DEVELOPMENT CONSENT AUTHORITY
PALMERSTON DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: 1 **MEETING DATE**: 16 October 2026 **FILE**: PA2026/0287

APPLICATION PURPOSE:	Dwelling-Independent with reduced building setback to primary street boundary
SUBJECT SITE:	Lot 1286 (22) Hannibal Crescent, Gray, Town of Palmerston (Locality Plans at **Bookmark A**)
ZONE:	LR (Low Density Residential)
SITE AREA:	809 m^2
APPLICANT:	Tatam Planning Co. (Director – Ms Cat Tatam)
PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE:	Mr Neeraj Khetarpal
LANDOWNER:	Mr Neeraj Khetarpal
ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND:	None

1. PROPOSAL

The application, lodged on 19 August 2026, seeks retrospective consent for a single-storey dwelling-independent constructed with a reduced setback to the primary street boundary. The prefabricated building, supplied by Northern Transportables, was recently constructed for occupation by the landowner's son.

The building measures 13.2 m in length and 3.3 m in width, with a height of 3.55 m above natural ground level. It contains two bedrooms, a bathroom, a living area and a kitchen. At its closest point, the building is approximately 2.75 m from the primary street boundary.

The site has frontage to only one public road (street), Hannibal Crescent. Accordingly, the entire Hannibal Crescent frontage is treated as the 'primary street' boundary for the purposes of Clause 5.4.3, subclauses 6 and 8 of the NT Planning Scheme 2020 (NTPS2020). The building has been certified as a Class 1a dwelling under the *Building Act 1993* and does not fall within the NTPS2020 definition of a "demountable structure".

A copy of the application is at **Bookmark B**.

2. REASONS FOR APPLICATION AND LEVEL OF ASSESSMENT

The development has become Merit Assessable under Clause 1.8(1)(b)(ii)(2) of the Northern Territory Planning Scheme 2020 (NTPS2020). A dwelling-independent, ancillary to an existing dwelling-single on the same site, is listed as Permitted in Zone LR (Low Density Residential), subject to compliance with the relevant development requirements. However, the application seeks variations to Clauses 5.2.4.1 (Car Parking Spaces), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) and 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group).

Pursuant to section 51(3) of the *Planning Act 1999*, the consent authority must apply the relevant considerations under section 51(1) only to those components of the development that triggered the requirement for consent under the planning scheme. In this case, those components are the car parking provision, reduced primary street setback and private open space provision.

Consistent with this assessment scope, Clause 1.10(2) of the NTPS2020 states:
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.

Under Clause 1.10(5), the consent authority may consent to development that does not comply with a Part 5 requirement only if it is satisfied that the variation is appropriate, having regard to the purpose and administration provisions of that requirement and the considerations listed under Clause 1.10(3). For this application, these include the relevant provisions of Clauses 5.2.4.1, 5.4.3 and 5.4.6.1, together with the guidance provided by the Zone LR purpose and outcomes relevant to the variations.

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority alter and consent to the application varying the requirements of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), and 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group) of the NTPS 2020 and approve the application as altered subject to conditions on the development permit as detailed in section 7 of this report.

4. BACKGROUND

The subject site is located in Gray and is zoned LR (Low Density Residential). It has an area of 809 m² and an irregular configuration, with five boundary segments adjoining Hannibal Crescent. Although situated on a bend in the road, the site has frontage to only one street, Hannibal Crescent, which is the primary street.

The site contains an existing dwelling-single constructed prior to 1997. Building approval was subsequently issued for an outbuilding (shed) in 2000. An aerial image of the site and surrounding area is provided at **Bookmark C1**, and recent photographs of the property's street frontage are provided at **Bookmark C2**.

No previous development applications have been identified for the site. The adjoining properties, Lots 1284, 1285 and 1287, are also zoned LR and contain dwellings-single and ancillary structures.

The dwelling-independent was approved through the building approval process under the *Building Act 1993*, with Occupancy Permit 590/01286/4/A1 issued on 12 December 2025. The building certifier's approvals were based on an interpretation that the site had a secondary street frontage and that the

building would function as a detached extension to the existing dwelling-single, rather than as a separate dwelling.

DAS provided advice in response to several enquiries before the building was constructed. The available records are summarised below.

Date	Enquiry	DAS advice recorded
20 July 2023	The landowner, Neeraj, enquired about caravan accommodation and the NTPS2020 requirements for a dwelling-independent at 22 Hannibal Crescent.	General advice regarding caravans, dwelling extensions, dwellings-independent and Part 5 requirements. Minimum setbacks were mentioned, but no interpretation of the primary or secondary street frontage was provided.
26 July 2023	The landowner emailed a sales brochure for the proposed building.	General advice regarding dwellings-independent and Part 5 requirements.
31 July 2023	The landowner requested a meeting to discuss installing a demountable unit following preliminary advice from DAS.	The advice provided is not documented in the available records.
11 April 2024	A builder, Brett of QCM, enquired about a proposed dwelling-independent and minimum building setbacks.	Advice that the site had a secondary street frontage, together with general advice regarding Part 5 requirements.
12 August 2025	Northern Transportables enquired about a proposed dwelling-independent and minimum building setbacks.	Advice that the site had a secondary street frontage.

The recorded advice of 11 April 2024 and 12 August 2025 identified a secondary street frontage. This differs from the interpretation applied in the current assessment, which treats all boundary segments adjoining Hannibal Crescent as the primary street frontage.

Following receipt of a complaint under Part 7 of the *Planning Act 1999*, the Development Consent Authority issued a notice of intention to investigate on 9 June 2026. The Authority subsequently issued a further letter providing additional information in response to correspondence from the landowner. The current application was lodged following the Authority's direction to the landowner to seek development consent.

5. PUBLIC EXHIBITION

Pursuant to section 47 of the *Planning Act 1999*, the application was placed on public exhibition for two weeks, from 28 August 2026 to 11 September 2026, through a website advertisement and pink notification signs displayed on the site.

Two public submissions were received under section 49 of the *Planning Act 1999*. Copies are provided at **Bookmark D**, and the matters raised are discussed in section 6(e) of this report.

6. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE *PLANNING ACT 1999)*

Pursuant to section 51(1) of the *Planning Act 1999*, the consent authority must, when considering a development application, take into account the matters listed in that subsection that are relevant to the development.

Section 51(3) requires the consent authority to apply those relevant considerations only to the components of the development that triggered the requirement for consent under the planning scheme.

In this case, those components comprise the proposed variations to the car parking requirements, the primary street setback requirement and the private open space requirements. The following

assessment applies the relevant section 51(1) considerations to those components and their associated impacts.

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

The Northern Territory Planning Scheme 2020 (NTPS2020) applies to the land, which is zoned LR (Low Density Residential). A technical assessment of the development is provided at **Bookmark E**. The assessment identifies compliance with the relevant requirements, except for Clauses 5.2.4.1 (Car Parking Spaces), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) and 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group), for which variations are sought.

The primary use of Lot 1286 is a dwelling-single. The application seeks retrospective consent for an ancillary dwelling-independent constructed within the minimum setback to the primary street boundary. The development also does not comply with the minimum car parking and private open space requirements.

Consistent with section 51(3) of the *Planning Act 1999* and Clause 1.10(2) of the NTPS2020, the assessment below focuses on these non-compliances and whether the development meets the purposes of the relevant requirements.

Clause 5.2.4.1 (Car Parking Spaces)

Under sub-clause 5 of Clause 5.2.4.1 of the NTPS2020, the existing dwelling-single requires two car parking spaces, and the dwelling-independent requires one space per bedroom, up to a maximum of two spaces. As the dwelling-independent contains two bedrooms, a total of four car parking spaces is required on the site.

The submitted drawings identify three car parking spaces: two within the existing carport and one proposed within the driveway. This represents a shortfall of one space, as summarised in **Table 1**.

Table 1 - Clause 5.2.4.1 (Car Parking Spaces)		
Development on Site	No. of Car Parking Spaces required	No. of Car Parking Spaces provided
Dwelling-single	2	2
Dwelling-independent	2 (1 per bedroom up to 2)	1
Total	**4**	**3 (Shortfall of 1)**

The applicant seeks a variation to the car parking requirements under sub-clause 5 of Clause 5.2.4.1, pursuant to Clause 1.10(5) of the NTPS2020. Four car parking spaces are required for the existing dwelling-single and the two-bedroom dwelling-independent, whereas three spaces are proposed.

Pursuant to sub-clause 2 of Clause 5.2.4.1 of the NTPS2020, *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

The applicant advises that the dwelling-independent will be occupied by the landowner's son, who requires only one car parking space. The applicant also submits that sufficient space is available on the site to accommodate an additional car parking space if required in the future.

The applicant's explanation is noted. However, the assessment must consider the ongoing residential use of the land, including potential changes in occupancy and vehicle ownership. The intended occupation by one person does not alter the parking requirement applicable to the two-bedroom dwelling-independent. Similarly, the potential provision of an additional space should be supported by a dimensioned plan demonstrating that it can be accommodated with suitable access and manoeuvring, without compromising the required private open space or other applicable development requirements.

In relation to administrative sub-clause 2(a), the existing dwelling-single and dwelling-independent are compatible with the LR (Low Density Residential) zoning. While the applicable provisions limit the number of dwellings, this does not preclude changes in occupancy or other future development that may affect parking demand.

In relation to sub-clause 2(b), no dedicated public car parking spaces have been identified in the vicinity. Although informal kerbside parking may be available, its availability should not be assumed to adequately address the ongoing shortfall in on-site parking.

In relation to sub-clause 2(c), the assessment identifies four bus stops within approximately ten minutes' walking distance of the site. Access to public transport supports consideration of the variation, although it does not establish that future occupants will require fewer vehicles.

In relation to sub-clause 2(d), the one-space shortfall may result in additional demand for kerbside parking. The City of Palmerston's response dated 11 September 2026 does not identify a specific concern regarding parking or traffic impacts. Nevertheless, the acceptability of the shortfall must be assessed having regard to local road conditions, access and the amenity of adjoining properties.

Sub-clause 2(e) is not applicable, as the site is not identified as a declared heritage place.

On the information presently described, an unconditional finding that the proposal fulfils the purpose of Clause 5.2.4.1 is not adequately supported. Before supporting the variation, the applicant should demonstrate the feasibility of accommodating an additional compliant parking space and provide sufficient justification that three spaces will adequately service the ongoing use of the site.

<u>Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)</u>

Under sub-clause 6(a) and Table A to Clause 5.4.3 of the NTPS2020, the dwelling-independent requires a minimum building setback of 6 m from the primary street boundary and 1.5 m from the side and rear boundaries. Hannibal Crescent is the only street abutting the site; accordingly, no secondary street setback applies.

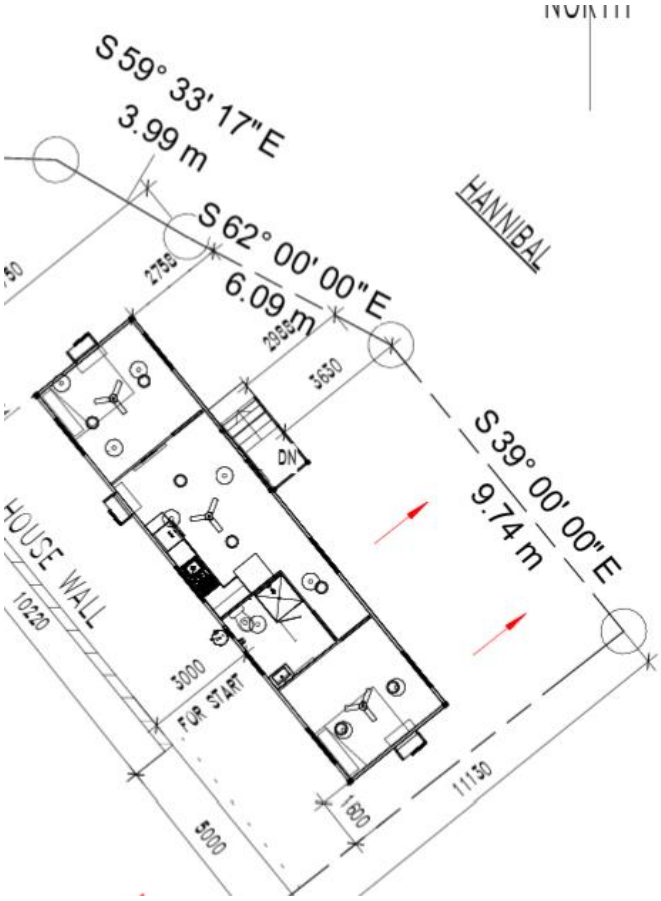
The submitted plans indicate that the external walls of the dwelling-independent are approximately 5 m from the northern frontage/truncation and 2.758 m from the eastern frontage to Hannibal Crescent. Both setbacks are less than the required 6 m. The maximum encroachment into the required primary street setback is approximately 3.24 m. The associated landing and stairs are shown approximately 2.988 m from the eastern street boundary and also extend into the required setback.

Sub-clauses 6(a) and 8 allow roof structures, including gutters and eaves, to encroach no more than 0.9 m into the minimum building setback. Consequently, the minimum primary street setback for these elements is ordinarily 5.1 m. Although the drawings do not separately dimension the roof edges and gutters, the roof over the dwelling-independent extends into this setback. The precise extent of the roof and gutter encroachment requires confirmation on dimensioned drawings.

The dwelling-independent therefore requires a variation to the primary street setback requirements of Clause 5.4.3. The proposed setbacks are summarised in **Table 2** below.

Table 2 – Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)

Lot Boundary	Minimum Building Setbacks (single storey residential building)	Building Setback(s) Proposed			Complies?
Primary Street Frontage (Hannibal Crescent)	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	North / Truncation	External walls of dwelling-independent	~5m	No
			Roof eaves/gutters	Guttering dimensions not shown/labelled on drawings	N/A
		East	External walls of dwelling-independent	2.758m	No
			Roof eaves/gutters	Guttering dimensions not shown/labelled on drawings	N/A
			Landing / stairs	2.988m	No
Side Boundary – Lot 1285	1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall: • only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; • does not extend beyond a maximum height of 3.5m; and • does not extend beyond a maximum length of 9m except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback	External walls of dwelling-independent		~23m	Yes
		Roof eaves/gutters		Guttering dimensions not shown/labelled on drawings	N/A
Side Boundary – Lot 1287	1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall: • only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; • does not extend beyond a maximum height of 3.5m; and • does not extend beyond a maximum length of 9m except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback	External walls of dwelling-independent		>1.6m	Yes
		Roof eaves/gutters		Guttering dimensions not shown/labelled on drawings	N/A



The applicant seeks a variation to the primary street setback requirements of Clause 5.4.3. In support of the variation, the applicant submits that:

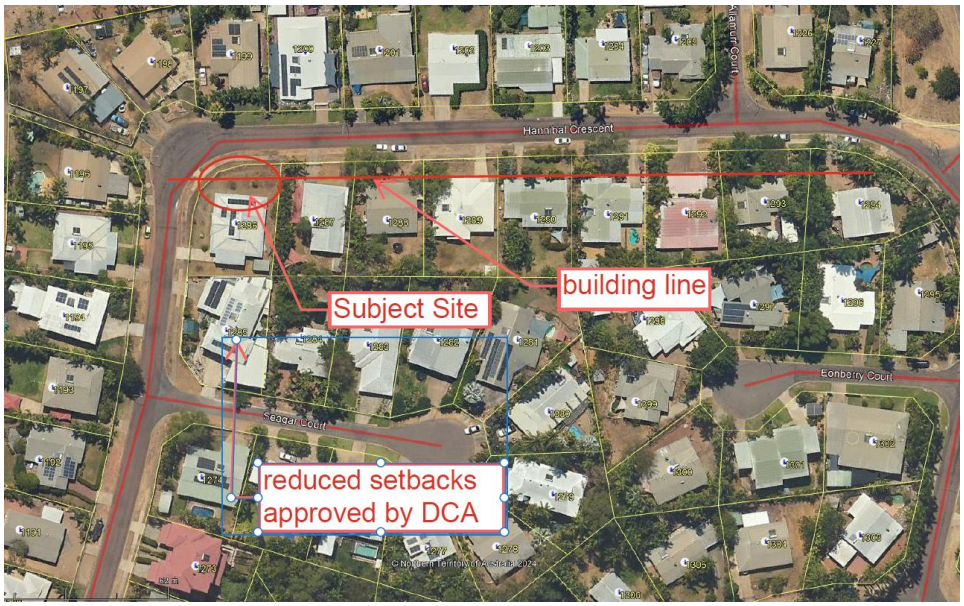
- Although the north-eastern boundary is not a secondary street frontage as defined by the NTPS2020, it has similar physical characteristics, with no pedestrian or vehicle access, and functions as a secondary frontage from an amenity and urban design perspective.
- Despite the site's unusual cadastral configuration, the resulting built form is comparable to development adjoining a secondary street frontage.
- The development does not compromise pedestrian or vehicle safety, surveillance of the public realm, landscaping opportunities, streetscape character or the residential amenity of adjoining land.
- Proposed solid fencing and screening planting along the street boundary will reduce visual impacts.

The applicant's comments are noted. However, the physical characteristics of the frontage do not alter its classification as a primary street frontage under the NTPS2020.

DAS also notes that the landowner and builders sought advice before construction and were advised, incorrectly, that the site had a secondary street frontage, as outlined in the Background section of this report. This history provides context for the application, but the reduced setback must nevertheless be assessed against the relevant planning requirements.

The locality contains a mix of dwellings-single and dwellings-group, including renovated buildings, established landscaping and ancillary structures such as carports, sheds and shade structures. Although the building's setback is generally comparable to some surrounding development, its prefabricated form and external appearance differ from the established residential buildings on the

site and nearby properties. Two public submissions were received, and the matters raised are considered in section 6(e).





Dwelling-Independent on site



Dwelling-Independent on site

Consistent with section 51(3) of the *Planning Act 1999* and Clause 1.10(2) of the NTPS2020, the following assessment considers the effects of the reduced setback, including its implications for streetscape compatibility and the visual prominence of the building.

Subclause 3 of Clause 5.4.3 provides that:
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.
The purpose of Clause 5.4.3 is to:
Ensure that residential buildings and ancillary structures are located in a manner that:
(a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
(b) minimises adverse effects of building massing when viewed from adjoining land and the street;
(c) avoids undue overlooking of adjoining properties; and
(d) facilitates breeze penetration through and between buildings.

Assessment against the purpose
The principal concern is the relationship between the reduced setback and the building's visual prominence. The building is located approximately 2.75m (at closest point) from the primary street boundary on a bend in Hannibal Crescent, where it is visible from several approaches. Its elongated form and limited façade articulation, combined with its proximity to the street, increase its prominence within the streetscape.

Although prefabricated construction does not, of itself, establish incompatibility with the locality, the building's external presentation and siting do not adequately respond to the surrounding residential character. The reduced setback provides less separation and space for landscaping to soften the building's appearance. In its current form, the development is therefore not considered to adequately satisfy paragraphs (a) and (b) of the clause's purpose.

No undue overlooking of adjoining properties has been identified, and the reduced setback is not considered to adversely affect breeze penetration through or between buildings. The development is therefore considered consistent with paragraphs (c) and (d).

Location, scale and impact on adjoining and nearby property

The building's floor area is consistent with the requirements for a dwelling-independent in Zone LR. Its scale is not, by itself, considered excessive. The concern arises from its prominent location within the primary street setback and the resulting visual effects when viewed from the street and nearby properties.

The proposed solid fencing and screening planting may reduce these effects. However, planting will take time to establish and will require ongoing maintenance. The assessment should also consider the appearance of the fencing itself and whether the combined treatment provides an appropriate streetscape outcome.

On the information provided, DAS is not satisfied that the reduced setback, with the building's current external presentation, adequately meets the purpose of Clause 5.4.3. If the Authority is minded to grant consent, amended elevations and a detailed landscaping and fencing plan should demonstrate how the visual effects of the reduced setback will be addressed. Appropriate treatments may include window awnings, changes in external materials or colours, and façade articulation that reduces the apparent length and mass of the building (**see example in image below**).

Any conditions should identify the required treatments, their implementation timeframe and ongoing landscaping maintenance obligations. These measures should directly address the visual effects associated with the reduced setback.



Example of awnings installed to prefabricated building

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

Under subclause 2(a) of Clause 5.4.6.1, the dwelling-independent requires private open space comprising Area A of at least 50m², with no dimension less than 1.5 m, and Area B of at least 24 m², with no dimension less than 4m.

The development complies with the Area A requirements. Although the nominated Area B achieves the minimum area of 24 m², it does not achieve the minimum dimension of 4 m.

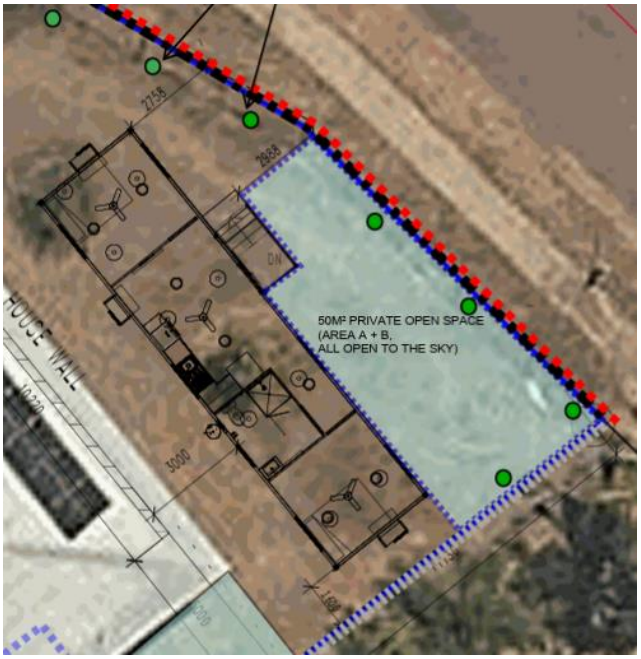
Subclause 2(b) requires private open space to be directly accessible from the dwelling and enable an extension of its function. The nominated space is accessible by steps from the dwelling's entrance facing Hannibal Crescent. However, its constrained dimensions and exposed location within the street frontage limit its suitability for outdoor domestic activities. Direct access alone does not demonstrate that the space adequately extends the function of the dwelling.

Subclause 2(c) requires private open space to provide views from the dwelling to open space and natural features of the site or locality, while reducing overlooking from neighbouring open space and dwellings. The street-facing location does not, of itself, prevent an appropriate outlook. However, the submitted information does not adequately demonstrate how the proposed fencing and landscaping will provide privacy while maintaining a suitable outlook from the dwelling.

The applicant submits that:

- The dwelling-independent will be occupied by the landowner's son. No fencing is proposed between the dwellings, and shared use of the existing private open space is expected.
- The nominated private open space is accessible from the dwelling's sole entrance and enables an extension of its function.
- Proposed landscaping and solid fencing will provide privacy.

These comments are noted. Shared use of other outdoor areas may supplement the nominated private open space, but the intended family relationship does not, by itself, demonstrate that the dwelling-independent has suitable private open space. The assessment must consider the ongoing usability of the arrangement, including if occupancy changes.



Subclause 1 of Clause 5.4.6.1 allows the consent authority to approve private open space that does not comply with subclauses 2 and 3 only where it is satisfied that the arrangement is consistent with the clause's purpose and the zone purpose and outcomes, and is appropriate having regard to its location, scale and impacts on adjoining and nearby property.

The purpose of Clause 5.4.6.1 is *to extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that:*

- *is adequately sized for domestic purposes;*
- *is appropriately located to provide outlook;*
- *is open to the sky and sufficiently permeable to facilitate stormwater infiltration and reduce runoff; and*
- *includes areas for landscaping and tree planting.*

The nominated space is open to the sky, provides permeable surfaces and includes opportunities for landscaping and tree planting. These aspects are consistent with the clause's purpose.

However, achieving the minimum area does not overcome the minimum dimension shortfall. The constrained configuration limits the space available for outdoor furniture and domestic activities while maintaining access and accommodating screening planting. Its location between the dwelling and the street boundary also requires a considered design response to balance privacy, outlook and usable space.

Zone LR provides predominantly for low-rise residential development comprising individual houses and uses compatible with residential amenity, in locations with full reticulated services.

The dwelling-independent is consistent with the zone's intended form of low-rise housing, and the site is connected to reticulated services within an established urban area. Relevant zone outcomes also seek building design, site layout and landscaping that provide privacy, attractive outdoor spaces and a sympathetic interface with adjoining public spaces and neighbouring properties.

The principal concern under this clause is whether the private open space arrangement provides an adequately usable and private outdoor area for the dwelling-independent. The submitted information

does not sufficiently demonstrate that the constrained street-facing space, together with the proposed fencing, landscaping and shared outdoor areas, achieves these outcomes.

Location, scale and impacts

The nominated Area B meets the minimum area but not the minimum dimensions. Its location close to Hannibal Crescent exposes it to views from the public realm and nearby properties. Screening may improve privacy, but its placement must preserve sufficient usable space and an appropriate outlook.

The primary effect of the variation is on the amenity of occupants of the dwelling-independent. Any effects on the streetscape and nearby properties would arise principally from the design and height of the proposed fencing and the landscaping treatment.

On the information provided, DAS is not satisfied that the private open space variation adequately meets the purpose of Clause 5.4.6.1 and the relevant Zone LR outcomes. If the Authority is minded to grant consent, an amended, dimensioned private open space, landscaping and fencing plan should first demonstrate an acceptable arrangement. This should identify usable outdoor areas, access, screening treatments and any shared areas relied upon, while retaining suitable private open space for the existing dwelling-single.

Any conditions should secure the approved arrangement, require implementation within a specified timeframe and provide for ongoing landscaping maintenance. Building appearance treatments, such as façade changes or window awnings, would not resolve the private open space dimension shortfall.

(b) any proposed amendments to such a planning scheme:

(i) that have been or are on exhibition under Part 2, Division 3;

(ii) in respect of which a decision has not been made under Part 2, Division 5; and

(iii) that are relevant to the development proposed in the development application

Proposed Planning Scheme Amendment PA2026/0205 is relevant to the application because it proposes changes to the NTPS2020 to facilitate infill residential development and subdivision in Zone LR (Low Density Residential). The proposal was publicly exhibited for 28 days, closing on 21 August 2026, and was scheduled for consideration at a Planning Commission hearing on 1 October 2026.

The exhibited amendment proposes broader housing opportunities in Zone LR, including dwelling-group and dwelling-multiple development and smaller residential lots. It retains the provision for a dwelling-single and an associated dwelling-independent. The application is consistent with the proposal's broad objective of supporting housing diversity within established residential areas.

However, the exhibited amendment does not propose changes to the car parking or private open space requirements applicable to this dwelling-independent, or to its primary street setback requirement. The proposed amendment therefore does not resolve the identified non-compliances or provide, by itself, justification for the requested variations. Those variations must be assessed against the applicable NTPS2020 provisions, having regard to section 51(3) of the *Planning Act 1999*.

(c) an interim development control order, if any, in respect of the land to which the application relates

Interim Development Control Orders 33 and 34 provide controls for business and promotional signs and domestic livestock respectively. No such signs or domestic livestock are existing or proposed on the site. Accordingly, neither order introduces requirements relevant to the dwelling-independent or the variations under consideration.

(d) an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates

No environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 has been identified as materially affected by the components of the development requiring consent.

Section 18 of that Act provides that any beneficial use, quality standard, criteria or objective declared under section 73 of the *Water Act 1992* and in force is an environment protection objective. Having regard to section 51(3) of the *Planning Act 1999*, the proposed variations to car parking, the primary street setback and private open space are not anticipated to adversely affect any such declared beneficial use or water quality objective.

(e) any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application

Two public submissions were received under section 49 of the Planning Act 1999 during the exhibition period. The submissions are summarised below.

Anna Pritchard – Lot 1201 (43 Hannibal Crescent, Gray), **Bookmark D1**

Ms Pritchard objects to the location of the dwelling-independent and the extent of the proposed primary street setback variation. She refers to the applicant's acknowledgement of non-compliance and the DCA's advice that all boundaries adjoining Hannibal Crescent constitute primary street frontages. She considers the variation substantial, noting that the minimum proposed setback is less than half the required 6 m.

The submission includes photographs and raises concerns about:

- the building's prominence when viewed by motorists, pedestrians and neighbouring residents from multiple directions along the curved street frontage;
- the extent of the street-facing area occupied by the building and its position in front of the existing dwelling-single;
- its contrast with surrounding residential development; and
- the visual effects of its length, bulk and elevated floor level.

Ms Pritchard disputes the applicant's argument that the north-eastern frontage should be treated as providing an equivalent planning outcome to a secondary street frontage. She considers that this approach would undermine the purpose of the primary street setback requirement.

She also questions reliance on landscaping and fencing to mitigate the visual impact, citing uncertainty about the timing, effectiveness and ongoing maintenance of landscaping, and the height of fencing needed to screen the elevated building. She requests that the application receive no special consideration because the building has already been erected.

Jo Easson – Lot 1199 (39 Hannibal Crescent, Gray), **Bookmark D2**

Ms Easson raises concerns about the building's street presentation and its potential effect on property values in the immediate area. She suggests appropriate landscaping, screening or fencing to reduce its visual prominence and improve compatibility with the streetscape and character of Hannibal Crescent.

Consideration of submissions

The concerns regarding the extent of the setback variation, building prominence, streetscape compatibility and effectiveness of screening are relevant to the assessment and are addressed under

sections 51(1)(a), (n) and (p). The concern about property values is noted; however, no supporting valuation evidence has been identified in the material described. The assessment therefore focuses on the demonstrated planning and amenity impacts.

The existing presence of the building does not establish that the requested variations are acceptable. If consent is granted, the required design modifications, landscaping and fencing should be clearly documented, with enforceable requirements for implementation and maintenance.

(f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally

No Ministerial direction under section 85 of the Planning Act 1999 concerning development applications generally has been identified as relevant to this application.

(h) the merits of the proposed development as demonstrated in the application

In the Statement of Effect, the applicant submits that the dwelling-independent is a permitted use in Zone LR and that its nature and scale are appropriate to the surrounding residential context. The applicant further submits that the development will not adversely affect the surrounding area or be detrimental to the public interest.

These submissions are noted. However, the permitted status of the use is subject to compliance with the applicable NTPS2020 requirements. Having regard to section 51(3) of the Planning Act 1999, consideration of the merits focuses on the proposed variations to car parking, the primary street setback and private open space, and their associated impacts. The merits of those variations are assessed under section 51(1)(a) above.

(j) the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development

The subject site is an irregularly shaped lot of 809 m² within the established residential suburb of Gray, with frontage to Hannibal Crescent. It contains an existing dwelling-single and an outbuilding (shed). No planning history or physical constraints preventing the proposed development have been identified in the assessment, and no adverse service authority comments have been received.

Having regard to section 51(3) of the *Planning Act 1999*, the assessment focuses on whether the land can accommodate the proposed variations to car parking, the primary street setback and private open space without adversely affecting the physical characteristics of the site or other land. These matters require consideration of the space available for parking and manoeuvring, usable private open space, and the management of stormwater within the reduced setback areas.

The City of Palmerston recommends that on-site stormwater be managed, collected and discharged in accordance with its approved stormwater management plan NTD24-11101. Inclusion of this requirement as a permit condition would assist in ensuring that runoff is appropriately managed and does not adversely affect adjoining land or Council infrastructure.
Subject to satisfactory resolution of the site layout matters identified in the technical assessment and implementation of the approved stormwater management plan, the land is considered capable of supporting the development. The streetscape and visual amenity implications of the reduced primary street setback are considered separately under section 51(1)(n).

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer

The site is located within an established residential area served by existing public facilities and public open space. Having regard to section 51(3) of the *Planning Act 1999*, the proposed variations are not anticipated to generate a need for additional public facilities or land for public recreation to be provided by the developer. Existing public open space does not, however, replace the need to demonstrate that the proposed private open space arrangements are appropriate under Clause 5.4.6 of the NTPS2020.

(m) the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose

The application was circulated to the following authorities for comment, with a summary of comments provided below:

Local Government Council:

City of Palmerston – **Bookmark F1**
In its response dated 11 September 2026, Council raised no objection to the proposal and recommended that, should consent be granted, the permit require on-site stormwater to be managed, collected and discharged in accordance with Council's approved stormwater management plan NTD24-11101.

Council also recommended permit notes addressing reinstatement of any damage to Council infrastructure or landscaping, completion of approved works to Council's satisfaction and technical requirements at the developer's expense, and the requirement to obtain a Permit to Work Within a Public Place before commencing works on Council-owned land.

Service Authority:

Power Networks, Power and Water Corporation – **Bookmark F2**
Power Networks raised no objection to the proposal and advised that the landowner should engage an NT-licensed electrician to undertake an electrical installation compliance audit and provide a copy of the Electrical Safety Certificate of Compliance (CoC).

Water Services, Power and Water Corporation – **Bookmark F3**
Water Services raised no objection to the proposal and advised that upgrades to the existing water and sewer services may be required. It also provided standard servicing comments.

DLPE, Land Resources Division – **Bookmark F4**
The Land Resources Division raised no objection to the proposal and provided standard comments.

Relevant requirements arising from the local and service authority responses are proposed to be addressed through appropriate permit conditions and advisory notes. Any required upgrades to water, sewer or electricity infrastructure are to be confirmed with the relevant authority and undertaken at the developer's expense.

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

Having regard to section 51(3) of the Planning Act 1999, the amenity assessment focuses on the proposed variations to car parking, the primary street setback and private open space, and their associated impacts.

The reduced primary street setback increases the visual prominence of the dwelling-independent when viewed from Hannibal Crescent, particularly around the bend where the building is visible from several directions. Its simple building form and limited façade articulation, combined with its proximity to the street, raise concerns regarding compatibility with the established streetscape and the visual effects of building massing. These concerns arise from the design and siting of the building rather than its demountable construction alone.

The applicant proposes screening plants and solid fencing to reduce views of the building from the street. These measures may assist, although landscaping will require time to establish, and fencing should itself provide an appropriate streetscape response. Additional façade treatment, such as window awnings, coordinated external colours and materials, or articulation of the street-facing elevations, could further reduce the visual impact.

If consent is granted, any required design treatments should be identified on amended elevations for endorsement, together with a dimensioned landscaping and fencing plan. Permit conditions should require implementation and ongoing maintenance of the approved screening measures.

No undue overlooking of adjoining properties has been identified in the assessment. The potential amenity impacts associated with the parking shortfall and the adequacy of private open space are addressed under section 51(1)(a) above and should be considered alongside the streetscape impacts when determining whether the variations are appropriate.

(p) the public interest, including (if relevant) how the following matters are provided for in the application:

(i) community safety through crime prevention principles in design;
(ii) water safety;
(iii) access for persons with disabilities

Having regard to section 51(3) of the Planning Act 1999, no specific concerns regarding community safety, water safety or access for persons with disabilities have been identified in relation to the components requiring consent. Any applicable building accessibility requirements are subject to the separate building approval process; this does not replace consideration of relevant access matters in determining the development application.

Two submissions were received from neighbouring landowners during public exhibition. The submissions raise concerns about the dwelling-independent's compatibility with surrounding residential development, its prominence when viewed from the street, its length and bulk, and the effectiveness of the proposed landscaping and fencing. These concerns are relevant to the public interest assessment, particularly the protection of residential amenity and streetscape character.

As discussed under section 51(1)(n), the reduced primary street setback increases the building's visual prominence. If consent is granted, amended elevations and a landscaping and fencing plan should clearly identify the design treatments and screening measures required to address these impacts. Appropriate permit conditions should require their implementation and ongoing maintenance.

The public interest assessment must balance the provision of additional residential accommodation with the need to maintain acceptable amenity for adjoining residents and the wider locality. Any decision to support the variations should therefore be based on demonstrated, enforceable measures that adequately address the identified impacts.

(pa) for a proposed subdivision or consolidation of land in a Restricted Water Extraction Area – whether the subdivision or consolidation complies with the restrictions of sections 14A and 14B of the Water Act 1992 and the requirements of section 14C(1) of that Act;

Subdivision or consolidation is not proposed as part of this application.

(q) for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)

Subdivision is not proposed as part of this application.

(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

No specific natural, social, cultural or heritage values have been identified in the application or referral responses as likely to be adversely affected by the components requiring consent. Having regard to section 51(3) of the Planning Act 1999, no additional impacts on those values are anticipated from the proposed variations. Residential amenity and neighbourhood character are considered under sections 51(1)(n) and (p) above.

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992

The Darwin Harbour Region is subject to beneficial use declarations under section 73 of the Water Act 1992. These declarations protect the relevant water resources and receiving environments.

The site is connected to Power and Water Corporation's reticulated water supply, and underground stormwater infrastructure is located within the adjoining road reserves. Having regard to section 51(3) of the Planning Act 1999, the proposed variations to car parking, the primary street setback and private open space are not anticipated to adversely affect declared beneficial uses or associated water quality objectives, provided stormwater is appropriately managed.

A permit condition is recommended requiring on-site stormwater to be managed, collected and discharged in accordance with the City of Palmerston's approved stormwater management plan NTD24-11101. The developer and landowner remain responsible for compliance with applicable requirements of the Water Act 1992.

(t) other matters it thinks fit

The application was submitted in response to a complaint under the *Planning Act 1999* concerning the dwelling-independent already erected on the site. Its existing presence does not, of itself, justify approval of the requested variations, which must be assessed on their planning merits.

If consent is granted, the permit should clearly identify the required modifications and establish reasonable timeframes for submitting amended drawings and completing the approved works,

including any parking, private open space, façade, landscaping, fencing and stormwater measures. Any staging should specify the works required at each stage and their completion dates.

The financial costs and practical difficulties associated with modifying, relocating or removing the building may inform reasonable implementation timeframes. However, these considerations do not replace the need to demonstrate that the development and requested variations are acceptable. Any compliance action concerning the existing development should be addressed separately through the applicable statutory process.

Section 51(2) of the *Planning Act 1999*

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:
(a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or
(b) if the NT EPA has determined that an environmental impact assessment is required – an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or
(c) the Environment Protection Act 2019 otherwise permits the making of the decision.

Having regard to the nature, scale and location of the proposed development, no requirement for referral to the NT EPA under Part 4, Division 3 of the *Environment Protection Act 2019* has been identified. Accordingly, section 51(2) of the Planning Act 1999 does not prevent the consent authority from determining the application.

7. RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clauses 5.2.4.1 (Car Parking Spaces), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), and 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group) of the Northern Territory Planning Scheme 2020, and pursuant to section 53(b) of the *Planning Act 1999*, alter the proposed development and consent to the proposed development as altered to develop Lot 1286 (22) Hannibal Crescent, Gray, Town of Palmerston for the purpose of a dwelling-independent with reduced building setbacks to primary street boundary, subject to the following conditions:

CONDITIONS PRECEDENT

1. Within 6 months of the date of issue of this development permit, amended drawings must be submitted to and approved by the consent authority. When approved, the drawings will be endorsed and form part of this permit.

   The drawings must be drawn to scale, fully dimensioned and generally in accordance with the drawings submitted with the application, but modified to include:
   (a) Awnings to the street-facing façades of the dwelling-independent, with their location, dimensions, design, colours and materials specified, to:
   i. provide weather protection to windows and doors;
   ii. minimise the adverse visual effects of building massing when viewed from adjoining land and the street; and
   iii. improve compatibility with the streetscape and surrounding buildings.
   (b) One additional on-site car parking space, providing a total of four spaces comprising two for the dwelling-single and two for the dwelling-independent. The drawings must demonstrate that the parking layout, including space dimensions, vehicle access and manoeuvring

arrangements, complies with Clause 5.2.4.4 of the NTPS2020 and does not compromise the private open space required under this permit.

Advisory note:
The permit holder is encouraged to incorporate additional architectural treatments, such as a pitched roof, coordinated external colours and materials, or façade articulation, to reduce the apparent building bulk and improve the dwelling-independent's presentation to the street.

GENERAL CONDITIONS

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

3. All works shown on the endorsed drawings, including the modifications required by the amended drawings condition, must be completed within 12 months of the date of issue of this permit, to the satisfaction of the consent authority.

4. On site stormwater is to be managed, collected and discharged into the drainage network to the technical standards of and at no cost to the City of Palmerston in accordance with the approved Stormwater Management Plan (NTD24-11101), to the satisfaction of the consent authority.

5. Within six months of the date this permit is issued, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

6. The fencing and landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, *including that any dead, diseased or damaged plants are to be replaced.*

7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, electricity services to the development shown on the endorsed drawings in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations 3, 4, 5, and 6 for further information.

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. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.

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

4. Power and Water Corporation advise that prior to initial reviews and assessments being undertaken to determine Power and Water Corporations servicing requirements, the developer should submit an Expression of Interest (EoI) form via email to developer.concierge@powerwater.com.au

5. Any required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. All standard, quoted and Water and Sewerage System Extension Policy (WASSEP) charges, as well as contribution charges may be applicable. As required, Power and Water will reassess the charges for the development.

6. PWC are working towards a water efficient future, through the implementation of water saving practices that provide potential financial savings to our customers. PWC strongly encourages you to visit the Living Water Smart website https://www.livingwatersmart.com.au/ to find out more on how to improve your developments landscaping and irrigation.

7. Any reinstatement works required because of any damage caused to Council infrastructure or landscaping (including verges) must be undertaken by the landowner, to the technical standards of and at no cost to the City of Palmerston.

8. A Permit to Work Within a Public Place will be required from City of Palmerston before commencement of any work within Council owned land. All approved works must be completed to the satisfaction and technical requirements of City of Palmerston and constructed at the developer's expense.

9. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.

8. REASONS FOR THE RECOMMENDATION

1. The NT Planning Scheme 2020 applies to the land, which is zoned LR (Low Density Residential). The dwelling-independent requires consent because it does not comply with the applicable car parking, primary street setback and private open space requirements. Having regard to section 51(3) of the Planning Act 1999, the assessment has applied the relevant considerations to those components and their associated impacts.

2. The development is recommended for approval as altered to provide four on-site car parking spaces, comprising two spaces for the existing dwelling-single and two spaces for the dwelling-independent. This addresses the identified one-space shortfall under Clause 5.2.4.1 (Car Parking Spaces) of the NT Planning Scheme 2020. A condition requires amended drawings identifying the location and dimensions of all four spaces and demonstrating that vehicles can be accommodated wholly within the site without obstructing access to either dwelling or compromising the approved private open space. Accordingly, no variation to the minimum number of car parking spaces is recommended.

3. A variation to Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme 2020 is recommended, subject to alterations addressing the visual impacts of the reduced primary street setback. The dwelling-independent has a minimum external wall setback of approximately 2.758 m from Hannibal Crescent, compared with the required 6m. Its location along the curved frontage increases its visibility from the street.

   The recommended alterations require awnings to the street-facing façades to provide weather protection, reduce the apparent building mass and improve compatibility with surrounding residential development. These treatments, together with implementation and maintenance of the approved landscaping and fencing, are intended to mitigate the visual impacts of the reduced setback. No undue overlooking of adjoining properties has been identified. The

variation is supported on the basis of the development as altered and the required mitigation measures, rather than the existing presence of the building.

4. Pursuant to section 51(1)(e) of the Planning Act 1999, the two public submissions have been considered. The submissions identify concerns about the extent of the building setback variation, building bulk, prominence within the streetscape and the effectiveness of landscaping and fencing. These concerns have informed the recommended building alterations and requirements for implementation and maintenance of screening measures. The concern about property values is noted, but the assessment focuses on the demonstrated planning and amenity impacts.

5. In considering sections 51(1)(j) and (m) of the Planning Act 1999, the site is located within an established residential area with existing services. No service authority objection preventing the development has been identified. Conditions and advisory notes address servicing requirements and require stormwater management in accordance with the City of Palmerston's approved Stormwater Management Plan NTD24-11101, reducing the potential for adverse physical impacts on adjoining land and public infrastructure.

6. Having regard to sections 51(1)(n) and (p) of the Planning Act 1999, the recommendation balances the provision of additional residential accommodation with the protection of adjoining residential amenity and streetscape character. Approval is recommended subject to documented design alterations, four on-site parking spaces and implementation and ongoing maintenance of the approved landscaping and fencing. The acceptability of the private open space variation must also be demonstrated.

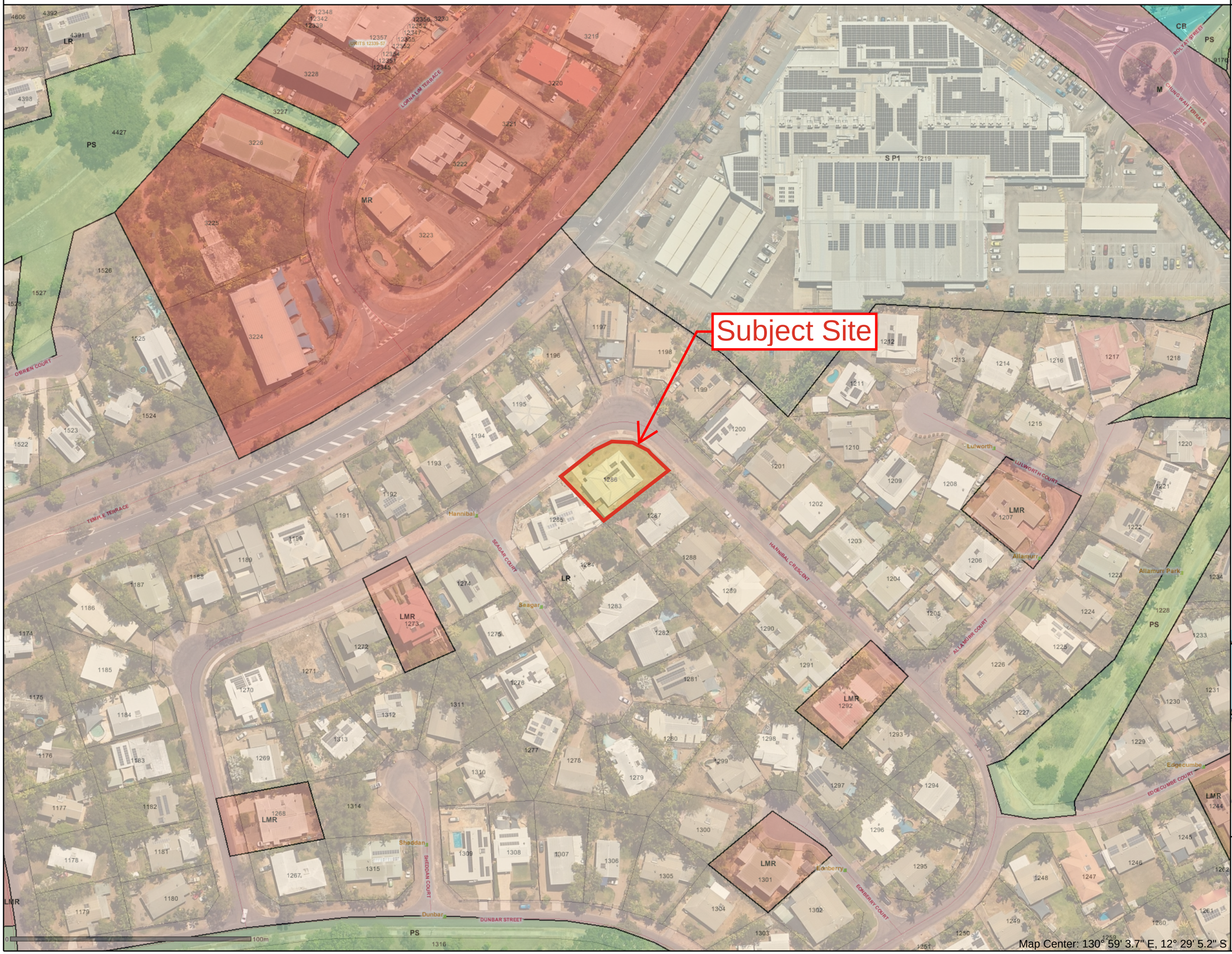
7. The application was submitted following a complaint concerning the dwelling-independent already erected on the site. The development has been assessed on its planning merits. Conditions require amended drawings to be submitted and approved within 6 months of permit issue and the required works to be completed within 12 months, establishing clear timeframes for implementing the alterations.



AUTHORISED: .....

PLANNER – PALMERSTON AND EAST ARM
DEVELOPMENT ASSESSMENT SERVICES

Map created Mon Oct 12 00:33:04 ACST 2026



Map Center: 130° 59' 3.7" E, 12° 29' 5.2" S

Legend

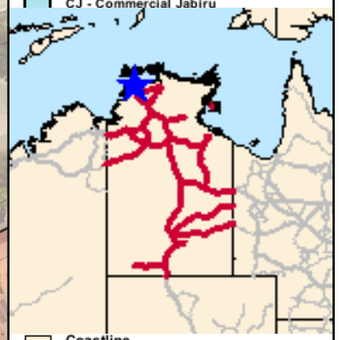
Placenames
- Recorded
- Historical
- Registered
- Assigned
- Revoked
- Registered - Historical

General Text

Railways

General Lines

Town Planning Zones
- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community Purpose
- CN - Conservation
- DV - Development
- RR - Rural Residential
- GI - General Industry
- HT - Heritage
- HR - High Density Residential
- H - Horticulture
- LI - Light Industry
- M - Main Road
- MR - Medium Density Residential
- LMR - Low-Medium Density Residential
- CA - No Planning Scheme Controls
- OR - Organised Recreation
- PM - Proposed Main Road
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- LR - Low Density Residential
- S - Specific Use
- TC - Tourist Commercial
- U - Utilities
- WM - Water Management
- FD - Future Development
- RJ - Residential Jabiru
- PSJ - Public Open Space Jabiru
- ORJ - Organised Recreation Jabiru
- CJ - Commercial Jabiru

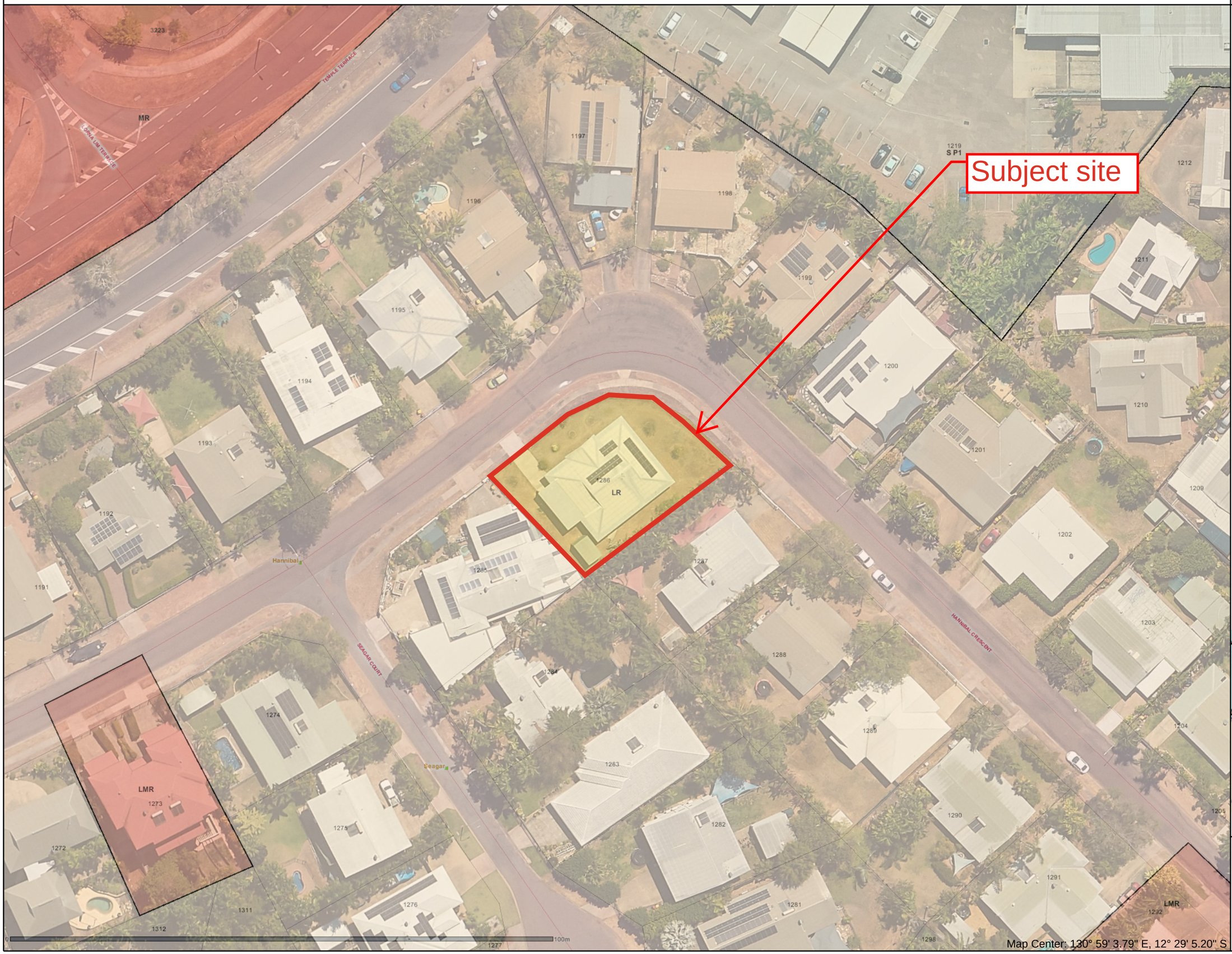


Coastline

Created by AHAHK

Bottom Left: 130° 58' 55", -12° 29' 09"
Top Right: 130° 59' 12", -12° 29' 00"
Approximate Scale: 1:1,400
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
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Map created Mon Oct 12 00:31:10 ACST 2026



Legend

Placenames

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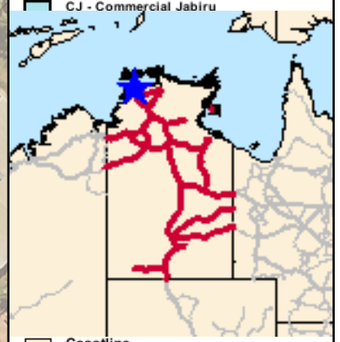
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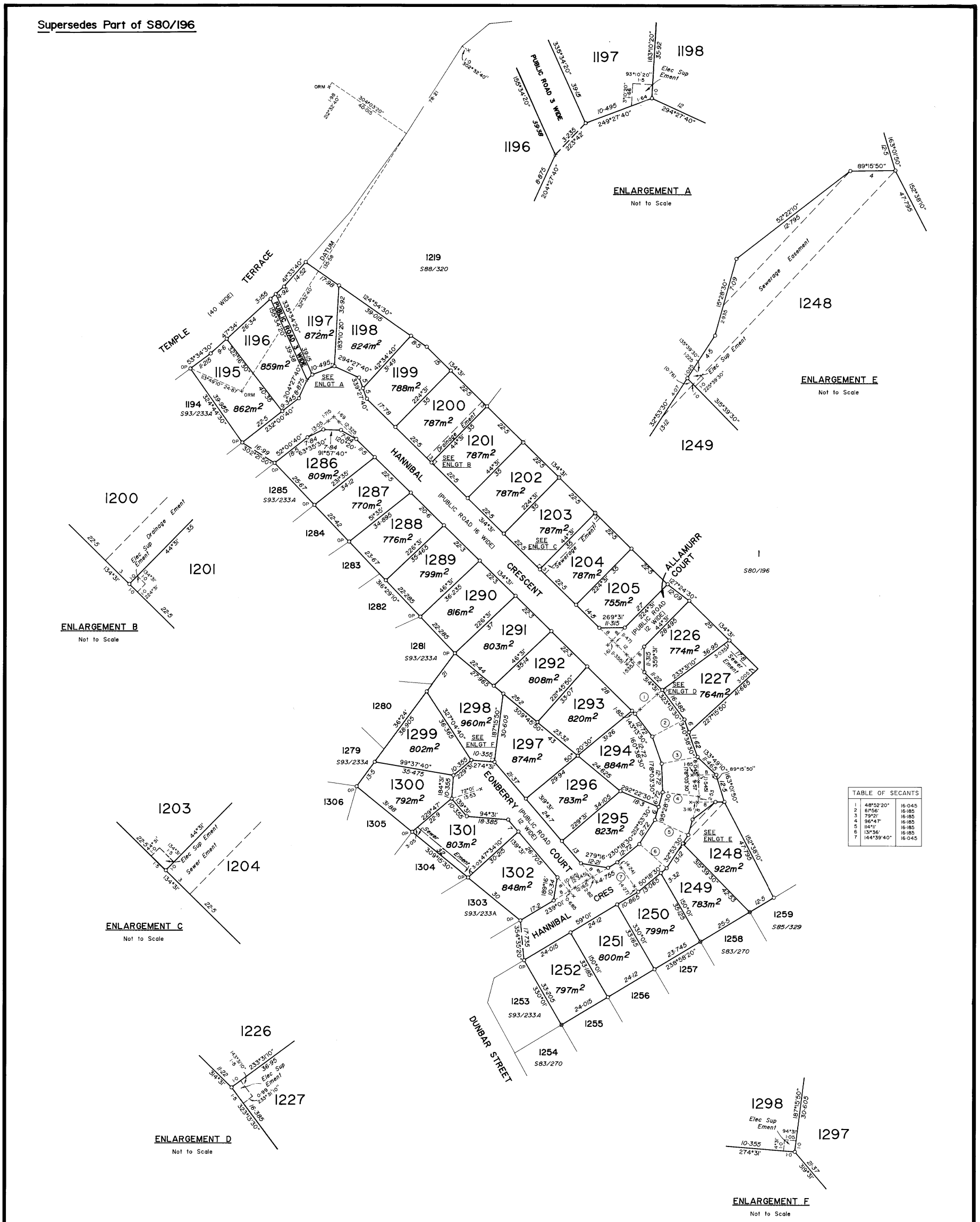
Coastline

Created by AHAHK

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Top Right: 130° 59' 07", -12° 29' 03"
Approximate Scale: 1:649
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
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S93/282

Supersedes Part of S80/196



Kevin Dodd ..... hereby certify that the survey represented on this plan was carried out by me or under my immediate supervision and was completed on, 15-9-93 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.

A Dodd 22nd SEPT, 1993
Licensed Surveyor Date

SURVEY APPROVED

D Fahey 22-10-93
Delegate of the Surveyor-General Date

Department of Lands and Housing
Northern Territory

Notes: Reference marks are at 1 metre unless otherwise shown.

Electricity Supply and Sewerage Easements are in favour of the Power and Water Authority

Drainage Easement is in favour of the Territory

Area to be surrendered from CLT36 (Lot 1) is 3·67ha

Field Book S93/282

Drawn Earl James & Assoc 17·9·93

Examined 15/10/93

Map Reference MIDDLE ARM 2500 SHEET 36.40

Grid ..... Bearings

AZIMUTH
Assumed from .. S93/233A
Observed at .....

LEGEND
Concrete Post ....
Concrete Block ....
Peg or Wooden Post ..
Reference Mark ....
Lookspit ....
Fence Post ....

LOTS 1195 TO 1205, 1226, 1227, 1248 TO 1252 AND 1286 TO 1302
SUBDIVISION OF LOT 1
TOWN OF PALMERSTON

SCALE 1:750
15 0 15 30 45
metres

S93/282

WARNING - Damaged or creased plan will be rejected.

Land owner/s authorisation to lodge a development application

The *Planning Act 1999*

Before you fill in the form

Signatures from ALL landowners registered on the land title must be provided.
The authorisation must be dated within six months of the submission of the application.

Fields marked with an asterisk (*) are required.
Fields marked with a carat (^) are required if applicable.

Applicant In accordance with Section 46(3)(aa)(i) of the *Planning Act 1999*, a development application is to contain the name and contact details of the **applicant** AND **any person on whose behalf the application is made.**			
Name of Applicant/Consultant or Acting agent	Catriona Tatam Tatam Planning Co.		
Address	PO Box 2224 Darwin NT 0801		
Phone	0415 933 635	**Email**	cat@tatamplanningco.com.au
Persons on whose behalf the application is made:			
Person/s on whose behalf the application is made:	Neeraj Khetarpal		
Address	22 Hannibal Crescent, Gray		
Phone	0435 056 534	**Email**	neerajkhetarpal9@gmail.com
The applicant is hereby authorised to lodge a development application over the subject land described as:			
***Lot/NT portion**	Lot 1286		
***Location/town**	Town of Palmerston		
***Street address**	22 Hannibal Crescent, Gray		

The application is for the purpose of:			
Proposed development *Brief description of proposed development*	Dwelling - Independent with front setback variation (Retrospective)		
Landowner/s signature In accordance with Section 46(3)(aa)(ii) of the *Planning Act 1999*, a development application is to contain the **name and contact details of the owner of the land** to which the application relates. Written authorisation from each: • **Individual owner**: Each person listed on the title must provide written authorisation for the application. • **Companies**: For each company listed on the title, written authorisation must be obtained from the **director** or **authorised representative** of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so.			
***Full name**	Neeraj Khetarpal		
^Company name	N/A		
^Title *(e.g. director/authorised representative)*	Landowner		
Phone	0435 056 534	**Email**	neerajkhetarpal9@gmail.com
***Signature**			
***Date**	23 July 2026		
Landowner signature			
***Full name**	N/A		
^Company name			
^Title *(e.g. director/authorised representative)*			
Phone		**Email**	
***Signature**			
***Date**			

Any Persons with an interest in the land *(as applicable)* In accordance with section 46(3)(aa)(iii) and (iv) of the *Planning Act 1999*, a development application is to contain the name and contact details of **any person who entered into an agreement** with the applicant and/or landowner, **to acquire an estate or interest in the land to which the application relates**; and **any person with an interest** prescribed by regulation.			
^Full name	N/A		
^Company name			
^Title *(e.g. director/authorised representative)*			
Phone		**Email**	
Any Persons with an interest in the land			
^Full name	N/A		
^Company name			
^Title *(e.g. director/authorised representative)*			
Phone		**Email**	

Privacy Note

The Department of Lands, Planning and Environment, on behalf of the Minister, is authorised under the *Planning Act 1999* to collect the information on this form, or otherwise provided by you, to consider a proposal to grant a Development Permit or to amend a planning scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information is also regularly provided to other Northern Territory Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation within the Northern Territory *Information Act 2002*. For more information, please refer to the Northern Territory Government's privacy statement located at https://nt.gov.au/copyright-disclaimer-and-privacy
Any personal information provided can be subsequently accessed by you on request.

tatam
planning co.

STATEMENT OF EFFECT.

AUGUST 2026

DWELLING – INDEPENDENT

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

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VERISON 2 – 13 August 2026 – C. Tatam

SUMMARY.

DEVELOPMENT APPLICATION DETAILS.	
Proposed Development.	Dwelling – Independent
Category of Assessment.	Merit Assessable (by virtue of non-compliance)
Category of Exhibition	Limited Notice – pursuant to Section 47B(1)(b) of the NT Planning Act and Section 8A(1)(a)(ii) of the NT Planning Regulations.
Consent Authority.	Darwin Development Consent Authority or delegation.
Site Address.	22 Hannibal Crescent, Gray (Lot 1286 Town of Palmerston)
Site Area.	809m^2
Easements.	None identified
Owner Details.	Neeraj Khetarpal
Beneficiaries.	N/A
Applicant.	Tatam Planning Co.
Contact Address.	PO Box 2224 Darwin NT 0801.
Contact Person.	Catriona Tatam.
Contact Email.	cat@tatamplanningco.com.au.
Job Reference.	J0201

PLANNING SCHEME DETAILS.	
Planning Scheme.	Northern Territory Planning Scheme 2020.
Defined Use(s).	Dwelling - Single (Existing) Dwelling - Independent (Retrospective)
Zone.	LR (Low Density Residential)
Overlays.	None Identified
Regional Land Use Plan.	Darwin Regional Land Use Plan.
Sub Regional Land Use Plan.	Holtze to Elizabeth River Subregional Land Use Plan
Area Plan.	None Identified
Variations Identified	Clause 5.2.4.1 – Car parking Spaces Clause 5.4.3 – Building Setbacks of Residential Buildings & Ancillary Structures Clause 5.4.6 – Private Open Space

1. INTRODUCTION.

1.1 DEVELOPMENT APPLICATION.

Tatam Planning Co. has been engaged by the landowner to prepare a Statement of Effect for a Dwelling – Independent (Granny Flat) with a front setback variation at Lot 1286 Town of Palmerston (22 Hannibal Crescent, Gray). The retrospective Dwelling – Independent is a transportable granny flat structure. It is noted that the structure has been built, and compliance communications have resulted in this development application being lodged.

The site is located within Zone LR (Low Density Residential) of the Northern Territory Planning Scheme 2020 (NTPS). The subject site contains an existing Dwelling – Single, which is a permitted use in the zone. A Dwelling – Independent is also permitted in the zone, and no consent is typically required.

However, the proposal includes a front setback variation to Hannibal Crescent, which triggers the requirement for planning approval by way of a Merit Assessment categorisation.

In accordance with Section 44(a) of the *Northern Territory Planning Act 1999* (NTPA) and Section 1.8(b) of the NTPS, a Development Permit is required for the 'Dwelling – Independent' as a Merit Assessable use, it is shown as Permitted on the relevant assessment table in Part 4 but does not comply with the relevant development requirements set out in Part 5 (in regard to Setbacks).

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.

In regard to exhibition requirements, it is understood that this application meets the requirements for Limited Notice under the provisions of Section 47B(1)(b) of the *NT Planning Act 1999* and Section 8A(1)(a)(ii) of the *NT Planning Regulations 2000*.

1.2 CONTENTS OF THIS STATEMENT OF EFFECT.

This Statement of Effect has been prepared to support the required development application (DA). Included within this Statement of Effect are the following attachments:

- **Attachment A.** Certificate of Title.
- **Attachment B.** Survey Plan.
- **Attachment C.** Site Aerial.
- **Attachment D.** Site Zoning.
- **Attachment E.** Development Plans.

In preparing this Statement of Effect, Tatam Planning Co. has conducted a desktop site inspection and desktop locality inspection, examined the development and site history, discussed the intent of the retrospective Dwelling - Independent with the client, reviewed the existing compliance correspondence issued by the delegate of the Development Consent Authority and considered the relevant provisions of the NTPS 2020.

1.3 OWNERSHIP OF THE SITE AND BENEFICIARIES.

The application is lodged on behalf of the landowner by Tatam Planning co. The landowner listed on the

Certificate of Title is Neeraj Khetarpal.

It is our understanding that no other persons in a beneficiary to this application other than the person detailed above. Title documents for the site are provided in Attachment A.

1.4 PLANNING HISTORY OF THE SITE.

The existing development on site is a 'Dwelling – Single' and no planning approval was required for the structure.

The 'Dwelling – Independent' was originally approved through the building permit process, with an Occupancy Certificate (590/01286/4/A1) being issued on 12 December 2025.

The Development Consent Authority issued a notice of Intention to Investigate on 9 June 2026, based on a compliant received. A second letter containing further information was issued by the Development Consent Authority on in response to correspondence from the landowner. Details of the advice provided within the second letter are provided in further detail below.

2. SITE AND LOCALITY.

2.1 DESCRIPTION OF LOCALITY.

The site is within the Palmerston Municipality, and within the suburb of Gray. The surrounding land uses are predominantly of a residential nature and consistent with the LR (Low Density Residential) zoning of the surrounding area.

Land use patterns in the locality of the site are depicted in the Zoning Plan provided in Attachment D.

2.2 DESCRIPTION OF THE SITE.

The subject site is Lot 1286 Town of Palmerston, being 22 Hannibal Crescent, Gray. The subject site is zoned LR (Low Density Residential) and measures 809m^2. There are no easements within the site.

The site contains an existing Dwelling – Single, which did not require planning approval. The site is an irregular corner lot, with five (5) truncated boundary frontages to Hannibal Crescent. Refer Survey Plan provided at Attachment B.

A site aerial is provided at Attachment C.

3. PROPOSED DEVELOPMENT.

3.1 COMPLIANCE & PREVIOUS PLANNING ADVICE

Prior to construction of the dwelling, the owner sought planning advice from Development Assessment Services (DAS) regarding the applicable setbacks. Advice provided by DAS confirmed that Hannibal Crescent frontage to the north-west was the primary street, while Hannibal Crescent to the north-east was the secondary street. The dwelling was subsequently approved and constructed through the Building Permit process as a dwelling addition, reliant upon the original DAS advice.

The Development Consent Authority delegate has advised that previous DAS advice regarding the existence of a secondary street frontage was incorrect. The DCA has confirmed that the site has primary frontage to Hannibal Court to all street boundaries.

The DCA has instructed the landowner to lodge a development application, noting the variation to primary street setback requirements under the scheme. The DCA also flagged potential non-compliance with scheme requirements in relation to private open space.

It is also noted that the landowner initially disputed the structure being defined as a 'Dwelling – Independent', however this application acknowledges the DCA's correct position on the application of this land use, per the definition contained within the NT Planning Scheme 2020.

3.2 PROPOSED DEVELOPMENT

The development subject to this application is defined as 'Dwelling – Independent'. Per the NTPS 2020, this use is defined as follows:

> *Dwelling-Independent means an ancillary dwelling that is constructed on the same site as a dwelling-single;*

The development this application seeks approval for a 'Dwelling – Independent' with a proposed setback variation to the north-eastern front boundary (Hannibal Crescent). It is noted that the development is retrospective in nature, and exists on site.

New fencing, being good neighbour fencing to 1.8m is proposed to a portion of the front boundary to reduce visual impacts. Further, screening landscaping, in line with the NT Species guide for Landscaping, is proposed to the majority of the front boundary to further reduce visual impacts.

A 'Dwelling – Independent' is a permitted use within Zone LR, however, variations to NTPS 2020 requirements have required submission of a development application for the addition.

- The structure is setback at 2.76m from the front boundary to the north-east, in lieu of the required 6.0m setback to a primary street front boundary;
- The development provides for three (3) onsite car bays in lieu of four (4); and
- The proposed private open space area to the Dwelling-Independent is uncovered in its entirety (Area B).

A copy of the Development Plan is provided at Attachment E.

4. SECTION 46(3)(A) OF THE NTPA – NT PLANNING SCHEME.

Section 46(3)(a) of the NT Planning Act 1999 (NTPA) states that:

3. A development application is to contain the following:
a) an assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land.

An assessment against the relevant sections of the NT Planning Scheme (NTPS) is provided below.

4.1 PART 1 – GUIDANCE.

Part 1 of the NTPS provides guidance for the interpretation and administration of the document.

4.1.1 *Clause 1.8 - When Development Consent is Required.*

The primary use of the proposed development, as defined in Schedule 2 of the NTPS, is 'Dwelling – Independent'. The proposed 'Dwelling – Independent' is an ancillary dwelling to 'Dwelling – Single'. A 'Dwelling – Single' and a 'Dwelling – Independent' are both Permitted uses in Zone LR (Low Density Residential). However, noting a variation to Scheme requirements, consent is required for the 'Dwelling – Independent' pursuant to Clause 1.8(b)(ii)(2), as follows:

1.8 When development consent is required

1. The need for consent and the level of assessment that applies to the use and development of land is set out in the framework below:

(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:

ii. it is shown as Permitted on the relevant assessment table in Part 4 but:

(2) does not comply with the relevant development requirements set out in Part 5;

This application is lodged pursuant to Clause 1.8(b)(ii)(2).

4.1.2 *Clause 1.10 – Exercise of Discretion.*

Pursuant to subclause 2 of Clause 1.10 of the NTPS, when considering an application for consent where a use or development identified as 'Permitted' becomes 'Merit Assessable', 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 application therefore provides assessment against the following clauses of the NTPS 2020:

→ Clause 5.2.4.1 – Car Parking Spaces – variation requested.

- → Clause 5.4.3 – Building Setbacks of Residential Buildings and Ancillary Structures of the NTPS – variation requested.
- → Clause 5.4.6 – Private Open Space (noting the proposal is considered *compliant).*

4.2 PART 2 – STRATEGIC FRAMEWORK.

Not applicable to this assessment, pursuant to Clause 1.10(2).

4.3 PART 3 – OVERLAYS.

Not applicable to this assessment, pursuant to Clause 1.10(2). Notwithstanding, it is noted that there are no applicable overlays.

4.4 PART 4 – ZONES AND ASSESSMENT TABLES.

Not applicable to this assessment, pursuant to Clause 1.10(2).

4.5 PART 5 – DEVELOPMENT REQUIREMENTS.

Part 5 of the NTPS outlines the specific development requirements. An assessment against applicable clauses within Part 5 is provided below.

4.5.1 *Clause 5.2.4.1 - Car Parking Spaces*

The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.

Based on the car parking requirements of this clause, the below table has been provided to demonstrate the car parking calculations.

PARKING REQUIREMENTS – PROPOSED USE			
USE OR DEVELOPMENT.	MINIMUM NUMBER OF CAR PARKING SPACES REQUIRED.	No. BEDROOMS	TOTAL.
Dwelling – Single	*2*	*N/A*	*2 Bays Required*
Dwelling - Independent	*1 per bedroom to a maximum of 2*	*2*	*2 bays required*
TOTAL		*4 Bays Required*	
PROVIDED ON SITE.		3 bays on site (2 within carport, 1 on driveway within site)	
SHORTFALL		1 bay	

VARIATION REQUESTED

It is noted that the existing Dwelling – Single provides space for two (2) bays within the carport, noting that the carport fits two small cars, but does not meet the length dimensions for two standard car bays. A further car parking space is available on the driveway within the site. Therefore 3 bays are provided for, in lieu of 4 bays as required.

Notwithstanding the above, it is considered that there is space within the site to accommodate four (4) vehicles if required. However, the main dwelling utilises two bays only, and it is proposed that the granny flat (to be occupied by the landowner's son) will only require one bay. Therefore there is adequate parking on site.

It is respectfully requested that the consent authority give due consideration to the justification provided, and support the proposed car parking provision onsite.

4.5.2 *Clause 5.4.3 - Building Setbacks of Residential Buildings and Ancillary Structures*

This clause seeks to ensure that residential buildings and ancillary structures are located in a manner that:

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

The proposed development has been assessed against the provisions of Clause 5.4.3 – Building Setbacks of Residential Buildings and Ancillary Structures below.

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

Noted. The subject site is zoned LR (Low Density Residential), and this clause is applicable.

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.*

Noted. The proposed development is for a Dwelling – Independent and is not considered an ancillary structure for the purposes of this clause. The lot does not have any public street frontages to which access is restricted.

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.*

Noted. A variation to the permitted setbacks under Clause 6 is requested below.

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.*

Not applicable. No building setback plan applies to the site.

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 15m2 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.

Not applicable.

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.

An assessment against the setback requirements is provided below. It is noted that the DCA have confirmed via letter dated 15 July 2026 that:

> *Schedule 3.0 (Definitions) of the Northern Territory Planning Scheme 2020 (NTPS2020) contains definitions of 'primary street and secondary street'. A secondary street only exists where a site has frontage to two different public roads.*
>
> *The above-mentioned property has frontage to only one public road, Hannibal Crescent, and therefore does not have a 'secondary street' frontage under the NTPS2020.*
>
> - *As a result, the applicable primary street setback requirement (wall of residential building) under Clause 5.4.3 of the NTPS2020 is 6 metres.*
> - *The structure is setback approximately 2.758 metres from the street boundary and is therefore non-compliant with the required building setback for primary street.*

An assessment against the setback requirements, noting that Hannibal Crescent is a primary street to all frontages, is provided below.

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 1286 Town of Palmerston (22 Hannibal Crescent, Gray)			
LOT BOUNDARY	STREET NAME/ BOUNDARY	MINIMUM SETBACKS	PROPOSED SETBACKS
Primary Street Frontage	Hannibal Crescent (north-western boundary)	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	6.0m - compliant

Primary Street Frontage	Hannibal Crescent (north-eastern boundary)	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	2.76m setback to residential building ('Dwelling – Independent') - Variation requested

VARIATION REQUESTED.

It is noted that the Dwelling – Independent proposes a reduced primary street boundary setback to Hannibal Cresent (north-eastern boundary only) of 2.76m, rather than the permitted 6.0m.

Per Administrative Clause 3, the consent authority may consent to a development that is not in accordance with sub-clause 6 where 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.

Due consideration has been given to the DCA's directive in relation to all frontages to Hannibal Crescent being considered as the "Primary Street". However, reasonable consideration must be given to the function of the site.

While the north-eastern boundary is not technically a "secondary street" as defined by the NTPS 2020, it exhibits the same physical and planning characteristics as a secondary street frontage, with no pedestrian or vehicle access from this boundary existing. The north-western boundary fulfils the "primary Street' function, by way of primary dwelling orientation, primary dwelling entry and vehicular access.

Accordingly, while the Planning Scheme does not technically classify the north-eastern boundary to Hannibal Crescent as a secondary street, from an amenity and urban design perspective it functions as one.

The proposed setback of approximately 2.76m is considered to be greater than would ordinarily be expected where a genuine secondary street frontage exists under Clause 5.4.3, where residential buildings may be setback 2.5 m.

The proposal therefore produces a built form outcome that is effectively equivalent to the Planning Scheme's intended treatment of a secondary street frontage, despite the site's unusual cadastral configuration.

Importantly, the reduced setback to the Dwelling – Independent does not compromise:

- → pedestrian or vehicle safety;
- → streetscape character;
- → surveillance of the public realm;
- → landscaping opportunities; or
- → the residential amenity of adjoining land.

The physical characteristics of the site mean that the subject boundary performs the same planning function as a secondary street frontage. The proposed variation is a consequence of the unique geometry of the allotment rather than an attempt to disregard setbacks.

Further, the applicant has proposed solid fencing and appropriate screening planting to the front boundary to reduce visual impacts.

Consideration of the justification above is respectfully requested to support the retrospective reduced front setback.

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.

Not applicable.

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.

The minimum building setback is 6.0m, with the roof structure permitted to encroach 0.9m into this setback. The required roof setback is 5.7m.

The roof line of the Dwelling Independent measures 2.76m from the north-eastern boundary to boundary. Notwithstanding the encroachment, it is understood that the structure has been reviewed by a building certifier and is capable of approval under the requirements of the Building Code of Australia.

4.5.3 *Clause 5.4.6 - Private Open Space.*

This clause seeks to 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.

The requirements under this clause are as follows:

2. Private open space should:
(a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;

The minimum requirement for a 'Dwelling – Independent' is 45m² open vertically to the sky, with no dimension less than 1.5m; and 24m² all or partially covered with no dimension of less than 4m.

The minimum requirement for the existing 'Dwelling – Single' on a lot greater than 450m² is 50m² open vertically to the sky, with no dimension less than 1.5m; and 36m² all or partially covered with no dimension of less than 6m.

In the letter from the DCA, the provision of Private Open Space was flagged as potentially non-compliant. Private open space provision for the existing 'Dwelling – Single' and proposed 'Dwelling – Independent' are detailed below.

TABLE TO CLAUSE 5.4.6.1: MINIMUM AREAS OF PRIVATE OPEN SPACE FOR DWELLINGS-SINGLE, DWELLINGS-INDEPENDENT AND DWELLINGS-GROUP		
Dwelling	REQUIREMENT	PROVISION
Dwelling – Single (existing main dwelling)	**AREA A**. 50m², open vertically to the sky, with no dimension less than 1.5m; and **AREA B.** 36m², all or partly covered, with no dimension less than 6m.	Private Open Space A = 50m² Private Open Space B = 37.5m²
Dwelling – Independent	**AREA A**. 45m², open vertically to the sky, with no dimension less than 1.5m; and **AREA B.** 24m², all or partly covered, with no dimension less than 4m.	Private Open Space A = 50m² Private Open Space B = 50m², but is not all or partially covered Variation requested

VARIATION REQUESTED

No separate undercover outdoor space is provided for the Dwelling - Independent. That is, all 50m² of both Private Open Space Areas A and B are provided as uncovered space.

It is noted that the Dwelling-Independent is intended to be utilised by the landowner's son, and it is therefore reasonable to expect there will be some reciprocal/shared use of the existing covered outdoor area. It is not proposed to physically separate the Granny Flat and the main dwelling by way of fencing and the like, and thus reciprocal use of the space by family is anticipated.

Consideration of the justification above is respectfully requested to support the variation to private open space, noting that there is sufficient space provided overall on site.

(b) be directly accessible from the dwelling and enable an extension of the function of the dwelling; and

The private open space areas are directly accessible from both the primary dwelling and the granny flat, through the respective kitchen/living room areas. It is considered that the identified private open space areas enable an extension of the function of the dwelling, noting that the granny flat is pre-fabricated and has only a single entry point. Notwithstanding, the identified private open space is useable and directly accessible from the dwelling.

(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;

No overlooking of private open space areas is anticipated. The identified private open space of the Dwelling – Independent (granny flat) is proposed to be screened by 1.8m good neighbour fencing to the north-eastern front boundary. Existing chainmesh fencing to the south-eastern rear boundary is screened by existing vegetation to Lot 1287.

(d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;

The majority of the identified private open space area for each dwelling is permeable, so as to allow stormwater infiltration.

(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

There is ample room within each private open space area that allows for 5m² of deep soil planting.

(f) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

Landscaping to the street frontage is proposed. Refer Attachment E.

The extent of private open space provided is considered to be of adequate size to provide for domestic purposes, is appropriately sited, is open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site and allows for areas of landscaping and tree planting.

3. Where the private open space is at ground level and other than for a dwelling-single, or a dwelling-single and associated dwelling- independent, 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 within two years of planting.*

Not applicable.

5. SECTION 46(3) OF THE ACT – REMAINING REQUIREMENTS.

5.1 46(3)(B) – INTERIM DEVELOPMENT CONTROL ORDER.

There are no Interim Development Control Orders currently applying on the site.

5.2 46(3)(C) – REFERRAL TO THE NT EPA.

The development does not require referral to the NT EPA under Part 4, Division 3 of the *Environmental Protection Act 2019*.

5.3 46(3)(D) – MERITS OF PROPOSED DEVELOPMENT.

The assessed merits of the retrospective development are:

- The site is considered suitable for the intended purpose of 'Dwelling – Independent' (granny flat), noting that the use is typically permitted in the zone.
- The nature and scale of the development is suitable to the local context.
- The development will not introduce negative impacts on the surrounding area.
- The development is not detrimental to the public interest.

5.4 46(3)(E) – SUITABILITY OF LAND FOR DEVELOPMENT AND IMPACTS OF DEVELOPMENT.

A description of the site is provided in Section 2 of this report. The proposal is for a retrospective granny flat addition to a residential land use, which is considered suitable for the zoning of the land.

5.5 46(3)(F) – AVAILABLE PUBLIC FACILITIES AND OPEN SPACE.

The provision of public open space is not a requirement for the development.

5.6 46(3)(G) – AVAILABLE PUBLIC UTILITIES/INFRASTRUCTURE.

Reticulated power, water and sewer are provided on site.

5.7 46(3)(H) – IMPACT ON AMENITY.

The proposal is not expected to have any negative impact on the amenity of the area considering:

- The retrospective Dwelling- Independent is considered appropriate in the residential area noting that the proposed use is typically Permitted within the zone;
- The dwelling does not impact on the amenity of the surrounding area by way of building massing, excess height, noise emissions, light emissions or the like. It is noted that fencing and landscaping is proposed, which will reduce any visual amenity impacts.
- The dwelling will not impact on the existing character of the streetscape, noting that fencing and landscaping are proposed to minimise visual impacts of the structure to the north-eastern frontage to Hannibal Crescent.
- The setback variation to the north-eastern boundary is considered to be minor when due consideration is given to the function of that frontage as if it were a secondary street – notwithstanding that it is defined as a primary street. Adequate justification has been provided to enable consideration of the

proposed variation.

- → The proposal is compliant with all other development requirements of the Scheme.

5.8 46(3)(J) – BENEFITS OR DETRIMENTS TO THE PUBLIC INTEREST.

The proposal will not detriment the public interest and will provide benefit for the reasons outlined above in this report. With consideration to Section 51(1)(p) of the Act, the proposal is consistent with community safety through crime prevention principles in design as follows:

- → Surveillance of the surrounding area is maintained through existing dwelling orientation towards the streetscape.
- → The proposal does not impede on existing pedestrian sightlines, and the existing vehicular and pedestrian access to the site is clear and well defined.
- → The proposal does not allow for movement predictors or entrapment locations.

It is noted that the proposal does not jeopardise water safety. The deck structure does not provide access for persons with disabilities, noting that the application is for an outbuilding addition to an existing private residential dwelling.

5.9 46(3)(K) – COMPLIANCE WITH THE BUILDING ACT 1993.

Not applicable. The proposal is not for the subdivision of land.

5.10 46(3)(L) – PROPOSED SCHEME LAND.

Not applicable. The proposal is not for proposed or existing scheme land.

CONCLUSION.

Tatam Planning Co. has been engaged by the landowner to prepare a Statement of Effect for a Dwelling – Independent (Granny Flat) with a front setback variation at Lot 1286 Town of Palmerston (22 Hannibal Crescent, Gray). The retrospective Dwelling – Independent is a transportable granny flat structure. It is noted that the structure has been built, and compliance communications have resulted in this development application being lodged.

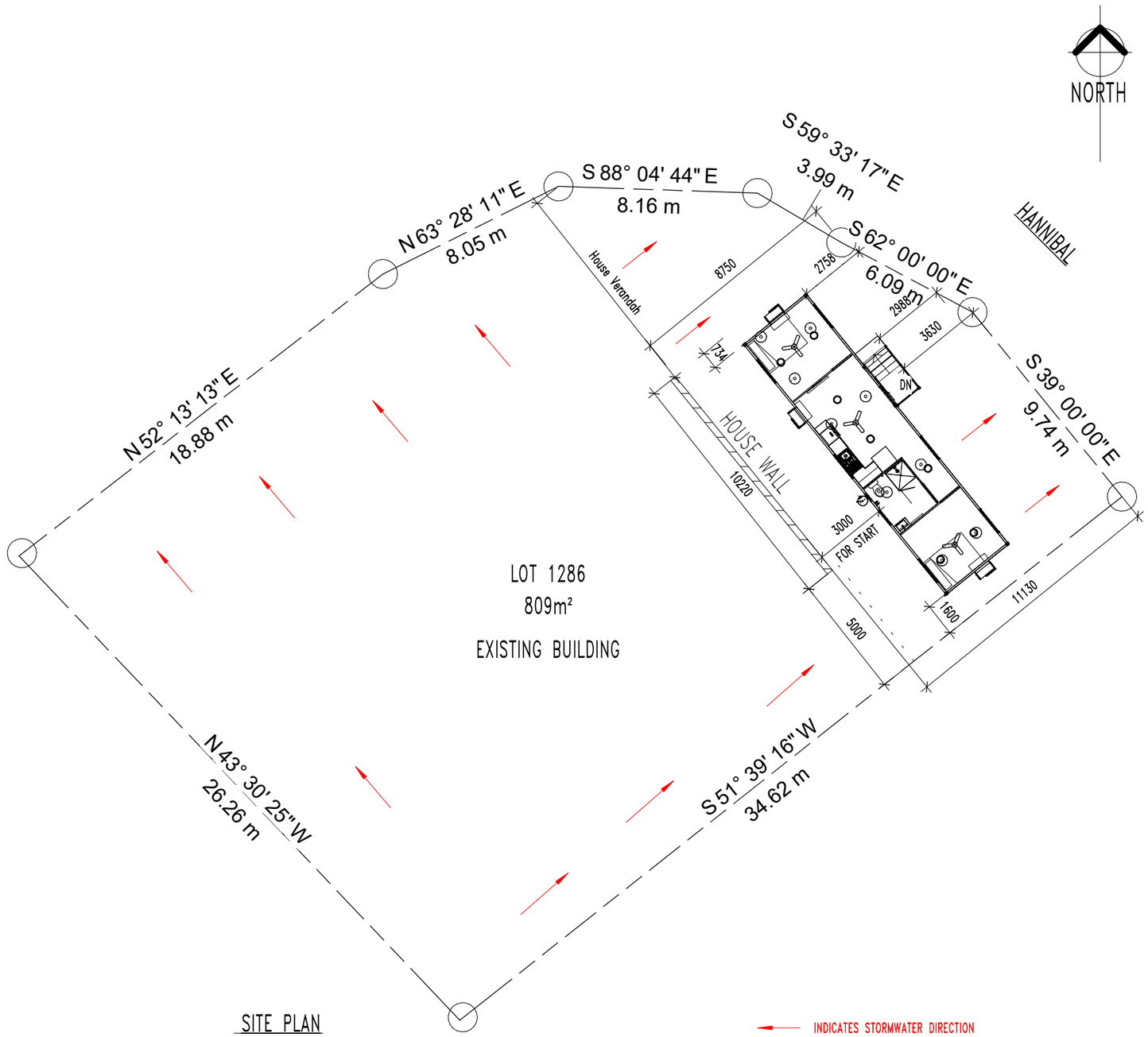
The site is located within Zone LR (Low Density Residential) of the Northern Territory Planning Scheme 2020 (NTPS). The subject site contains an existing Dwelling – Single, which is a permitted use in the zone. A Dwelling – Independent is also permitted in the zone, and no consent is typically required. However, the proposal includes variations to Part 5 Planning Scheme requirements, which triggers the requirement for planning approval by way of a Merit Assessment categorisation.

In accordance with Section 44(a) of the *Northern Territory Planning Act 1999* (NTPA) and Section 1.8(b) of the NTPS, a Development Permit is required for the 'Dwelling – Independent' as a Merit Assessable use, it is shown as Permitted on the relevant assessment table in Part 4 but does not comply with the relevant development requirements set out in Part 5 (in regard to Setbacks).

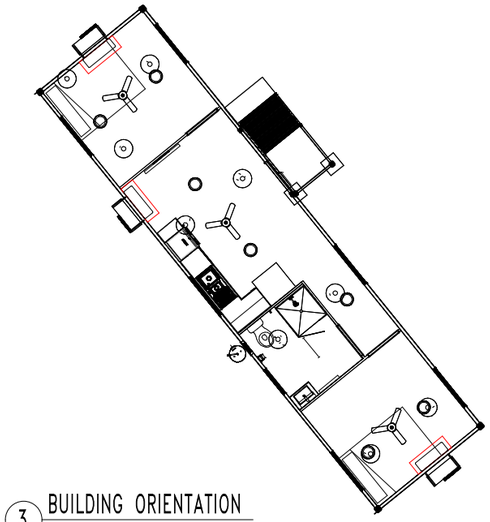
Assessment against the relevant NTPS Clause and adequate justification to the identified variation has been provided. Further, the retrospective development responds positively to requirements as set out in the NTPA in that:

- → The retrospective Dwelling- Independent is considered appropriate in the residential area noting that the proposed use is typically Permitted within the zone;
- → The dwelling does not impact on the amenity of the surrounding area by way of building massing, excess height, noise emissions, light emissions or the like.
- → The dwelling will not impact on the existing character of the streetscape, noting that fencing and landscaping are proposed to minimise visual impacts of the structure to the north-eastern frontage to Hannibal Crescent.
- → The setback variation to the north-eastern boundary is considered to be minor when due consideration is given to the function of that frontage as if it were a secondary street – notwithstanding that it is defined as a primary street. Adequate justification has been provided to enable consideration of the proposed variation.
- → The proposed variation to the number of formal bays on site is considered to be minor when due consideration is given to the function of the dwelling and ancillary dwelling-independent.
- → The proposed variation to the covered area of Area B in regards to private open spaces considered to be minor when due consideration is given to the function of the dwelling and ancillary dwelling-independent.
- → The proposal is compliant with all other development requirements of the Scheme.

In consideration of the requirements of all relevant statutory planning tests of the NTPA, including the provisions of the NTPS, there are considered to be reasonable grounds for the Consent Authority to approve the development application subject to reasonable and relevant conditions.



SITE PLAN



3 BUILDING ORIENTATION
1 : 150



2 SITE LAYOUT
1 : 750

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0	09/04/26	NP	ISSUED FOR CONSTRUCTION
C	02/12/25	MM	ISSUED FOR REVIEW 90%
B	27/11/25	MM	ISSUED FOR REVIEW 75%
A	11/11/25	MM	ISSUED FOR REVIEW 30%

GENERAL NOTES:

DRAWN BY:	CHECKED (PM):
AS	AS
CHECKED (PO):	STAMPER:
RH	RH

NORTHERN TRANSPORTABLES
www.northerntransportables.com

P1268 - Neeraj Khetarpal
DS2413 - 13.2x3.3 Acc 08
SITE PLAN

DRAWING NUMBER:	SHEET:	SCALE:	REVISION:
NTD24-11101	S1.1	NTS	0

9/04/2026 9:32:46 AM

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CUSTOMER NAME:

DATE:

APPROVER: AS

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P1268 - Neeraj Khetarpal
DS2413 - 13.2x3.3 Acc 08
22 Hannibal Crescent Gray NT
3D PRESENTATION

DRAWING NUMBER: NTD24-11101

TOTAL SHEETS:

SHEET: S0.1

SCALE:

REVISION: 0

9/04/2026 9:32:44 AM

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CUSTOMER NAME:

DATE:

APPROVER: AS

CHECKED (PM): AS

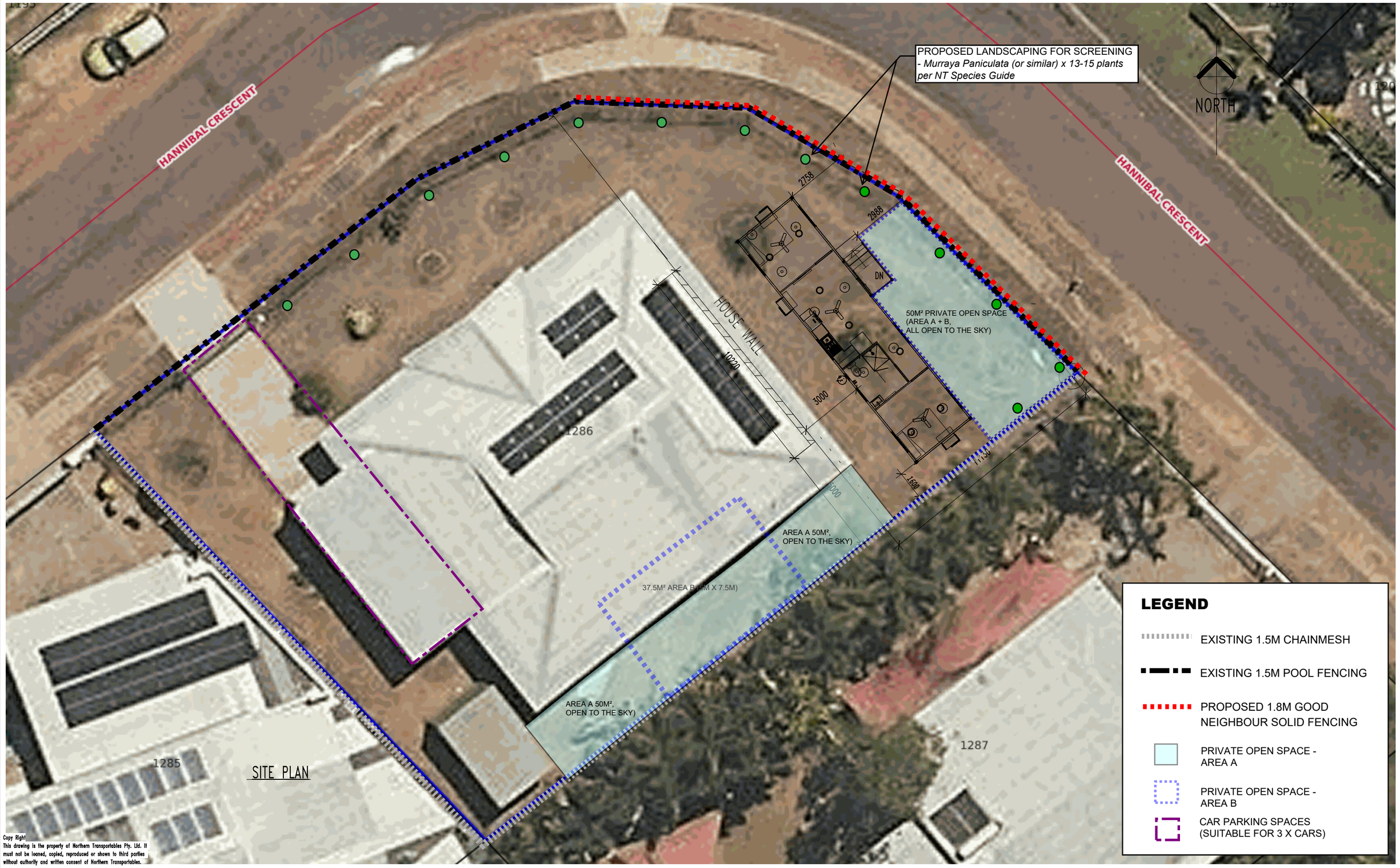
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P1268 - Neeraj Khetarpal
DS2413 - 13.2x3.3 Acc 08
22 Hannibal Crescent Gray NT
3D PRESENTATION

DRAWING NUMBER:	TOTAL SHEETS:	SHEET:	SCALE:	REVISION:
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GENERAL NOTES:

DRAWN BY:

CHECKED (PM):

CHECKED (PO):

STAMPER:

tatam planning co.

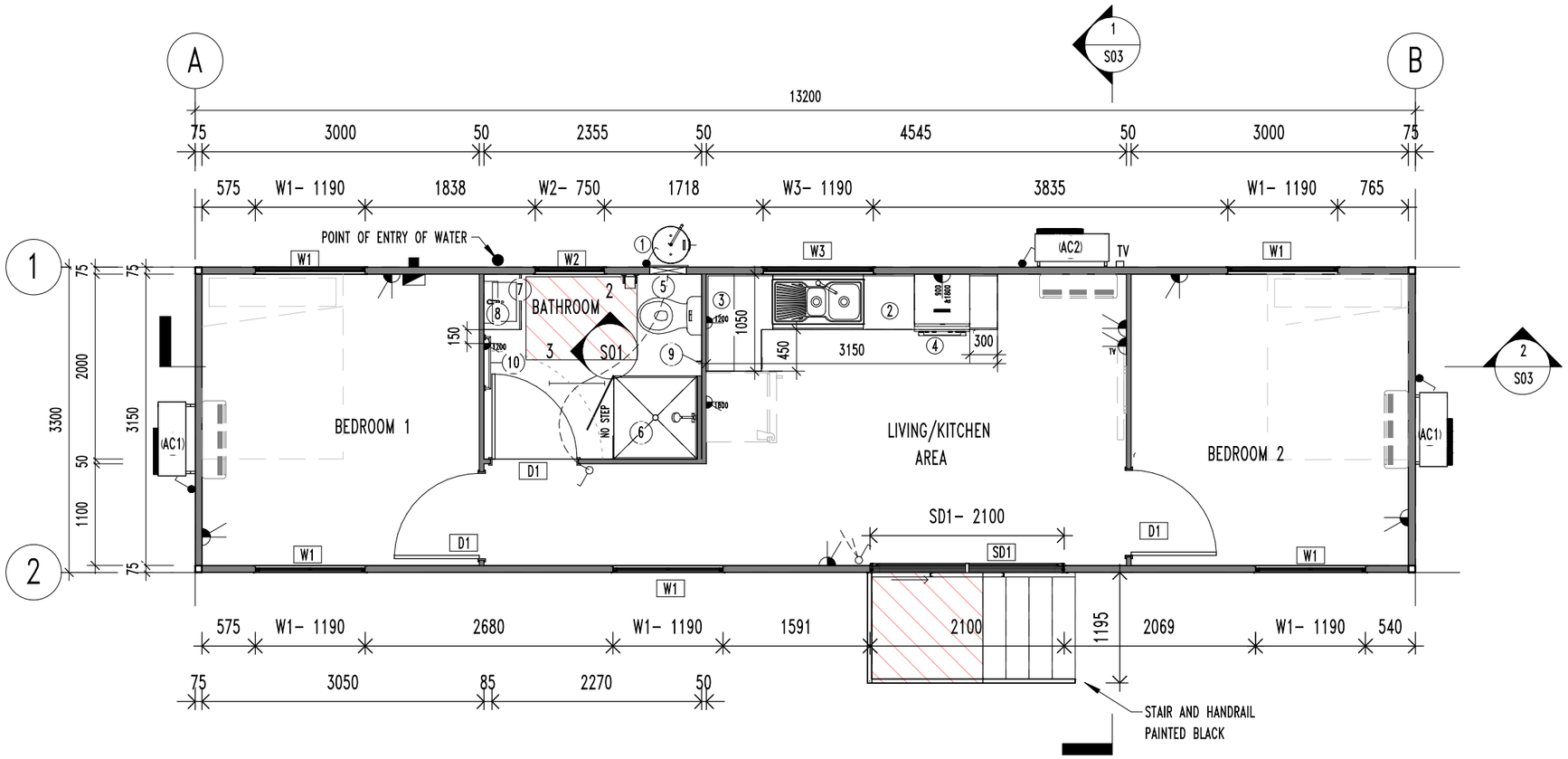
P1268 – Neeraj Khetarpal
DS2413 –; 13.2x3.3 Acc 08;

OPEN SPACE, LANDSCAPING & FENCING PLAN

DRAWING NUMBER:	SHEET:	SCALE:	REVISION:
NTD24–11101 CT	S1.1	NTS	0

9/04/2026 9:32:46 AM

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FLOOR PLAN

BUILDING INFORMATION

CEILING HEIGHT	2700mm
BUILDING HEIGHT	SEE ELEVATION

ENGINEERING INFORMATION

DESIGN WIND SPEED	Region C, I.L. 2
LIFTING CAPACITY	8.0t
DISTRIBUTED FLOOR LOAD	1.5 Kpa
CONCENTRATED FLOOR LOAD	1.8 KN

NORTHERN TRANSPORTABLES
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FLOOR TYPE	17mm Structural Ply Flooring
EXTERNAL WALL	75mm EPS Panel - Paperbark
INTERNAL WALL	50mm EPS Panel
CLADDING	N/A
ROOF SHEETING	Trimdek Surfmist
FLASHING COLOR	Pale Eucalypt
ROOF PITCH	3 Degrees
CEILING LINING	4mm Composite Panel
VINYL TYPE	2mm Thick Timberline Vinyl
VINYL COLOR	Life is a Plus
WET AREA VINYL	2.0mm Thick Accolade Vinyl with 100mm Coving
VINYL COLOR	Cappuccino
ROOF INSULATION	7mm Foam vapour barrier
U/FLOOR INSULATION	NA

SYMBOL/LEGEND

SWITCHED OUTLET 10A DOUBLE MOUNTING HEIGHT AS INDICATED 300mm ABOVE FFL UNLESS NOTED	DISTRIBUTION BOARD
SINGLE LIGHT SWITCH	DISTRIBUTION BOARD EXTERNAL POINT OF ATTACHMENT
SMALL LED BATTEN LIGHT	POINT OF ENTRY OF WATER
EXHAUST FAN	ISOLATOR
LED LIGHTS	EXTERNAL LED BATTEN LIGHT
TV POINT MOUNTING HEIGHT AS INDICATED 300mm ABOVE FFL UNLESS NOTED	HARD WIRED SMOKE DETECTOR
TV EXTERNAL JUNCTION BOX FOR AERIAL CONNECTION (ANTENNA PROVIDED BY ONSITE ELECTRICIAN)	

REVISION/AMENDMENT

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GENERAL NOTES

CLIENT APPROVED:

CLIENT NAME:

DATE:

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ELEC/HYDRO/FURNISHING SCHEDULE

TAG	QTY	DESCRIPTION
1	1	50L HOT WATER SYSTEM
2	1	3.6m KITCHEN BENCH AND CABINETS WITH DOUBLE BOWL SINK AND FLICKMASTER TAP
3	1	OVERHEAD CUPBOARDS
4	1	S/STEEL ELECTRIC WALL OVEN & CERAMIC COOKTOP WITH OVERHEAD RANGEHOOD.
5	1	PAN & CISTERN + TOILET ROLL HOLDER
6	1	900x900mm VINYL SHOWER WITH GLASS SCREEN INSTALLED BETWEEN WC&SHOWER
7	1	600mm SMALL VANITY CABINET WITH SINK AND FLICKMASTER TAP
8	1	MIRROR OVERHEAD CABINET
9	1	CLOTHES HOOK
10	1	TOWEL RAIL
AC1	2	2.5K SPLIT SYSTEM AIRCONDITION-COOLING ONLY.
AC2	1	3.5kw SPLIT SYSTEM AIRCONDITION-COOLING ONLY.

DOOR/WINDOW SCHEDULE

TAG	QTY	HEIGHT	WIDTH	ITEM	DETAILS
D1	3	2040	920	INTERNAL DOOR	TIMBER HOLLOW CORE STAINED DOOR, 2x100mm HINGES
SD1	1	2150	2100	SLIDING GLASS DOOR	BLACK POWDER COATED ALUMINIUM FRAME, FLY SCREENS, GREY GLASS
W1	5	1050	1190	SLIDING GLASS WINDOW	BLACK POWDER COATED ALUMINIUM FRAME, FLY SCREENS, GREY GLASS
W2	1	350	750	SLIDING GLASS WINDOW	BLACK POWDER COATED ALUMINIUM FRAME, FLY SCREENS, OBSCURE GLASS
W3	1	900	1190	SLIDING GLASS WINDOW	BLACK POWDER COATED ALUMINIUM FRAME, FLY SCREENS, GREY GLASS

P1268 - Neeraj Khetarpal

22 Hannibal Crescent Gray NT

DS2413 - 13.2x3.3 Acc 08

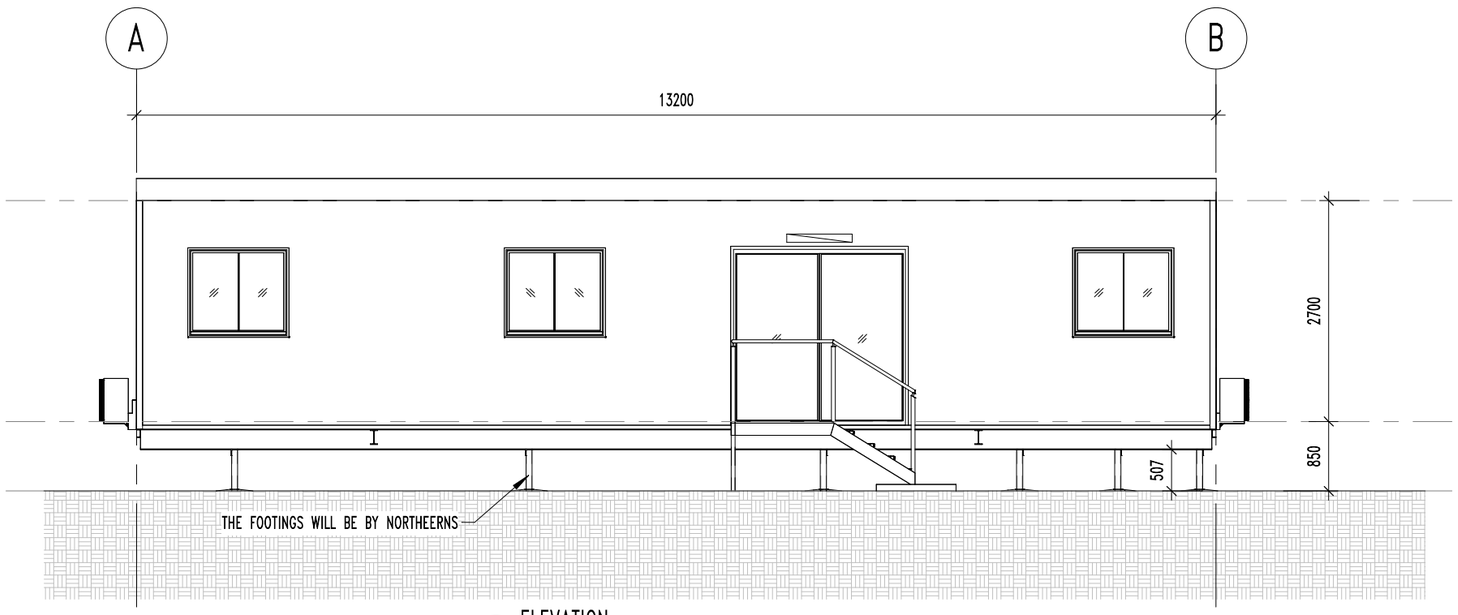
FLOOR PLAN

APPROVER:	CHECKED (PM):
RH	AS

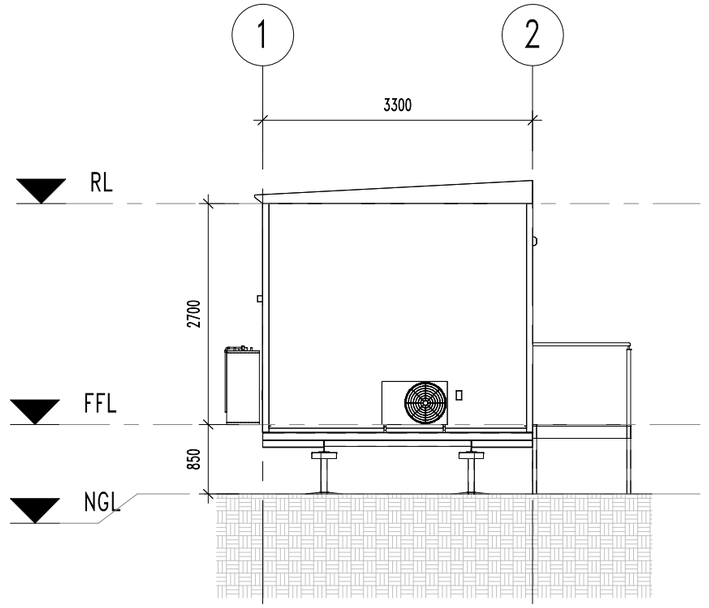
SHEET:	REVISION:
S01	0

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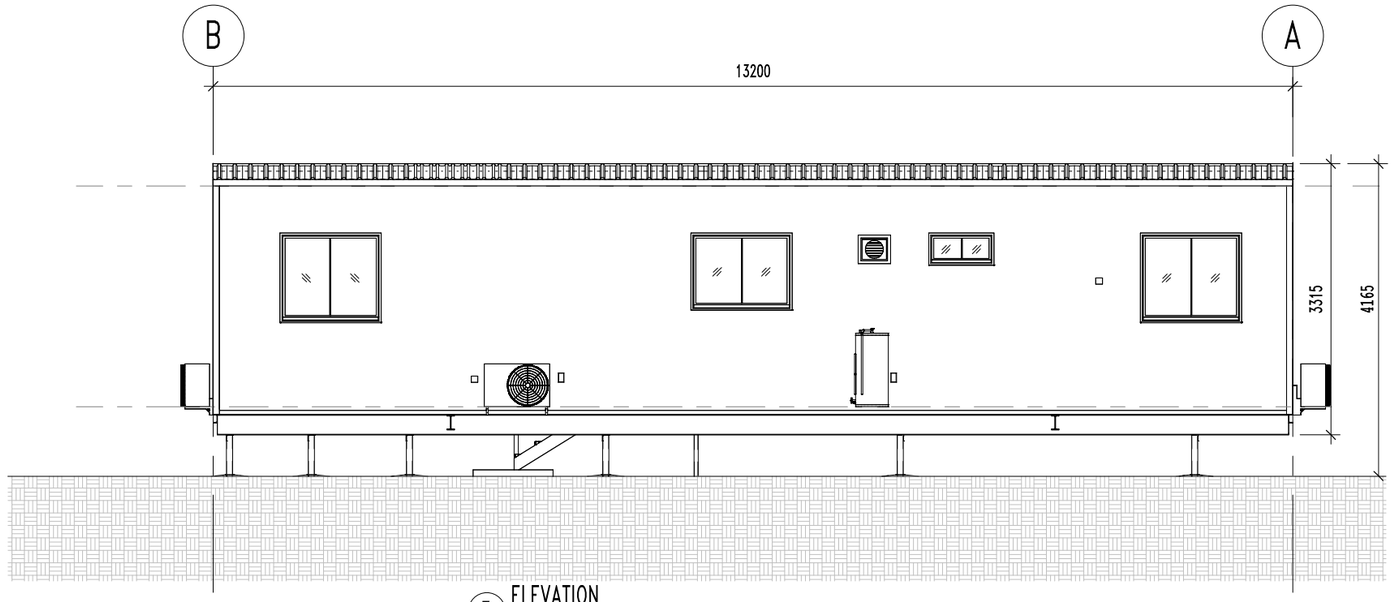
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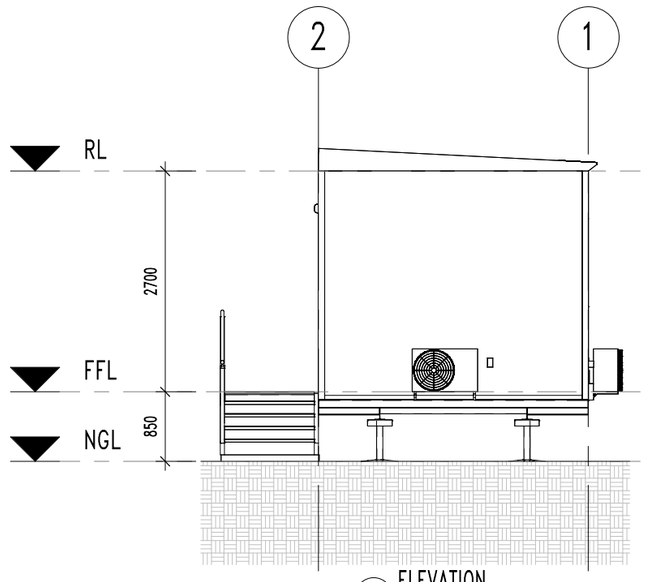
1 ELEVATION
1 : 75



2 ELEVATION
1 : 75



3 ELEVATION
1 : 75



4 ELEVATION
1 : 75

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AS	AS

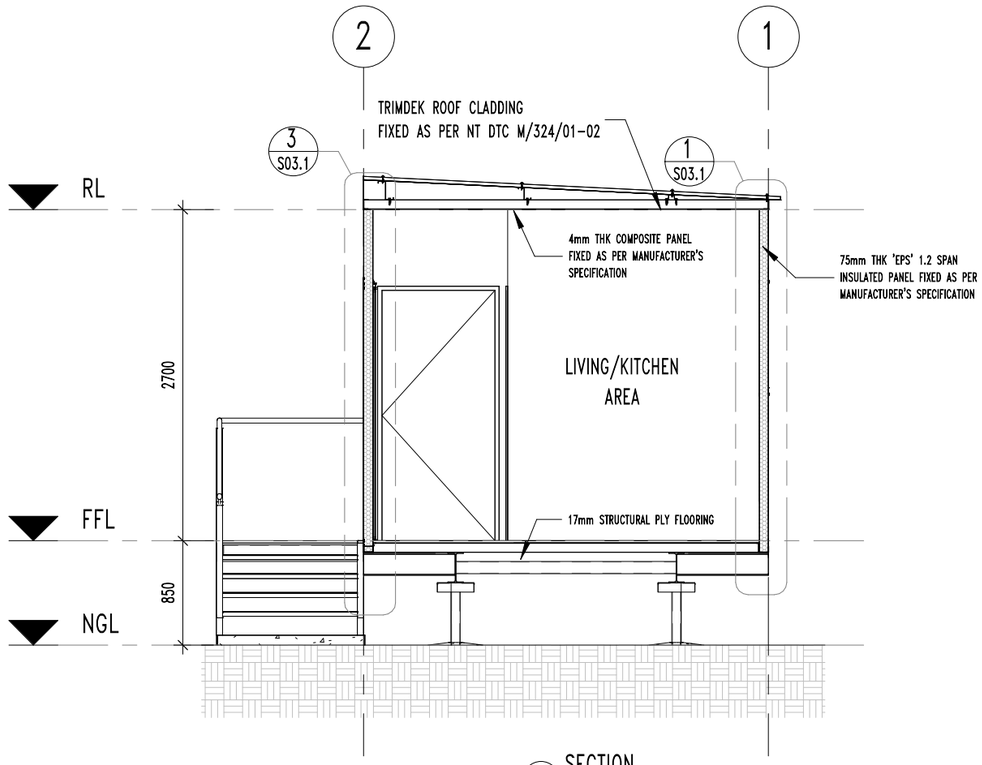
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P1268 - Neeraj Khetarpal
DS2413 - 13.2x3.3 Acc 08
22 Hannibal Crescent Gray NT
ELEVATIONS

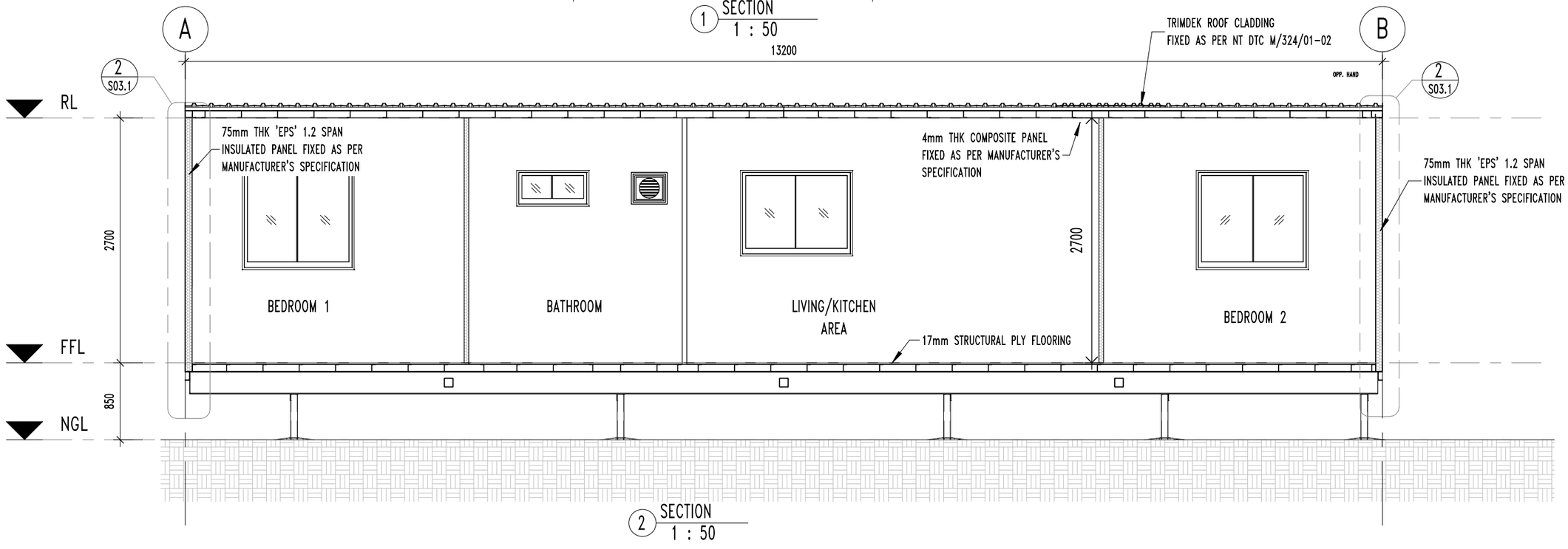
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9/04/2026 9:32:48 AM



1 SECTION
1 : 50



2 SECTION
1 : 50

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A	11/11/25	MM	ISSUED FOR REVIEW 30%

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CUSTOMER NAME:

DATE:

APPROVER:	CHECKED (PM):
AS	AS

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P1268 - Neeraj Khetarpal
DS2413 - 13.2x3.3 Acc 08
22 Hannibal Crescent Gray NT
SECTION & DETAILS

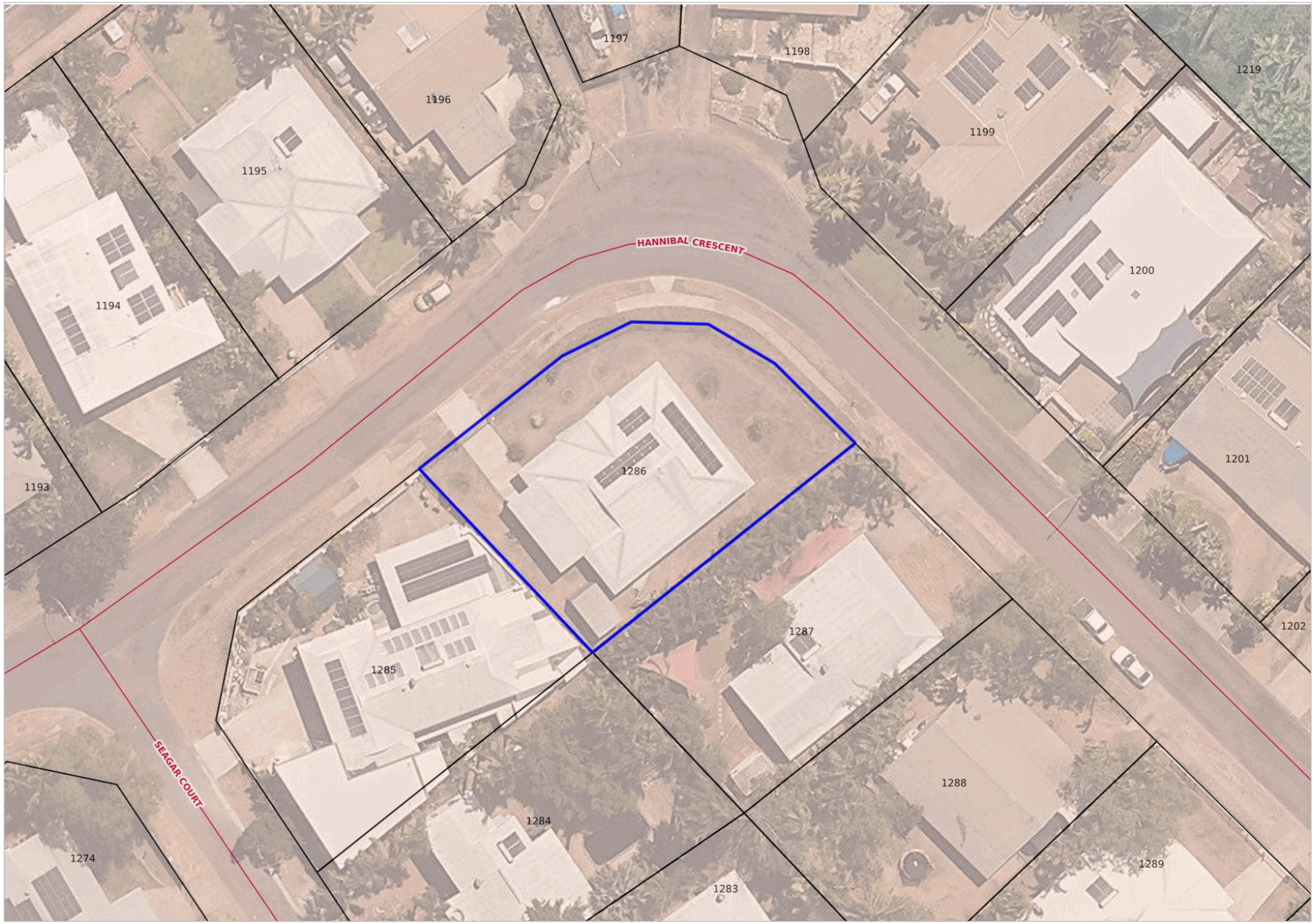
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ATTACHMENT D - SITE ZONING

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



LEGEND

SUBJECT SITE

ZONING

LR - LOW DENSITY RESIDENTIAL

tatam planning co.

N

Metres 5 10 15 20

nrmaps.nt.gov.au

Geospatial Services Unit

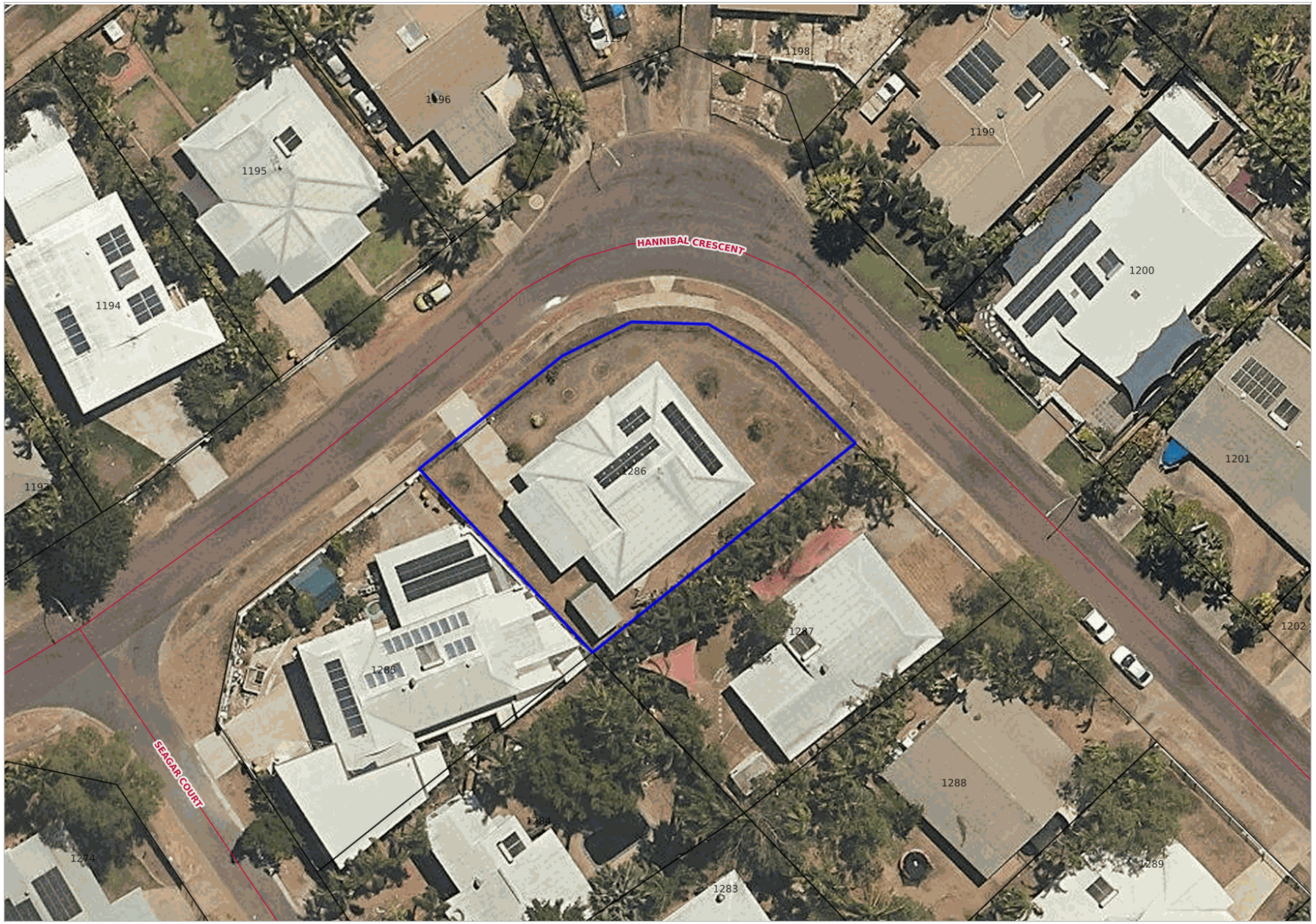
Department of Lands, Planning and Environment

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NORTHERN TERRITORY GOVERNMENT

ATTACHMENT C - SITE AERIAL

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



LEGEND

SUBJECT SITE

tatam planning co.

N

Metres 5 10 15 20

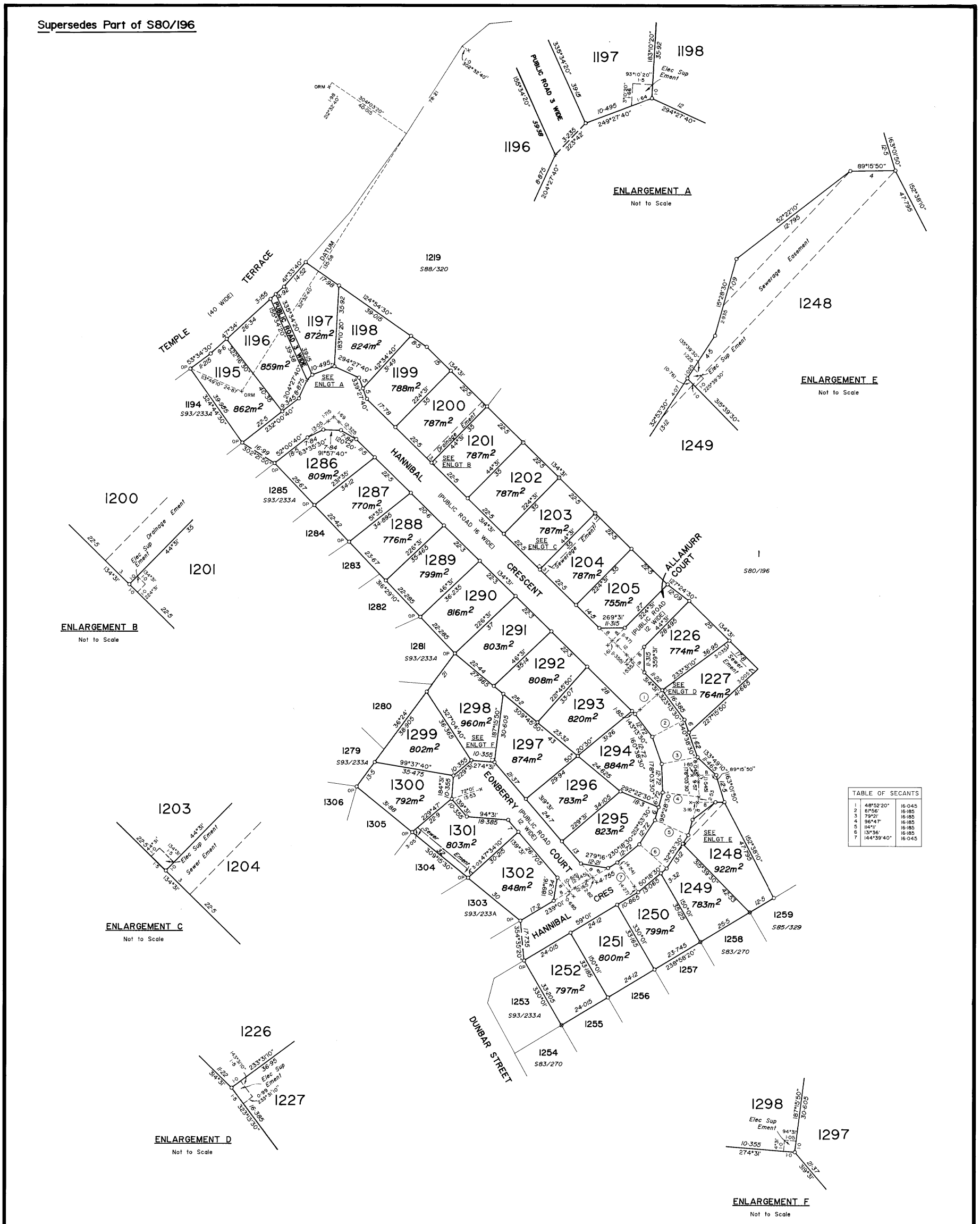
nrmaps.nt.gov.au

Geospatial Services Unit

Department of Lands, Planning and Environment

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Supersedes Part of S80/196



Department of Lands and Housing, Northern Territory	I, Kevin Dodd, hereby certify that the survey represented on this plan was carried out by me or under my immediate supervision and was completed on 15·9·93, and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder. Licensed Surveyor 22nd SEPT, 1993 Date
	SURVEY APPROVED Delegate of the Surveyor-General 27-10-93 Date

Notes: Reference marks are at 1 metre unless otherwise shown.

Electricity Supply and Sewerage Easements are in favour of the Power and Water Authority

Drainage Easement is in favour of the Territory

Area to be surrendered from CLT36 (Lot 1) is 3·67ha

Field Book	S93/282
Drawn	Earl James & Assoc 17·9·93
Examined	15/10/93
Map Reference	MIDDLE ARM 2500 SHEET 36.40

Grid ..... Bearings

AZIMUTH
Assumed from S93/233A
Observed at

LEGEND
Concrete Post
Concrete Block
Peg or Wooden Post
Reference Mark
Lookspit
Fence Post

LOTS 1195 TO 1205, 1226, 1227, 1248 TO 1252 AND 1286 TO 1302
SUBDIVISION OF LOT 1
TOWN OF PALMERSTON

SCALE 1:750
15 0 15 30 45
metres

S93/282

WARNING - Damaged or creased plan will be rejected.

Date Registered: 24/02/2025 **Volume** 891 **Folio** 80

Duplicate Certificate as to Title issued? No

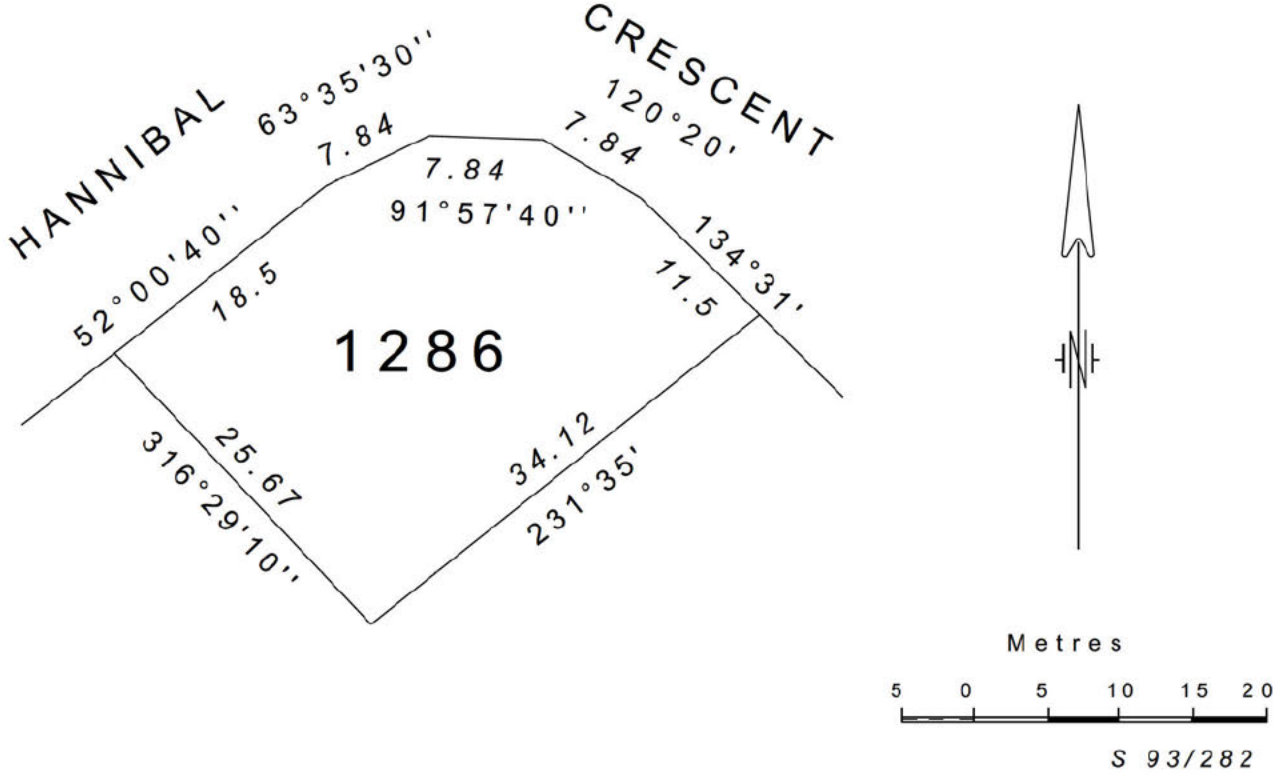
SEARCH CERTIFICATE

Lot 1286 Town of Palmerston from plan(s) S 93/282
Area under title is 809 square metres

Owner:
Neeraj Khetarpal
[redacted]

Registered Date	Dealing Number	Description
		Previous title is **Volume** 876 **Folio** 251
05/06/2026	1068155	Discharge of Mortgage (1031789)
24/02/2025	1031789	Mortgage Heritage and People's Choice Ltd

End of Dealings



NORTHERN TERRITORY OF AUSTRALIA

Record of Administrative Interests and Information

Record of Administrative Interests and Information
The information contained in this record of Administrative Interests only relates to the below parcel reference.

Parcel Reference: Lot 01286 Town of Palmerston plan(s) S 93/282

(See section 38 of the Land Title Act)

Note: The Record of Administrative Interests and Information is not part of the Land Register and is not guaranteed by the Northern Territory of Australia, and the NT Government accepts no Liability for any omission, misstatement or inaccuracy contained in this statement.

Registrar General

Government Land Register
(none found)

Custodian - Registrar General (+61 8 8999 6252)

Current Title
CUFT 891 080 (order 1)

Tenure Type
ESTATE IN FEE SIMPLE

Tenure Status
Current

Area Under Title
809 square metres

Owners
Neeraj Khetarpal
Unit 5, 8 Styles Street, Alawa NT 0810

Easements
(none found)

Scheme Name
(none found)

Scheme Body Corporate Name
(none found)

Reserved Name(s)
(none found)

Unit Entitlements
(none found)

Transfers
20/12/2021 for $420,000 (Nil GST)
22/03/2021 for $195,000 (Nil GST)
22/03/2021 for $390,000 (Nil GST)
03/07/2000 for $230,000
05/01/1994 for $41,000

Tenure Comments
(none found)

Historic Titles
CUFT 876 251 (order 1)
CUFT 874 687 (order 1)
CUFT 855 285 (order 1)
CUFT 846 813 (order 1)
CUFT 846 812 (order 1)
CUFT 846 811 (order 1)
CUFT 820 820 (order 1)
CUFT 731 188 (order 1)
CUFT 628 313 (order 1)
CUFT 343 051 (order 1)
CUFT 335 062 (order 1)
Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5346)

Address
22 HANNIBAL CRES, GRAY

Survey Plan
S 93/282

Survey Status
Approved

Parcel Status
CURRENT

Parcel Area
809 square metres

Map Reference
Code 503 Scale 2500 Sheet 36.40

Parent Parcels
(none found)

Parcel Comments
SUBDN.OF LOT 1.

Survey Comments
(none found)

Proposed Easements
(none found)

Local Government Area
PALMERSTON MUNICIPALITY

Region
DARWIN

Custodian - Valuer General (+61 8 8995 5375)

Owner's Last Known Address
Khetarpal,Neeraj, UNIT 5, 8 STYLES STREET, ALAWA NT 0810

Parcels in Valuation
Lot 01286 Town of Palmerston

Unimproved Capital Value
$190,000 on 01/07/2023
$165,000 on 01/07/2020
$235,000 on 01/07/2017
$250,000 on 01/07/2014
$210,000 on 01/07/2011
$200,000 on 01/07/2008
$100,000 on 01/07/2005
$66,000 on 01/07/2002
$60,500 on 01/07/1999
$58,500 on 01/07/1996
$34,500 on 01/07/1993
$19,000 on 01/01/1991

Custodian - Property Purchasing (+61 8 8999 6886)

Acquisitions
(none found)

Custodian - Building Advisory Service (+61 8 8999 8965)

Building Control Areas

BBDAR001 - Building Control Area	DARWIN BUILDING AREA

Building Permits

Application Number:	4 of 4
Description:	Elevated Dwelling Addition
Number of Residential Units:	1
Australian Bureau of Statistics Type:	Separate House
Building Class:	Single Dwelling
Area:	44 square metres
Certification:	Single Dwelling - Occupancy Permit - *issued on* 2026-05-21 00:00:00.0

Application Number:	3 of 4
Description:	PV Solar Panels
Number of Residential Units:	
Australian Bureau of Statistics Type:	(none found)
Building Class:	Structure (Fence, Mast)
Area:	0 square metres
Certification:	Structure (Fence, Mast) - Occupancy Permit - *issued on* 2022-04-14 00:00:00.0

Application Number:	2 of 4
Description:	GARDEN SHED
Number of Residential Units:	0
Australian Bureau of Statistics Type:	(none found)
Building Class:	Non-habitable building
Area:	14 square metres
Certification:	Non-habitable building - Full Code - *issued on* 2000-08-04 00:00:00.0

Application Number:	1 of 4
Description:	HOUSE
Number of Residential Units:	1
Australian Bureau of Statistics Type:	Separate House
Building Class:	Single Dwelling
Area:	0 square metres
Certification:	Single Dwelling - Full Code - *issued on* 1997-05-09 00:00:00.0

Visit the website http://www.nt.gov.au/building/

Custodian - Town Planning and Development Assessment Services (+61 8 8999 6046)

Planning Scheme Zone

LR (Low Density Residential)

Overlays:

(none found)

Strategic Frameworks: The following strategic frameworks may apply to your land

Regional Plans:
- Darwin Regional Land Use Plan

Sub Regional Plans:
- Holtze to Elizabeth River Subregional Land Use Plan

Area Plans:
- None

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications

(none found)

Custodian - Pastoral Estate - Vegetation Assessment Unit (+61 8 8999 4454)

(none found)

Visit the website for information on Pastoral land permits.

Custodian - Power and Water Corporation (1800 245 092)

Meters on Parcel

Power Water - Electricity	1
Power Water - Water	1

For Account balances, contact the Power and Water Corporation.

Custodian - Pool Fencing Unit (+61 8 8924 3641)

Swimming Pool/Spa Status

(none found)

For more information, contact the Pool Fencing Unit (+61 8 8924 3641).

Custodian - Department of Mining and Energy (+61 8 8999 5263)

Mineral Titles

Title ID	Status	Title Type	Expiry Date	Legislation
RL390	Granted	Reserve Land		Mineral Titles Act 2010

For additional information contact the Mineral Titles Team on +61 8 8999 5322

Energy Titles

Title ID	Status	Title Type	Expiry Date	Legislation
GRO1	Granted	Geothermal Reserved from Occupation		Geothermal Energy Act 2009
RB56	Granted	Reservation of Blocks		Petroleum Act 1984

Title ID	Status	Title Type	Expiry Date	Legislation
RB167	Granted	Reservation of Blocks		Petroleum Act 1984

For additional information contact the Petroleum Tenure Team on +61 8 8999 5263

Land Access Agreements
(none found)

For additional information contact the Land Access Team on +61 8 8999 5240

For further information contact as above or visit the website https://strike.nt.gov.au

Custodian - NT Environment Protection Authority (+61 8 8924 4218)

Results of site contamination assessment
(none found)

For further information contact Environment Protection Authority or visit the website https://ntepa.nt.gov.au/your-business/public-registers/contaminated-land-audits

Custodian - Heritage Branch (+61 8 8999 5039)

Heritage Listing:
(none found)

For further information on heritage places contact Heritage Branch or visit the website https://nt.gov.au/property/land/heritage-register-search-for-places-or-objects

Other Interests
For Account balances, contact Palmerston City Council

Locality Diagram




33
39
31
Hannibal Cres
Hannibal Cres
l Cres
20
24
26




CONCEALED
DRIVEWAY









Submission to the Development Consent Authority

Re: Development Application for Dwelling-Independent (Retrospective)
22 Hannibal Crescent, Gray
Lot 1286 Town of Palmerston

I am a neighbour and I object to the proposed retrospective approval of the dwelling-independent at 22 Hannibal Crescent, Gray.

My objection is directed to the location of the building and the extent of the primary street setback variation. The photographs accompanying this submission demonstrate that the variation has resulted in a visually prominent building within the forward portion of the allotment that is inconsistent with the streetscape outcomes sought by the Northern Territory Planning Scheme.

Significant Non-Compliance with the Primary Street Setback

The application itself acknowledges that the demountable is setback approximately 2.76 metres from the north-eastern Hannibal Crescent boundary where a 6 metre primary street setback is required. It also records the Development Consent Authority's advice that all Hannibal Crescent boundaries are primary street frontages and that the lot does not have a secondary street frontage under the Planning Scheme.

The position of the structure is not a minor departure from the prescribed development standard. It is not even 50% of the setback area required by the Planning Scheme.

Inconsistency with the Purpose of Clause 5.4.3

The purpose of Clause 5.4.3 includes ensuring that residential buildings are located in a manner that:

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.

Viewed at 00:10:34 on 12/10/2026 by AHAHK.

The photographs demonstrate that the demountable is highly visible from multiple locations along Hannibal Crescent.

The structure presents as a separate residential building occupying a substantial portion of the street-facing area of the site. It is readily visible to motorists, pedestrians and neighbouring residents from a considerable distance and from multiple directions along the curved frontage.

There are absolutely no similar structures in the area. All houses in the street are well presented, orthodox structures with no demountables, shipping containers, sheds or anything else visible from the street, let alone being prominently positioned against the front fence and in front of the house.

In my submission, the photographs demonstrate that the setback variation has a real and obvious visual consequence and is not simply a technical non-compliance.

The visual impact is amplified by:

- the length and bulk of the transportable structure;
- its elevated floor level;
- the limited setback from the street boundary;
- its visibility from multiple directions along Hannibal Crescent; and
- its contrasting appearance relative to surrounding housing.

The "Secondary Street" Justification

A substantial part of the applicant's justification relies on the proposition that although the north-eastern boundary is not legally a secondary street frontage, it functions similarly to one and should therefore be treated as producing an equivalent planning outcome.

However, as the Development Consent Authority has already advised, the site does not have a secondary street frontage for the purposes of the Planning Scheme. The house is merely on the bend in the Circuit. As such the applicable setback requirement is 6 metres.

The Planning Scheme deliberately distinguishes between primary street and secondary street setbacks. Approval of the current proposal would substantially diminish that distinction and undermine the purpose of the applicable setback requirement.

Reliance Upon Future Landscaping

The application repeatedly relies upon proposed fencing and landscaping to reduce visual impacts and preserve streetscape character.

In my submission, the development should be assessed by reference to the siting and appearance of the building itself.

The photographs demonstrate the existing visual impact. Landscaping has not been shown to eliminate that impact and there can be no certainty regarding the timing, effectiveness or long-term maintenance of any future screening vegetation. This is particularly the case when the existing owner has not in any way maintained any vegetation.

Additionally, even if a large fence were erected, it would need to be absurdly tall fence to block the view of the elevated demountable from the street.

Retrospective Nature of the Application

The application acknowledges that the structure has already been constructed and that compliance action resulted in the present application being lodged.

While I acknowledge that retrospective applications can be approved, the fact that the structure has already been built should not weigh in favour of approval. The proposal should be assessed on exactly the same planning merits as an application lodged before construction occurred. Otherwise, landowners who proceed with non-compliant development before obtaining consent may obtain a tactical advantage over those who comply with the planning approval process.

Conclusion

The photographs demonstrate that the reduced setback has produced a visually prominent second dwelling within the forward portion of the allotment.

The extent of the non-compliance is substantial. The building remains highly visible from the public realm, relies heavily on future landscaping to mitigate its impact, and does not achieve the streetscape outcomes contemplated by Clause 5.4.3 of the Planning Scheme.

For those reasons, I respectfully request that the Development Consent Authority refuse the application.

Yours faithfully



Anna Pritchard

annapritchard87@gmail.com
8 September 2026

Viewed at 00:10:34 on 12/10/2026 by AHAHK.








NORTHERN
CONCEALED
DRIVEWAY



Jo Easson
39 Hannibal Crescent
Gray NT 0830

Department of Lands, Planning and Environment

9 September 2026

Dear Sir/Madam

Subject: PA:2026/0287
Lot 1286 Town of Palmerston (22 Hannibal Crescent, Gray)

In relation to the above planning development, my concerns are the negative impact it will have on property prices in the immediate area, as no thought has gone into street appeal. The demountable has just been plonked there.

I would suggest that some sort of landscaping, screening or fencing to hide the eyesore be done or at least to fit the character of Hannibal Crescent.

Yours faithfully

J L Easson

J L Easson

Technical Assessment PA2026/0287

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

APPLICATION NO:	PA2026/0287
LOT NUMBER:	Lot 1286 (22) Hannibal Crescent, Gray
TOWN/HUNDRED:	Town of Palmerston
ZONE:	LR (Low Density Residential)
SITE AREA:	809 m^2
PROPOSAL:	Ancillary dwelling-independent with reduced building setback to the primary street boundary
PLANS USED FOR ASSESSMENT:	NTD24-11101 – S1.1 (Site Plan); S0.1 (3D); S0.2 (3D); S1.1 (Open Space, Landscaping & Fencing Plan); S01 (Floor Plan); S02 (Elevations); S03 (Sections & Details)
DATE ASSESSMENT FINALISED:	29 September 2026

The existing primary use of the site is a dwelling-single.

As outlined in sub-clause 1(b)(ii)(2) of Clause 1.8 of the Northern Territory Planning Scheme 2020 (NTPS 2020), the dwelling-independent development and land use is listed as *Permissible* in Part 4, however has become *Merit Assessable* by virtue of non-compliance with relevant development requirements set out in Part 5.

Therefore, the proposed development requires consent under the NTPS 2020 as described in the below table:

Zone LR (Low Density Residential)				
Defined Use	**Assessment Category**	**Overlays**	**General Development Requirements**	**Specific Development Requirements**
Dwelling-Independent	Permitted (Merit Assessable due to variation)	N/A	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	5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.6 Private Open Space 5.4.13 Dwelling-Independent

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.

NORTHERN TERRITORY GOVERNMENT

Schedule 2

dwelling-independent means an ancillary dwelling that is constructed on the same site as a dwelling-single;

floor area in relation to a building, includes all wall thicknesses of the external walls and all roof areas used as floors, but does not include verandahs, balconies or areas set aside for car parking or access thereto;

primary street means the street or where there is more than one street, the street with the wider carriageway or that which carries the greater volume of traffic but does not include any street where access is restricted by the controlling Agency;

Part 1 - Guidance

1.8 When development consent is required

Sub-clause 1(b) of Clause 1.8 of NTPS 2020					DAS DLPE Comment
1.	*The need for consent and the level of assessment that applies to the use and development of land is set out in the framework below:*				
	(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;*		Not Applicable
		ii.	*it is shown as Permitted on the relevant assessment table in Part 4 but:*		
			(1)	*requires consent by virtue of an Overlay as set out in Part 3; or*	Not Applicable
			(2)	*does not comply with the relevant development requirements set out in Part 5;*	Applicable – Proposed ancillary use (dwelling-independent) is *Permitted* in Part 4; however, it does not comply with all relevant development requirements set out in Part 5.
		iii.	*it is for the consolidation of land; or*		Not Applicable
		iv.	*it is for the subdivision of land for the purpose of a Unit Title Scheme, where:*		Not Applicable
			(1)	*development consent has been granted; or*	
			(2)	*the development is permitted in the relevant assessment table; or*	
			(3)	*the Unit Title Scheme does not include vacant land.*	
		v.	*a provision of the Planning Scheme expressly requires assessment as Merit Assessable.*		Not Applicable

1.9 Ancillary use and development

Clause 1.9 of NTPS 2020				DAS DLPE Comment
1.	*Unless expressly provided for in this Planning Scheme:*			
	(a)	*where the definition of a development in Schedule 2 includes use or development that may be established if ancillary, the ancillary use or development included in the definition are Permitted provided they comply with any relevant development requirements in Parts 3 and 5;*		Not Applicable
	(b)	*if an ancillary use or development described in (a) does not comply with Parts 3 and 5, the ancillary use or development requires consent and the level of assessment that applies is Merit Assessable;*		Not Applicable
	(c)	*an ancillary use or development not specified in the definition of the primary use in Schedule 2 requires consent and the level of assessment that applies to the ancillary use or development is either:*		Applicable – Proposed ancillary use (dwelling-independent) does not fully comply with Part 5 requirements – becomes Merit Assessable.
		i.	*the assessment category specified in the assessment table for the zone in Part 4; or*	
		ii.	*if Undefined or Prohibited it is Impact Assessable.*	

1.10 Exercise of Discretion by the Consent Authority

Clause 1.10 of NTPS 2020			DAS DLPE Comment
1.	*In considering an application for consent for a use or development, the consent authority must consider the use or development in its entirety except in relation to:*		
	(a)	*an application to alter, change or vary a development permit under sections 43A, 46 or 57 of the Act;*	Not Applicable
	(b)	*access to a main road; or*	Not Applicable
	(c)	*a Merit Assessable application under Clause 1.8(1)(b)(ii)(2).*	Applicable – Proposed development is a Merit Assessable application under Clause 1.8(1)(b)(ii)(2)
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.*		Applicable – see discussion below

Part 2 – Strategic Framework

Consideration of Strategic Frameworks are not applicable to the proposed development.

NOT APPLICABLE

Part 3 - Overlay

NT ATLAS indicates that there are no overlays are applicable to the subject site.

NOT APPLICABLE

Part 4 – Zones and Assessment Table

4.2 Zone LR – Low Density Residential

Consideration of this clause is not required for this development proposal, pursuant to Clause 1.10(2) of the NTPS 2020.

NOT APPLICABLE

Part 5 – General Development Requirements

5.2.1 General Height Control

Clause 5.2.1 of NTPS 2020				DAS DLPE Comment
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.				Complies
Administration				
1.	*This clause does not apply if:*			
	(a)	*The development is for the purpose of:*		Not Applicable
		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).*		Not Applicable
2.	*The consent authority must not consent to a development in Alice Springs that is not in accordance with sub-clause 5.*			Not Applicable
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.*			Not Applicable
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:*			Not Applicable
	(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:*			Not Applicable
	(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*	Not Applicable
	(b)	*two storeys to a maximum of 8.5m if the zone and use is not included in table B to this clause.*	Complies – development comprises of a single storey building with an approximate height of 4.17 metres.

COMPLIES

5.2.4 Car Parking

5.2.4.1 Car Parking Spaces

Clause 5.2.4.1 of NTPS 2020			**DAS DLPE Comment**
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.			Does not comply
Administration			
1.	*This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).*		Not Applicable
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:*		Applicable – To be determined by the consent authority
	(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;*	The LR zoning of the land is compatible with the lawfully established primary use and proposed dwelling-independent of the land. The current provisions of the NTPS2020 allow only two dwellings on the site.
	(b)	*the provision of car parking spaces in the vicinity of the land;*	There are no dedicated car parking spaces in the vicinity of the land, however, informal, kerbside parking is possible within the road reserves
	(c)	*the availability of public transport in the vicinity of the land;*	Public transport stops are accessible from the site.
	(d)	*the potential impact on the surrounding road network and the amenity of the locality and adjoining property; and*	No potential impact is anticipated on the surrounding road network and the amenity of the locality and adjacent property.
	(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.*	Not Applicable
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)	*only uses in Table A that specifically reference Table B, are eligible for reductions provided by Table B and apply to the base car parking rates established in Table A;*	Not Applicable

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	(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).* **Table A to Clause 5.2.4.1: Minimum number of required parking spaces** **Use or Development** / **Minimum Number of Car Parking Spaces Required** **Dwelling-independent** – 1 per bedroom to a maximum of 2 **Dwelling-single** – 2		Does not comply – The existing dwelling-single requires 2 car parking spaces on site. The proposed ancillary dwelling-independent requires 1 car parking space per bedroom to a maximum of 2. The dwelling-independent has 2 bedrooms, therefore requiring 2 car parking spaces. Dwelling-single – 2 bays on site Dwelling-independent – 2 bays required Total bays required on site– 4 bays 3 car parking spaces are shown on the site plan, leading to a shortfall of 1 car parking space. Applicant has requested a variation to this clause.

DOES NOT COMPLY

5.2.4.4 Layout of car parking areas

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.

NOT APPLICABLE

5.2.6 Landscaping

5.2.6.1 Landscaping in Zones other than Zone CB

Clause 5.2.6.1 of NTPS 2020			**DAS DLPE Comment**
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.*			Complies
Administration			
1.	*Landscaping may include, where subordinate to areas for the planting and growing of plants, impervious and unplanted areas for;*		Noted
	(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*		Not Applicable

	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:*		Landscaping is required to comply with NTPS2020 private open space requirements.
	(a)	*planting is focused on the area within the street frontage setbacks, side setbacks, communal open space areas and uncovered car parking areas;*	Complies – Planting is focused on the street frontage setbacks and uncovered car parking areas.
	(b)	*it maximises efficient use of water and is appropriate to the local climate;*	Complies – Species used maximises efficient use of water and is appropriate to the climate.
	(c)	*it takes into account the existing streetscape, or any landscape strategy in relation to the area;*	Complies – Landscaping is suitable to the existing streetscape.
	(d)	*significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;*	Not Applicable
	(e)	*energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;*	Complies – Species used will assist in conservation of energy and provide shade.
	(f)	*the layout and choice of plants permits surveillance of public and communal areas; and*	Not Applicable
	(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.*		Complies – It is expected that the quality and extent of landscaping consented to will be maintained for the life of the development. This can be a condition on any permit issued.
5.	*Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.*		Not Applicable – site is zoned LR.
6.	*In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.*		Not Applicable
7.	*In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.*		Not Applicable

COMPLIES

5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

The site of the proposed development is zoned LR and is for a residential building. Therefore, this clause will not apply to this site.

NOT APPLICABLE

Specific Development Requirements

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

Clause 5.4.3 of NTPS 2020	DAS DLPE Comment
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.*			To be determined by the consent authority (section 51, 52 & 53 of Planning Act 1999)
Administration			
1.	*This clause does not apply in Zones CB, LI, GI and DV.*		Not Applicable
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*	Applicable
	(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.*	Not Applicable
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.*		To be determined by the consent authority (section 51, 52 & 53 of Planning Act 1999)
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.*		Not Applicable
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*		Not Applicable
	(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 15m2 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*	Does not comply – see table below The rear boundary setback is 1.6 m and complies. A primary street setback of 6m for residential buildings is required by table to the clause.

			However, the dwelling has a primary street setback of approximately 2.76m and does not comply. Applicant has requested a variation to this clause.
	(b)	*any setbacks established in a building setback plan that is included in Schedule 9.*	Not Applicable
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.*		Not Applicable
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.*		Does not comply – The roof of the dwelling does not extend further from the external walls. However, due to the building encroaching into the setback, the roof of the building is well into the minimum 5.1m setback at approximately 2.76m from the primary street boundary.

building setback means the distance from any lot boundary to a building or structure and shall be measured from all boundaries to: • the wall of a building or structure; • the outer surface of the railings of a balcony or verandah; • the outer surface of any support column of a ***ground level*** verandah; and • the outer surface of any support column for structures without external walls except that the setback of a shade sail is measured to the outer extremity of the fabric.	See comments / measurements in table below
In the event of a ***site*** having frontage to more than one street, the ***building setback*** through the corner truncation is measured from the intersecting point of the ***primary street*** setback and the ***secondary street*** setback;	Not Applicable – subject site only has frontage to one street / public road (Hannibal Crescent)
primary street means the street or where there is more than one street, the street with the wider carriageway or that which carries the greater volume of traffic but does not include any street where ***access*** is restricted by the controlling Agency;	Subject site only has frontage to one street / public road (Hannibal Crescent)
secondary street means – in the case of a ***site*** that has frontage to more than one public street – the street or streets that are not the ***primary street***;	Not Applicable

Lot Boundary	**Minimum Building Setbacks (single storey residential building)**	**Building Setback(s) Proposed**			**Complies?**
Primary Street Frontage (Hannibal Crescent)	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	North / Truncation	External walls of dwelling-independent	~5m	No
			Roof eaves/gutters	Guttering dimensions not shown/labelled on drawings	N/A
		East	External walls of dwelling-independent	2.758m	No
			Roof eaves/gutters	Guttering dimensions not shown/labelled on drawings	N/A
			Landing / stairs	2.988m	No
Side Boundary – Lot 1285	1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall: • only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater;	External walls of dwelling-independent		~23m	Yes
		Roof eaves/gutters		Guttering dimensions not shown/labelled on drawings	N/A

	• does not extend beyond a maximum height of 3.5m; and • does not extend beyond a maximum length of 9m except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback			
Side Boundary – Lot 1287	1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall: • only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; • does not extend beyond a maximum height of 3.5m; and • does not extend beyond a maximum length of 9m except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback	External walls of dwelling-independent	>1.6m	Yes
		Roof eaves/gutters	Guttering dimensions not shown/labelled on drawings	N/A

DOES NOT COMPLY

5.4.3.2 Distance Between Residential Buildings on one Site

Clause 5.4.3.2 of NTPS 2020		DAS DLPE Comment
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.		Complies
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.*	Not Applicable
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.*	Complies – The distance between the existing dwelling-single and proposed dwelling-independent is 3m.
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:*	Not Applicable
	(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.*	Not Applicable

COMPLIES

5.4.6 Private Open Space

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

<table>
<tr><th colspan="3">Clause 5.4.6.1 of NTPS 2020</th><th>DAS DLPE Comment</th></tr>
<tr><td colspan="3">Purpose</td><td></td></tr>
<tr><td colspan="3">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.</td><td>Does not comply</td></tr>
<tr><td colspan="3">Administration</td><td></td></tr>
<tr><td>1.</td><td colspan="2">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.</td><td>To be determined by the consent authority</td></tr>
<tr><td colspan="3">Requirements</td><td></td></tr>
<tr><td>2.</td><td colspan="2">Private open space should:</td><td></td></tr>
<tr><td></td><td>(a)</td><td>satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
<table>
<tr><th colspan="2">Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group</th></tr>
<tr><td colspan="2">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.</td></tr>
<tr><th>Type of Dwelling</th><th>Private Open Space Area</th></tr>
<tr><td>Dwelling-group</td><td rowspan="2">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.</td></tr>
<tr><td>Dwelling-single on a lot less than 450m²</td></tr>
<tr><td>Dwelling-independent in addition to the private open space requirement for the dwelling - single</td><td rowspan="2"></td></tr>
<tr><td>Dwelling-single on a lot not less than 450m²</td></tr>
<tr><td></td><td>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.</td></tr>
</table></td><td>Does not comply – The private open space requirement for the existing dwelling-single is satisfied with 50m² of Area A and 37.5m² of Area B.

Plans indicate that the private open space requirement for the proposed dwelling-independent for Area A is satisfied with 50m² with no dimension less than 1.5m.

However, Area B has the required 24m² but has dimensions less than 4m. Hence, the proposal does not comply with clause.

Applicant has requested a variation for this clause.</td></tr>
<tr><td></td><td>(b)</td><td>be directly accessible from the dwelling and enable an extension of the function of the dwelling; and</td><td>Does not comply – The private open space is directly accessible from the dwelling.

However, it will not enable an extension of the function of the dwelling as it faces the primary street frontage and will not provide adequate privacy to the inhabitants.</td></tr>
<tr><td></td><td>(c)</td><td>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;</td><td>Does not comply – The private open space will not provide views from the dwelling to open space or natural features of the site or locality.</td></tr>
</table>

	(d)	*ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;*	Complies – The entirety of the private open space designated for the dwelling-independent will be permeable.
	(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*	Complies – The proposed landscaping in the primary street setback fulfills the requirement of deep soil planting of 5m^2 with no dimension less than 1.5m and will provide screening.
	(f)	*allow for landscaping at the property frontage to complement the visual amenity of the streetscape.*	Complies – Plans show 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:*		Not Applicable
	(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.*	

DOES NOT COMPLY

5.4.13 Dwelling-Independent

Clause 5.4.13 of NTPS 2020			**DAS DLPE Comment**
Purpose			
Ensure a dwelling-independent provides for increased housing choice while remaining ancillary to the dwelling-single on a site, and is developed in a manner that: *(a) avoids significant impact on the amenity of adjoining and nearby property;* *(b) does not detrimentally impact on the natural environment; and* *(c) does not adversely impact the local road network.*			Complies
Administration			
1.	*The consent authority must not consent to a dwelling-independent that is not in accordance with sub-clauses 3, 6 and 7.*		Not Applicable
2.	*The consent authority may consent to a dwelling-independent that is not in accordance with sub-clause 4 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 surrounding amenity.*		Not Applicable
Requirements			
3.	*There will be no more than one dwelling-independent on a site.*		Complies – Only one dwelling-independent is proposed on site.
4.	*The maximum floor area of the dwelling-independent in:*		
	(a)	*Zones H, A, RL and R shall not exceed 100m2; and*	Not Applicable – site is zoned LR
	(b)	*in all other zones shall not exceed 75m2.*	Complies – The floor area of the proposed dwelling-independent does not exceed approximately 47m^2.
5.	*There is only one shared vehicle access point to the road, unless the relevant authority has approved a second access.*		Complies – The site has only one shared vehicle access point to the road.

6.	*Both dwellings will be serviced by either a single bore or a single connection to a reticulated water supply.*	Complies – Both dwellings share a single connection to a reticulated water supply.
7.	*Both dwellings will be serviced by a single connection to a reticulated power supply.*	Complies – Both dwellings share a single connection to a reticulated power supply.

COMPLIES

ID: 706348 CT:

11 September 2026

Development Assessment Services
Department of Lands, Planning and Environment
By email: das.NTG@nt.gov.au

Dear Sir/Madam

Re: Development Application PA2026/0287 - Dwelling-independent with reduced building setback to primary street boundary - 22 Hannibal Cres, Gray NT

I refer to the above development application.

Should the consent authority approve the application, the following general condition and notes are recommended for inclusion on the development permit.

General conditions

- On site stormwater is to be managed, collected and discharged in accordance with the attached City of Palmerston approved stormwater management plan (NTD24-11101).

Note

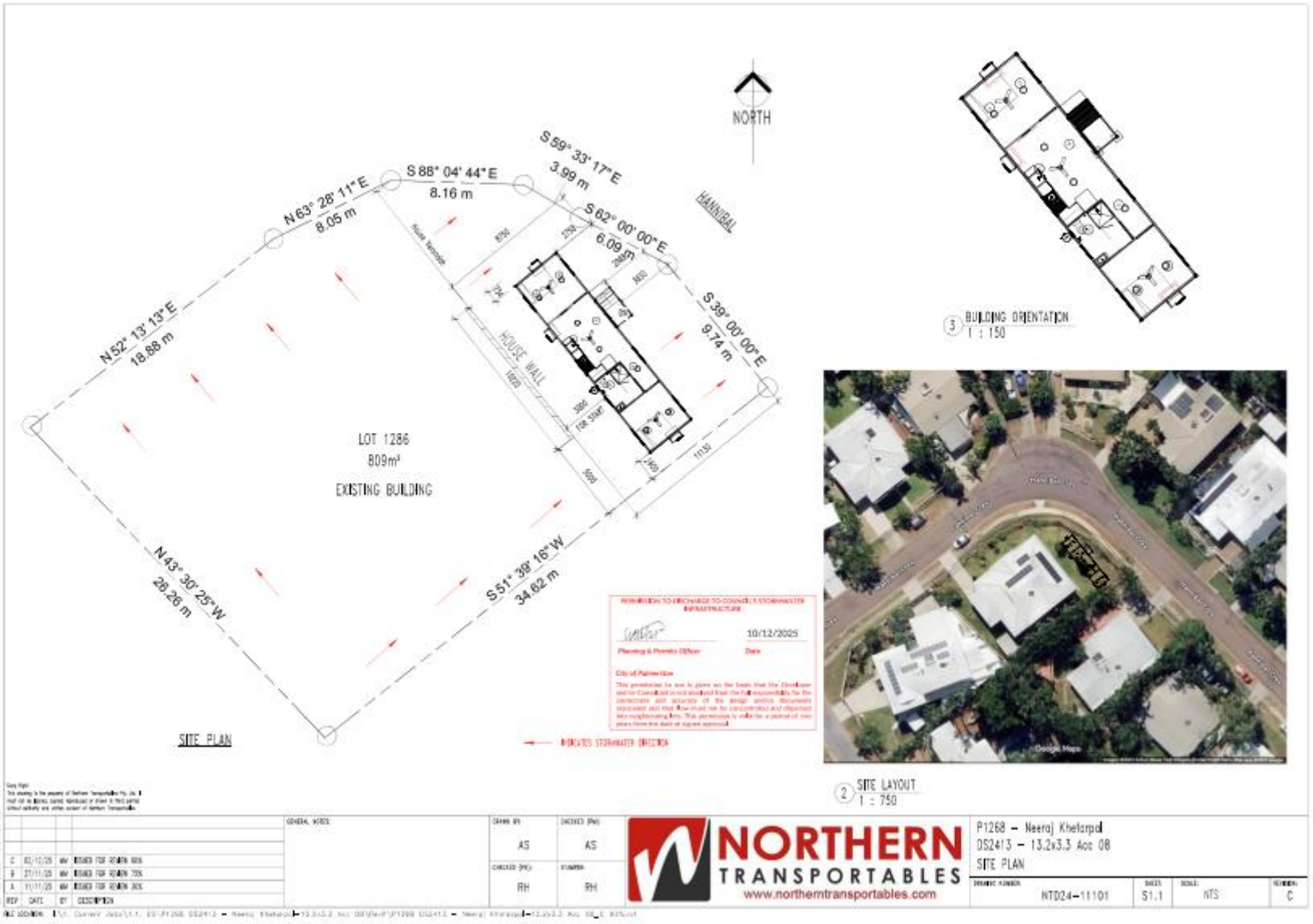
- Any reinstatement works required because of any damage caused to Council infrastructure or landscaping (including verges) must be undertaken by the landowner, to the technical standards of and at no cost to the City of Palmerston.
- All approved works must be completed to the satisfaction and technical requirements of City of Palmerston and constructed at the developer's expense.
- A Permit to Work Within a Public Place will be required from City of Palmerston before commencement of any work within Council owned land.

Should you wish to discuss the above, please contact City of Palmerston Planning and Development team by email: development@palmerston.nt.gov.au or phone (08) 8935 9922.

Yours sincerely

Christopher Tickner
Planning & Development Manager

Encl. Approved SW Plan NTD24-11101


NORTH
N 63° 28' 11" E
8.05 m
S 88° 04' 44" E
8.16 m
S 59° 33' 17" E
3.99 m
S 62° 00' 00" E
6.09 m
S 39° 00' 00" E
9.74 m
N 52° 13' 13" E
18.88 m
N 43° 30' 25" W
28.26 m
S 51° 39' 16" W
34.62 m
HANNIBAL
Access Ramp
HOUSE WALL
LOT 1286
809m²
EXISTING BUILDING
10/12/2025
INDICATES STORMWATER DIRECTION
SITE PLAN
3 BUILDING ORIENTATION
1 : 150
2 SITE LAYOUT
1 : 750
NORTHERN TRANSPORTABLES
www.northemtransportables.com
P1268 – Neeraj Khetarpal
DS2413 – 13.2x3.3 Acc 08
SITE PLAN
NTD24–11101
S1.1
NTS
C

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Record No: D2026/262969
Container No: NE590/1286

Your Ref: PA2026/0287

Shaik Aamir Shaik Alaudeen
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Shaik Aamir

Re: Lot 1286 (22) Hannibal Crescent Gray Town of Palmerston

In response to your letter of the above proposal for the purpose of Dwelling-Independent with reduced building setback to primary street boundary (Retrospective application), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. The Dwelling-Independent was built and exists on site.

2. For power clearance compliance on retrospective application, the landowner shall engage an NT licensed electrician to carry out an electrical installation compliance audit and provide a copy of Electrical Safety – Certificate of Compliance (CoC) for the customer's internal electricity reticulation in accordance with PWC's current NP018 Service and Installation Rules 2024 and NP010 Meter Manual.

If you have any further queries, please contact Robyn Gless, Customer Connections Officer on 8924 5702.

Yours sincerely

Caesar Yik
(For Thanh Tang)
Manager Distribution Development

3 September 2026

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Container No: LD590/1286

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Shaik Aamir Shaik Alaudeen

RE: PA2026/0287 - Lot 01286 Town of Palmerston - 22 Hannibal Cres, Gray NT - Dwelling-Independent with reduced building setback to primary street boundary

In response to your letter of the above proposal for development application purpose, Power and Water Corporation Water Services advises the following with reference to water and sewer enquiries:

1. The developer may need to upgrade the existing water and sewer service and should contact Services Development prior to start of construction.

2. PWC are working towards a water efficient future, through the implementation of water saving practices that provide potential financial savings to our customers. PWC strongly encourages you to visit the Living Water Smart website https://www.livingwatersmart.com.au/ to find out more on how to improve your developments landscaping and irrigation.

3. Any required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. All standard, quoted and Water and Sewerage System Extension Policy (WASSEP) charges, as well as contribution charges may be applicable. As required, Power and Water will reassess the charges for the development.

4. Power and Water advises that the Water and Sewer Services Development Section (developer.concierge@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior to construction works commencing.

If you have any further queries, please contact the undersigned on 08 9463 2089, or email developer.concierge@powerwater.com.au

Yours sincerely

Craig Thomas

Craig Thomas
Services Development

11 September 2026

cc: Cat Tatam
email: cat@tatamplanningco.com.au

NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

Level 1
Goyder Centre
25 Chung Wah Terrace

Postal address
PO Box 496
Palmerston NT 0831

E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

15 September 2026

Mr Shaik Aamir Shaik Alaudeen
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Our Ref: DLPE2026/0340
Your Ref: PA2026/0287

Dear Mr Shaik Alaudeen

Re: PA2026/0287 Dwelling-Independent with reduced building setback to primary street boundary

The above application has been assessed by the relevant divisions within the department, and the following comment is provided:

Lands and Planning Division

Building Advisory Services

The proposed development is located within the Darwin Building Control Area and therefore is required to comply with the provisions of the *Building Act 1993* and the National Construction Code, including the Liveable Housing Design Provisions.

A building permit must be granted and in force before the commencement of any building works on the site.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentCoordination.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely

Maria Wauchope
Executive Director Land Resources