space areas. He favoured fencing consistent with surrounding residential properties and suggested 1.5 m-high solid Colorbond fencing topped with 300 mm of horizontal slats, together with solid 1.8 m-high gates, to balance privacy and airflow.
   - Development intensity: His further written comments described the then-proposed 20-dwelling development as overcrowded, while acknowledging a small improvement over the original 21-dwelling proposal. The application was subsequently reduced to 19 dwellings.

   At the public hearing on 16 October 2026:
   - Mr Brad Cunnington attended on behalf of the applicant, Mr Israel Kgosiemang, who was unable to attend. Mr Cunnington summarised the design changes made in response to the previous deferral and discussed the proposed fencing and building materials intended to mitigate noise.
   - Mr George Savvas attended in his capacity as landowner and architect.
   - Mr Ian Lunney attended and gave evidence under section 50(1) of the Act in support of the concerns raised in his written comments.
   - Mr Christopher Tickner attended on behalf of the City of Palmerston and spoke under section 50(2) of the Act. He addressed Council's written comments and advised that Council did not support the proposed pedestrian path within the Tuckeroo Boulevard road reserve and required its deletion from the drawings.

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The consent authority has considered the written submissions and the evidence presented at the hearing. Council's concern regarding the proposed pedestrian path is addressed by a condition requiring its deletion, together with the associated pedestrian gate.

The parking, fencing, privacy and development intensity matters raised by Mr Lunney have been considered against the applicable NTPS2020 requirements, zone purpose and outcomes, and Strategic Framework, as discussed in the preceding reasons. The consent authority acknowledges that compliance with minimum parking requirements does not, of itself, resolve all concerns about parking demand, and has considered those concerns alongside the proposed on-site parking arrangements and evidence presented.

Section 51(3) requires the consent authority to apply the relevant considerations only to those components of the development that triggered the requirement for consent. As dwellings-group is Impact Assessable in Zone MR, the assessment encompasses the proposed use and development, having regard to the relevant Part 5 requirements, applicable overlays, zone purpose and outcomes, and relevant components of the Strategic Framework.

For the reasons set out above, including under section 51(1)(a), the consent authority considers the amended proposal acceptable, subject to the permit conditions addressing outstanding design and servicing matters. The matters raised in submissions and at the hearing do not warrant refusal of the amended application.

5. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The subject site is an undeveloped parcel within a subdivision for which titles were issued in 2015. The land was rezoned to MR (Medium Density Residential) in 2015. Although the zoning anticipates residential development of greater height and density than proposed, the capability of the land to accommodate this development requires consideration of the proposed earthworks, retaining structures, drainage and servicing arrangements.

The consent authority notes the following:

- The owner (lessee) of adjoining Lot 12087, along the northern boundary, does not support stormwater discharge onto that land, as documented in the letter included with the exhibited application. Lot 12087 is held under a Crown Lease Term. Permit conditions require stormwater drainage to be designed and constructed to the requirements of the relevant authorities, including the City of Palmerston, with discharge to a lawful point and without adverse impacts on adjoining land.
- Suitable retaining structures are required to accommodate changes in ground levels and prevent fill, instability or associated drainage impacts

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from adversely affecting adjoining land. Their design and construction must also satisfy applicable building requirements.

- Filling and levelling works undertaken during 2026 have modified the site's levels to provide a fall towards Zuccoli Parade. Assessment of any subsequent building application by a registered building certifier may require supporting geotechnical information addressing the suitability and compaction of fill, ground stability and foundation design. The completed earthworks do not, of themselves, establish that ground conditions are suitable for the proposed buildings.
- No technical comments have been received from the NT Environment Protection Authority or the DLPE Land Resources Division. Their absence does not establish that these agencies have assessed or endorsed the proposal. Appropriate erosion and sediment control, weed management and construction site management measures are necessary to minimise impacts on the site and surrounding land.

Having regard to the proposed development and subject to compliance with the permit conditions addressing these matters, the consent authority considers the land capable of supporting the proposed dwellings-group development without unacceptable physical impacts on adjoining land. The assessment of the applicable Part 5 requirements, including the approved variations, is set out in the preceding reasons.

6. Pursuant to section 51(1)(k) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer.

   The NT Planning Scheme 2020 does not require additional public open space to be provided as part of the proposed dwellings-group development. The subject site immediately adjoins land Crown land (Lot 13503), zoned CP (Community Purposes), held under licence or lease by the City of Palmerston and used as a neighbourhood park and the Zuccoli Dog Park. These existing spaces provide public recreation opportunities for future residents. Council has also indicated its intention to construct a community centre and additional community infrastructure on that land, which would further improve access to community facilities.

   The purpose of Clause 5.4.18.1 (Fencing in Zones MR and HR) is to promote fencing that provides a positive interface with the public domain while allowing necessary privacy for residents and neighbouring properties. A condition is included requiring permeable fencing along the northern and western boundaries, except where the fencing adjoins private open space, service areas or waste storage areas within the development. This will maintain a positive interface with the adjoining public open space while accommodating privacy and screening requirements.

7. Pursuant to section 51(1)(m) of the *Planning Act 1999*, the Development Consent Authority must, in considering a development application, take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be

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connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose

The conditions of approval and advisory notes address relevant service authority requirements, including stormwater drainage, works within road reserves, utility connections and meters, and any necessary upgrades to electricity, water supply and sewerage infrastructure associated with the proposed dwellings-group.

The conditions also require appropriate arrangements for vehicle access and servicing, consistent with the applicable objectives and development requirements of the NT Planning Scheme 2020.

8. Pursuant to section 51(1)(n) of the *Planning Act 1999*, in considering a development application the consent authority is required to take into account the potential impact on the existing and future amenity of the area in which the land is situated.

   The proposed development is substantially below the maximum building height and dwelling density provided for in Zone MR (Medium Density Residential) under the NT Planning Scheme 2020. Its scale, built form and proposed landscaping are expected to be compatible with the established character and amenity of the locality. Subject to compliance with the permit conditions, the development and use are not expected to adversely affect the existing or future amenity of the area.

   Construction noise and building site safety are subject to separate regulatory requirements administered by the relevant authorities, including the NT Environment Protection Authority and NT WorkSafe.

9. Pursuant to section 51(1)(r) of the *Planning Act 1999*, in considering a development application, the Development Consent Authority is required to take into account any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the *Heritage Act 2011*.

   The assessment of the application, including consideration of comments received from service authorities, did not identify any natural, social, cultural or heritage values likely to be adversely affected by the proposed development.

FOR: 5 **AGAINST: 0** **ABSTAIN: 0**

ACTION: Notice of Consent and Development Permit

RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING

Suzanne Philip
2026.10.28
07:35:27 +09'30'

SUZANNE PHILIP
Chair
28 October 2026

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