Report to the DCA

This report is prepared under section 30P of the *Planning Act 1999*, and considers the submissions made in relation to the proposal

DEVELOPMENT CONSENT AUTHORITY
LITCHFIELD DIVISION

PROPOSED CONCURRENT APPLICATION PA2026/0080

Amendment proposal to rezone Section 5111 Hundred of Strangways (79 Fred's Pass Road Humpty Doo)
from Zone RL (Rural Living) to Zone LMR (Low-Medium Density Residential)

and

Reconsideration Plans -A development proposal seeking consent to develop a Dwelling group (31 x 2 bedroom and 27 x 3 bedroom) in 58 single storey buildings and a Community Centre

Agenda Item Number: 3

Meeting Date: 21 October 2026

Bookmark A -	**Letter of Deferral**
Bookmark B -	**Final Amended Plans & Applicants written response**
Bookmark C -	**Submissions Received to the Deferral Responses:** • **Public Submission: Bookmarks C1- C2** • **Service Authorities:** **Litchfield Council-C3** **PWC (Water) – C4** **PWC (Power) - C5**
Bookmark D -	**Updated Technical Assessment**
Bookmark E -	**DCA Report to 17/6/26 DCA Meeting, Applicants Lodged and Exhibited application**
Bookmark F -	**Previous Amended Plans**

1. GENERAL INFORMATION

ADDRESS:	Section 5111 Hundred of Strangways (79 Fred's Pass Rd Humpty Doo)
CURRENT ZONE:	Zone RL (Rural Living)
PROPOSED ZONE:	Zone LMR (Low-Medium Living)
SUMMARY OF APPLICATION:	A Dwelling group (31 x 2 bedroom and 27 x 3 bedroom) in 58 single storey buildings and a Community Centre
APPLICANT:	Gerard Rosse, Rosse Pty Ltd
LAND OWNER:	Rosse Pty Ltd
AREA:	24600 m^2

1. BACKGROUND

An application for a Dwelling group (32 x 2 bedroom and 28 x 3 bedroom) in 60 single storey buildings and a Community Centre was referred to the Development Consent Authority (Litchfield Division) on 17th June 2026.

Pursuant to section 30P(3) of the Planning Act 1999 the Authority deferred the development proposal requesting additional information. The Letter of Deferral is at **Bookmark A**. The previous report to the DCA is at **Bookmark E**.

The applicant's response to the Deferral points 1-8 have been reviewed and summarised below:

Deferral Point 1

Amended Plans which demonstrate the following:

- Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.

DAS Review

The Amended Plans show the following changes:

- The Amended Plans do not provide plans or additional diagrams to demonstrate breeze penetration or natural light and shade provided to dwellings. Shade management through landscaping or built form is not further demonstrated.
- The units have been reduced from 60 to 58 and there has been some increase in setbacks to external boundaries. The additional separation would aid in breeze movement.

It is noted that they do not show:

- repositioning of units to face the Central Open Space.

- Type 02C units are 6 attached units in the Central park Space

Applicant's Summary Response
The applicant argues that the proposed dwellings have been developed for the Northern Territory climatic context and incorporate generous openings, covered outdoor areas, shading and building-orientation measures intended to balance natural ventilation, thermal performance and resident amenity. The applicant further argues that Clause 5.4.8 is a performance-based provision and does not prescribe a single architectural solution or require all dwellings to directly overlook communal open space.

- Amended access to the site demonstrating a separation of pedestrian and vehicle traffic.

DAS Review
The Amended Plans show the following changes:
- Separation of pedestrian and vehicle access for some parts of the development
- Pedestrian pathways through the central park area, around the community centre, crossing and pathway to the storage sheds, and a pedestrian crossing through the Community Centre Car park to access Fred's Pass Road.
- Proposed pedestrian access across Freds Pass Road

It is noted that they do not show:

- Pedestrian access alongside access loop road -roads 1,2,3 & 4; and
- Pedestrian access along Fred's Pass Road.

Applicant's Summary Response
The revised proposal adopts a hybrid pedestrian strategy comprising dedicated pathways through the principal communal open-space areas, Community Centre precinct and other key pedestrian connections, together with a controlled 10 km/h shared environment throughout the balance of the private internal access network.

- Minor amendments to the design of the Community Centre carparking layout to include:

    - A turnaround area located at the end of the Community Centre carpark demonstrating through a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger, that, when all carparks are full, vehicles can enter and exit the site in a forward gear;

    - A pedestrian access/pathway within the Community Centre carpark with signage directing vehicle and pedestrian traffic in and around the carpark.

The Amended Plans lodged show the following changes:
- A turnaround central to the Community Car park.
- Swept paths demonstrating through a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m), that, when all carparks are full, vehicles can enter and exit the site in a forward gear. See Figure 1 below taken from Swept Paths.pdf
- A pedestrian pathway within and through the Community Centre carpark
- Signage directing vehicle and pedestrian traffic in and around the carpark.
- A 10 km/h operating environment throughout the internal network.

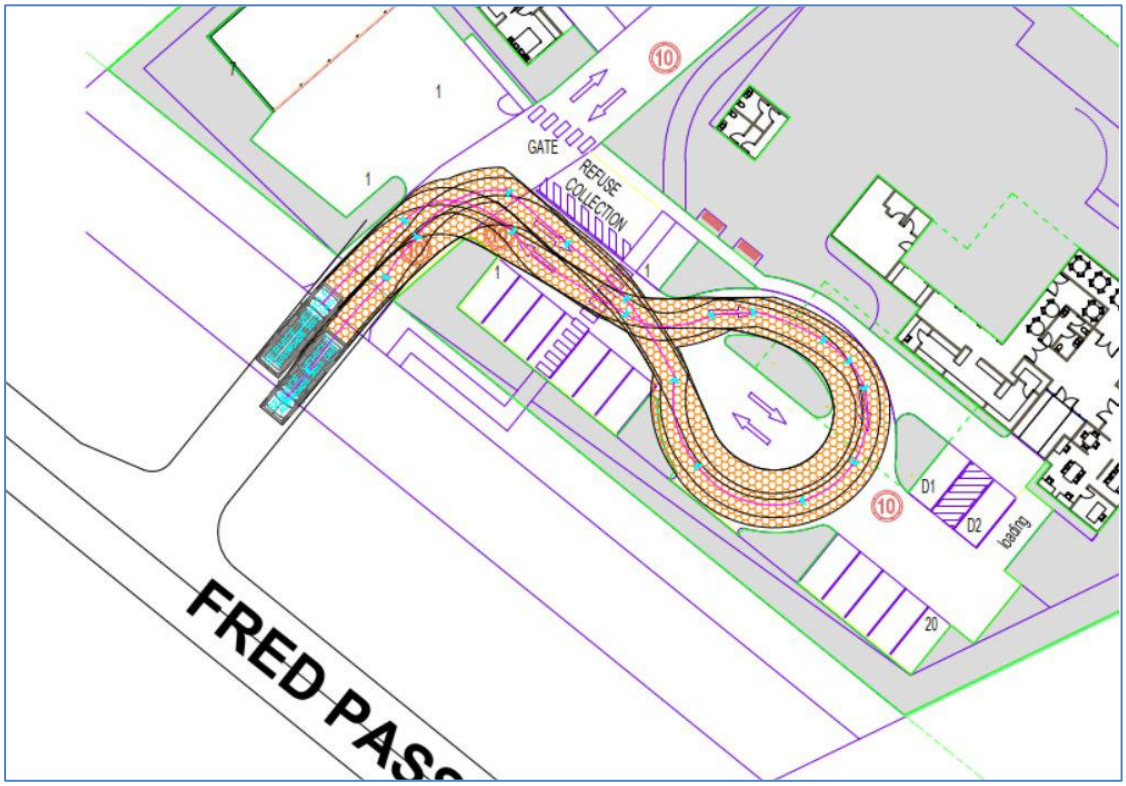


Figure 1 Community Centre Car park Access and Manoeuvring for Austroads Class TB2 – Two-Axle Bus/Truck (5.5–14.5 m)

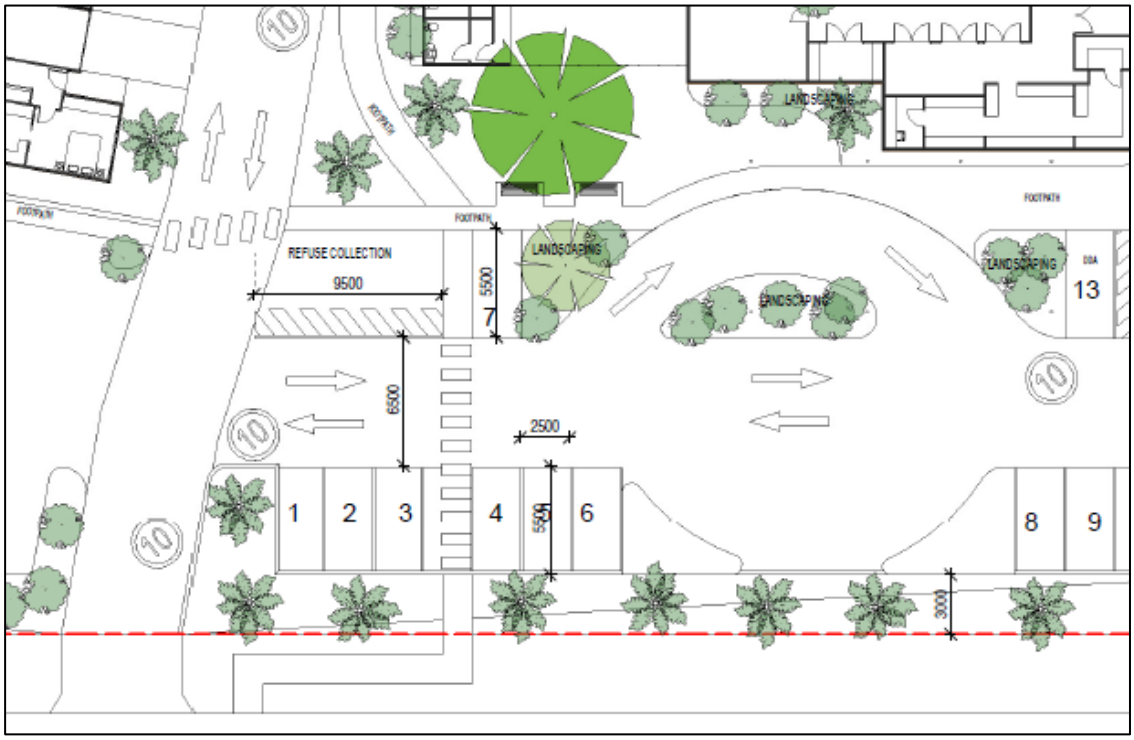


Figure 2 Taken from the revised plans showing a pedestrian pathway through the Community Centre carpark providing connectivity between the internal network and Freds Pass Road.

Applicant's Summary Response

The applicant has now amended the design to incorporate the requested large-vehicle turnaround within the Community Centre precinct. Swept paths are also provided.

The Authority's requested physical outcome is therefore now demonstrated on the revised plans to remove the apparent issue.
The revised plans provide a pedestrian pathway through the Community Centre car park and establish connectivity between the internal pedestrian network and Freds Pass Road. The requested pedestrian movement outcome is therefore now clearly demonstrated at development-application stage.
The applicant explains that the revised proposal adopts a hybrid pedestrian strategy comprising dedicated pathways through the principal communal open-space areas, Community Centre precinct and other key pedestrian connections, together with a controlled 10 km/h shared environment throughout the balance of the private internal access network. The nominated operating speed will be reinforced through accessway geometry, pavement treatments, landscaping, pedestrian crossing and connection points, signage, village operating rules and ongoing management by the village operator. The low-speed outcome therefore does not rely upon signage alone.

The updated Technical Assessment is at **Bookmark D**. The applicant's response to the deferral including Amended Development Plans and Swept Paths is at **Bookmark B**.

Deferral Point 2

A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB Screening to all parking areas from public spaces.

DAS Review

A Landscaping Plan was provided.
The Landscaping Plan shows the following:

- Landscaping in the Community Centre area, Central Park space and around the Outbuilding and Community Centre Car Park.
- Proposed species to be confirmed in accordance with the Department of Lands, Planning and Environment Species Guide
- Landscaping in the Central Park Area which provides pedestrian footpaths, shade trees and street furniture.
- Screen trees to car parks and shade trees located near park benches in open space areas

The proposed open space for the entire site indicated at 46%. It should be noted however that this includes the space for swale drains along the site boundaries and that this space is battered and therefore cannot form useable POS for each unit.

The Updated Technical Assessment is at **Bookmark D** the Amended Development Plans and the applicant's written response to the deferral are at **Bookmark B.**

Applicant's Summary Response

The revised proposal provides further detail regarding the intended landscape structure, including guidance on shade-tree planting, screening vegetation, pedestrian pathways, communal landscaping and seating areas. The applicant proposes that final species selection, planting schedules, irrigation and detailed landscape specifications be addressed through a Landscape Plan required by General Condition on the Development Permit.

Deferral Point 3

Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group,
and specifically demonstrating:

- How Private Open Space (POS) requirements will be achieved through landscaping or fencing.
- Screening of Private Open Space from surrounding land and adjoining units.
- Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.

DAS Review

The Development Plans have been amended to show:

- Screening of Private Open Space from surrounding land and adjoining units with fencing, specifically all proposed units show side fencing to 1.8m to comply with 5.4.6 (3) (a)
- Rear boundary Colourbond fencing to 1.8m.
- An updated Stormwater response with swales along the boundary and stormwater management separated from the POS.

Not shown on the amended plans:

- Part A and Part B POS areas, although the minimal POS is achieved
- Location of deep planting areas in the POS of each unit

The units have been shifted in from the side and rear boundaries creating an additional width along the boundary for the swale drain. This is 2m wide on the side boundaries and varies between 3m and 1.5m on the rear boundary. A retention basin is proposed in the northeast corner. The updated stormwater arrangement separates the required residential Private Open Space from the stormwater-management infrastructure. An updated Stormwater Plan has also been provided.
The Amended Development Plans are at **Bookmark B**. The updated Technical Assessment is at **Bookmark D**.

Applicant's Summary Response

The revised proposal maintains the required Private Open Space areas and has amended the stormwater design so that required residential Private Open Space is not occupied or impacted by stormwater-management infrastructure. Increased external setbacks and additional landscape opportunities further improve the amenity and usability of these areas.

The revised proposal maintains screening fencing between relevant Private Open Space areas and provides additional opportunities for landscape screening through increased setbacks and further planting. Final species selection and planting density can be addressed through the detailed Landscape Plan General Condition.

Deferral Point 4

Minor amendments to the design of the parking area outside of the proposed outbuilding to include adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two

axle bus/truck, 5.5-14.5m) or larger that vehicles can safely enter and move through the site in a forward gear.

DAS Review

The development plans were amended to show:

- The outbuilding was relocated to front of the site on the NW corner with direct access to dual access Road 1
- The proposed outbuilding has been reduced in size with the number of bays reduced from 10 to 5.
- Adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two axle bus/truck, 5.5-14.5m) has been provided.

The provided Swept Paths.pdf states:

'The swept path assessment demonstrates suitable access to the shed and storage area. Vehicles towing trailers may also approach via the Community Centre car park, providing an alternative and more direct alignment for convenient entry and exit.'

The relocation to the front of the site prevents all vehicles from having to pass through the residential area.

The proposal indicates the use of the main entrance/exit two way road to the development as the area for turning vehicles to enter the storage bays in the outbuilding. Manoeuvring is not wholly within the carpark area. There could be some traffic implications as this is the only entrance to the site for all vehicles - owners, visitors, service vehicles and emergency vehicles.

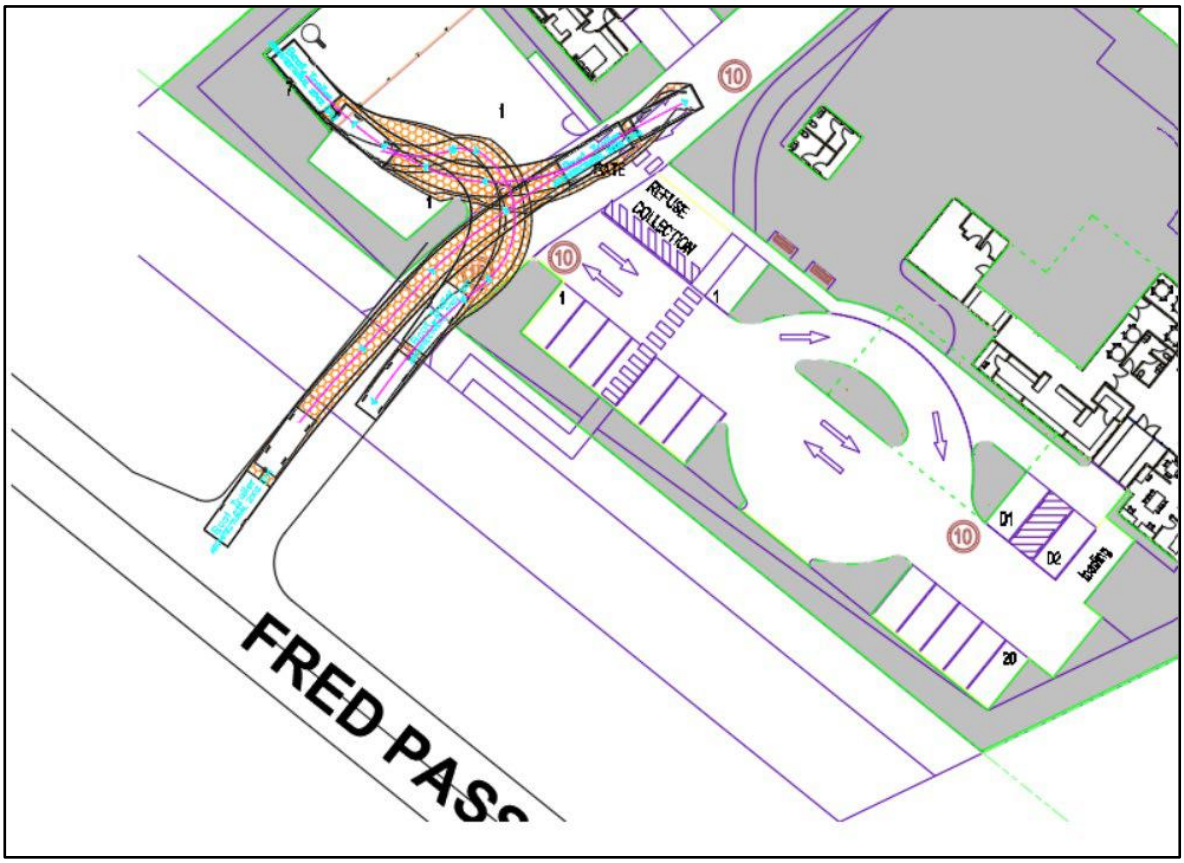


Figure 3 Swept Path Shed & Storage Area

Applicant's Summary Response

The residents' storage facility has been relocated toward the front of the development and is proposed to operate as a centrally managed facility. The revised location improves accessibility and reduces larger vehicle and trailer movements through the internal residential areas.

The updated Technical Assessment is at **Bookmark D**. The applicant's response to deferral is at **Bookmark B.**

Deferral Point 5

Wayfinding signage throughout the site if and where considered necessary.

The development plans were amended to show:

- 10km hour speed limits on the entrance two way road and in carparking areas
- Two way indicators on roads and in car parks
- Pedestrian pathways in the Community Centre area, Community Carpark, to the Outbuilding area, and around the Park Open Space.
- Pedestrian crossings within the Community Centre Carpark and across the two way road.
- A pedestrian pathway to the front of the site at Fred's Pass Road.

No documents have been provided to indicate the specifics of wayfinding signage however the applicant has submitted a written response.

Applicant's Summary Response

The nominated operating speed of 10km will be reinforced through accessway geometry, pavement treatments, landscaping, pedestrian crossing and connection points, signage, village operating rules and ongoing management by the village operator. The low-speed outcome therefore does not rely upon signage alone.
The applicant indicates that the final pedestrian-priority, directional and wayfinding signage can be coordinated through detailed design and the operational management framework.

The updated Technical Assessment is at **Bookmark D**. The applicant's full response to deferral is at **Bookmark B.**

Deferral Point 6

A Traffic Impact Assessment prepared by a suitably qualified traffic engineer which will consider access to the site, identify all necessary upgrades to the surrounding road network and respond to Litchfield Council's requirements for access to the road corridor.

An addendum to the TIA was provided. This proposes:

- A crossing at Freds Pass Road
- Basic left and right turn widening would be appropriate but dedicated auxiliary or channelised lanes would not be warranted for the identified traffic.
- Given the higher likelihood for left turn movements into the site, it recommends that shoulder widening (BAL treatment) is provided to assist drivers in entering the site.

DAS Response

A review of the Addendum to the TIS indicates that it provides an assessment of the following:

- the Arnhem Highway duplication project;
- the proposed Challoner Circuit extension and intersection upgrades;
- future road-network conditions;
- pedestrian connectivity;
- pedestrian crossing sight distance;
- existing traffic volumes on Freds Pass Road;
- development traffic generation;
- the appropriate access treatment against the relevant Austroads warrants.

It is noted that Litchfield Council has responded to the addendum to the TIS and indicated that they do not consider that the Addendum to the TIS identifies the wider traffic impacts and they do not support the pedestrian crossing on Freds Pass Road. Refer to section (j) below.

Applicant's Summary Response

The submitted Traffic Impact Statement has been supplemented by a Traffic Addendum specifically addressing Council's concerns regarding future Arnhem Highway/Challoner Circuit works, pedestrian connectivity and access-turn treatments. The traffic engineer has assessed the proposed access against the applicable Austroads standard and concludes that dedicated auxiliary or channelised turning lanes are not warranted for the forecast traffic volumes. The Addendum also considers future road-network changes and pedestrian connectivity to the surrounding network and development is found to be suitable in this instance.

The updated Technical Assessment is at **Bookmark D**. The applicant's full response to deferral is at **Bookmark B.**

Deferral Point 7

A Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines prepared, to the requirements of the Litchfield Council, and to the satisfaction of the consent authority.

Amended Response

A Waste Management Plan was not provided.
The development is proposed to operate under single management with waste collection undertaken by a private contractor rather than conventional individual residential kerbside collection. Preliminary advice was provided by Veolia which confirms that the development is capable of being serviced by a private waste collection contractor using conventional commercial waste collection vehicles and equipment.
The applicant continues to accept that a final Waste Management Plan should be prepared but requests that this be a general condition on a permit.

The Amended Plans show a refuse collection park to the front of the site alongside Community Centre carpark. Swept path design shows that these can be accessed with the trucks using the outbuilding car park.

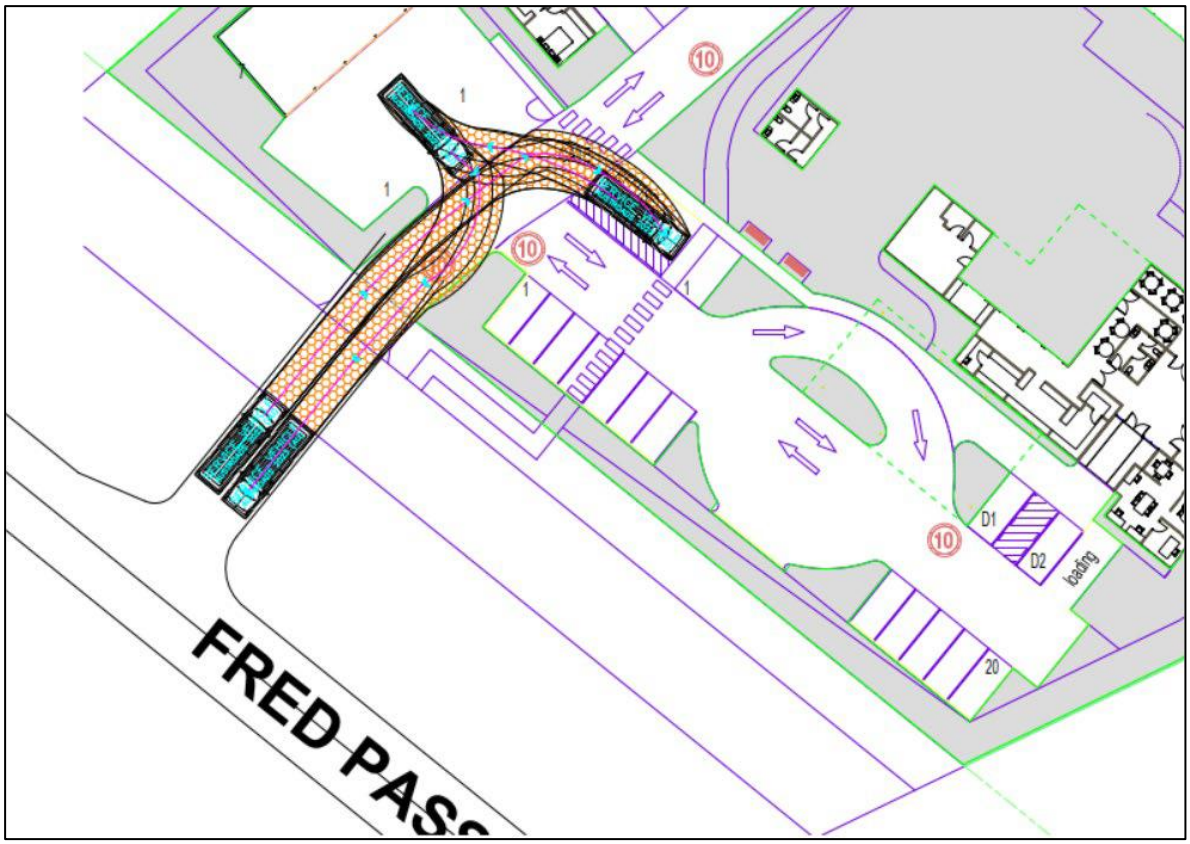


Figure 4 From Swept Paths .pdf -Refuse Collection Access (Austroads Class TB2 - Two -Axle Bus/Truck (5.5-14.5m)

DAS Response

The amended plans and preliminary advice indicate that access to the front of the site for waste management can be achieved. This access uses the main entrance and the outbuilding carpark spaces for the manoeuvre.

A Waste Management Plan which shows how waste is to be managed for the 58 units and the Community Centre has not been provided so the details associated with the management remain unknown. The question remains as to how waste will be contained and transported from units to the point of pick up and what types of bins are proposed – individual bins or large communal bins and does the proposed plan design support this?

Applicant's Summary Response

The development will utilise a privately managed waste-collection service and the applicant has obtained confirmation from the proposed waste contractor that the proposed collection arrangement is suitable. The applicant proposes that a final Waste Management Plan addressing bin numbers, collection frequency, storage, presentation and operational requirements be required by general condition prior to operation of the development.

The updated Technical Assessment is at **Bookmark D**. The applicant's Full response to deferral is at **Bookmark B**.

Deferral Point 8

A schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the

Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

Amended Response

An updated Stormwater Management Plan was provided. Refer to Figure 5 below. This plan shows the removal of the stormwater infrastructure from the Private Open Space it indicates a water detention area in the northwest corner of the amended plans.

ADG Engineers undertook an engineering services assessment for 79 Freds Pass Road, Humpty Doo. They confirm that the site can be adequately serviced for water, stormwater and sewer through the installation of new connections off existing infrastructure. They confirm that:

'all stormwater runoff from the site shall discharge from the designated lot connections to the proposed Lawful Point of Discharge which shall include stormwater treatment devices and detention tanks to ensure there are no adverse impacts of the development. Although the site is not understood to have any existing water or sewer connections, the existing DN300 (water) on Freds Pass Road and the existing DN150 (sewer) on Beaumont Road will be able to facilitate the development. An onsite sewer pump station is likely required to ensure that sewer can discharge to the main on Beaumont Road. Details of the pump station shall be confirmed in detailed design. Detailed engineering documentation shall require to be submitted to and approved by all relevant authorities prior to commencement of works onsite.'



Figure 5 Proposed Stormwater Plan

DAS Response

An updated Stormwater Management Plan was provided. Litchfield Council no longer object on the basis of Stormwater impacts. It is noted that a condition precedent would still be required if a permit were to be issued, to identify specific detailed civil design requirement and this would require approval by Litchfield Council.

The revised layout identifies a dedicated stormwater-management corridor that is separate from residential Private Open Space and other functional elements of the development.

The updated Technical Assessment is at **Bookmark D**. The applicant's response to the deferral is at **Bookmark B**.

Applicant's Response

Updated survey and catchment information has informed a revised stormwater strategy and development layout. A dedicated stormwater corridor has now been identified separate from Private Open Space and other functional development areas, clearly demonstrating that the required stormwater infrastructure can be accommodated within the site.
Detailed civil design may ultimately provide for swales, pit-and-pipe infrastructure, a combination of both, or potentially the undergrounding of all stormwater infrastructure. Importantly, the development does not rely on undergrounding to demonstrate an acceptable stormwater solution; sufficient land has already been provided to accommodate the infrastructure should surface drainage be required. Any remaining technical matters can appropriately be finalised post-permit through detailed civil design and secured by Condition Precedent.

General Summary Response to the Deferral Points

The applicant's response to the deferral points has been quite varied. Below is a table which summarises the response and provides direction.

DEFERRAL POINTS	ACHIEVED/NOT ACHIEVED	PROPOSED ACTION
Deferral Point 1		
Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.	✗	Assessment required at the DCA Meeting. A Precedent Condition could address this and could also address the related issue of building massing.
Community Centre carparking layout to include: - turnaround area located at the end of the Community Centre carpark - pedestrian access/pathway within the Community Centre carpark with signage directing vehicle and pedestrian traffic in and around the carpark.	✓ ✓ ✗	Turnarounds Achieved Pedestrian pathways provided through out the development including within the Park, and car parking areas. Pedestrian access alongside access loop road -roads 1,2,3 & 4 has not been provided but the 10km limit supports a shared access. Pedestrian access along Fred's Pass Road has not been provided instead a crossing at Freds Pass Road is proposed to connect to the footpath on the other side.

Deferral Point 2		
A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB Screening to all parking areas from public spaces.	✓	Generally achieved.
Deferral Point 3		
Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group, and specifically demonstrating: • How Private Open Space (POS) requirements will be achieved through landscaping or fencing. • Screening of Private Open Space from surrounding land and adjoining units. • Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.	✓	Generally achieved. Deep planting not indicated but space is available
Deferral Point 4		
Minor amendments to the design of the parking area outside of the proposed outbuilding to include adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two axle bus/truck, 5.5-14.5m) or larger that vehicles can safely enter and move through the site in a forward gear.	✓	Whilst the swept path analysis has been provided this does not indicate turning wholly within the outbuilding carpark instead it shows turning using the dual access road.
Deferral Point 5		
Wayfinding signage throughout the site if and	✓	A response which shows road directions, turning circles, 10km shared pedestrian and vehicle access, pedestrian pathways and crossings.

where considered necessary.		This is not a full response but it is considered acceptable noting that an Operational Management Plan could be a recommended precedent condition.
Deferral Point 6		
A Traffic Impact Assessment prepared by a suitably qualified traffic engineer which will consider access to the site, identify all necessary upgrades to the surrounding road network and respond to Litchfield Council's requirements for access to the road corridor.	✓	Decision required at DCA. Council remain concerned and object to the addendum to the report. Council maintain concerns around impacts on surrounding development proposals, particularly that of the Arnhem Highway Duplication project which design is currently underway. Noting that this development is only 170m to the east of the proposed upgrades to Challenor Circuit and Freds Pass Road. • Based on the road classification and the proposed use and number of dwellings, a separate turning lane into the site is necessary from both directions • upgrades are required to the footpath network to ensure pedestrian accessibility. A Precedent or Standard Condition for an updated TIA to the satisfaction of the Authority could be included.
Deferral Point 7		
A Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines prepared, to the requirements of the Litchfield Council, and to the satisfaction of the consent authority.	✗	An indication that waste management could be managed by a private operator has been provided. A Precedent Condition for a Waste Management Plan to the satisfaction of Litchfield Council could address the requirements.
Deferral Point 8		
A schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate	✓	A Stormwater Plan has been provided and this has informed the change of design. Swales and a retention basin are now part of the design. Litchfield Council do not object on stormwater grounds. A precedent condition would still be required to ensure further required changes at detailed design phase achieve requirements.

how stormwater will be collected on the site and connected underground to Council's system.		

Additional Changes made to the proposal not specifically as a response to deferral points

Residential Area

- Shifting of units off the boundary to create a separate swale area outside of the POS. Increased boundary setbacks of between 1.5m and 3m.

- Reduced unit frontages from approximately 4m to between 3.10m and 3.21m.

- A reduction in Units from 60 to 58. With 31 two bedroom and 27 three-bedroom units.

- A change in configuration in the northeast corner of the site removes the outbuilding from that location and improves the access.

- Type 01C and Type 02C units remain unchanged these are 6 attached dwellings each. These have an extent of approximately 51m length at the rear which is significantly greater than 15m and they each have a significant building mass and prevent opportunities for cross ventilation. Type 02C units in particular overlook the Open Park space and so the massing impact is significant. Cross ventilation would be poor.

Outbuilding - 140m^2

- The proposed storage sheds have been shifted to the front of the site and are accessed via the dual access Road 1 avoiding the need for trailers and boats to travel through the residential area.
- The Storage shed has been reduced to 5 bays with a dimension of 8.6m x 16.3m. Its only slightly non-compliant with Clause 5.4.17 Building Articulation is much reduced.

Retention Basin

- A retention basin is proposed in the northeast corner. This supports the Stormwater Drainage Plan.

Visitor and service vehicle parking

- Additional car parking is provided in the residential area with 11 bays provided as indented bays along the internal loop road.

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2. PRELIMINARY DECISION ABOUT DEVELOPMENT PROPOSAL (SECTION 30P OF THE PLANNING ACT)

Section 30P(2) of the *Planning Act 1999* establishes matters the consent authority is required to consider in making a preliminary decision in relation to the development proposal.

Matters discussed below are those identified in section 30P(2) that are relevant to the reconsideration proposal. All other subclauses, where relevant, are discussed in the previous report. **Refer to Bookmark B.**

(a) the planning scheme that applies to the land to which the application relates (the land);

The deferral response has been assessed against relevant provisions of the NTPS 2020. The updated Technical Report is at **Bookmark D.**

The proposal has been assessed as a dwelling-group with ancillary Outbuilding and a Community Centre.

Under section 51(3) of the *Planning Act 1999* when considering a development application under subsection 51(1), the consent authority must apply the relevant considerations to only those components of the development that triggered the requirement for consent under the planning scheme.

Pursuant to Clause 1.8(1)(b) of the Scheme, dwelling-group (3+) is a *Merit Assessable* type of development in Zone LMR and pursuant to Clause 1.8(1)(c) a Community Centre is *Impact Assessable* type of development. Therefore, the Development is considered to be Impact Assessable development. In accordance with Clause 1.10(4), in considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:
a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
b) any Overlays and associated requirements in Part 3 that apply to the land; and
c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6.
d) any component of the Strategic Framework relevant to the land as set out in Part 2.

The Group-dwellings (58), comply with Clause 5.2.1 General Height Control, Clause 5.2.4 Car Parking, Clause 5.4.1 Residential Density, and Clause 5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures, Clause 4.3 LMR (Low-Medium Density Residential), Clause 5.2.2.4 Layout of Car Parking Spaces, Clause 5.2.6.1 Landscaping in Zones other than Zone CB, Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings -group, and 5.4.8.1 Building Design for Dwelling-group, Rooming Accommodation and Residential care facility but are inconsistent with the Strategic Framework for development in Zone LMR and do not comply with Clause 5.4.1.7 Building Articulation.
The Community Centre complies with all applicable clauses, with the exception of Clause 5.4.1.7 Building Articulation.

The applicant's deferral response has been assessed against the relevant provisions of the NTPS 2020 and was found to be non-compliant with Clause 5.4.1.7 Building Articulation but now achieves compliance for Clause 5.2.2.4 Layout of Car Parking Spaces.

<u>Clause 5.4.1.7 Building Articulation</u>

The purpose of this clause is to ensure that residential buildings and ancillary structures are located in a manner that is compatible with the streetscape and surrounding development, including the existing dwelling-single; minimises adverse effects of building massing when viewed from adjoining land and the street; avoids undue overlooking of adjoining properties; and facilitates breeze penetration through and between buildings.

Type 01C and 02C units are conjoined townhouses of 6 units, each with an unarticulated rear wall of approximately 51m. This has significant building massing and some impacts in terms of

breeze penetration. The Type 01C units have the rear wall facing the landscaped area of the Community Centre and with that proposed landscaping will be somewhat screened providing massing relief. However, the Type 02C units are in the Central Park Space and are a poor design outcome which will be visible from the public realm and do not provide the additional deferral request to overlook the park space.
Refer to the original report at **Bookmark E** and the updated Technical Assessment at **Bookmark D**.

(l) the public utilities or infrastructure provided in the area in which the land is situated and any requirement for:
(i) public facilities and services to be connected to the land; and
(ii) facilities, infrastructure or land to be provided by the applicant;

Litchfield Council – **Bookmark C3**
Litchfield Council continue to object to the proposal and note that comments previously provided in the letters submitted by Litchfield Council on 17 April and 12 August 2026 remain current, except for the comments regarding the stormwater design and private open space. These comments are summarised below:

1. Inconsistencies with the Humpty Doo Area Plan
   Litchfield Council points out that there are two elements to consider in relation to zoning and dwelling-density. Based on Planning Principle 4 Residential Growth and Housing Choice in the Humpty Doo Activity Centre Plan (activity centre plan), objective 4.1 speaks to lot sizes and residential densities and objective 4.2 speaks to the sequence and transition of residential zones. 4.2 (i) therefore can be interpreted to represent a transition of density based on the suggested zoning types. Objective 4.3 Facilitate Retirement Living speaks to amenity and accessibility of community areas and a density consistent with low medium density residential.

   The Council objects to the proposed zoning, noting that it is not consistent with the Humpty Doo Activity Centre Plan (activity centre plan), particularly in relation to:

   - Objective 4.2 (i) transition of residential density which states that Zone LR – Low Density Residential lots of no less than 800m2 next to areas of Zone RR (Rural Residential).

     The Council explains that this is because the density of LR is 1 dwelling-single per lot. So irrespective of this being a subdivision or development, the density of dwellings along any boundary that adjoins RL – Rural Living (current) or proposed future RR – Rural Residential (as per the activity centre plan) should not exceed 1 dwelling per 800m2 . Council believes this is the strategic intent of the activity centre plan.

   - Objective 4.3. The applicant's response to Councils comments in the deferral response points to Objective 4.3 (iii) of the activity centre plan stating that it specifically references LMR density outcomes in relation to retirement living. In response Council states that:

     'whilst 4.3 (iii) does state that subdivision and development for the purpose of retirement village may have a residential density consistent with Zone LMR, this same density can be achieved through CL – Community Living. Which allows 1 dwelling-single per 300m2 as part of a dwelling-group. The objective only states that the density is consistent it does not specifically state it should be LMR.'

Litchfield Council reiterates that CL - Community Living zone is much more appropriate to the development noting the proposed use as Retirement Living. The Zone Purpose as per 4.9 of the NT Planning Scheme 2020 (NTPS) is to *'provide for community living that provides, temporary and permanent accommodation, and non-residential facilities for the social, cultural and recreational needs of residents'*.

To this end, Council argues that the dwelling numbers should not exceed 49 dwellings for the site of 2.49ha. The Council does not accept that these elements can be addressed through conditions on a development permit.

2. Traffic Impact Assessment

Regarding the Traffic Impact Statement and Addendum provided in the amended plans package, Council maintains the requirement for a Traffic Impact Assessment to address the concerns already raised through previous letters of comment (as indicated below).

Litchfield Council maintains that as the road authority classifies Freds Pass Road as a Primary Collector Road a Traffic Impact Assessment is required to establish the suitability of the surrounding vehicle and pedestrian infrastructure to support the development.
The traffic impact assessment should:

- Consider surrounding development proposal, particularly that of the Arnhem Highway Duplication project which design is currently underway. Noting that this development is only 170m to the east of the proposed upgrades to Challenor Circuit and Freds Pass Road. Council points out that it would be remiss of the applicant to not consider the impacts of these upgrades on this retirement living development. For the safety of the residents and surrounding community.

- Based on the road classification and the proposed use and number of dwellings, a separate turning lane into the site is necessary from both directions and that upgrades are required to the footpath network to ensure pedestrian accessibility.

The Council does not accept that these elements can be addressed through conditions on a development permit as the required upgrades may have substantial financial implications on the development.

Pedestrian Access
In response to recent amendments to the plans Council does not support pedestrian access across Freds Pass Road, noting that this proposed access would be only 170m from a proposed set of traffic lights or roundabout. Council requests that the Developer construct a footpath on the northern side of Freds Pass Road to connect to the nearest suitable location, depending on the development of the proposed NTG road network upgrades to Challoner Circuit and Freds Pass Road.

Emergency Services
Council suggest that further feedback be sought from NT Police, Fire and Emergency services in relation to the density of the development and the accessibility of emergency services. In particular in relation to fire noting that this development is proposed to adjoin Rural Living parcels of land which have a much higher risk of bushfire.

In summary Litchfield Council accepts the Stormwater Plan is resolved but does not support the zoning or the density and still does not believe that the provided Traffic Impact Statement draws on enough information to support the development.

Power and Water Corporation (Water) - **Bookmark C4**

Power and Water Corporation (PWC) provided an initial response which did not support the proposal and then submitted a second response to the original plans, on 20th May 2026 , which did not object, but advised that the proposed development is currently constrained by significant limitations in the existing water and sewer infrastructure servicing the Humpty Doo locality.

PWC (Water) provided a response to the amended plans indicating that there was no change to the advice provided on 20th May 2026. The PWC comments and requirements are reiterated below:

- The downstream sewer network, including infrastructure associated with Pankhurst Sewer Pump Station (SPS), does not have sufficient capacity to service the proposed development
- Upgrades to approximately 1.32 km of sewer rising main between Pankhurst SPS and Humpty Doo Central SPS will be required to accommodate the proposed flows.
- The Humpty Doo wastewater treatment ponds are currently operating at capacity, with no available capacity to accommodate additional load under existing system conditions.
- Upgrades to wastewater treatment infrastructure will be required to support the proposed development.
- there is currently no committed program or defined timeframe for delivery of these infrastructure upgrades the proposed development cannot be serviced under existing conditions without augmentation or an alternative approved servicing solution.

Under the existing network and treatment conditions, there is insufficient capacity to service the proposed development. Infrastructure augmentation or alternative servicing solutions would be required to enable servicing. PWC does not object to the proposed development proceeding, subject to the developer satisfying the following Conditions Precedent to the satisfaction of PWC:

Prior to the commencement of works, the developer must satisfy the following requirements to the satisfaction of PWC:

1. Sewer Servicing and Network Augmentation The developer must demonstrate and implement an approved sewer servicing solution capable of accommodating the proposed development. This must include either:
    - Upgrades to the downstream sewer network, including the rising main between Pankhurst SPS and Humpty Doo Central SPS; or
    - An alternative servicing solution, supported by detailed hydraulic modelling and accepted by PWC. All works are to be undertaken at no cost to PWC.
2. Wastewater Treatment Capacity The developer must demonstrate that sufficient wastewater treatment capacity can be made available to service the proposed development. Where capacity is not available, the developer must:
    - Deliver, infrastructure upgrades required to enable treatment capacity; and
    - Demonstrate that the development can be accommodated within the broader wastewater servicing strategy for the Humpty Doo catchment, to the satisfaction of PWC.

3. Hydraulic Modelling and Servicing Strategy A detailed servicing report must be prepared by a suitably qualified hydraulic consultant and submitted to PWC for approval. The report must:
    - Confirm the proposed method of sewer connection;
    - Demonstrate how sufficient capacity will be achieved within the downstream network and treatment system; and
    - Identify all infrastructure upgrades and works required to service the development and mitigate existing constraints.

The above limitations also apply to water servicing infrastructure with PWC advising that full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service.

Standard notes and conditions could address the additional advice provided around sewer charges and body corporate arrangements, easements, metering, backflow prevention, internal firefighting requirements, trade waste and asset protection.

Power and Water Corporation (Power) - **Bookmark C5**

PWC (Power) had no objection to the original proposal. The lot is vacant and has no power service. PWC (Power) provided a response to the amended plans confirming that their previous comments remain unchanged.

NT Fire & Emergency (NTFES) and Department of Lands Planning and Environment (DLPE), Department of Health- Environmental Health provided a response to the original plans. Standard conditions and advisory notes would address their requirements. Refer to **Bookmark E.**

(m) the potential impact on the existing and future amenity of the area in which the land is situated;

The applicant's response to the deferral request was circulated to previous submitters that had made a submission during the exhibition period. The submitters reiterated their original concerns in relation to the potential amenity impacts that the proposal might have on the area and these are summarised below:

- Inconsistencies with the Humpty Doo Area Plan- dwelling density and transitions
- Stormwater design and constraints on the POS from swales
- No Traffic Impact assessment and no turning lanes proposed
- Density, lack of private open space, poor design of the park/open space area
- Loss of rural character and poor landscaping response
- Poor housing and landscaping design which does not reflect modern sustainable requirements does not provide shading, cooling and breeze penetration.
- Lack of design consideration for older residents- shared access, emergency vehicles, carparking, refuse collection vehicles and pedestrians all on the single access road.
- Concerns about the impact on infrastructure and services in the local area – water, reticulated sewer, roads and traffic
- Unsustainable dwelling design which will rely on air-conditioning and artificial lighting
- Traffic assessment that does not consider local traffic impacts or provide safe pedestrian solutions and can effectively reduce speed limits
- Safety issues with road width, access and car parking in the whole site, no turnarounds in the Community Centre Carparking area.
- No density transition to adjoining lots and reduced setbacks to boundaries and potential impact on the rural character and potential reverse amenity impacts

(f) any information received as a result of consultations carried out, submissions received, or evidence given at a hearing;

A total of 5 public submissions were received during the original exhibition period. These remain relevant as a few changes were made to the Development Plans and no requested reports were provided. Refer to **Bookmark E**.

The amended plans were circulated to the original submitters and 2 public submissions were received from original submitters. Refer to **Bookmark C1 &C2.**

The issues raised in the second and third submissions are summarised at section (m).

The issues raised by the two new submission (second and third submissions to the amended plans) are summarised below and object to the development.

Gerry Wood (Bookmark C1)

- There are too many tiny lots – reduce the number of blocks by increasing the size to 600-800sqm then provide shade from trees and separate units for breeze penetration. Norcrest and Holtze are poor examples and do not respond to the tropical environment or the requirements of rural retirees.
- House design should respond to the tropical requirements with generous openings, shading, good building orientation, covered outdoor areas, passive thermal design, renewable energy sources and ecologically responsive stormwater collection
- Landscaping is required for privacy and to enhance cooling.
- Footpaths need to be separate from roadways so there is no fear by residents that they are sharing a road with cars and trucks.
- It must have rural character because it is for rural people. The proposal offers only 9 storage sheds available for 60 residents. Houses should include a storage area on the block so the residents don't have to store their caravan or boat at a storage facility. Hence the need for larger blocks to reflect that need and reflect that this a rural retirement village for rural people

The submitter summarises below:

'My comments are similar to before. The development is too dense. One way to decrease the density is to have no duplexes. This is meant to be a rural retirement village not Palmerston. There needs to be a much larger storage facility. The original storage facility seems to have shrunk. A footpath should border all roads for safety sake. If someone is injured because there is no footpath separated from the road who will be responsible - the designer. under NT WorkSafe code of practice.'

Christine Simpson (Bookmark C2)

- The applicant makes reference to the National Construction Code and the NatHERS mandatory energy rating requirements but the Northern Territory is explicitly omitted from this nationwide 7 star thermal efficiency requirement. Instead it uses jurisdiction specific energy rules. NT relies on cross ventilation, large eaves for shading as well as air conditioning. Climate conscious housing is required with louvres for air flow and larger private open space with natural shading.

- The applicant refers to old land lease examples but the Freds Pass proposal does not provide the same services provided by these examples. These examples no longer represent best practice as they are 7-10 years old.
- Potential Amenity impacts due to no transition proposed to adjoining lots- outside boundary
- Concerns around the management and operations of the retirement village- ownership & leasing, waste collection including hard waste.
- Single lane internal loop road poses safety concerns for pedestrians in particular older people that may be deaf and mobility impaired, require mobility scooters. It is not wide enough to be shared by pedestrians and 4WD vehicles and caravans, refuse collection vehicles, furniture removalists vans and emergency service vehicles. This could have a serious implication when ambulances and emergency vehicles need to access the site.
- Community Centre Car Park requires turnaround & safe pedestrian pathways are required.
- Solar power and EV charging should be provided.
- Concerns around how the infrastructure (Power, water, sewer) will work and how each dwelling will be metered and managed
- Freds Pass Road Traffic consideration from future road upgrades which are not reflected in Litchfield Council data. Traffic from Redcliff Rd, Lloyd Rd, Beaumont Rd and Challoner Circuit.

The submitter summarises below:

'Whilst Mr Rosse's amended plan has conceded to a few of the reasons that his first plan did not adequately address, I still stand behind my first two submissions, Litchfield Council's and DCA's responses.
In particular, the number of units planned and the need for adherence to the various Land Use and Village Centre plans for Litchfield and Humpty Doo are important considerations as well as the amenity of the concept village for older, downsizing Territorians. I will not support the amended plan as submitted.'

A response from the applicant to the issues raised in the submissions has been provided and is at **Bookmark B**.

For a response to sections (o),(p),(pa),(q),(r),(s), and (t) please refer to the original Report at **Bookmark E**.

3. RECOMMENDATION SUMMARY

The consent authority is required to make a number of related decisions about a concurrent application. The decisions required in relation to the amendment proposal and development proposal are summarised below.

Recommendation 1 relates to the preliminary decision the consent authority is likely to make, as required by section 30P, on the development proposal seeking consent to develop a Dwelling group (31 x 2 bedroom and 27 x 3 bedroom) in 58 single storey buildings and a Community Centre, in the event the Minister were to approve the amendment proposal.
Note that the preliminary decision does not result in a development permit at this stage in the concurrent application process.

Recommendation 2 relates to the report the consent authority is required, under section 30Q to provide to the Minister.

Recommendation 3 delegates to the Chair the determination of the development proposal contained in the application after receipt of a notice from the Minister under section 30U(1) Minister's decision on the amendment proposal.

Note that the determination of the development proposal will also give effect to the amendment proposal contained in the concurrent application.

4. RECOMMENDATION 1

As required by section 30P(1)(a), the consent authority must make a preliminary decision that, if the Minister were to approve the amendment proposal to rezone Section 5111 Hundred of Strangways (79 Fred's Pass Road Humpty Doo) from Zone RL (Rural Living) to Zone LMR (Low-Medium Density Residential) that it would be likely to determine to consent to the development under section 30W(1)(a) conditionally for the purpose to develop a Dwelling group (31 x 2 bedroom and 27 x 3 bedroom) in 58 single storey buildings and a Community Centre subject to the following conditions:

PRECEDENT CONDITIONS

1. Amended Plans which demonstrate the following:
    a. Dwelling designs which clearly demonstrate breeze penetration and natural light and shade;
    b. Units within the Central Park Space to overlook the Central Park Space; and
    c. Type 02C units within the Central Park Space to achieve building articulation in accordance with Clause 5.4.1.7.

2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works, a Traffic Impact Assessment report is to be prepared by a suitably qualified traffic engineer. This will identify all necessary upgrades to the surrounding road network to Litchfield Council standards, funded entirely by the developer at no cost to Council. All footpath/road upgrades must comply with NT Subdivision and Development Guidelines and undergo Stage 3 Road Safety Audit (design stage), to the satisfaction of the consent authority.

4. Prior to the commencement of works, a Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines must be prepared, to the requirements of the Litchfield Council, to the satisfaction of the consent authority.

5. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan AL2559 CD.005 prepared by (Ashford Lamaya Architects, except that the plan must show:
    (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;

(b) details of surface finishes of pathways and driveways;
(c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
(d) landscaping and planting within all open areas of the site;
(e) At least 32 canopy shade trees (minimum two metres tall when planted) in the following areas: Park and connecting open spaces, Community Centre open areas, Residential areas; and provision of an in-ground irrigation system to all landscaped areas.
(f) All species selected must be to the satisfaction of the consent authority.

6. Prior to the endorsement of plans the applicant shall lodge with Power Water Corporation:
   a) A Sewer Servicing and Network Augmentation Plan that demonstrates and implements an approved sewer servicing solution capable of accommodating the proposed development.
   b) A Wastewater Treatment Capacity Plan that demonstrates that sufficient wastewater treatment capacity can be made available to service the proposed development.
   c) A Hydraulic Modelling and Servicing Strategy in the form of a detailed servicing report;
   to the satisfaction of the Consent Authority.

7. Prior to the commencement of use, the applicant shall lodge an Operational Management Plan demonstrating the form of site tenure and operational management of the site including regards to the intended uses of the site, detailed design and wayfinding signage, to the satisfaction of the Consent Authority.

GENERAL CONDITIONS

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

9. All new easements, and amendments to existing easements, to be vested in the relevant authority for which the easement is to be created must be shown on the survey plan, to the satisfaction of the consent authority for approval by the Surveyor General.

10. 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.

11. The developer must enter into agreements with the Power and Water Corporation for the provision of an electricity and water connection to the site and to each dwelling as shown on the endorsed plan with the requirements of the Northern Territory Subdivision Development Guidelines and relevant authority policies.

12. All proposed and affected:
    a. roads;
    b. stormwater drainage;
    c. vehicular access; and
    d. streetscaping

    must be designed and constructed at the owner's expense in accordance with the requirements of the Northern Territory Subdivision Development Guidelines and to the technical requirements of the Litchfield Council, to the satisfaction of the consent authority.

13. All works recommended by the traffic impact assessment are to be completed to the requirements of the Litchfield Council, to the satisfaction of the consent authority.

14. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
    a. constructed;
    b. properly formed to such levels that they can be used in accordance with the plans;
    c. surfaced with an all-weather-seal coat;
    d. drained;
    e. line marked 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.

15. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto the public road network. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the public road network. Entry/exit controls must be implemented in accordance with the approved Erosion and Sediment Control Plan. Where material has been dropped or tracked on the public road network, the Developer must sweep and clean material off the road.

16. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council, to the satisfaction of the consent authority.

17. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Litchfield Council's drains or to any watercourse.

ADVISORY NOTES

1. This permit will expire if one of the following circumstances applies:
    a. the development and use is/are not started within two years of the date of this permit; or
    b. the development is not completed within four years of the date of this permit.

    The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

2. A Works Permit is required from the Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network. Fees may apply.

3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@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.

4. The developer must ensure that:
    Backflow prevention is installed at the water service in accordance with AS/NZS 3500.1 – Plumbing and Drainage (Water Services); and

Where applicable, devices are tested annually in accordance with AS/NZS 2845.3. Further information is available at: https://www.powerwater.com.au/developers/water-development/backflow-prevention or via email: BackflowPrevention.PWC@powerwater.com.au

5. The developer must ensure that:
   Trade Waste approval or exclusion is obtained prior to construction; and
   A Licence to Discharge Trade Waste is obtained prior to seeking clearance, where required. Enquiries and applications can be made via: TradeWasteDept.PWC@powerwater.com.au
   https://www.powerwater.com.au/developers/water-development/trade-waste

6. PWC has essential infrastructure within the adjacent road reserve. The developer must take all necessary precautions to ensure PWC assets are not damaged or undermined during construction. The developer will be liable for any damage to PWC infrastructure. All works must comply with PWC's Connection Code and will be undertaken at the developer's expense. Charges are valid for six (6) months from the date of issue and may be reassessed thereafter. The developer must contact Development Services (Developer.concierge@powerwater.com.au) a minimum of one (1) month prior to the commencement of construction works.

7. 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 theses arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind

8. 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 development via https://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 must be built to nbn guidelines found at https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design build-install

9. PWC advises that Section 5111 is a vacant lot and does not have power service. Underground 22kV cable extension and establishment of a suitable package substation for the development shall be complied with by the developer.

10. A groundwater extraction licence may be required under the *Water Act 1992* for any bore used for purposes other than rural stock and domestic water supply. For advice on water extraction licences please contact the Water Licensing and Regulation Branch of the Department of Lands, Planning and Environment.

11. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Act 2011*. Should any heritage or archaeological material be discovered during over the course of work, cease operation and please phone Heritage Branch of the Department of Lands, Planning and Environment. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Act 2011. Should any heritage or archaeological

material be discovered during works, cease operation and please phone Heritage Branch of the Department of Lands, Planning and Environment.

12. Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 33.

13. Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.

14. Full lot fire coverage cannot be achieved from existing hydrants. Internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service. An internal break tank maybe required for firefighting, as direct pumping from PWC water mains is not permitted. PWC recommends that the developers' hydraulic consultant confirm internal firefighting requirements with PWC prior to the development, so that flow capability can be adequately assessed.

15. For the purposes of best practice land management and environmental protection, it is recommended that: (a) prior to the commencement of works an Erosion and Sediment Control Plan (ESCP) is developed; (b) the ESCP is implemented throughout the construction phase including clearing and early works; and (c) all disturbed soil surfaces are stabilised against erosion at completion of works.

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

17. There are statutory obligations under the Waste Management and Pollution Control Act *1998* (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at https://ntepa.nt.gov.au/publications-and-advice/environmental-management. The Act, administered by the Northern Territory Environment Protection Authority, is separate to and not reduced or affected in any way by other legislation administered by other Departments or Authorities. The Environment Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be noncompliance with the Act.

18. All land in the Northern Territory is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Section 9 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection. Should you require further weed management advice contact the weed management branch by phone on (08) 8999 4567 or by email to weedinfo@nt.gov.au.

5. REASONS FOR RECOMMENDATION

1. Pursuant to sections 30P(2)(a) and (b) of the Planning Act 1999, the consent authority must take into account any planning scheme that applies to the land to which the application relates and the amendment proposal contained within the application.

   The Group-dwellings (58), comply with Clause 5.2.1 General Height Control, Clause 5.2.4 Car Parking, Clause 5.4.1 Residential Density, and Clause 5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures, Clause 4.3 LMR (Low-Medium Density Residential), Clause 5.2.2.4 Layout of Car Parking Spaces, Clause 5.2.6.1 Landscaping in Zones other than Zone CB, Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings -group, and 5.4.8.1 Building Design for Dwelling-group, Rooming Accommodation and Residential care facility but are inconsistent with the Strategic Framework for development in Zone LMR and do not comply with Clause 5.4.1.7 Building Articulation. The Community Centre complies with all applicable clauses.

   The applicant's deferral response has been assessed against the relevant provisions of the NTPS 2020 and was found to be non-compliant with Clause 5.4.1.7 Building Articulation.

   Administratively, the consent authority may vary the provisions of this clause only if it is satisfied that the reduced setback is consistent with the purpose of this clause, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

   The purpose of this clause is to ensure that residential buildings and ancillary structures are located in a manner that is compatible with the streetscape and surrounding development, including the existing dwelling-single; minimises adverse effects of building massing when viewed from adjoining land and the street; avoids undue overlooking of adjoining properties; and facilitates breeze penetration through and between buildings.

   The proposed development proposes two non-compliant buildings – Type 01C and Type 02C. These units have unarticulated rear walls of approximately 51m in length.

   The massing impact of the Type 01C 6 conjoined units is likely to have some impact as the unarticulated rear wall faces the screened garden area of the Community Centre, and is approximately 15m away from the Community Centre. Some breeze circulation may be achieved. This wall is unlikely to have a significant visual impact at these distances particularly as the rear POS for the units will be fenced and landscaping is proposed as part of the Community Centre rear area.

   The massing impact of the Type 02C, 6 conjoined units will have a significant impact as the rear unarticulated approximately 51m wall will face the Central Park, the main pedestrian walkway is alongside. Breeze penetration will also be compromised. The opportunity to reposition and redesign these units to address the park and thereby achieve building articulation, improved breeze penetration and a good character response has not been taken. Deferral point 1 has not been responded to. It is therefore recommended that a Condition Precedent request the Deferral point 1 requirements through the following wording:

   'Amended Plans which demonstrate the following:

a. *Dwelling designs which clearly demonstrate breeze penetration and natural light and shade;*
b. *Units within the Central Open Space to overlook the Central Park Space; and*
c. *Type 02C units within the central space to achieve building articulation in accordance with Clause 5.4.1.7.'*

It is considered that by doing so the purpose of the clause can be achieved.

2. Pursuant to Section 30P(2)(j) of the Planning Act 1999, the consent authority must take into consideration the capability of the land to support the development proposal and the effect of the proposal on the land, and on other land, the physical characteristics of which may be affected by the proposal.

   The site is relatively flat with sparse to vegetation. A Stormwater Report was provided, and this indicates that the site is separated into two catchments. Catchment 1 sheet flows to the east of the site through the adjacent development at Lot 5110 and ultimately discharges to the table drain on Fred's Pass Road. Catchment 2 sheet flows to the west of the site through the adjacent development at Lot 5112 and similarly discharges to the table drain on Fred's Pass Road.

   The updated Stormwater Management Plan proposes boundary swales and a water retention basin in the northeastern corner of the site. The proposal indicates that all stormwater from the site would discharge from the designated lot connections to the proposed Lawful Point of Discharge which would include stormwater treatment devices and detention tanks to ensure there are no adverse impacts of the development.

   It is noted that the development does not propose onsite sewer treatment but proposes a sewer main extension from the existing main on Beaumont Road and Stormwater and Sewer Report recommends that an onsite sewer pump station would be required to ensure that the sewer can discharge to the main on Beaumont Road. PWC have advised that the site is currently constrained by significant limitations in the existing water and sewer infrastructure but have provided support to the application with conditions on the permit.

3. Pursuant to Section 30(2) (l) of the Planning Act 1999, the consent authority must take into consideration the public utilities or infrastructure provided in the area in which the land is situated and any requirement for: public facilities and services to be connected to the land; and facilities, infrastructure or land to be provided by the applicant.

   Litchfield Council initially requested a Traffic Impact Assessment (TIA) and technical engineering report addressing road upgrades and comprehensive traffic modelling considering existing uses of the core area. In the deferral response the applicant has provided an addendum to the Traffic Impact Assessment. Litchfield Council do not accept that the addendum to the TIA considers surrounding development and they request a turning lane and upgrades to the pedestrian access to the site. This has been addressed through an amended TIA precedent condition to the satisfaction of the Authority.

   Litchfield Council also requested an updated Design Concept Plan that considered the maximum dwelling density permitted under the Humpty Doo Area Plan and subsequent updated Stormwater Management Plan. The Deferral Plans were provided which showed a slight reduction in density and were accompanied by a Stormwater Management Plan which provided setbacks for drainage swales and a retention basin to the rear addressing initial concerns. The amended comments from Litchfield Council to the applicants deferral

response reiterated their concerns about density but accepted the more detailed amended Stormwater Management Plan. It is noted that the residential density proposed is within the requirements of the zone LMR (Low-Medium Density).

Litchfield Council also initially requested an essential Infrastructure Servicing plan, an Operational plan advising the use of the Community Centre and potential ancillary uses including uses available for the broader community, and general management plans for management of the retirement living complex. It is noted that these were not requested with the DCA Deferral Request as they were not considered to be essential to the decision.

A Waste Management Plan was requested. The applicant has provided a response from a private waste management operator indicating that it is possible to service the site.
It is recommended that an updated TIA to Councils requirements, a Waste Management Plan, and an Operational Management Plan would be precedent conditions on any permit issued and these will ensure access and services can be achieved, and the construction and ultimate operation of the site is managed.

Power and Water Corporation (PWC) advised that the proposed development is currently constrained by significant limitations in the existing water and sewer infrastructure servicing the Humpty Doo locality. PWC indicated that prior to the commencement of works, the developer must satisfy PWC and provide the following reports as shown in precedent conditions:

- Sewer Servicing and Network Augmentation- The developer must demonstrate and implement an approved sewer servicing solution capable of accommodating the proposed development.
- Wastewater Treatment Capacity The developer must demonstrate that sufficient wastewater treatment capacity can be made available to service the proposed development.
- Provide a Hydraulic Modelling and Servicing Strategy in the form of a detailed servicing report

PWC (water) clarified that the ability for water and sewer servicing to be achieved for the site would need to be demonstrated and whilst the precedent conditional requirements are significant they are not exhaustive and they are specific providing guidance to the developer to achieve capability.

PWC (Power) had no objection to the original proposal. The lot is vacant and has no power service. PWC (Power) provided a response to the amended plans confirming that their previous comments remain unchanged. NT Fire & Emergency (NTFES) and Department of Lands Planning and Environment (DLPE), Department of Health- Environmental Health provided a response to the original plans but not to the deferral response. Advisory notes can address all requirements.

4. Pursuant to Section 30P(2)(m) of the Planning Act 1999, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.
A number of concerns were raised by the public submitters regarding the impact on amenity of the area. The issues raised related to :

- Density and lack of private open space
- Loss of rural character

- Lack of design consideration for older residents- shared access, emergency vehicles, carparking, refuse collection vehicles and pedestrians all on the single access road.
- Concerns about the impact on infrastructure and services in the local area – water, reticulated sewer, roads and traffic
- Unsustainable dwelling design which will rely on air-conditioning and artificial lighting
- Traffic assessment that does not consider local traffic impacts or provide safe pedestrian solutions
- Safety issues with access and car parking in the whole site, no turnarounds in the Community Centre Carparking area.
- Transition to adjoining lots and reduced setbacks to boundaries and potential impact on the rural character and potential reverse amenity impacts

The amended plans provided have a reduction from 60 to 58 units, show increased setbacks from the boundaries for swale drains and demonstrate an improved response to car parking, vehicle and pedestrian access, vehicle turn arounds, landscaping, POS requirements and provide a better transition to the surrounding sites. Also provided in response to the deferral response were a number of reports including an addendum to the Traffic Impact Statement and a Stormwater Management Plan.

Whilst the referral response was not a full response to all the requirements the remaining issues could be effectively addressed through precedent conditions that require the following:

- Amended Plans to address dwelling design and breeze penetration and the articulation and orientation of Type 02C units
- A Waste Management Plan, noting that a full understanding of how waste would be managed is required.
- A Detailed Landscape Plan, noting that a Landscape Plan was provided but greater detail is required.
- PWC Conditions for sewer, wastewater and hydraulic modelling.
- A Traffic Impact management Plan to the satisfaction of Litchfield Council
- An updated SWMP which reflects design changes and PWC requirements.
- An Operational Management Plan

It is considered that amenity impacts have been reduced with the provided Deferral Response Amended Plans and would be further minimised with the precedent conditions, standard conditions and notes.

5. Pursuant to Section 30P(2)(r) of the Planning Act 1999, the consent authority must take into consideration the other matters the consent authority considers relevant.

   The proposal is for group dwellings, an ancillary outbuilding and a Community Centre to be used as a Retirement Village. Retirement Village is not a use recognised in the NT Planning Scheme 2020 but it is a use supported by Clause 4.3 of the Humpty Doo Rural Activity Centre Area Plan, which seeks to facilitate retirement living within the Rural Activity Centre Core and provide greater housing diversity for residents at different life stages.

   The proposed retirement village is intended to house residents aged 55 years and over and it would support the need for housing for ageing members of the rural community seeking lower maintenance living options that would enable long-term rural residents to downsize while remaining connected to their established community. It is also noted that support has been provided through two submissions who recognised the need for retirement living in the Humpty Doo area.

It is proposed to be a land lease style retirement living community and the site would remain under single ownership and management, with communal facilities retained in private ownership, and occupancy directed toward the over-55s demographic.

The proposal at a high level has real merit. The applicant has provided further information responding to the DCA Deferral Request. Precedent conditions amended plans to address unresolved design issues and for management reports that explain and guide the tenure, occupancy, ownership and internal and physical management of the Retirement Village would be placed on any permit issued.

6. RECOMMENDATION 2

That under section 30Q of the Planning Act 1999, the consent authority report to the Minister for Lands, Planning and Environment advising of the likely decision in relation to the development proposal, issues raised in the submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the amendment proposal.

7. RECOMMENDATION 3

That, pursuant to section 86(1) of the Planning Act 1999, the Development Consent Authority delegates its powers to the Chair or in the absence of the Chair any member of the Litchfield Division of the Authority to:

- Determine, pursuant to Section 30W(1)(a), to consent to the development proposal contained in the concurrent application, and consent to the concurrent application after receipt of a notice under Section 30U(1) that the Minister has approved the amendment proposal contained in the application;
- issue a development permit under section 54(1) in relation to the development proposal to Section 5111 Hundred of Strangways (79 Fred's Pass Road Humpty Doo) for the purpose of developing a Dwelling group (31 x 2 bedroom and 27 x 3 bedroom) in 58 single storey buildings and a Community Centre; and
- issue the relevant notices under Section 30Y.

AUTHORISED



Eve-Marie Davie
A/MANAGER PLANNING RURAL & KATHERINE
DEVELOPMENT ASSESSMENT SERVICES

Development Consent Authority
Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6044
Email: development.consentauthority@nt.gov.au

In reply please quote: PA2026/0080

Gerard Rosse
Rosse Pty Ltd
PO Box 1612,
HOWARD SPRINGS NT 0835

Via email: gerard@crtpc.com.au

Dear Mr Rosse

LOT 5111 (79) FREDS PASS ROAD , HUMPTY DOO, HUNDRED OF STRANGWAYS

You are hereby advised that the Litchfield Division of the Development Consent Authority, at its meeting on Wednesday 17 June 2026 resolved, pursuant to section 46(4)(b) of the *Planning Act 1999*, to defer consideration of the application to develop the above land for the purpose of a dwelling-group (32 x 2 bedroom and 28 x 3 bedroom) in 60 single storey buildings and Community Centre to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Amended Plans which demonstrate the following:
  - Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.
  - Amended access to the site demonstrating a separation of pedestrian and vehicle traffic.
  - Minor amendments to the design of the Community Centre carparking layout to include:

- A turnaround area located at the end of the Community Centre carpark demonstrating through a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger, that, when all carparks are full, vehicles can enter and exit the site in a forward gear;

- A pedestrian access/pathway within the Community Centre carpark with signage directing vehicle and pedestrian traffic in and around the carpark.

- A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB Screening to all parking areas from public spaces.

- Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings-group, and specifically demonstrating:
  - How Private Open Space requirements will be achieved through landscaping or fencing.

- Screening of Private Open Space from surrounding land and adjoining units.
- Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.

- Minor amendments to the design of the parking area outside of the proposed outbuilding to include adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two axle bus/truck, 5.5-14.5m) or larger that vehicles can safely enter and move through the site in a forward gear;

- Wayfinding signage throughout the site if and where considered necessary.

- A Traffic Impact Assessment prepared by a suitably qualified traffic engineer which will consider access to the site, identify all necessary upgrades to the surrounding road network and respond to Litchfield Council's requirements for access to the road corridor.

- A Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines prepared, to the requirements of the Litchfield Council, and to the satisfaction of the consent authority.

- A schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

REASONS FOR THE DECISION

1. This concurrent application seeks to rezone land at Section 05111 Hundred of Strangways (79 Fred's Pass Rd Humpty Doo) from zone Rural Living (RL) to Low Medium Residential (LMR) and to obtain consent for a dwelling-group (32 x 2 bedroom and 28 x 3 bedroom) in 60 single storey buildings (Retirement Living) and a Community Centre. The consent authority must make a preliminary decision under section 30P of the Planning Act 1999 that, if the Minister were to approve the amendment proposal, the authority would be likely to consent or refuse to consent to the development proposal. Under Section 30P(3) the Authority, if it considers additional information is necessary to enable it to make such preliminary decision, can require the applicant to provide that information. The consent authority, having considered the material in the Report, the applicant's presentation and the matters raised by submitters and Litchfield Council, both in written submissions and at the hearing, has determined that further information, as indicated above is required.

2. The site is 24600 m² in area and is characterised by flat pastureland that has been cleared of native vegetation. It is vacant and, for the purposes of the Northern Territory Planning Scheme 2020 (NTPS2020), its strategic designation under the HDRACAP is 'Urban Residential'. It is located within the 'Rural Activity Centre (RAC) Core Area and the predominant zoning of the locality is currently RL (Rural Living) with land in zones Low Residential (LR) and Low Medium Residential (LMR) located within 100m to the southwest of the site. The Authority notes that the application seeks consent to a dwelling-group consisting of 60 dwellings. Although the application refers to "Retirement Living", there is no such use identified in NTPS 2020, nor is there a definition of "Retirement Living" in Schedule 2 of the Scheme. The consent authority considers that the proposal should be assessed as a dwelling-group with ancillary outbuilding and a Community Centre.

3. Pursuant to section 30P(2) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

   If the land is rezoned to Zone LMR, a dwelling-group (3+), requires consent under Clause 1.8 (When development consent is required). Dwelling-group (3+) is identified as Merit Assessable under clause 1.8(1)(b)(i). As per clause 1.8, sub-clause 1(b) of the NTPS2020, Merit Assessable is – 'use and development that requires the exercise of discretion by the consent authority to ensure it can be established and operated in a way that does not impact on the amenity of the area and accords with the relevant zone purposes and outcomes.'. Furthermore, the exercise of discretion by the Authority that applies is clause 1.10(3) (Exercise of Discretion by the Consent Authority) of the NTPS2020 which states that – 'In considering an application for a use or development identified as Merit Assessable, the consent authority must take into account all of the following: a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6; b) any Overlays and associated requirements in Part 3 that apply to the land; and c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6.' Therefore, the following elements of the NTPS2020 need to be considered by the Authority in determining the application:

   Part 4: Zone Purpose and Outcomes of Clause 4.3 – Zone LMR (Low Medium Density Residential) relevant to a variation of requirements in Parts 5 or 6.

   Part 5 requirements, including the purpose of the requirements, as follows:
   - 5.2.1 General Height Control.
   - 5.2.4 Car Parking.
   - 5.2.5 Loading Bays.
   - 5.2.6 Landscaping.
   - 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR.
   - 5.4.1 Residential Density.
   - 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structure.
   - 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group or Dwelling-Multiple Development
   - 5.4.6 Private Open Space.
   - 5.4.8 Residential Building Design.
   - 5.4.17 Building Articulation.

   The Authority notes the DAS assessment that the proposed group-dwellings (60), comply with Clause 5.2.1 General Height Control, Clause 5.2.4 Car Parking, Clause 5.4.1 Residential Density, Clause 5.4.1.7 Building Articulation and Clause 5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures but is inconsistent with the Strategic Framework for development in Zone LMR and does not comply with Clause 3.8 LADR (Land Adjacent to a Designated Road), Clause 4.3 LMR (Low-Medium Density Residential),Clause 5.2.2.4 Layout of Car Parking Spaces, Clause 5.2.6.1 Landscaping in Zones other than Zone CB, Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group, and 5.4.8.1 Building Design for Dwelling-group, Rooming Accommodation and Residential care facility.

   In respect of the Community Centre aspect of the application the consent authority notes that the use is impact assessable and the exercise of discretion by the Authority is set out Clause 1.10.4 which states - In considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following: (a) any relevant requirements, including

the purpose of the requirements, as set out in Parts 5 or 6; (b) any Overlays and associated requirements in Part 3 that apply to the land; (c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and (d) any component of the Strategic Framework relevant to the land as set out in Part 2.

The Authority notes the DAS assessment that the Community Centre can comply with all applicable clauses, with the exception of Clause 3.8 LADR (Land Adjacent to a Designated Road) and Clause 5.4.1.7 Building Articulation and Clause 5.2.2.4 Layout of Car Parking Spaces.

In relation to the areas of non-compliance noted above, the Authority considers that it requires further information in order to properly identify the extent of non-compliance and exercise its discretion accordingly.

4. Pursuant to section 51(1)(e) of the *Planning Act 1999*, the consent authority, must take into consideration any submission made under Section 49, and any evidence or information received under Section 50, in relation to the development application.

   A total of 5 public submissions were received during the exhibition period, two in support and three objections.

   Andrew Makay MLA, Member for Goyder, wrote in support for increased housing diversity that supports older rural residents/ retirees and which allows older residents to downsize and still stay within their communities.

   Sue Shearer CEO of COTA NT also wrote in support of the application advocating in support of senior citizens of NT.

   Mr Makay and Ms Shearer did not attend the meeting.

   Three submissions were also received, generally in support of the proposed use but objecting to the application due to:
   - Density and lack of private open space.
   - Loss of rural character.
   - Lack of design consideration for older residents- shared access, emergency vehicles, carparking, refuse collection vehicles and pedestrians all on the single access road.
   - Concerns about the management of an over 55s retirement village.
   - Concerns about the impact on infrastructure and services.
   - Unsustainable dwelling design which will rely on air-conditioning and artificial lighting.
   - Traffic assessment does not consider local traffic impacts.
   - Safety issues with access for pedestrians and car parking in the whole site, no turnarounds in the Community Centre Carparking area.
   - No density transition and reduced setbacks to boundaries will impact rural area, potential reverse amenity impacts.

   Gerry Wood attended the meeting and spoke to his submission and noted that:
   - A rural retirement village is a good idea - it is needed
   - There are too many tiny lots – reduce the number of blocks by increasing the size to 600-800sqm
   - Details on operation and management of the village need to be made public and discussed before any approvals are granted.

- The proposal must retain a rural character - not a copy of Holtze or Northcrest – because it is for rural people and that must clearly be seen in the design and Humpty Doo Village Centre is an intrinsic part of the rural area.

Viki Kane also attended the meeting objecting to the rezoning proposal due to:

- The inability of local sewage and road systems to support the increased demand that 60 dwellings would place on services.
- Future financial impost on rate payers for local council and government agencies asked to provide safe access and transport routes and sewage upgrades for the future private enterprise development.
- The ensuing disruption of road and sewage works on a busy road system.
- The clash of land use with a low-medium density placed in the middle of rural blocks running agricultural, horticultural and small rural enterprises.

Ms Kane also raised the following objections to the development proposal:

- The placement of this development outside the infrastructure of walkways, on the wrong side of a busy road suggests the current proposal does not have elderly retired people in mind and is focussed on profit.
- The plan proposes crowding 60 fenced duplex style dwellings with miniscule gardens and green spaces.
- These dwellings lack sustainable design. Residents will be forced to rely on air conditioning.
- The duplex nature of the dwellings also means there are few windows and residents will be relying on artificial lighting and ventilation in many rooms.
- The proposal appears dependent on council /local government redesigning the road and installing a pathway system to link residents safely with the local community.
- This proposal ignores the rural 'character' and the design is not sympathetic nor bound to its suggested purpose.

Christine Simpson attended the meeting and raised issues with:

- Amenity impacts due to no transition proposed to adjoining lots- outside boundary
- Management and operations of the retirement village- ownership, waste collection including hard waste.
- Single lane internal loop road poses safety concerns for pedestrians in particular older people that may be deaf and mobility impaired, require mobility scooters.
- The internal loop road is not wide enough for 4WD vehicles/ refuse collection, furniture removalists vans and could have a serious impact when ambulances and emergency vehicles need to access the site.
- The need for a pedestrian crossing across Freds Pass Road to connect with the pedestrian pathway.
- Community Centre Car Park- turnaround required.
- Solar power should be provided.
- Concerns around how the infrastructure (Power, water, sewer) will work and how each dwelling will be metered and managed.
- Freds Pass Road Traffic consideration from future road upgrades which are not reflected in Litchfield Council data. Traffic from Redcliff Rd, Lloyd Rd, Beaumont Rd and Challoner Circuit.
- A future bus service and the location of a future bus stop near an access way and a drain.
- Climate conscious housing with louvres for air flow.

5. Litchfield Council also made a formal submission under Section 30M, detailing a number of concerns and objections to the proposal. In particular, Council requested further information of the proposed operation and management of the development in order to fully understand the implications on the surrounding essential infrastructure. Additionally, Council has concerns regarding aspects such as animal ownership, ongoing maintenance of stormwater drains, refuse and rubbish storage and collection, fire and emergency services access and impacts to their current operations. Council requested **u**pdated and additional documentation including a Traffic Impact Assessment (TIA) and technical engineering report addressing road upgrades and comprehensive traffic modelling considering existing uses of the core area; updated design concept that considers the maximum dwelling density permitted under the area plan and subsequent updated stormwater plan; an essential infrastructure servicing plan to align with the area plan planning principles; an operational plan advising the use of the 'community centre' and potential ancillary uses (discussing whether aspects are available for the broader community); a general plan for the management of the retirement living complex and details of the public consultation and feedback as described in the Statement of Effect. The Council Representative attended the meeting and confirmed Council's submission and concerns in regard to the proposal.

6. Pursuant to section 30P(2)(m) of the Planning Act 1999, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated. Amenity is defined in the Planning Act 1999 as, in relation to a locality or building, any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable. The Authority notes that amenity should be considered in the context of the site and its surrounds, along with the applicable planning controls. Whilst the site, if rezoned, will be located in Zone LMR (Low-Medium Density Residential), which anticipates medium density developments on a range of lot sizes, the Authority highlights that the proposed development comprises 60 residences with a mix of two and three bedroom dwellings. It potentially introduces in excess of 120 residents and 60 plus vehicles to the site and is, therefore, of a considerable scale and density. In this context, the Authority does not consider that it has sufficient information to determine if the proposed development adequately provides for the future amenity of the area and occupants and has deferred the application as outlined above.

   The Authority noted the matters raised by the submitters, noting that Ms Kane's comments are for Minister's consideration, while other matters raised can be considered further, through amended plans and other supporting information.

Pursuant to section 46(6) of the *Planning Act 1999*, information required in this correspondence is to be provided within 30 days of the receipt of this correspondence.

You may request the consent authority extend the time to provide the required information. A request must be made before the expiry of the period referred to in section 46(6) (i.e. within 30 days of receipt of this notice) and it must be made in writing to either address listed below:

Email: das.ntg@nt.gov.au
In person: First Floor, Energy House, 18-20 Cavenagh Street, Darwin
Post: Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680, Darwin NT 0801

Should you require any further information on this matter, please telephone Development Assessment Services on 8999 6046.

Yours faithfully

SUZANNE PHILIP
Delegate
Development Consent Authority

30 June 2026

cc Litchfield Council
submitters

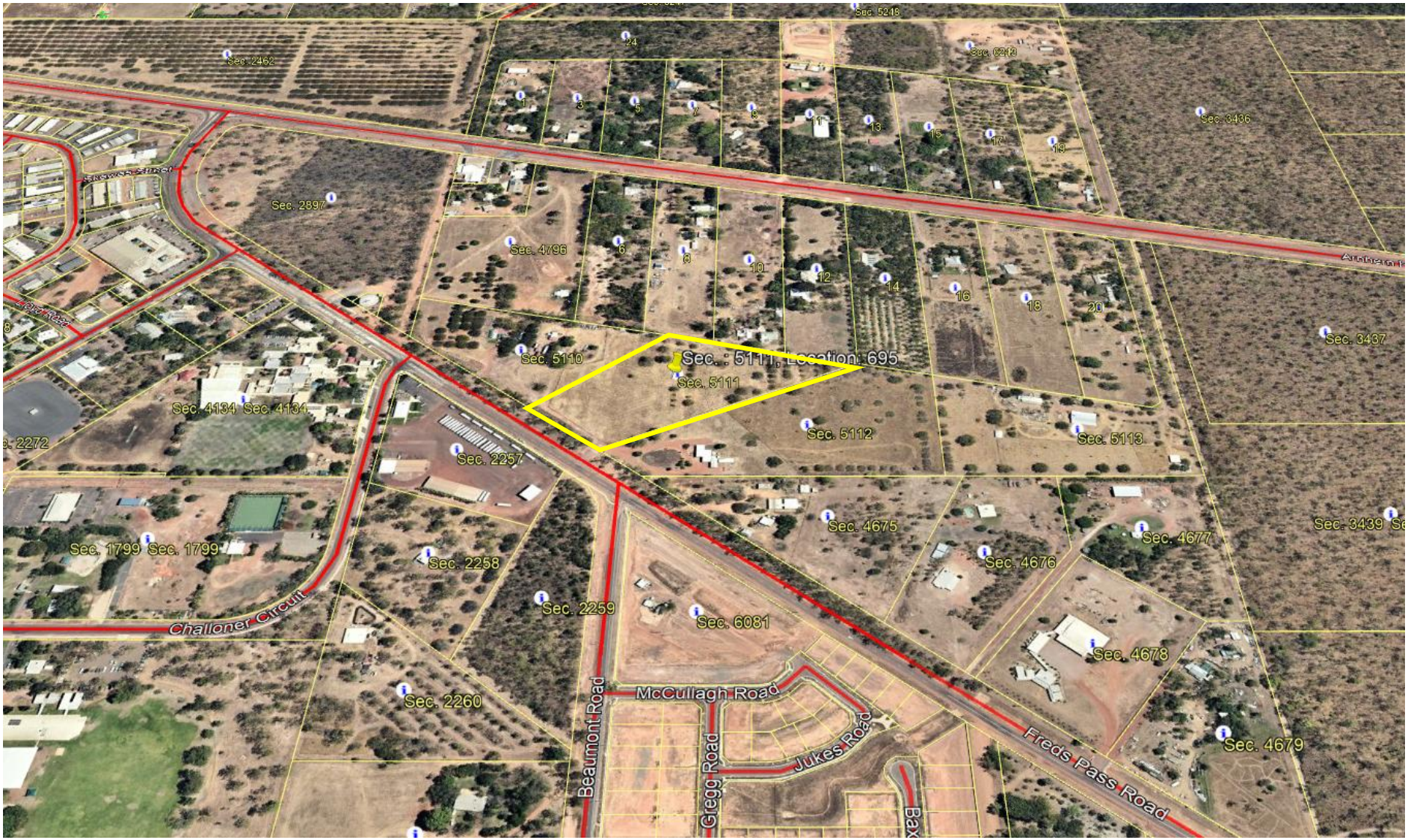
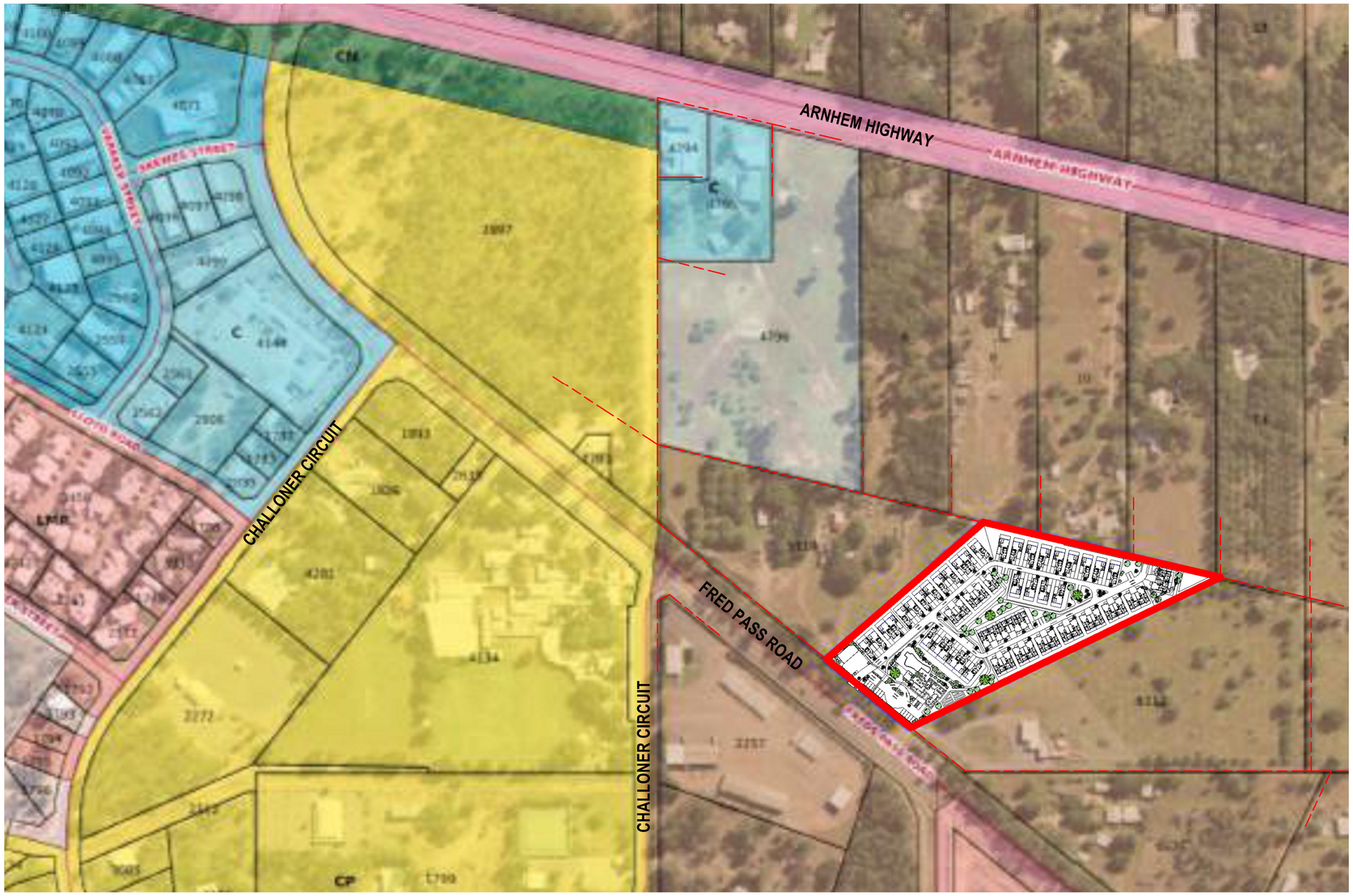


Figure 1: Site Location- 79 Freds Pass Road Humpty Doo

PROPOSED HUMPTY DOO LIFESTYLE ESTATE RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

DRAWING LIST			
Sheet Number	Sheet Name	Revision Description	Revsion Date
CD.000	HUMPTY DOO LIFESTYLE ESTATE - RETIREMENT VILLAGE		
CD.002	SITE PLAN		
CD.003	SITE ROOF PLAN		
CD.004	SITE PLAN OPEN AREAS		
CD.005	SITE LANDSCAPING PLAN		
CD.100	CARPARK		
CD.101	COMMUNITY CENTRE & RECEPTION		
CD.102	BUILDING TYPES		
CD.103	BUILDING TYPES		
CD.104	STORAGE SHEDS		
CD.110	STREET ELEVATION		
CD.120	PERSPECTIVES		
CD.121	PERSPECTIVES		
CD.122	PERSPECTIVES		



LOCATION PLAN

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
A	--	--		

AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: NAME	INTERIORS: NAME
STRUCTURAL: NAME	BUILDING CERTIFICATION: NAME
CIVIL: NAME	SURVEYOR: NAME
MECHANICAL: NAME	GEOTECHNICAL: NAME
ELECTRICAL: NAME	ACOUSTICS: NAME
HYDRAULIC: NAME	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.
HUMPTY DOO LIFESTYLE ESTATE - RETIREMENT VILLAGE

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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
AL2559	CD.000 OF -	A	A1

Ver. Aug 2023



1 SITE PLAN
1 : 400

PROJECT NORTH

CARPARKING	QTY
2500x5500	23
PWD	2
DWLG	116
LOADING	1

TYPE	LAYOUT	QTY	GFA
TYPE 01a	TYPE 01	TYPE 01 - 13 Dwellings	118m2 x 13 = 1534m2
TYPE 01b	TYPE 01 duplex	TYPE 01 - 12 Dwellings	118m2 x 12 = 1416m2
TYPE 01c	TYPE 01 attached	TYPE 01 - 6 Dwellings	118m2 x 6 = 708m2
TYPE 02a	TYPE 02	TYPE 02 - 2 Dwellings	105m2 x 2 = 210m2
TYPE 02b	TYPE 02 duplex	TYPE 02 - 20 Dwellings	105m2 x 20 = 2100m2
TYPE 02c	TYPE 02 attached	TYPE 02 - 5 Dwellings	105m2 x 5 = 525m2
TOTAL RESIDENTIAL		58 Dwellings	6493m2
COMMUNITY CENTRE & RECEPTION			350m2
STORAGE SHEDS		5 Units	140m2
TOTAL GFA			6933m2

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
AMENDMENTS				

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: NAME	INTERIORS: NAME
STRUCTURAL: NAME	BUILDING CERTIFICATION: NAME
CIVIL: NAME	SURVEYOR: NAME
MECHANICAL: NAME	GEOTECHNICAL: NAME
ELECTRICAL: NAME	ACOUSTICS: NAME
HYDRAULIC: NAME	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

SITE PLAN

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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
AL2559	CD.002 OF -		A1

Ver. Aug 2023



SITE COVER = 10,110m2

SITE AREA = 24,440m2

SITE COVER = 41%

PROJECT NORTH

1 SITE ROOF PLAN

1 : 400

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
	AMENDMENTS			

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: **NAME**	INTERIORS: **NAME**
STRUCTURAL: **NAME**	BUILDING CERTIFICATION: **NAME**
CIVIL: **NAME**	SURVEYOR: **NAME**
MECHANICAL: **NAME**	GEOTECHNICAL: **NAME**
ELECTRICAL: **NAME**	ACOUSTICS: **NAME**
HYDRAULIC: **NAME**	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE

79 FREDS PASS ROAD - HUMPTY DOO - N.T.

SITE ROOF PLAN

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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
AL2559	**CD.003** OF -		A1

Ver. Aug 2023



1 SITE PLAN OPEN SPACE
1 : 400

OPEN SPACE CALC	m2
OPEN SPACE/ LANDSCAPING	11260
SITE AREA	24 416
PERCENTAGE	46%

PROJECT NORTH

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
AMENDMENTS				

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: NAME	INTERIORS: NAME
STRUCTURAL: NAME	BUILDING CERTIFICATION: NAME
CIVIL: NAME	SURVEYOR: NAME
MECHANICAL: NAME	GEOTECHNICAL: NAME
ELECTRICAL: NAME	ACOUSTICS: NAME
HYDRAULIC: NAME	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

SITE PLAN OPEN AREAS

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1 SITE LANDSCAPE PLAN
1 : 400

Park benches/seating to be designed and installed generally in accordance with AS 1428.2, including accessible seating provisions, with firm and level circulation space adjoining the seating.



LANDSCAPING NOTES:

LANDSCAPING TO BE CONFIRMED IN ACCORDANCE WITH "DEPARTMENT OF LANDS, PLANNING AND ENVIRONMENT SPECIES GUIDE FOR LANDSCAPING IN THE NORTHERN TERRITORY PLANNING SCHEME"

SCREENING TREES (TO CAR PARKS AND OTHER SCREENING AREAS) WILL BE A MIX OF "S1 WHISPERING WATTLE ACACIA KELLERI AND S7 SUMMERSCENT RADERMACHERA 'SUMMERSCENT'"

SOME LARGER SHADE TREES NEAR THE PARK BENCHES AND NOTE THEM AS MIX OF "SH1 ANBINIK ALLOSYNCARPIA TERNATA AND SH4 CARALLIA CARALLIA BRACHIATA"

Dwelling -Group Side fencing where a shared POS boundary – A screen fence provided to a height of at least 1.8m providing a visual barrier to adjoining residences to comply with 5.4.6 (3) (a) – This approach is consistent to the similar development of this nature.

PROJECT NORTH

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
AMENDMENTS				

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: NAME	INTERIORS: NAME
STRUCTURAL: NAME	BUILDING CERTIFICATION: NAME
CIVIL: NAME	SURVEYOR: NAME
MECHANICAL: NAME	GEOTECHNICAL: NAME
ELECTRICAL: NAME	ACOUSTICS: NAME
HYDRAULIC: NAME	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

SITE LANDSCAPING PLAN

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1 CARPARK
1 : 200

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AMENDMENTS

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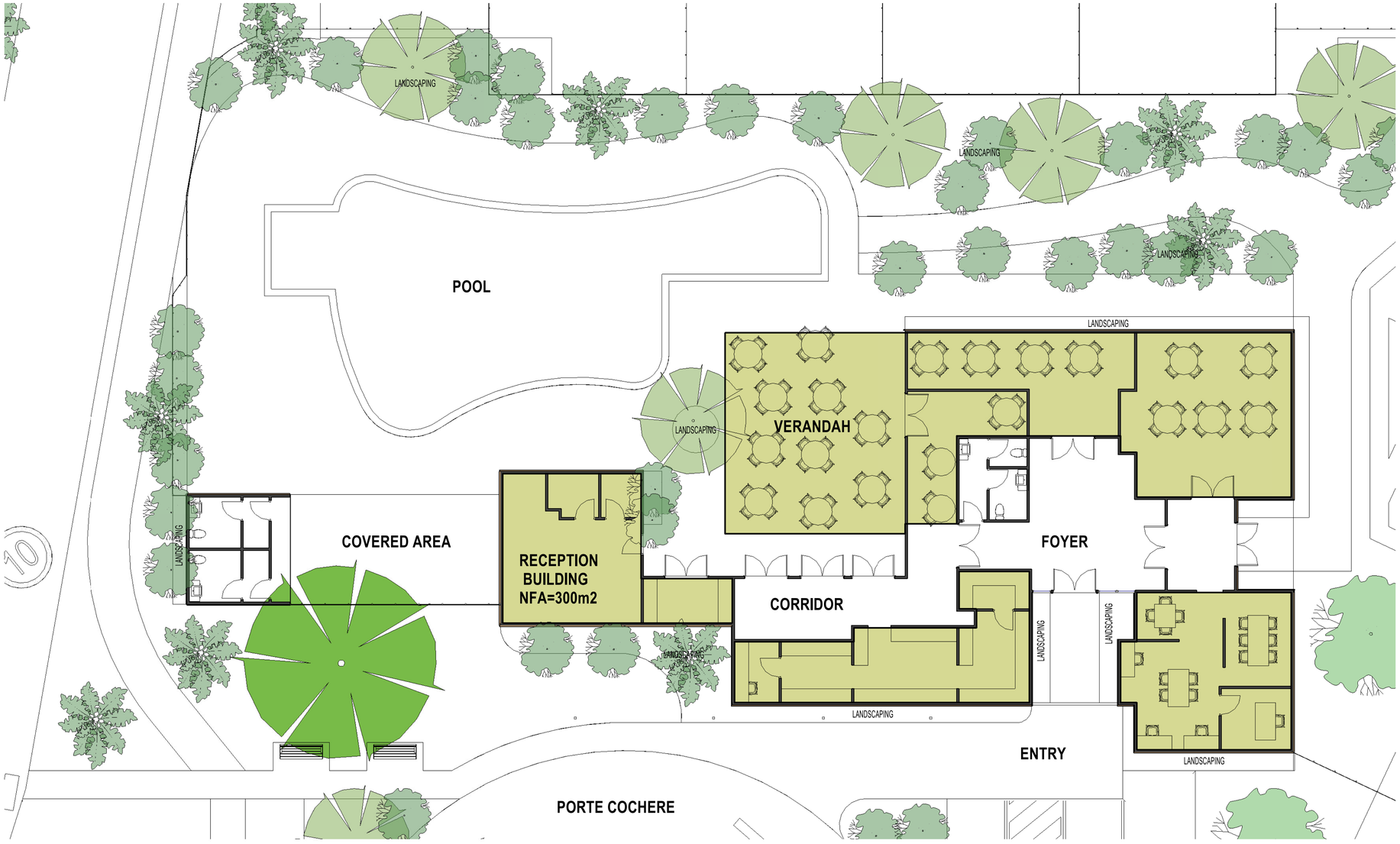
PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

CARPARK

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1 COMMUNITY CENTRE & RECEPTION (NFA)
1 : 100

NET FLOOR AREA (NFA) = **300m2**

FOR INFORMATION

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AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

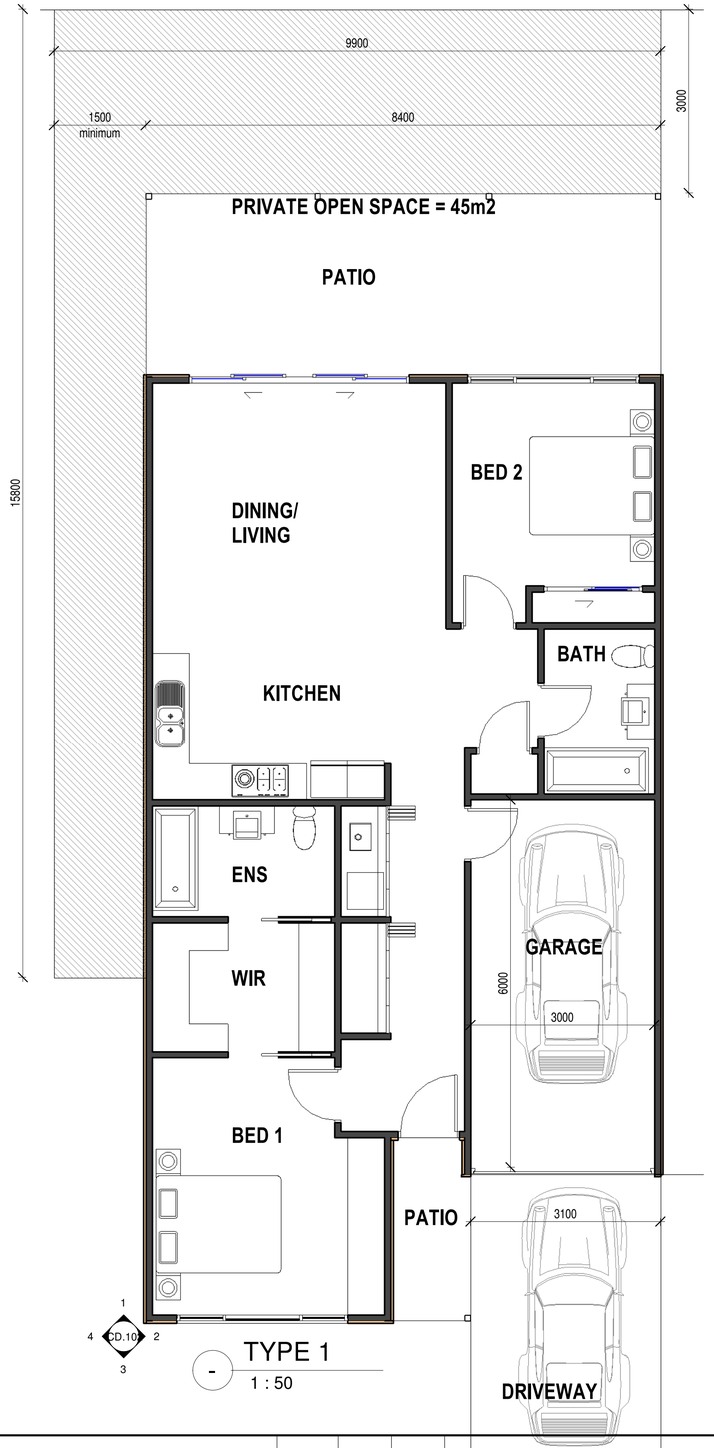
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ELECTRICAL: **NAME**	ACOUSTICS: **NAME**
HYDRAULIC: **NAME**	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.
COMMUNITY CENTRE & RECEPTION

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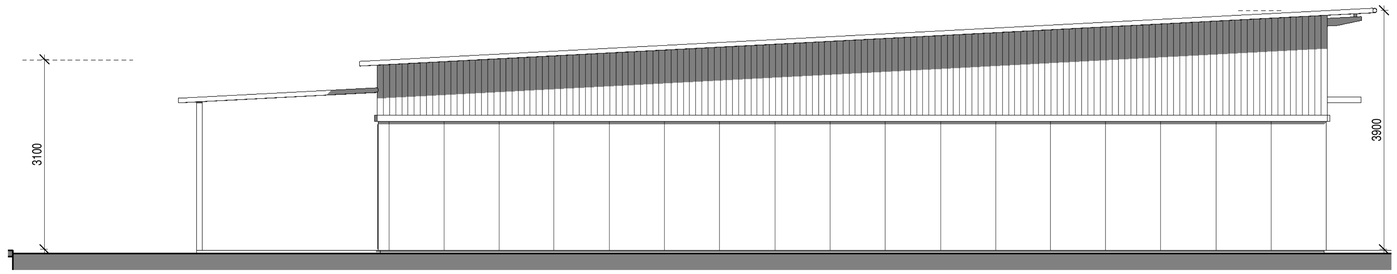
- TYPE 1
1 : 50



1 TYPE 01 VIEW 01
1 : 50

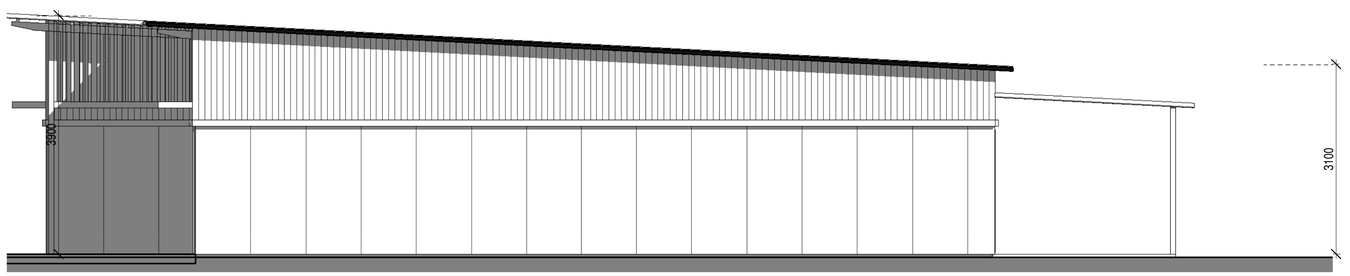


3 TYPE 01 VIEW 03
1 : 50



2 TYPE 01 VIEW 02
1 : 50

Dwelling -Group Side fencing where a shared POS boundary – A screen fence provided to a height of at least 1.8m providing a visual barrier to adjoining residences to comply with 5.4.6 (3) (a) –
This approach is consistent to the similar development of this nature.



4 TYPE 01 VIEW 04
1 : 50

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
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AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: **NAME**	INTERIORS: **NAME**
STRUCTURAL: **NAME**	BUILDING CERTIFICATION: **NAME**
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MECHANICAL: **NAME**	GEOTECHNICAL: **NAME**
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HYDRAULIC: **NAME**	

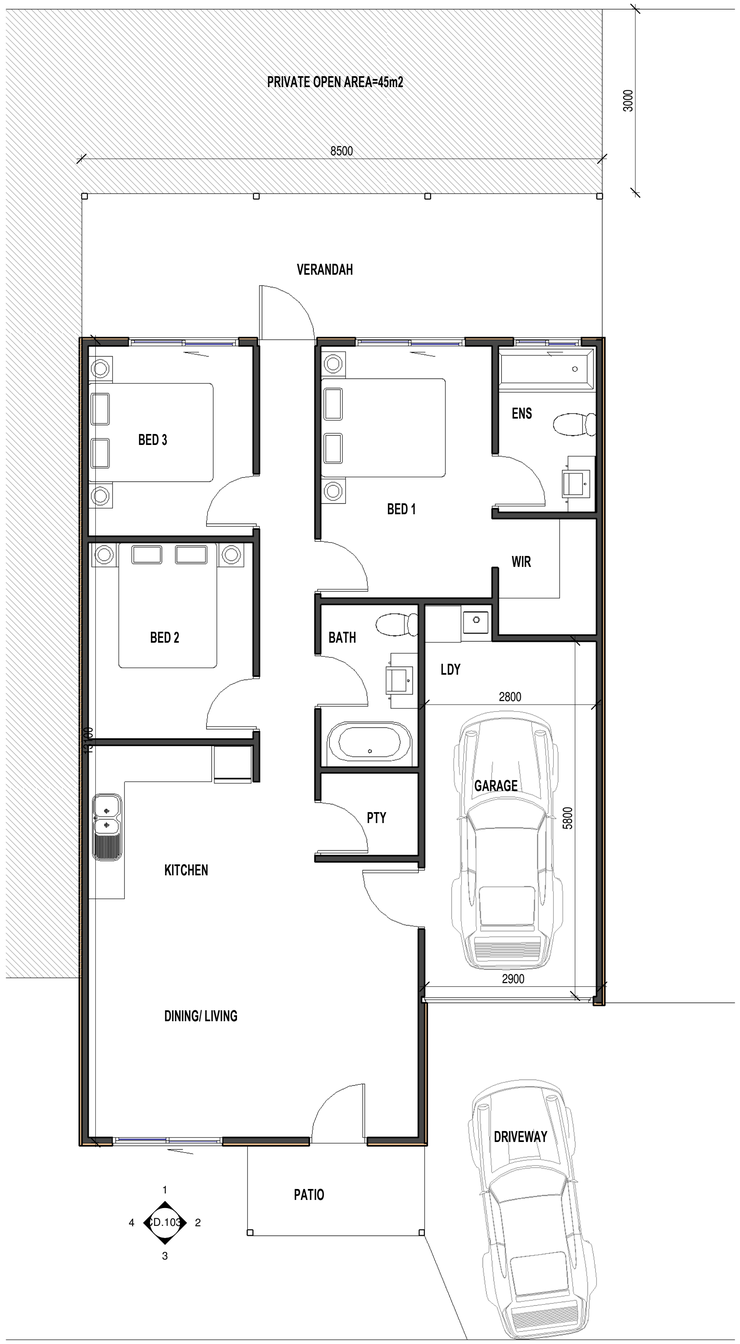
PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

BUILDING TYPES

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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
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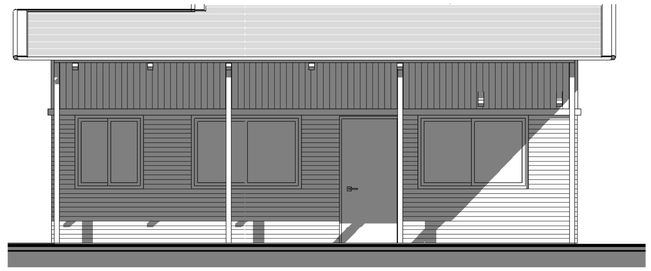
Ver. Aug 2023



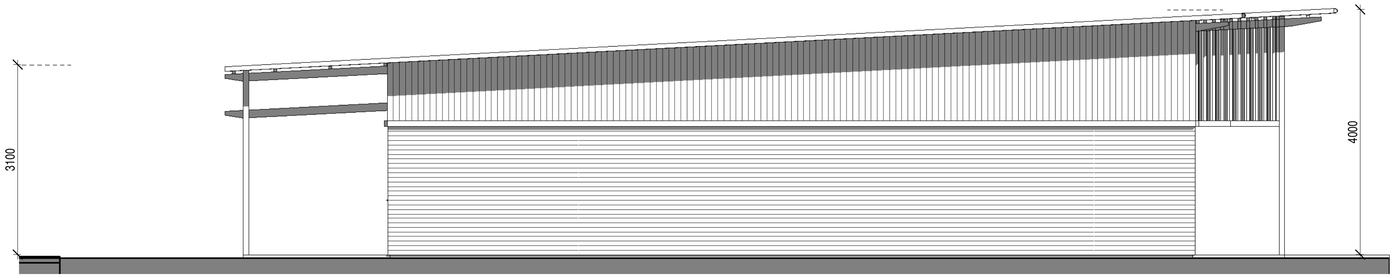
TYPE 2
1 : 50



1 TYPE 02 VIEW 01
1 : 50

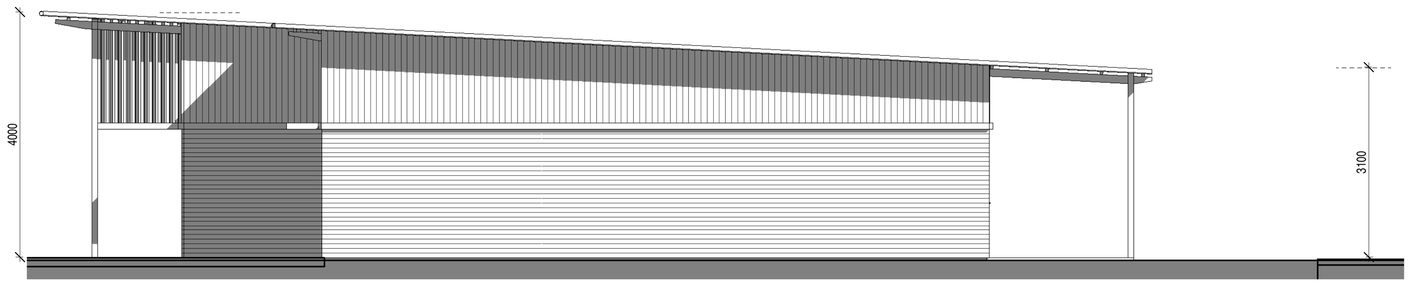


3 TYPE 02 VIEW 03
1 : 50



2 TYPE 02 VIEW 02
1 : 50

Dwelling -Group Side fencing where a shared POS boundary – A screen fence provided to a height of at least 1.8m providing a visual barrier to adjoining residences to comply with 5.4.6 (3) (a) –
This approach is consistent to the similar development of this nature.



4 TYPE 02 VIEW 04
1 : 50

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
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AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: **NAME**	INTERIORS: **NAME**
STRUCTURAL: **NAME**	BUILDING CERTIFICATION: **NAME**
CIVIL: **NAME**	SURVEYOR: **NAME**
MECHANICAL: **NAME**	GEOTECHNICAL: **NAME**
ELECTRICAL: **NAME**	ACOUSTICS: **NAME**
HYDRAULIC: **NAME**	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

BUILDING TYPES

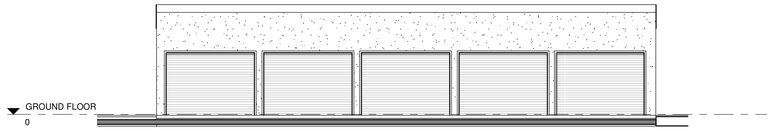
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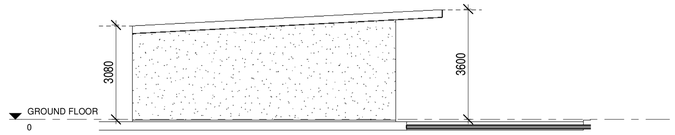
Ver. Aug 2023



STORAGE SHEDS PLAN
1 : 100



1 STORAGE SHEDS V1
1 : 100



2 STORAGE SHEDS V2
1 : 100

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
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AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: **NAME**	INTERIORS: **NAME**
STRUCTURAL: **NAME**	BUILDING CERTIFICATION: **NAME**
CIVIL: **NAME**	SURVEYOR: **NAME**
MECHANICAL: **NAME**	GEOTECHNICAL: **NAME**
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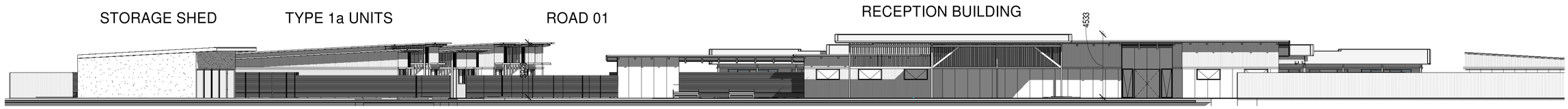
PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.

STORAGE SHEDS

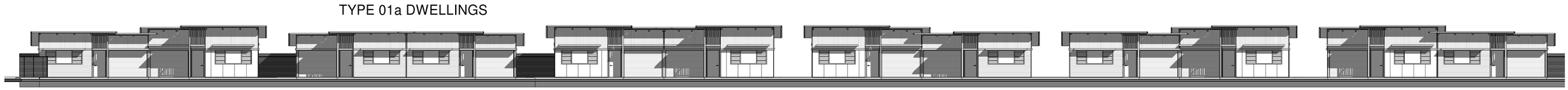
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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
AL2559	CD.104 OF -	A	A1

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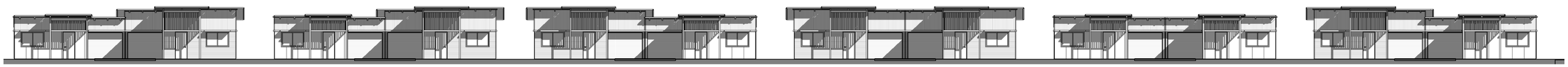
S STREET ELEVATION
1 : 150



1 ELEVATION - ROAD 01
1 : 150



2 ELEVATION - ROAD 02
1 : 150



3 ELEVATION - ROAD 03
1 : 150

FOR INFORMATION

No.	DESCRIPTION	DATE	DRAWN	CHECKED
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AMENDMENTS

ASHFORD LAMAYA ARCHITECTS

LANDSCAPE: **NAME**	INTERIORS: **NAME**
STRUCTURAL: **NAME**	BUILDING CERTIFICATION: **NAME**
CIVIL: **NAME**	SURVEYOR: **NAME**
MECHANICAL: **NAME**	GEOTECHNICAL: **NAME**
ELECTRICAL: **NAME**	ACOUSTICS: **NAME**
HYDRAULIC: **NAME**	

PROPOSED HUMPTY DOO RETIREMENT VILLAGE
79 FREDS PASS ROAD - HUMPTY DOO - N.T.
STREET ELEVATION

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JOB No.	SHEET No.	AMENDMENT	SHEET SIZE
AL2559	CD.110 OF -	A	A1

Ver. Aug 2023

From:	Gerard Rosse
To:	development consentauthority; Eve-Marie Davie
Cc:	George Maly; Das NTG
Subject:	RE: PA2026/0080 Response to Deferral
Date:	Monday, 13 July 2026 12:09:54 PM
Attachments:	image001.png Updated Plans 20260703b.pdf ROSSE Pty Ltd - Reply to Defferal items 13072026.pdf
Importance:	High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Suzanne and Eve-Marie,

Please find attached the Applicant's Response to the Notice of Deferral for PA2026/0080 and also a set of updated plans.

Given the significance of this project and the importance of maintaining the current programme, I would be grateful if the attached response could be reviewed as soon as practicable. It is important that the application is in a position to be considered by the August 2026 Development Consent Authority meeting, as any further delay will have significant implications for the delivery and viability of the project.

The response addresses each of the matters raised by the Development Consent Authority individually. In summary, we have made some further updates to plans, clarified matters and provided further rationale on the design philosophy of our proposal. We are of the view that the proposal satisfies the relevant intent and objectives of the Northern Territory Planning Scheme and that the planning merits of the development have already been adequately demonstrated. In preparing the response, the applicant has carefully considered each of the Authority's requests and has provided additional information where it assists the planning assessment. This includes demonstrating compliance with landscaping, confirming the proposed treatment of private open space through fencing and landscaping, exploring alternative swept path arrangements where requested, and providing further justification regarding the proposed design response.

The response also expands upon the discussion presented at the hearing by referencing a number of nationally recognised, award-winning retirement and land lease communities. These examples are intended to assist the Authority in understanding this relatively unique form of development within the Northern Territory and demonstrate that the proposed design adopts contemporary planning and urban design principles that have been successfully implemented throughout Australia.

While the applicant appreciates the Authority's desire for additional information, it is respectfully submitted that the balance of the requested items relate to detailed engineering, landscaping, traffic management and operational matters that are ordinarily resolved following the grant of development consent through detailed and specialists design via condition precedents.

The requested information does not alter the planning merits of the proposal or materially assist the Authority in exercising its discretion under the Planning Scheme. Rather, it relates to

implementation and detailed design matters that are appropriately addressed through permit conditions.

The applicant has nevertheless responded comprehensively to each item and, where appropriate, has confirmed a willingness to provide further documentation or detailed design information through permit condition precdnets should the Authority consider this necessary.

I respectfully request that the attached response be reviewed at the earliest opportunity so the application can proceed to the August 2026 DCA meeting.

Should you require any clarification or wish to discuss any aspect of the response, please do not hesitate to contact me.

Regards

Gerard Rosse
Managing Director

Rosse Pty Ltd and TTPD Pty Ltd
E gerard@tropicstpd.com | **M** 0400754842

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Gerard Rosse
Director

M: 0400 754 842 **E:** gerard@crtpc.com.au **W:** www.cunningtonrossetownplanning.com.au
A: Darwin Corporate Park, Unit 6, T212, 631 Stuart Highway, Berrimah **P:** PO Box 36004 WINNELLIE NT 0821



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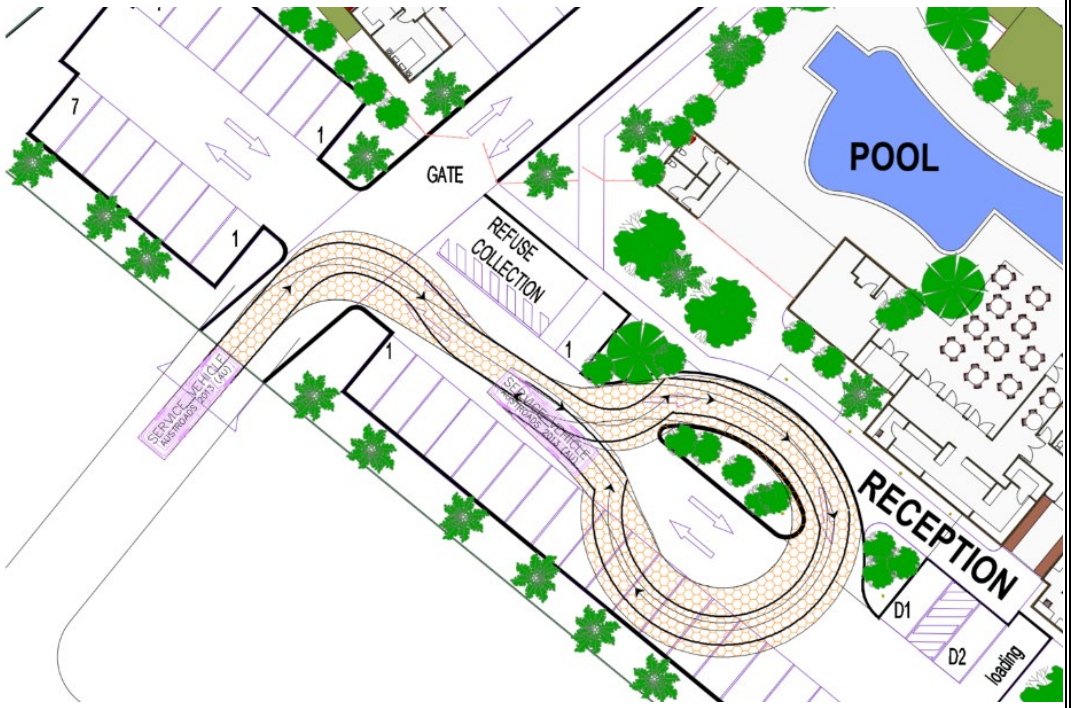
Cunnington Rosse immediately by email direct to the sender and then destroy any copy (whether paper, electronic or otherwise) of this message.

DCA deferral Item	Applicant Response
ITEM 1 – **Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.**	The applicant does not consider amended dwelling plans are necessary. The proposed dwellings have been specifically designed for the Northern Territory climate and will be required to comply with the **National Construction Code (NCC)**, including the applicable energy efficiency and building performance provisions, including compliance with the mandatory **NatHERS** energy rating requirements. The dwellings incorporate generous openings, covered outdoor areas, shading elements and building orientation that support occupant comfort while achieving contemporary energy efficiency standards. Clause **5.4.8 (Residential Building Design)** of the Northern Territory Planning Scheme is performance-based and does not prescribe a particular architectural outcome, nor does it require all dwellings to directly overlook communal open space. Furthermore, the dwellings have been designed to provide enhanced thermal performance and efficiently utilise mechanical cooling systems to meet the comfort expectations of older residents. Increasing building permeability solely to maximise cross-ventilation has the potential to compromise thermal efficiency, reduce the effectiveness of conditioned spaces, increase energy consumption and electricity costs, and diminish overall occupant comfort. Accordingly, the applicant considers the proposed design appropriately balances natural ventilation, shading, energy efficiency and resident amenity. The proposal therefore satisfies the intent and objectives of Clause 5.4.8 and no amendment to the dwelling designs is considered necessary.

DCA deferral Item	Applicant Response
	The proposed layout is consistent with contemporary retirement village and land lease community design adopted throughout Australia. This approach is demonstrated in best practice award-winning developments, including **Stockland Halcyon Lakeside (Bli Bli, QLD)**, recipient of the **2019 UDIA National Award for Seniors Living** and the **2020 Property Council Retirement Living Development of the Year**; **Halcyon Greens (Pimpama, QLD)**, recipient of the **2021 Urban Developer Development of the Year – Retirement, Aged Care and Seniors Living** and **2020 UDIA Queensland Seniors Living Award**; and **Halcyon Landing (Bli Bli, QLD)**, recipient of the **2014 UDIA National Award for Seniors Living**. These communities incorporate detached and duplex dwellings arranged around shared communal open space and low-speed internal streets, balancing privacy, passive surveillance, landscaping and resident amenity rather than requiring every dwelling to directly overlook communal areas. Similarly, **Palm Lake Resort Bargara (QLD)** has received multiple **Master Builders Association (MBA) Awards**, including **Project of the Year (2022)**, while **Palm Lake Resort Forster Lakes (NSW)** has also received MBA recognition for its integrated community design and lifestyle facilities. These recognised, award-winning developments demonstrate that high-quality master planning, communal facilities and landscape design are more important determinants of amenity than requiring every dwelling to overlook communal open space. The proposed development adopts these established planning principles while remaining compliant with the performance-based requirements of Clause 5.4.8 of the NT Planning Scheme.

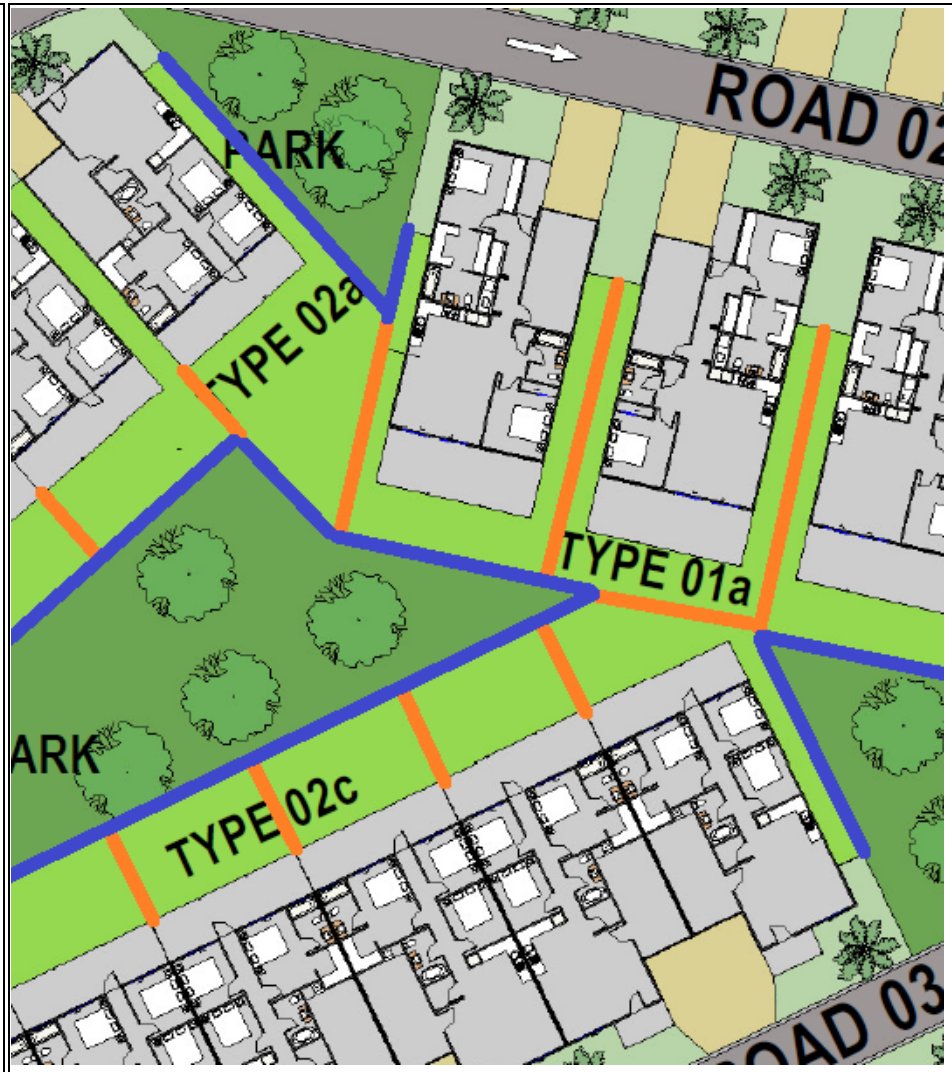
DCA deferral Item	Applicant Response
ITEM 2 – **Amended access to the site demonstrating a separation of pedestrian and vehicle traffic.**	The applicant does not support this request. The proposed internal road network has been intentionally designed as a low-speed shared environment, consistent with contemporary retirement village and land lease community design adopted throughout Australia. Unlike a conventional residential subdivision, the internal roads are private, carry very low traffic volumes, have no through traffic and are intended to operate at low speeds where pedestrians, including mobility scooter users, have priority. This approach is consistent with the principles in the *Austroads Guide to Road Design – Part 6A: Paths for Walking and Cycling*, which recognises that shared environments may be appropriate where pedestrian and vehicle movements occur at low speeds, and that the design response should be determined by the operating context rather than requiring separation in all circumstances. This design approach is demonstrated in best practice retirement and land lease communities such as **Stockland Halcyon Lakeside, Bli Bli QLD**, **Halcyon Greens, Pimpama QLD**, and **Halcyon Landing, Bli Bli QLD**, which incorporate detached and duplex dwellings, communal open spaces and low-speed internal streets to balance privacy, passive surveillance, landscaping and resident amenity. Introducing conventional separated footpaths would unnecessarily urbanise the development and diminish the landscape character that is fundamental to retirement village design. These projects are referenced not because they establish a planning precedent, but because they demonstrate that the urban design principles adopted by the proposal represent accepted contemporary best practice within Australia's retirement living sector. The applicant respectfully submits that the intended safety outcomes can be achieved through permit

DCA deferral Item	Applicant Response
	conditions requiring low internal speed limits, traffic calming, pedestrian priority signage and wayfinding, rather than amendments to the development layout.
ITEM 3 – **A turnaround area located at the end of the Community Centre carpark demonstrating through a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger, that, when all carparks are full, vehicles can enter and exit the site in a forward gear.**	The applicant respectfully queries the necessity of this request. The only vehicle of this size anticipated within the development is the refuse collection vehicle and the applicant has provided a swept path for this vehicle to access a dedicated refuse collection area as part of the submitted TIS (Traffic Impact Statement). No planning justification has been identified requiring why such a vehicle would be required to turn around at the end of the community centre car park – Noting the community centre will be privately owned and managed, and no waste collection area is in the car park end. It must also be noted that the Community Centre and associated car park are privately owned and managed by the operator and the operator has complete control of the management of vehicles into the site and users of the facility. To be clear, the applicant does not intend to facilitate a Austroads Class TB2 vehicle entering and manoeuvring in the car park. Notwithstanding, should the DCA explain the reasons for this with sound reasons and rationale, a swept path for the most appropriate solution is below. That would be to remove eight parking spaces from the eastern end of the Community Centre car park to enable the vehicle to complete a turn around – It is noted that the Community Centre car park requires 18 spaces and 37 spaces are provided in its current form. Noting that the proposal has well in excess of car parks on site and the removal (of 8 spaces) will not result in a non-compliance with the parking

DCA deferral Item	Applicant Response
	provisions. But to be clear, it is not the applicant's preferred design outcome to undertake such changes to the car park to service a vehicle that will not be using this areas of the car park and site. Should the DCA require this, the applicant requests that this matter be addressed via a Condition Precedent with reference to the below swept path image. 

DCA deferral Item	Applicant Response
ITEM 4 – **A pedestrian access/pathway within the Community Centre carpark with signage directing vehicle and pedestrian traffic in and around the carpark.**	This represents detailed design rather than a planning issue. The precise location of pedestrian paths, pavement markings and signage is typically resolved during detailed engineering design. This can be addressed through a Condition Precedent without requiring updated development plans and will be addressed via our specialist access design consultant in the next stage of detailed design, post Development Permit. We welcome the opportunity to work with DAS on this outcome as a Condition Precedent. It is highlighted that the community centre car park has ample space, provides well in excess of parking required to accommodate this request via a Condition Precedent.
ITEM 5 – **A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB Screening to all parking areas from public spaces.**	The development plans have been updated to confirm **42% of the site is landscaped** – to meet the quantitative requirement of the code (5.2.6.1) - A detailed Landscape Plan is routinely required by condition following approval. The applicant is willing to provide a detailed Landscape Plan prior to commencement of works as a Condition Precedent. **Detailed landscaping plan to be presented and landscaping to align with Guideline "*Species Guide for Landscaping in the Northern Territory Planning Scheme*" Dept Lands, Planning and Environment - Top End.** This approach is consistent with requirements for similar developments in the Northern Territory.
ITEM 6 –	The application already demonstrates compliance with the required private open space provisions. With regard to fencing, it is noted that (and noted on plans) the

DCA deferral Item	Applicant Response
Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group, and specifically demonstrating: How Private Open Space requirements will be achieved through landscaping or fencing.	below items – these will also be detailed on a Landscaping Plan via a Condition Precedent. **Dwelling -Group Side fencing where a shared Private open space boundary –** A screen fence provided to a height of at least 1.8m providing a visual barrier to adjoining residences to comply with 5.4.6 (3) (a) – This approach is consistent with the similar development of this nature. An example of this is the **orange lines** in the below image. **Dwelling -Group rear Fencing where adjoining internal community Open Space areas (IE not another Dwelling Group) -** Fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier at maturity. Detailed via landscaping plan (Condition Precedent) – in accordance with Guideline "*Species Guide for Landscaping in the Northern Territory Planning Scheme*" Dept Lands, Planning and Environment - Top End. An example of this is the **blue lines** in the below image.

DCA deferral Item	Applicant Response
	

DCA deferral Item	Applicant Response
ITEM 7 – **Screening of Private Open Space from surrounding land and adjoining units.**	See above. Noting a Landscaping Plan will be presented demonstrating screening via a Condition Precedent.
ITEM 8 – **Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.**	Detailed landscape design including planting schedules, furniture selection and pathway materials is detailed design and can be conditioned via Condition Precedent. This approach is consistent to the similar developments of this nature in the Northern Territory.
ITEM 9 – **Minor amendments to the design of the parking area outside of the proposed outbuilding to include adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two axle bus/truck, 5.5-14.5m) or larger that vehicles can safely enter and move through the site in a forward gear.**	The applicant agrees these are minor, and does not warrant deferral. The Applicant refers to the plans submitted which show the in-principle manoeuvring areas and swept path for the actual vehicle and trailer type to be used for this area which are intended for these sheds. A detailed (if still required) swept path assessment can be submitted as a Condition Precedent.
ITEM 10 – **Wayfinding signage throughout the site if and where considered necessary.**	Wayfinding signage is an operational matter rather than a planning consideration. Final signage locations are typically determined during detailed design and prior to occupation. This can be addressed through an Operational Management Plan or Condition Precedent. This approach is consistent with the similar developments of this nature.

DCA deferral Item	Applicant Response
ITEM 11 – **A Traffic Impact Assessment prepared by a suitably qualified traffic engineer which will consider access to the site, identify all necessary upgrades to the surrounding road network and respond to Litchfield Council's requirements for access to the road corridor.**	The applicant has already submitted a comprehensive Traffic Impact Statement prepared by a suitably qualified traffic engineer. The assessment demonstrates that the proposal generates relatively low traffic volumes which can be accommodated by the existing road network without significant impact. Requiring a further Traffic Impact Assessment would duplicate work already undertaken and would not materially alter the planning assessment. The applicant submits the existing Traffic Impact Statement adequately addresses these matters. Notwithstanding, should a TIA be required, this would be an item for a conditions Precedent - This approach is consistent with the similar developments of this nature – No planning issue has been identified that necessitates a further Traffic Impact Assessment at this stage.
ITEM 12 – **A Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines prepared, to the requirements of the Litchfield Council, and to the satisfaction of the consent authority.**	The applicant does not consider that a detailed Waste Management Plan is required to determine the planning merits of the application. The preparation of such a plan is dependent upon a range of operational matters that have not yet been finalised, including the details of the ownership and management model, waste collection arrangements, collection frequency, bin storage and presentation. It is noted that a private waste contractor engagement input will also be key and any requirements of Litchfield Council at the time of operation. These matters are typically resolved during the detailed design and pre-operational phases of a development. The applicant is committed to preparing a Waste Management Plan in accordance with Litchfield Council's Waste Management Guidelines prior to the commencement of operation. As such, this matter is more appropriately

DCA deferral Item	Applicant Response
	addressed by a Condition Precedent rather than requiring its preparation as part of the current planning assessment. This approach enables the plan to accurately reflect the final operational arrangements while ensuring compliance with Council's requirements.
ITEM 13 – **A schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.**	A stormwater management strategy has already been submitted demonstrating that stormwater can be appropriately managed on the site. The additional information requested relates to detailed civil engineering design, including levels, pipe sizing and connection details, which are ordinarily prepared following approval. These matters are appropriately addressed through engineering approvals and a Condition Precedent rather than requiring amendment of the Development Application. This approach is consistent with similar developments of this nature.

From: Gerry Wood
To: Eve-Marie Davie
Subject: Re: 79 Freds Pass Rd - Group dwelling (retirement living)
Date: Friday, 18 September 2026 12:06:05 PM
Attachments: image001.png

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Eve
My comments are similar to before
The development is too dense. One way to decrease the density is to have no duplexes.
This is meant to be a rural retirement village not Palmerston.
There needs to be a much larger storage facility. The original storage facility seems to have shrunk. A footpath should border all roads for safety sake. If someone is injured because there is no footpath separated from the road who will be responsible - the designer. under NT WorkSafe code of practice.
Kind regards
Gerry Wood

On Mon, Sep 7, 2026 at 2:38 PM Eve-Marie Davie <Eve-Marie.Davie@nt.gov.au> wrote:

> Dear Gerry
>
> Please see attached the last amended plans for 79 Freds Pass Rd Humpty Doo.
>
> The applicant withdrew from last month's DCA Meeting and has provided amended plans and reports in response to the DCA deferral request for amended plans and reports.
>
> If you would like to make another submission, please send it via this email by COB 18th September.
>
> The application will be on the agenda for the October DCA Meeting on the 21st of October.
>
> Kind Regards,
>
> Eve-Marie Davie
>
> Senior Planner
>
> Development Assessment Services
>
> Department of Lands, Planning and Environment
>
> Northern Territory Government

Floor 1, 18-20 Cavenagh Street, Darwin NT 0800

GPO Box 1680 Darwin NT 0800

P: **+61 8 8999 7937**

E: eve-marie.davie@nt.gov.au

From:	Christine Simpson
To:	Eve-Marie Davie
Cc:	Christine Simpson
Subject:	Re: 79 Freds Pass Road - Deferral response- Amended Plans
Date:	Thursday, 17 September 2026 1:20:55 PM
Attachments:	image001.png image001.png

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Eve-Marie,
I am currently making my way across the Gulf Country from Cairns to Darwin and won't be in Darwin until end of Sept. Just reached Hell's Gate.yesterday.
Whilst Mr Rosse's amended plan has conceded to a few of the reasons that his first plan did not adequately address, I still stand behind my first two submissions, Litchfield Council's and DCA's responses.
In particular,chr the number of units planned and the adherance to the various Land Use and Village Centre plans for Litchfield and Humpty Doo are important considerations as well as the amenity of the concept village for older, downsizing Territorians.
I will not support the amended plan as submitted.

Kind regards
Christine Simpson
Humpty Doo

On Mon, 7 Sept 2026, 3:07 pm Eve-Marie Davie, <Eve-Marie.Davie@nt.gov.au> wrote:

> Dear Christine
>
> Please see attached the last amended plans for 79 Freds Pass Rd Humpty Doo.
>
> The applicant withdrew from last month's DCA Meeting and has provided amended plans and reports in response to the DCA deferral request for amended plans and reports.
>
> If you would like to make another submission, please send it via this email by COB 18th September.
>
> The application will be on the agenda for the October DCA Meeting on the 21st of October.
>
> Kind Regards,
>
> Eve-Marie Davie
>
> Senior Planner
>
> Development Assessment Services

15 September 2026

Eve-Marie Davies and Anita Gajski
Development Assessment Services and Lands Planning
Department of Lands, Planning and Environment
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Concurrent Application

PA2026/0080
Hun: 695 P: 05111 79 Freds Pass Road HUMPTY DOO, Hundred of Strangways
A proposed Concurrent Application to From Zone RL (Rural Living) to Zone LMR (Low-Medium Density Residential)

Thank you for the information provided by the applicant in response to the Development Consent Authority requests for amendments to the development plans for the abovementioned development and the opportunity to provide a response. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following comments are raised for consideration by the Authority under Section 30M(4) of the *NT Planning Act*:

Litchfield Council maintains the comments previously provided in the letters submitted by Jaimie O'Connor (Litchfield Council Planning and Development Program Leader) on 17 April and 12 August 2026 remain current, except for the comments regarding the stormwater design and private open space. The update to design appears to address the concerns previously raised regarding the impact of Stormwater Management on Private Open Space for 21 dwellings.

Council appreciates the Developer has reduced the density from 60 dwellings to 58, but refers to page 24 of the Humpty Doo Rural Activity Centre Area Plan regarding density in Part 4 - Planning Principles - Section 4 Residential Growth and Housing Choice (4.1.ii) ;

"The number of dwellings for residential development on land identified as 'Urban Residential' within the Rural Activity Centre core area is maximised, with average net residential densities of 10 to 20 dwellings per hectare. This may generally align with dwelling densities expected in LR (Low Density Residential) or Zone LMR (Low-Medium Density Residential)."

This objective would encourage the development to consider a further reduction in the number of dwellings to 49.

Regarding the Traffic Impact Statement and Addendum, Council maintains the requirement for a Traffic Impact Assessment to address the concerns already raised through previous letters of comment.

Council will not support pedestrian access across Freds Pass Road, only 170m from a proposed set of traffic lights or roundabout. The Developer will have to construct a footpath on the northern side of Freds Pass Road to connect to the nearest suitable location, depending on the development of the proposed NTG road network upgrades to Challoner Circuit and Freds Pass Road.

Regarding the activity centre plan, whilst Council can provide comments on the proposed area plans, the final decision sits with the Planning Commission and the Minister. Final inclusions were not necessarily supported by Council. It should be noted that the Community Advisory Group for the plan was advocating for minimum 4000m2 lots.

Council would also like to reiterate that the statement on page 25 of the Humpty Doo Rural Activity Centre Area Plan regarding density in Part 4 - Planning Principles - Section 4 Residential Growth and Housing Choice (4.3.iii) does not stipulate that retirement living should be zoned LMR, but rather that it should be “consistent with zone LMR”.

It has come to Council's attention that the properties that back onto 79 Freds Pass Road were not made aware of the proposed development and as they do not travel along Freds Pass Road were not presented with an opportunity to view the “Yellow” development sign that was placed 10m within the property boundary and 37m from the edge of the road. The rear lot neighbours will be substantially affected by the amenity of the proposed density. Consideration should also be given for the potential impact on amenity for future residents of the establishment given that the Lots zone RL adjoining can host a multitude of uses if they so want to.

In summary, Council appreciates the initiative to establish a Retirement Living facility for the Humpty Doo area to serve our rural community, however based on the current proposal Council does not support the proposed re-zoning to LMR and development as it is currently designed. The rezoning does not align with the planning principles of the Humpty Doo Rural Activity Centre Area Plan, and the proposed development cannot be considered until the zoning is reconsidered.

Council would like to see a retirement living product that caters to all stages of downsizing whilst considering the rural location and tropical weather allowing ventilation and air circulation between dwellings, covered walkways and adequate covered driveways. A tropical living environment that

integrates with the surrounding environment where density is compatible with the neighbouring properties.

Litchfield Council maintains that it does not support this application in its current form even with further amendments following the deferral request for information.

Council does not support the zoning, the density and does not believe that the provided Traffic Impact Statement and Addendum provides enough information to support the development.

Council would like to continue to suggest that further feedback be sought from NT Police, Fire and Emergency services in relation to the density of the development and the accessibility of emergency services. Particularly Fire response, noting that this development is proposed to adjoin Rural Living parcels of land which have a much higher risk of bushfire. The initial response provided by their department did not appear to consider the adequacy of the design of the development.

Should you have any questions in relation to the above, please contact the Planning and Development team, (08) 8983 0600.

Kind Regards,



Rob Taylor

Development Engineer

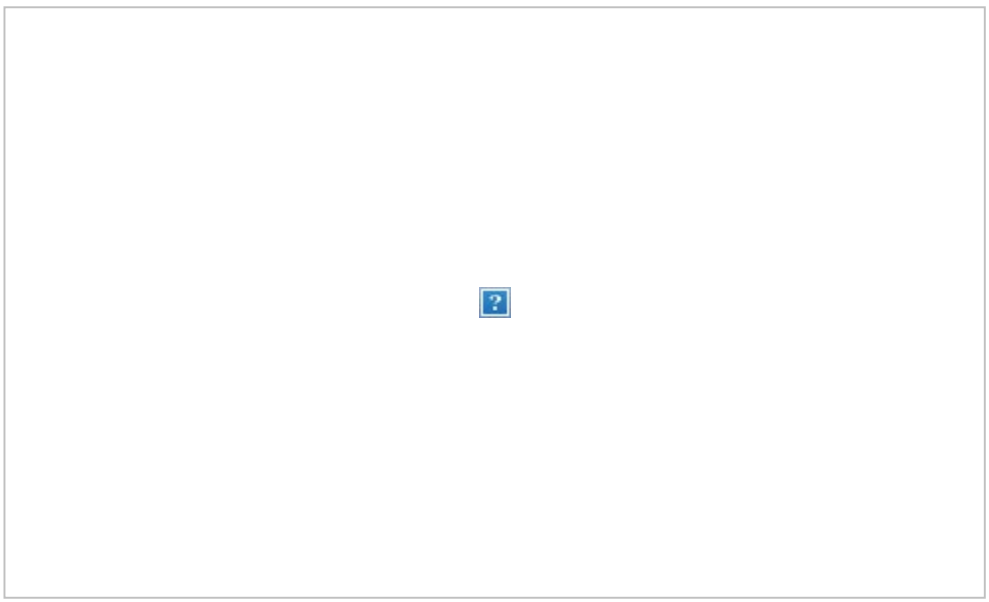
From:	George Maly
To:	Jaimie O"Connor
Cc:	Eve-Marie Davie; Anita Gajski; Margaret Macintyre; Ann-Marie Reynolds
Subject:	RE: PA2026/0080 - 79 Bees Creek Road (Retirement Living)
Date:	Friday, 21 August 2026 4:21:22 PM
Attachments:	image004.png image005.png image006.png image001.png

Hello Jaimie,

There is a bit of a gap in notifications in that the residents at the rear of the site do not see the sign. While that is not great, the Planning Regulations also prescribe that a notice be published on a website and or a newspaper (in some instances), see below. That means a general public notice requirement had been satisfied and it also means very little for the affected residents at the rear of the site. Unfortunately, that is all the Regulations prescribe and yes this matter had been raised before, including at the time the newspaper notice process had been removed. As the Regulations are prescribed by the government of the day, your local member could be the person to be approached about this matter, although please do not take this as a recommendation for the locals to follow.

As for the location of the sign, please be aware that the road corridor is really wide in that area and the sign appears to be on the fence which appears to be placed along the boundary of the land. Placing the sign closer to the sealed portion of the road corridor in that location, could be argued as being dangerous. Nevertheless, I will consult on this and your request to re-advertise internally and get back to you.

Please be also aware, if representing your community, to let them know that the DCA meetings are public, as in open to the public. Any concerned resident who turns up at such a meeting can ask Madam Chair if they could be heard. She is normally very accommodating in this. Provided such members of the community adhere to proceedings, the DCA can take their views into account, even if they are not required because the submissions have not been lodged on time. Moreover, as you know and are aware, Council can raise matters most important to the local residents at those meetings too.



Regards

G.

George Maly

Manager
Rural, Regional (Katherine and Big Rivers) and Remote Areas Planning
Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government

Level 1, Energy House, 18 – 20 Cavenagh Street, Darwin
GPO Box 1680, Darwin NT 0801

p... (08) 8999 6223
m... 0409 613 050
e… george.maly@nt.gov.au
w… www.nt.gov.au/dlpe

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From: Jaimie O'Connor <jaimie.oconnor@litchfield.nt.gov.au>
Sent: Friday, 21 August 2026 3:46 PM
To: Eve-Marie Davie <Eve-Marie.Davie@nt.gov.au>; Anita Gajski <Anita.Gajski@nt.gov.au>
Cc: George Maly <George.Maly@nt.gov.au>
Subject: PA2026/0080 - 79 Bees Creek Road (Retirement Living)

Hello,

I am contacting you on behalf of residents that back onto 79 Freds Pass Road and would be impacted by the proposed development.

Can you please advise if the properties backing onto 79 Freds Pass Road, who would not normally travel along this road received notification of the proposed development?
Particularly;

- 360, 370 and 380 Arnhem Highway

Further, were you aware that the yellow exhibition sign was placed on a fence 10m within the

property boundary and 37m from the edge of the road. See attached photos.
Based on this information, is it possible that the exhibition sign did not meet the requirements of the Planning Act;

I look forward to hearing from you.

Regards,

Jaimie O'Connor
Planning and Development Program Leader
T: 08 8983 0615
M: 0488 448 338
E: jaimie.oconnor@litchfield.nt.gov.au
Litchfield Council Office| PO Box 446 Humpty Doo NT 0836

sig-1.jpg

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Litchfield Council acknowledges the Traditional Owners of the land we work on and recognises their continuing connection to land, water and communities. We pay our respects to all Traditional Owners and to the Elders past, present and emerging.

Department of Lands, Planning and Environment

Northern Territory Government

Floor 1, 18-20 Cavenagh Street, Darwin NT 0800

GPO Box 1680 Darwin NT 0800

P: **+61 8 8999 7937**

E: eve-marie.davie@nt.gov.au



From: Craig Thomas
To: Eve-Marie Davie
Subject: PWC (Water) Response - PA2026/0080 - 79 Freds Pass Humpty Doo- Amended Plans provided by the applicant in response to DCA deferral
Date: Thursday, 13 August 2026 2:45:04 PM
Attachments: image004.png
image005.png
image006.png
image007.png
image008.png

HI Eve-Marie

Apologies for the delay.

In regard to the amended plans provided as a response to the DCA's deferral of PA2026/0080, I can confirm that PWC's (Water) comments provided on the 20th of May 2026 remain applicable. Noting the development constraints, PWC (Water) do not object to the amended plans of the development, subject to our Conditional Precedents as outlined in the comments.

If you have any questions or concerns, please feel free to reach out.

Please keep in mind that we are currently experiencing high levels of customer requests and this process may take a little longer than usual.
We are doing our very best and appreciate your understanding and patience at this time.

Regards

Craig Thomas
Development Services Officer
Development Services
Customer & Strategy
T 08 9463 2089 |
Developer.Concierge@powerwater.com.au

Power and Water Corporation
Level 8, Jacana House,
39 Woods Street, Darwin, Larrakia Country
GPO Box 1921 Darwin NT 0801

For new connection applications, please email Connect.me@powerwater.com.au

powerwater.com.au

I acknowledge the Traditional Owners and Custodians of the lands on which I live and work and pay my respect to Elders past, present and future.

From: Eve-Marie Davie <Eve-Marie.Davie@nt.gov.au>
Sent: Thursday, 13 August 2026 1:03 PM

To: Craig Thomas <Craig.Thomas@powerwater.com.au>
Subject: CM: FW: PA2026/0080 - 79 Freds Pass Humpty Doo- Amended Plans provided by the applicant in response to DCA deferral

Hi Craig
I am following up urgently regarding a response to this application which was amended by the applicant under request from the DCA.
The amendments they made were very minor. Can you please email me to let me know that the second submission made some months ago still stands.
Thank you.
E

Regards,

Eve-Marie Davie
Senior Planner
Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government

Floor 1, 18-20 Cavenagh Street, Darwin NT 0800
GPO Box 1680 Darwin NT 0800

P: **+61 8 8999 7937**
E: eve-marie.davie@nt.gov.au

From: Eve-Marie Davie
Sent: Wednesday, 29 July 2026 12:09 PM
Subject: PA2026/0080 - 79 Freds Pass Humpty Doo- Amended Plans provided by the applicant in response to DCA deferral

To Whom it May Concern

RE Dwelling-group (32 x 2 bedroom and 28 x 3 bedroom) in 60 single storey buildings (Retirement Living) and Community Centre

The Development Consent Authority requested amendments to the development plans in the Litchfield DCA Meeting on the 17th of June 2026.
Please see the DCA requested amendments below:

Kind Regards,

Eve-Marie Davie

Senior Planner
Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government

Floor 1, 18-20 Cavenagh Street, Darwin NT 0800
GPO Box 1680 Darwin NT 0800

P: **+61 8 8999 7937**
E: eve-marie.davie@nt.gov.au



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Technical Assessment PA2026/0080

TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No:	PA2026/0080
Lot number:	05111
Town/Hundred:	Hundred of Strangways
Zone:	LMR (Low-Medium Density Residential)
Site Area:	2.46Ha
Proposal:	Dwelling group in 58 single storey buildings (Retirement Living) and Community Centre
Plans used for assessment:	Humpty Doo Lifestyle Estate- Retirement village Location Plan CD.000, Site Plan CD.002, CD.003 Site Roof Plan, Carpark CD.100, Reception CD.101, Building Types CD.102 -103, Storage ShedsV1 CD.104, Street Elevation CD.110, Perspectives CD.120-122.
Date assessment finalised:	8 October 2026
Reconsideration DCA	21/10/2026

The proposed development requires consent under the Northern Territory Planning Scheme 2020 as described in the below table:

Zone LMR (Low-Medium Density Residential)				
Use	**Assessment Category**	**Overlays**	**General Development Requirements**	**Specific Development Requirements**
Dwelling Group	Merit assessable	3.8 LADR-Land Adjacent to a Designated Road 3.2 CNV-Clearance of Native Vegetation	5.2.1 General Height Control 5.2.4 Car Parking 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-Group 5.4.6.1 Private Open Space for Dwellings-Group 5.4.7 Communal Open Space 5.4.8.1 Building Design for Dwelling-group 5.4.17 Building Articulation
Community Centre	Impact assessable	3.8 LADR-Land Adjacent to a Designated Road	5.2.1 General Height Control 5.2.4 Car Parking 5.2.6 Landscaping	

		3.2 CNV-Clearance of Native Vegetation	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR 5.2.4.4 Layout of Car Parking Areas	
Outbuilding (Ancillary)			5.2.4.4 Layout of Car Parking Areas	

Retirement Living is not a recognised use in the NT Planning Scheme 2020. The proposal is being assessed as a **Group dwelling** with **ancillary Outbuilding** and a **Community Centre**.

Pursuant to Clause 1.8(1)(b) of the Scheme, dwelling-group (3+) is a *Merit Assessable* type of development in Zone LMR and pursuant to Clause 1.8(1)(c) a Community Centre is *Impact Assessable* type of development. Therefore the Development is considered to be Impact Assessable type of development. In accordance with Clause 1.10(4), in considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:

a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
b) any Overlays and associated requirements in Part 3 that apply to the land; and
c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6.
d) any component of the Strategic Framework relevant to the land as set out in Part 2.

Clause 1.8(1)(b)(ii)(2)

(b) *Merit Assessable* – use and development that requires the exercise of discretion by the consent authority to ensure it can be established and operated in a way that does not impact on the ***amenity*** of the area and accords with the relevant zone purposes and outcomes.
Use and development of land requires ***consent*** and is *Merit Assessable* when any of the following apply: i. it is shown as *Merit Assessable* on the relevant assessment table in Part 4;

Clause 1.8(1)(c)(ii)(2)

(c) Impact Assessable – 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.

Use and development of land requires consent and is Impact Assessable when any of the following apply:

I. it is shown as Impact Assessable on the relevant assessment table in Part 4;
II. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii); or
III. it is identified as Impact Assessable in Clause 1.9; or
IV. it is a Prohibited development which relates to a heritage place as set out in Clause 1.10(7)(b); or
V. a provision of this Planning Scheme expressly requires assessment as Impact Assessable.

Clause 1.10 Exercise of Discretion by the Consent Authority

2. 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.

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the consent authority.

2.0 Strategic Framework

The following is relevant to the subject site.

In accordance with subclause 2.2 (4) of NTPS 2020, the Strategic Framework guides the interpretation of all Parts of the NTPS 2020:
Where there is inconsistency between the components of the Strategic Framework, Area Plans, providing the most detailed level of guidance, prevail over higher-order Land Use Plans and Strategic Planning Policies to the extent of any inconsistencies.

Subregional Land Use Plans, Regional Land Use Plans and Strategic Planning Policies will guide interpretation of the Planning Scheme when:
(a) there is no applicable Area Plan;
(b) the Area Plan does not provide guidance on a particular issue;
(c) a use or development does not accord with an Area Plan; or
(d) a new Area Plan is being created or a change is proposed to an existing Area Plan.

The Darwin Regional Land Use Plan, the Litchfield Subregional Land Use Plan (LSRLUP) and the Humpty Doo Rural Activity Centre Area Plan are applicable to the subject site.

Darwin Regional Land Use Plan & the Litchfield Subregional Land Use Plan

The Darwin Regional Land Use Plan identifies the land for 'Rural Lifestyle' and 'Rural Area' development respectively. The LSRLUP which provides the most detailed level of guidance, in this instance, outlines the following objectives for such identification. Below are the objectives (black) and an assessment of the proposal against the objectives (blue):

2. Provide a coordinated, efficient and interconnected subregional, local, and active transport network

The following issues remain where the amended proposal does not support subregional and local active transport for the following reasons:

1. Connections with the lots on either side of 80 Freds Pass Road and to the rear are not proposed.
2. A proposed single carriage one-way loop servicing more 58 lots may not support efficient and coordinated access and egress onto and within the site. The TIA addendum indicates that this is achievable.
3. No separate pedestrian pathway is proposed to directly support the units – instead a hybrid access arrangement is proposed.
4. The residential area does not have a separate access outside onto Freds Pass Road but uses the same access as the community centre

Storage/Boat Shed

The shed has been relocated to the front of the site and reduced in size This is a safer and more efficient outcome and allows for a bypass of the residential area.

Community Centre

The Community Centre is not just for residents but would also be used by the public. The amended plans to the parking area address the issues. They provide:

- internal pedestrian pathways to support safe and efficient pedestrian movement
- Propose pedestrian access to outside of the site

- A turnaround area in the carpark so egress is efficient and this has been demonstrated to work through swept paths.

Further clarification was requested from the applicant as to the amenity impact of the proposal on the wider road network. An addendum to the TIA indicates that this is achievable with the amended plans.

5. Support social infrastructure that meets the needs and aspirations of the community

Group Dwellings (single, duplex and townhouses) and Central Open Space area
The group dwellings would support retirees, couples and families.
Whilst some community needs would be met the design does not address the following:

- No single bedroom units were provided so single people would not be supported unless they entered into a share house situation.
- Internal bathroom spaces are reduced and so this would not achieve the requirements for turnaround space for the mobility impaired.
- The proposed park/ open space is well located being central to the residential area but it does not have any external or internal pedestrian access and cannot be reached from two sides of the development because of dwelling locations. The overly dense nature of the development locates some units and duplexes backing onto the park. This fragments the open space, prevents equity of access and creates CPTED concerns.

Community Centre
The proposal provides a Community Centre for the residents and the general public. The Community Centre Complex proposes the following:

- Reception Area
- Flexible multi-purpose rooms for use by residents, community groups, and visiting or pop-up health clinics
- Swimming Pool
- Vegetable Garden
- Excess Carparking

4. Provide for growth and housing choice compatible with the future character and rural identity of Humpty Doo:

4.1 Provide for a variety of residential lot sizes to support a variety of housing choices and lifestyles. Residential development is located in 'Urban Residential' areas as shown in this Area Plan with Zone LMR (Low-Medium Density Residential) being the highest permitted urban residential density. Zone LMR is restricted to within 400m walking distance of Zone C (Commercial) land.

Residential
The site is located just on the edge of the 400m. However, the northern/rear dwellings are over 600m walking distance and so do not comply with the LMR Residential Density. The number of dwellings for residential development on land identified as 'Urban Residential' within the Rural Activity Centre core area is 60 which is above the 49 dwellings which would be expected (average net residential densities of 10 to 20 dwellings per hectare- bearing in mind roads access etc).
Within the site there is some diversity proposed with single storey, 2 bedroom and 3 bedroom dwellings in a combination of duplexes, townhouses and separate dwellings.
The proposal is for a single ownership, a retirement living / lifestyle community outcome and in this regard offers housing choice.

However as indicated above 'Retirement Living' is not a recognised use in the NT Planning Scheme 2020. The proposal is being assessed as a Group dwelling and Community Centre.

4.3 Facilitate retirement living. Subdivision and development for the purpose of retirement living is encouraged within the 'Urban Residential' and 'Community' areas identified by the Land Use Structure Plan at Figure 5.

ii. Retirement living is *preferably* located within 400m walking distance of Zone C (Commercial) and community facilities within the core area of the Rural Activity Centre.
iii. Subdivision and development for the purpose of a retirement village may have a residential density consistent with Zone LMR (Low-Medium Density Residential).

Residential

The proposal is located on a main road and located with some portion just within 400m walkable catchment but with other parts of the site, importantly the residential area up to 600m away.

The amended plans indicate pedestrian pathways within the site but do not propose pathways alongside the access it indicates a 10km speed limit and a hybrid access arrangement.

The development proposes a higher density than the 10-20 dwellings per Ha required in LMR.

As indicated previously 'Retirement Living' is not a recognised use in the NT Planning Scheme 2020. The proposal is being assessed as a Group dwelling and Community Centre.

5.2 Provide for formal and informal active recreation (i.e. organised sport and non-prescriptive open space).(Urban residential subdivision is consistent with the requirements of the NT Planning Scheme and NT Subdivision Development Guidelines for the provision of useable public open space, footpaths and bicycle paths.)
This is not a subdivision however it is a residential development and so should align with development guidelines and residential requirements.

The amended plans propose an improved response with pedestrian access, park benches, landscaping and areas of park between dwellings the safety risks associated with the design appear to be diminished however the dwellings located within the Park do not front the park and remain with rear boundaries to the open space and therefore still have some CPTED issues.

Specifically in regards to CPTED the NT Planning Scheme 2020 refers to the ***DLP Community Safety Design Guide 2010***, Section 3.0 Urban Contexts. The Objectives are as follows:

- To reduce the opportunity for criminal and anti-social behaviour within residential areas.
- To design and develop safe, connected, legible and vibrant spaces and places.
- To promote a sense of community and improve the quality of life within residential areas.
- To encourage small business operations from home as these provide additional passive surveillance and promote street activity during various hours of the day.

The Guidelines and response to the guidelines are tabled below:

Community Safety Design Guideline	Response
Streets should be designed to ensure there are clear and legible movement paths for pedestrian, cycle and vehicular traffic. Long	An internal access loop road is provided with dual carriage reducing down to a single carriage. Vehicle movement is shown. Some pedestrian pathways re provided through the park and to

sightlines are encouraged to increase surveillance and 'way finding' abilities.	the community centre and the outbuildings. There are no separate pedestrian pathways to access units.
Culs-de-sac and pedestrian walkways narrower than the adjoining street width should be avoided, as these create isolated areas and movement predictors.	The loop road narrows to a single carriageway.
Ensure residential building facades that face the public realm include habitable rooms and openings for passive surveillance.	Achieved
Buildings should be orientated to face parks and open spaces to ensure passive surveillance.	The group dwellings located in the central – open space portion are not orientated to face the park/ open space. Very poor passive surveillance could occur in this location.
Public open spaces should be designed to include street access around the perimeter to maximise passive surveillance. Where street access is not possible, the fencing between residential allotments and the adjoining open space must be visually permeable.	The amended plans show better access.
Avoid the use of multiple enclaves in building facades as these provide hiding places.	The amended plans show reduced issues with enclving.
Avoid the use of landscape treatments that impede clear sightlines or create barriers.	Potentially achievable.

6.2 Developers contribute to the funding of local road connections, utilities and trunk infrastructure.
Developer Contributions are required. This is achievable.

6.4 Manage stormwater in the Rural Activity Centre (see also Objective 1.4)
A SWMP was provided.

7.1 Mitigate against mosquito breeding to reduce impacts on residential and sensitive land uses' - Subdivision and development addresses existing mosquito breeding sites and does not contribute to further breeding sites to the satisfaction of the government agency responsible for medical entomology
Achievable.

The Humpty Doo Rural Activity Centre Area Plan

Objectives

2.3 Enhance the local road network to facilitate safe and convenient movement through the rural activity centre. Subdivision and development provides for an interconnected local road and accessway network that (1-6 listed) Of relevance are:

2 a) prioritises the safety of pedestrians and cyclists;

b) supports efficient vehicle access and multiple route choices;

c) interconnects with neighbouring lots to facilitate neighbourhood

permeability and the future subdivision of adjacent lots;

The amended plans proposal partially achieves these.

1. Prioritise the safety of pedestrians and cyclists

   Residential- vehicle traffic is provided for at 10km speed limit

   Community Centre- pedestrian access and pedestrian pathways within the carpark. The carpark now has a turnaround for efficient movement.

   Storage/Boat Shed – The changed location of the shed to the front of the site is a safer location. Swept paths show turnaround is achievablke.

   The Addendum to the Traffic Assessment provided at deferral proposes a pedestrian crossing across Freds Pass Road and indicates that this is feasible.

2. Support efficient vehicle access and multiple route choices

   The Addendum to the TIS indicates that vehicle access is achievable with the amended plans. Multiple route choice is not supported by the proposal.

3. Interconnect with neighbouring lots to facilitate neighbourhood to facilitate neighbourhood permeability and the future subdivision of adjacent lots

The proposed internal road layout restricts future access and circulation to the adjacent Lots 5110 to the (east) limiting their development in accordance with the Activity Centre Plan's road network objectives and constraining overall precinct connectivity.

The internal road within the Community Centre Carpark suggests a connection could be made to the lots to the east at the front of the site but the proposed site layout would prevent connections elsewhere. The practicality and safety of future connections directly through the carpark would need to be further explored.

There is no pedestrian or cycling connections proposed to the neighbouring sites on either side or behind. Refer to the HDRACP Plan 4 below (Fig. 1) which shows that 3 connections are proposed going through the site to the land to the southeast and the northeast.



Figure 1 Movement & Transport Taken from Figure 4 of the HDRACAP

2.4 The provision of local roads driveways and accessways manage stormwater flow

A SWMP is provided and this can probably be achieved.

2.5 Provide for convenient and accessible public transport

Public Transport is not easily accessed. The TIS recommends that pedestrians would cross Freds Pass Road to the existing pathway. The amended plans show the addendum to the TIS recommendation of a pedestrian pathway to facilitate crossing of Freds Pass Road to access the local footpath network (which provides connections to the nearby shopping centre) and proposes that this could be achieved by widening the driveway to 8m. The HDRACAP requires pathways on **both** sides of Freds Pass Road. Pedestrian use of the access road combined with potential scooter and bicycle use would be inadequate for safety reasons.

2.6 Provide a safe, appealing and convenient active transport network.

i) Development complies with the applicable requirements of the NT Planning Scheme for the provision of pedestrian and cycle paths, and **must** consider key pedestrian movements and links, protection from the elements, and landscaping for shade and amenity.
ii. Pedestrian and cycle paths are provided on **both sides** of Freds Pass Road and Challoner Circuit within the core area of the rural activity centre as identified at Figure 4.
A pedestrian pathway along Freds Pass Road on the side of the site has not been provided in the amended plans and so this does not comply.

3.1 Protect and enhance rural amenity.

Residential

The development setbacks from the neighbouring sites on either side and to the rear are improved with an additional 1.5-3m provided for a potential stormwater swale.

Storage/Boat shed

The amended plans show a smaller shed with 5 berths located close to the front boundary.

Community Centre
The Community Centre is well located and sited to the front of the site with good setbacks from the road and from the neighbouring properties. Landscaping I also shown. Car parking is provided with more than the required spaces for a Community Centre.

General
The amended plans show dual access at the front and single lane around the residential area.

3.1 Support local business.

Local business would be supported through the development and servicing of the residential area. The community Centre would support local businesses.

The creation of new residential development generally does support working from home and small business. There are no visitor car spaces proposed within the residential group dwelling area and this could create internal overspill parking, obstructive parking and parking saturation.

The potential traffic impacts caused by bottle necking from the single access point into and out of the site could have a detrimental effect on local businesses and local residents in the wider local area.

3.3 Activate public spaces. i. Development complies with the Crime Prevention through Environmental Design (CPTED) principles identified within the NT Community Safety Design Guide (2010).

The amended proposal provides a better response but still does not comply with CPTED Principles. Please refer to the LSRLUP Objective 5.2 above. A shifting of the units within the central park area to *face* the public realm could make the space useable, accessible and much safer.

4.0 Provide for growth and housing choice compatible with the future character and rural identity of Humpty Doo

A range of housing choices are sought to cater to different life stages. The proposal provides a limited choice of 2- and 3-bedroom dwellings all with minimal private open space and restricted undercover parking and storage. These are offered as retirement living- over 55s with the idea that they are low maintenance and within walkable distances to the RAC. A wider range of housing choice with some 1-bedroom units would be better as it would cater to the wider demographic likely to be interested in the group dwelling arrangements.

DCA Deferral
The amended plans show an updated Design Concept Plan with a slight reduction in dwellings, more responsive landscaping, pedestrian paths and swept paths demonstrated, more public parking.

MORE CONSISTENT

3.2 CNV – Clearing of Native Vegetation

Purpose

Ensure that **clearing of native vegetation** does not unreasonably contribute to environmental degradation of the locality.

Administration

1. This Overlay applies to land within Zones RR, RL, R, H, A, CN, RD, WM and Unzoned land.

2. On land subject to this Overlay:
   (a) on land parcels less than 100ha, the **clearing of native vegetation** of more than one hectare in aggregate of land (including any area already cleared of ***native vegetation***) requires ***consent***; or
   (b) on land parcels of 100ha and over, the **clearing of native vegetation** of more than 10ha in aggregate of land (including any area already cleared of ***native vegetation***) requires ***consent***.

3. Notwithstanding sub-clause 2:
   (a) all **clearing of native vegetation** in Zone CN requires ***consent***, other than as provided for by sub-clause 5; and
   (b) on land parcels 100ha and over, the **clearing of native vegetation** of more than one hectare that includes ***significant vegetation*** requires ***consent***, other than as provided for by sub-clause 5.

4. The consent authority many ***consent*** to the **clearing of native vegetation** that is not in accordance with sub-clause 6 only if it is satisfied that it is appropriate in the context of the ***site*** and the locality having regard to such matters as:
   (a) the suitability of the ***site*** for the proposed use;
   (b) the values associated with the environmental characteristics (as applicable);
   (c) the significance, extent and likelihood of any potential environmental impacts; and
   (d) the measures the application proposes will be implemented to mitigate any potential impacts.

5. This Overlay does not apply to the **clearing of native vegetation** that:
   (a) is required or controlled under any Act in force in the Territory, including but not limited to:
      i. *Environment Protection Act 2019;*
      ii. *Environment Protection and Biodiversity Conservation Act 1999* (Cth);
      iii. *Pastoral Land Act 1992;*
      iv. *Petroleum (Environment) Regulations 2016;*
      v. *Territory Parks and Wildlife Conservation Act 1976;* or
   (b) is for the following purposes:

i. a firebreak as specified by the *Bushfires Management Act 2016* or the *Fire and Emergency Act 1996*, up to 5m wide along a boundary of a lot having an area of 8ha or less, or up to 10m wide on a lot having an area greater than 8ha, unless otherwise specified by a Regional Fire Control Committee;
ii. an internal fence line up to 10m wide on a lot having an area greater than 8ha;
iii. an internal vehicle access track up to 10m wide and at least 100m away from any cleared land used for a vehicle access track within the same site;
iv. construction of a telecommunications facility, where the area of clearing does not exceed 250m^2;
v. a geotechnical survey if the area cleared is:
    i. for an area in which a survey is conducted – a maximum area of 100m^2; and
    ii. for an area necessary for reasonable ***access*** to an area in which a survey is conducted – a maximum of 10m wide;
vi. a road to ***access*** the land or other land; or
vii. the maintenance and repair of public infrastructure.

Requirements

6. The **clearing of native vegetation** is to:
    (a) avoid impacts on ***significant vegetation***;
    (b) be based on land capability and suitability for the intended use;
    (c) avoid impacts on drainage areas, wetlands and waterways;
    (d) avoid habitat fragmentation and impacts on native wildlife corridors; and
    (e) avoid impacts on highly erodible soils.

7. An application for the **clearing of native vegetation** is to demonstrate consideration of the following:
    (a) the *Land Clearing Guidelines*;
    (b) the presence of threatened wildlife as declared under the *Territory Parks and Wildlife Conservation Act 1976*;
    (c) the presence of ***significant vegetation***;
    (d) the presence of essential habitats, within the meaning of the *Territory Parks and Wildlife Conservation Act 1976*;
    (e) the impact of the clearing on regional biodiversity;
    (f) whether the clearing is necessary for the intended use;
    (g) whether there is sufficient water for the intended use;
    (h) whether the soils are suitable for the intended use;
    (i) whether the slope is suitable for the intended use;
    (j) the presence of permanent and seasonal water features such as billabongs and swamps;
    (k) the retention of ***native vegetation*** adjacent to waterways, wetlands and rainforests;
    (l) the retention of ***native vegetation*** buffers along boundaries;
    (m) the retention of ***native vegetation*** corridors between remnant ***native vegetation***;

(n) the presence of declared ***heritage places*** or archaeological ***sites*** within the meaning of the *Heritage Act 2011*; and
(o) the presence of any sacred ***sites*** within the meaning of the *Northern Territory Aboriginal Sacred Sites Act 1989*.

Response:
The site has already been cleared of native vegetation, and no additional clearing of native vegetation will be required to support the development proposal.

NOT APPLICABLE

3.8 LADR – Land Adjacent to a Designated Road

Purpose
Ensure that ***access*** to a designated road from adjacent land does not prejudice traffic safety or the integrity and operation of the infrastructure.

Administration
1. ***Access*** to a use or development or proposed use or development from a designated road identified on this Overlay requires ***consent***.

2. Despite sub-clause 1, this Overlay does not apply where the agency responsible for the management of the designated road has provided written approval for the ***access***.

3. The consent authority may only ***consent*** to an ***access*** to a use or development where the ***access*** complies with sub-clause 4.

Requirements
4. Any ***access*** from a designated road corridor must be in accordance with the requirements of the agency responsible for the management of the designated road, to the satisfaction of that agency.

Requirements	Response
Any access from a designated road corridor must be in accordance with the requirements of the agency responsible for the management of the designated road, to the satisfaction of that agency.	**Litchfield Council**

Correction: This Overlay is for Unzoned land adjoining DLI managed roads.

N/A

4.3 Zone LMR – Low-Medium Density Residential

Zone Purpose

Provide a range of low rise housing options that contribute to the streetscape and residential ***amenity*** in locations supported by community services and facilities, and where full reticulated services are available.

Zone Outcomes

1. A blend of **dwellings-single,** associated **dwellings-independent**, **dwellings-group** and **dwellings-multiple** predominantly of two ***storeys*** or less, on a range of lot sizes that respond to changing community needs.

2. **Home based businesses** and **dwellings-community residence** are conducted in a manner consistent with residential ***amenity***.

3. **Residential care facilities** are of a scale and conducted in a way that maintains the residential character and ***amenity*** of the zone.

4. Non-residential activities such as **community centres**:
   (a) support the needs of the immediate residential community;
   (b) are of a scale and intensity compatible with the residential character and ***amenity*** of the area;
   (c) wherever possible, are co-located with other non-residential activities in the locality;
   (d) avoid adverse impacts on the local road network; and
   (e) are managed to minimise unreasonable impacts to the ***amenity*** of surrounding residents.

5. Building design, ***site*** layout and ***landscaping*** provide a sympathetic interface to the adjoining public spaces and between neighbours, provides privacy and attractive outdoor spaces.

6. An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks, and with reasonable ***access*** to open space and community facilities.

	Outcome	Response- Community Centre & Dwelling Group
1	A blend of dwellings-single, associated dwellings-independent, dwellings-group and dwellings-multiple predominantly of two storeys or less, on a range of lot sizes that respond to changing community needs	The group dwellings are arranged as single units, duplex and townhouses.. A limited range of dwelling sizes, no single bedroom units
2	Home based businesses and dwellings-community residence are conducted in a manner consistent with residential amenity.	n/a
3	Residential care facilities are of a scale and conducted in a way that maintains the residential character and amenity of the zone.	n/a

4	Non-residential activities such as community centres: (a) support the needs of the immediate residential community; (b) are of a scale and intensity compatible with the residential character and amenity of the area; (c) wherever possible, are co-located with other non-residential activities in the locality; (d) avoid adverse impacts on the local road network; and (e) are managed to minimise unreasonable impacts to the amenity of surrounding residents.	The Community Centre uses are proposed to be small scale and are unlikely to create an amenity impact to neighbouring sites. It is proposed that the Community Centre would have multi-purpose rooms for use by residents, community groups, as well as visiting pop-up health clinics. The Community Centre is set apart from the residential area to the front of the site. It is well landscaped and has good setbacks to the neighbouring sites on either side. Amenity impact from uses on surrounding residents are not envisaged. The access to the Community Centre is the single access to the whole site.
5	Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and between neighbours, provides privacy and attractive outdoor spaces.	The site layout provides Private Open Space to units, however an open space area has been provided central to the site. The building design is somewhat uniform. Landscaping and screen fencing has been shown between neighbouring units The central dwellings do not interface with the park open space.
6	An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks, and with reasonable access to open space and community facilities.	Amended Plans and reports indicate that this can be achieved

Initial Assessment

An amendment to the site layout and landscape concept plans was requested highlighting the issues above. This was not provided by the applicant. Further information was requested from the applicant on the uses of the Community Centre. The applicant has indicated that the uses proposed are small scale.

It was considered that compliance could be achieved through amendments to dwelling density, diversity, building design, POS size, landscaping and ensuring that the setbacks to neighbouring sites that reflect the zoning of neighbouring properties and provide a meaningful transition.

<u>DCA Deferral Request</u>

1. Amended Plans which demonstrate the following:

- Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.
- Amended access to the site demonstrating a separation of pedestrian and vehicle traffic.

2. A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB Screening to all parking areas from public spaces.

6.Traffic Impact Assessment prepared by a suitably qualified traffic engineer which will consider access to the site, identify all necessary upgrades to the surrounding road network and respond to Litchfield Council's requirements for access to the road corridor.

7. A Waste Management Plan addressing the Litchfield Council's Waste Management Guidelines prepared, to the requirements of the Litchfield Council, and to the satisfaction of the consent authority.

8. A schematic plan demonstrating the on-site collection of stormwater and its discharge into the Litchfield Council's stormwater drainage system shall be submitted to and approved by the Litchfield Council, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

Deferral Response:
Changes made to Amended Plans to provide fencing to units with side fencing to 1.8m and adjoining the Open space/Park rear and side fencing.
A Landscape Plan provided with trees, landscaping, pathways, park benches additional public parking
No Waste Management Plan provided but a preliminary assessment indicating that private waste management can be achieved.
An addendum to the Traffic Impact assessment provided and supporting the proposed amended plans.
A Stormwater Management Plan provided and updated development plans which show greater setbacks from the boundary to units to support a swale and stormwater management as well as a retention basin.

COMPLIES

5.2.1 General Height Control

Purpose

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

Administration

1. This clause does not apply if:
   (a) The development is for the purpose of:
      i. a **telecommunications facility**;
      ii. a chimney, flag pole, aerial, antenna or lightning rod; or
      iii. the housing of equipment relating to the operation of a lift; or
   (b) an alternative height control is specified in clause 5.9 (Location specific development requirements).

2. The consent authority must not ***consent*** to a development in Alice Springs that is not in accordance with sub-clause 5.

3. The consent authority must not ***consent*** to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.

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

Requirements

5. The ***building height*** of a development in the Municipality of Alice Springs is not to exceed:
   (a) the maximum ***building height*** for the zone and use as specified in table A to this clause; or
   (b) two ***storeys*** to a maximum of 8.5m if the zone and use is not included in table A to this clause.

6. The ***building height*** in all other areas is not to exceed:
   (a) the maximum ***building height*** for the zone and use as specified in table B to this clause; or
   (b) two ***storeys*** to a maximum of 8.5m if the zone and use is not included in table B to this clause.

The proposed dwellings and Community Centre and Storage/Boat Shed are all less than 8.5m.

COMPLIES

5.2.4.1 Car Parking Spaces

Purpose

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

Administration

1. This clause does not apply where alternative ***car parking space*** requirements are established under clause 5.9 (Location specific development requirements).

2. The consent authority may ***consent*** to use or development that is not in accordance with sub-clause 5 if it is satisfied a reduction in the number of ***car parking spaces*** is appropriate with regard to:
   (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;
   (b) the provision of ***car parking spaces*** in the vicinity of the land;
   (c) the availability of public transport in the vicinity of the land;
   (d) the potential impact on the surrounding road network and the ***amenity*** of the locality and adjoining property; and
   (e) if the use or development relates to a ***heritage place*** and the Minister responsible for the administration of the *Heritage Act 2011* supports the reduced provision of ***car parking spaces*** in the interest of preserving the significance of the ***heritage place***.

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

4. For the purposes of this clause:
   (a) the reductions in Table B only apply to uses specifically referenced within Table A and apply to the base car parking rates established in Table A;
   (b) only one reduction percentage is permitted per category when applying Table B; and
   (c) the reductions in Table B do not apply to one bedroom ***dwellings***.

Requirements

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

Dwelling-group	1 per one bedroom ***dwelling*** 2 per ***dwelling*** with two or more bedrooms Plus Any reductions in accordance with Table B (if the developmer meets the criteria)

Community centre	5 for every 100m^2 of ***net floor area***

Dwelling group
58 -2- and 3-bedroom units each with 2 car spaces- achieved with116 spaces

Ancillary Storage/Boat Shed
5 storage shed spaces

Community Centre
Less than 300m^2 net floor area requires 15 car spaces. The excess car spaces support potential small scale uses within the Community Centre- 10 surplus spaces

11 additional spaces are demonstrated as visitor parking in the residential area.

The ancillary uses within the Community Centre are proposed to be multi-purpose rooms for use by residents, community groups, and visiting or pop-up health clinics. These uses could generate more car parking than 5 per 100sqm but more car spaces have been provided. Further information was sought around what these uses entailed and the applicant indicated small scale gatherings and pop up health services. The excess carparking of 10 additional spaces is considered supportive of small-scale activity.

Additional car parking has been provided within the development for visitors and service vehicles.

COMPLIES

5.2.2.4 Layout of Car Parking Spaces

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

Administration

1. This clause does not apply to a ***car parking area*** where the car parking is required in association with a **dwelling-single, dwelling-independent** or a **home based business**.

2. A ***car parking area*** may be used for the purpose of a **market** if:
   (a) a market is Permitted in the zone; and
   (b) the market operates outside of the operating hours of the use for which the car parking area is established.

3. The consent authority may ***consent*** to a ***car parking area*** that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the ***amenity*** of the surrounding locality.

4. The consent authority may ***consent*** to a ***car parking area*** that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.

5. The consent authority may ***consent*** to a ***car parking area*** that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.

Requirements

6. A ***car parking area*** is to:
   (a) be not less than 3m from any lot boundary abutting a road; and
   (b) provide ***landscaping*** to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the ***car parking area*** when viewed from the road.

7. A ***car parking area*** is to be constructed and maintained to be:
   (a) of a suitable gradient for safe and convenient parking; and
   (b) sealed and well drained in urban areas, or dust supressed in non-urban areas.

8. The layout of a ***car parking area*** is to:
   (a) be functional and provide separate access to every car parking space;
   (b) allow a vehicle to enter from and exit to a road in a forward gear;
   (c) be in accordance with the dimensions set out in the diagram to this clause; and
   (d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.

9. The number of ***access*** points to the road is to be limited, and ***access*** points to ***car parking areas*** are to:
   (a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and
   (b) maximise sight lines for drivers entering or exiting the car parking area.

	Requirements	Community Centre	Ancillary Outbuilding
6.	A carparking area is to: (a) Be no less than 3m from any abutting boundary road; (b) Provide landscaping to the setback area to a minimum of 3m	achieved	N/A
7.	A car parking area is to be constructed and maintained to be: a. of a suitable gradient for safe and convenient parking; and b. sealed and well drained in urban areas, or dust supressed in nonurban areas.	The proposed car parking areas and driveways will be flat, sealed, and well drained. A pedestrian access provided within the carpark . A turnaround provided in the carpark and swept path analysis provided.	5 x residents storage sheds associated with the dwellings for residents to store large equipment such as caravans and boats. Pedestrian access provided No information has been provided in regards to the gradient, sealed or dust suppression of surface.
8.	The layout of a car parking area is to: a. be functional and provide separate access to every car parking space; b. allow a vehicle to enter from and exit to a road in a forward gear; c. be in accordance with the dimensions set out in the diagram to this clause; and d. ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.	The carparking area should have a separate internal access from the residential area to the carpark. A separate access from Freds Pass Road to the Community Centre and its Carparking area would be significantly more functional than the proposed single combined use entry and exit.	A turnaround area provided in the carpark. Swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger vehicles entering/exiting the site provided.
9.	The number of access points to the road is to be limited, and access points to car parking areas are to: a. have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and b. maximise sight lines for drivers entering or exiting the car parking area.	One point off access to Freds Pass Road is proposed. However, in this instance the Community Centre should have a separate access onto Freds Pass Road. Access should not be shared with residents living in the 58 unit group dwelling area to the rear. All driveway areas are a minimum of 3.5m where one-way traffic is identified, and a minimum of 6m where two-way traffic is proposed.	Access to the Storage shed is to the front of the site. .

Initial Assessment

Community Centre Carparking

The TIS identified that the parking area at the SW corner of the site is a blind aisle and would require one of the parking spaces to be converted to a turn around bay.

There are issues with the functionality and safety of the proposal, in particular the following:

- A turnaround area is should be located at the end of the carpark. Noting that a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger vehicles entering/exiting the site would be required to demonstrate that turnaround is possible.
- A pedestrian access/pathway within the carpark is required.
- The Community Centre should have a separate access onto Freds Pass Road. Access should not be shared with residents living in the 60 unit group dwelling area to the rear.

Storage/Boat Shed Carparking

- There are concerns around the design of the shared access to the boat shed and the poor sightlines. The storage area needs to demonstrate turnaround with a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger vehicles.
- The storage area needs to indicate a flat gradient and sealed or dust suppressed surface -this could be conditioned.

DCA Deferral

1. Amended Plans which demonstrate the following:

1. Minor amendments to the design of the Community Centre carparking layout to include:

    - A turnaround area located at the end of the Community Centre carpark demonstrating through a swept path analysis for Austroads Class TB2 (two-axle bus/truck, 5.5-14.5m) or larger, that, when all carparks are full, vehicles can enter and exit the site in a forward gear;

    - A pedestrian access/pathway within the Community Centre carpark with signage directing vehicle and pedestrian traffic in and around the carpark.

4. Minor amendments to the design of the parking area outside of the proposed outbuilding to include adequate manoeuvring area through a swept path analysis for Austroads Class TB2 (two axle bus/truck, 5.5-14.5m) or larger that vehicles can safely enter and move through the site in a forward gear.
5. Wayfinding signage throughout the site if and where considered necessary.

<u>Deferral Response:</u>
Significant changes to the Amended Plans showing turnarounds, relocation of the outbuilding, pedestrian access in the carparking, pedestrian pathways, crossings and access to the front of the site , swept path analysis demonstrating turnarounds.
An addendum to the Traffic Management Plan (TIS) was provided which supports the proposal and indicates that the access is acceptable.

COMPLIES

5.2.6.1 Landscaping in Zones other than Zone CB

5.2.6.1 Landscaping in Zones other than Zone CB

Purpose

Encourage ***landscaping*** that enhances local ***amenity*** by:
(a) contributing to safe and attractive public spaces and places;
(b) responding to the local climate and soil characteristics;
(c) supporting cooler internal and outdoor areas; and
(d) recognising the value of retaining existing plants and trees.

Administration

1. ***Landscaping*** may include, where subordinate to areas for the planting and growing of plants, impervious and unplanted areas for;
   (a) pedestrian access,
   (b) outdoor recreation, or
   (c) natural or ornamental features and the like.

2. The consent authority may ***consent*** to ***landscaping*** that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the ***site*** having regard to the ***amenity*** of the streetscape, and the potential impact on the ***amenity*** of the locality and adjoining property.

Requirements

3. Where ***landscaping*** is required by this Scheme it should be designed so that:
   (a) planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered ***car parking areas***;
   (b) it maximises efficient use of water and is appropriate to the local climate;
   (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
   (d) significant trees and vegetation that contribute to the character and ***amenity*** of the ***site*** and the streetscape are retained;
   (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
   (f) the layout and choice of plants permits surveillance of public and communal areas; and
   (g) it facilitates on-site infiltration of stormwater run-off.

4. The quality and extent of the ***landscaping*** consented to must be maintained for the life of the development.

Initial assessment

Further information was requested in relation to:

- 'Planting is focussed on the area within street frontage setbacks, **side setbacks**, communal open space and uncovered car parking areas'-The access road does not have tree planting that provides

shade – coconut palms do not provide shade or support cooling. Landscaping in the side setbacks to dwellings.
- 'Energy Conservation of a building having regard to the need for shade and sunlight at varying times of the year' - The POS for each dwelling is minimal and may not support shade trees and the energy conservation needs to be demonstrated with landscaping.

The applicant indicated that Landscaping would be addressed at a later stage and did not provide an amended Concept Plan responding to Clause 5.2.6.1.

Group Dwellings
The majority of the site is for residential group dwellings. However the landscaping to the front of the residential units is sparse. Landscaping along the side and rear is non-existent and setbacks are poor. The purpose is not well achieved. The individual dwelling landscaping does not propose shade trees so the energy conservation of dwellings would not be assisted by landscaping.
The central park area has access from only one side and is broken up so its accessibility and its useability are significantly reduced and residents in the back half of the site are disadvantaged.

Storage/Boat Shed
Located at the rear of the site. The applicant has indicated that this would be fenced.

Community Centre
A landscaping response has been provided around the Community Centre.

DCA Deferral

2. A Landscaping Plan which demonstrates compliance with Clause 5.2.6.1 Landscaping in Zones other than Zone CB, Screening to all parking areas from public spaces.

3 Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group,and specifically demonstrating:

- How Private Open Space (POS) requirements will be achieved through landscaping or fencing.
- Screening of Private Open Space from surrounding land and adjoining units.
- Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.

Deferral Response:
The Amended Development Plans show have been updated to show compliance with Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group,and specifically demonstrating:

- Private Open Space (POS) requirements achieved through fencing.
- Screening of Private Open Space from surrounding land and adjoining units.
- Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.
- Facilitates stormwater runoff

COMPLIES

5.4.1 Residential Density

Purpose
Ensure that the development of ***residential buildings***:
(a) is of a density compatible with adjoining or nearby existing development or development reasonably anticipated;
(b) is of a density compatible with the existing or planned provision of reticulated services and community facilities which will service the area; and
(c) is consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.

Administration
1. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 2 only if it 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.

Requirements
2. The maximum number of ***dwellings*** that may be constructed on a ***site*** is to be determined in accordance with Table A, B, C or D (as the case requires) to this clause.

Table A to Clause 5.4.1: Dwelling Density in Certain Zones

Zone	Dwelling Density
LR, RR, RL, R and CV	1 **dwelling-single** per lot and may include a **dwelling-independent**
LMR	1 **dwelling-single** per lot and may include a **dwelling-independent** or 1 ***dwelling*** per 150m² for a 1 bedroom ***dwelling*** as part of a **dwelling-group** or **dwelling-multiple** or 1 ***dwelling*** per 300m² for a 2+ bedroom ***dwelling*** as part of a **dwelling-group** or **dwelling-multiple**

Zone LMR (1 dwelling per 300m^2) 24600(Total Site Area) would equate to 80 dwellings.
However, the whole of the site is not being given over to dwellings it is a proposed Community centre, car park, and storage sheds. The true area being given over to dwellings is calculated at approximately 18950m^2 which equates to approximately 60 dwellings and 60 dwellings are proposed.
However, the surrounding sites are not RL and so the impact of the higher density needs to be considered through providing setbacks and transition and reducing density.

Amended plans show a reduction in density with the unit number reduced to 58.

COMPLIES

5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures

Purpose

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.

Administration

1. This clause does not apply in Zones CB, LI, GI and DV.

2. In this clause:
   (a) an ***ancillary*** structure includes an ***outbuilding*** (excluding shade sails), balcony, portico and the like, which may or may not include external walls; and
   (b) for all developments except **dwellings-multiple** in Zone MR or HR, where a lot has a boundary with a public street from which vehicular ***access*** to the lot is restricted by the controlling Agency or local government council, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the ***building setback***.

3. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and it is appropriate to the ***site*** having regard to such matters as its location, scale and impact on adjoining and nearby property.

4. If a building setback plan in Schedule 9 does not establish a specific setback to a nominated boundary, ***residential buildings*** and ***ancillary*** structures are to be set back from that boundary in accordance with sub-clause 6(a) or clause 5.4.3.3 as appropriate.

5. Despite sub-clause 6 sheds in Zones other than H, A, RR, RL and R may have a nil setback to the side and rear boundaries provided it is
   (a) 6m or more from the ***primary street*** and 2.5m or more from a ***secondary street*** when measured to the wall of the shed or where there is no wall, the outer face of any column;
   (b) has a cumulative ***floor area*** of 15m^2 or less;
   (c) is 2.5m or less in height;
   (d) has no openings in walls that are less than 1.5m from a lot or unit title; and
   (e) does not discharge rainwater on an adjacent lot or unit title.

Requirements

6. Subject to clause 5.2.7, ***building setbacks*** of ***residential buildings*** and ***ancillary*** structures are to be set back from lot boundaries in accordance with:
   (a) the relevant table to this clause; or
   (b) any setbacks established in a building setback plan that is included in Schedule 9.

7. Where a zero or 300mm setback is identified on a building setback plan in Schedule 9, a zero or 300mm setback can only be established to the boundary nominated on the setback plan.

8. Unless detailed in a table to this clause or within a building setback plan in Schedule 9, no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum ***building setbacks*** (subject to the Building Code of Australia) from the lot boundaries.

Editor's Note: If a zero or 300mm setback identified within a building setback plan is not used, the requirements of sub-clause 6(a) apply.

Table A to Clause 5.4.3: Minimum building setbacks for residential buildings and ancillary structures in zones other than RR, RL, R, H and A		
Lot Boundary	**Minimum Setback for 1 or 2 storey buildings**	**Minimum Setback for buildings over 2 storeys**
Primary street frontage	6m for ***residential buildings***, and ***ancillary*** structures with external walls and 4.5m for ***ancillary*** structures and balconies without external walls or 3m for shade sails, to a maximum height of 2.5m at the minimum setback	7.5m for ***residential buildings***, and ***ancillary*** structures with external walls and 4.5m for ***ancillary*** structures without external walls
Secondary street frontage	2.5m for ***residential buildings*** and 1.5m for ***ancillary*** structures and balconies without external walls. or 0.9m for shade sails, to a maximum height of 2.5m at the minimum setback	2.5m for ***residential buildings*** and ***ancillary*** structures with external walls and 1.5m for ***ancillary*** **structures** without external walls

Building	Setback	Response
Community Centre	3.0 to carparking area 25m to Building	Not a residential building
Shed	Setback from front and sides. Rear 1.5m	Complies
Dwellings	Well setback from front boundary. Internal road setbacks are 3.4-3.7m, garages approx. 6.0m	Complies

COMPLIES

5.4.3.2 Distance Between Residential Buildings on one Site

Purpose

Ensure ***residential buildings*** provide a sympathetic interface with the streetscape and surrounding development, minimise adverse effects of building massing, and avoid undue overlooking of adjoining ***residential buildings*** and private open space.

Administration

1. The consent authority may ***consent*** to a development that is not in accordance with sub-clauses 2 and 3 only if it is satisfied it is consistent with the purpose of this clause and that the design of the development adequately mitigates the adverse effects of building massing and privacy and overlooking impacts that may arise from non-conformity with sub-clauses 2 and 3.

Requirements

2. Where more than one building comprising one or two ***storey residential buildings*** is located on a ***site*** the distance between the buildings is to be calculated in accordance with Table A to Clause 5.4.3 as if there was a lot boundary between the buildings.

3. Where more than one building comprising ***residential buildings*** that exceeds two ***storeys*** in height is located on a ***site***, the distance between buildings is to be a minimum of:
   (a) 3m for walls to non-habitable rooms and ***habitable rooms*** *without* windows or doors; and
   (b) 4.5m for walls *with* windows or doors to ***habitable rooms*** or to a verandah or balcony.

4. For each ***storey*** over four ***storeys***, the distance between buildings referred to in sub-clause 3 is measured from a straight line that is half the average distance between the walls of the buildings.

The proposed residential buildings are single storey and set back a minimum 3m from one another, in accordance with the requirements of this clause.

COMPLIES

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

Purpose

Extend the function of a ***dwelling*** and enhance the residential environment by ensuring that each ***dwelling*** has private open space that is:

(a) of an adequate size to provide for domestic purposes;
(b) appropriately sited to provide outlook for the ***dwelling***;
(c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the ***site***; and
(d) inclusive of areas for ***landscaping*** and tree planting.

Administration

1. 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.

Requirements

2. Private open space should:
   (a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
   (b) be directly accessible from the ***dwelling*** and enable an extension of the function of the ***dwelling***; and
   (c) be located to provide views from the ***dwelling*** to open space and natural features of the ***site*** or locality, and to reduce overlooking from neighbouring open space and ***dwellings***;
   (d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the ***site***;
   (e) include at least one area of at least $5m^2$, with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and
   (f) allow for ***landscaping*** at the property frontage to complement the visual ***amenity*** of the streetscape.

3. Where the private open space for a **dwelling-group** is at ***ground level***, it should be:
   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier at maturity.

Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group

For clarity, in this table:

Area A is the minimum area, for each ***dwelling***, that must be open vertically to the sky and have no dimension less than 1.5m.

A least half of Area A must be permeable, and may include the 5m² required for deep soil planting.

Area B is the minimum dimensioned space that extends the function of the ***dwelling*** and may be covered or open to the sky.

Any part of **Area B** that is open to the sky may form part of **Area A**.

Type of Dwelling	Private Open Space Area
Dwelling-group	**A.** 45m², open vertically to the sky, with no dimension less than 1.5m; and **B.** 24m², all or partly covered, with no dimension less than 4m.
Dwelling-single on a lot less than 450m²	
Dwelling-independent in addition to the private open space requirement for the **dwelling - single**	
Dwelling-single on a lot not less than 450m²	**A.** 50m², open vertically to the sky, with no dimension less than 1.5m; and **B.** 36m², all or any part covered, with no dimension less than 6m.

	Requirement	Response
	Private open space should: a. satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause; b. be directly accessible from the dwelling and enable an extension of the function of the dwelling; and c. be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings; d. ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site; e. include at least one area of at least 5m2, with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and f. allow for landscaping at the property frontage to complement the visual amenity of the streetscape.	Does not Comply: e. The Location of deep planting 5m² is not provided. f. Landscaping at front of the dwellings to the internal road. **Deferral Response – Improved response. Swale drain outside of the POS.**
	Area A. has 45m², open vertically to the sky, with no dimension less than 1.5m; and Area B has 24m², all or partly covered, with no dimension less than 4m. POS Screening and dense planting	Dimensions Generally Achieved. Details provided around screening landscaping which is not evident on the plans, fence type and the height. **Screening to POS provided with 1.8m high fencing.**

Initial Assessment Summary

Mostly minimal dimensions are achieved. The POS for Type 01c units on either end- may not be achieved and needs to be fully demonstrated.

Further information was requested for deep planting, landscaping in frontage of dwellings, POS screening and fence heights to determine compliance. The applicant did not provide updated plans but did respond by saying that refinement of the plans would occur at a later stage.

DCA Deferral

3. Fencing or landscaping which demonstrates compliance and Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings - group,

   and specifically demonstrating:

   - How Private Open Space (POS) requirements will be achieved through landscaping or fencing.
   - Screening of Private Open Space from surrounding land and adjoining units.
   - Appropriate landscaping in the Central Park Area including pedestrian footpaths, shade trees and street furniture.

Deferral Response

The Amended Plans showed fenced POS. Part A and Part B POS was not indicated but the area proposed showed units achieve the POS. Deep planting was not indicated. Appears to comply with Clause 5.4.6.1 Private Open Space for Dwellings-single, Dwellings -independent and Dwellings – group.

Litchfield Council had raised the issue of swale drains:

- 14 dwellings on the Southeastern boundary have a large swale drain with a proposed base width of 5m; and
- 7 dwellings on the Northern boundary that have a large swale drain with a proposed base width of 3m.

Swale drains can be a constraint on the Private Open Space as they limit the usable space (easements required) therefore the proposal still does not comply with the requirements of 5.4.6.1 of the NTPS.

The response shows some provision for the swale drains with setback from the side and rear boundaries of between 3m and 1.5m which supports the swale drainage. The Amended package also provided an updated SWMP which demonstrated that stormwater can be managed

COMPLIES

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

Purpose

Promote site-responsive designs for **dwelling-group**, **rooming accommodation** and **residential care facility**, which provide a pleasant living environment for the occupants and a sympathetic interface with adjoining lots, to minimise unreasonable impacts on the privacy and ***amenity*** of surrounding residents.

Administration

1. This clause does not apply when only two ***dwellings*** form the **dwellings-group**.

2. The consent authority should take into account how the building design has addressed sub-clauses 3-14.

Requirements

3. Locate development on the ***site*** for correct solar orientation.

4. Minimise expanses of walls by varying ***building heights***, ***building setbacks*** and façades.

5. Locate air conditioners where they are accessible for servicing.

6. Conceal service ducts, pipes, air conditioners, air conditioning plants etc.

7. Avoid overlooking of private open spaces and ***habitable rooms*** of adjacent residences on the same and adjacent ***sites***.

8. Locate bedrooms and private open spaces away from noise sources.

9. Control its own noise sources and minimise the transmission of noise between ***dwellings***.

10. Where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction.

11. Balance the achievement of visual and acoustic privacy with passive climate control features.

12. Allow breeze penetration and circulation.

13. Minimise use of reflective surfaces.

14. Provide internal drainage of balconies and coving on the edge of balconies.

	Requirement	Response

3.	Locate development on the site for correct solar orientation.	Many of the dwellings are oriented N-S. The optimum orientation in NT is E-W. The Lot configuration makes achieving this difficult.
4.	Minimise expanses of walls by varying building heights, building setbacks and façades.	Some variation
5	Locate air conditioners where they are accessible for servicing.	Not shown on plans
6.	Conceal service ducts, pipes, air conditioners, air conditioning plants etc.	Service ducts, pipes, air conditioners, air conditioning plants will be screened and/or concealed. Can be conditioned.
7.	Avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites.	Not shown on plans
8.	Locate bedrooms and private open spaces away from noise sources.	Dwellings have been designed to ensure bedrooms and private open space areas are located away from noise sources.
9.	Control its own noise sources and minimise the transmission of noise between dwellings	Dwellings will be able to control noise
10.	Where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction.	N/A
11.	Balance the achievement of visual and acoustic privacy with passive climate control features.	Improved response. The swale drain is separate to the POS .
12.	Allow breeze penetration and circulation.	There is separation between dwelling groups to allow for some airflow and POS allows for appropriate landscaping.
13.	Minimise use of reflective surfaces.	Minimised
14.	Provide internal drainage of balconies and coving on the edge of balconies.	N/A

Initial Assessment

The proposal does not comply. The internal design, siting and density of dwellings as well as the minimal POS and lack of landscaping combine to provide a very poor response where noise management, good airflow will not be achieved and amenity of residents would be compromised as dwellings would rely on artificial light and air conditioning. The external environment would also be compromised as the POS would not provide opportunities for air flow and shade.

DCA Deferral

Amended Plans which demonstrate the following:

- Dwelling designs which support breeze penetration and natural light and shade; and where possible units to overlook the Central Park Space.

Deferral Response

The Amended Plans provided show a reduction in units from 60 to 58. There are larger areas of landscaped spaces between groups of units. The front setbacks to units are somewhat shorter. Overall there may be a somewhat improved breeze circulation. Solar orientation remains limited.

GENERALLY COMPLIES

5.4.17 Building Articulation

Purpose
Ensure that ***residential buildings*** mitigate the perception of building mass and bulking when viewed from adjoining properties and the street, and provide opportunities for cross-ventilation within building design.

Administration
1. This clause applies to all sides of ***residential buildings*** that are longer than 15m, except the ground floor of buildings in Zone CB.

2. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 4 only if it is satisfied it is consistent with the purpose of this clause.

3. The length of the building excludes verandahs, balconies, porches and carports integrated into the ***residential building*** design.

Requirements
4. A 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.

Editor's Note: Refer to *Design Guidance: Articulation* for guidance on interpreting sub-clause 4.

Variations are sought:

- The Boat Storage shed has a length of 35.5m and is not stepped however this is to the rear of the site and would be mostly screened by fencing. The rear setback is a minimal 1.5m.
- Part of the proposed community centre building on the northeastern side is a length of 16.3m
- Type 01C Units and 02C Units (6 attached units design)

Deferral Response

Type 01C Units and 02C Units (6 attached units design) a have an extent of approximately 50m which is significantly greater than 15m and they each have a significant building mass and prevent opportunities for cross ventilation. Type 02C units in particular overlook the open Park space and so the massing impact is significant.

DOES NOT COMPLY