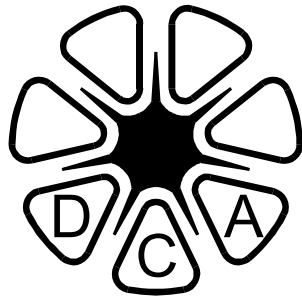




DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING NO. 284 – FRIDAY 14 AUGUST 2026

**AGORA ROOM, HUDSON BERRIMAH
4 BERRIMAH ROAD, BERRIMAH**

MEMBERS PRESENT: Suzanne Philip (Chair), Marion Guppy, Sarah Henderson and Mark Fraser

APOLOGIES: Trevor Dalton and Elisha Harris

LEAVE OF ABSENCE: None

OFFICERS PRESENT: Margaret Macintyre (Secretary) Benjamin Taylor, Daniel Herlihy, Pranav Singh and Shaik Aamir Shaik Alaudeen (Development Assessment Services)

COUNCIL REPRESENTATIVE: Christopher Tickner and Ivan Ng

Meeting opened at 11:00 am and closed at 1:15pm

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

The Chair, Development Consent Authority, under section 93(1) of the *Planning Act 1999*, appointed Marion Guppy who is a member in relation to the Darwin Division, to act as a member for Trevor Dalton in relation to the Palmerston Division from 4 August 2026 to 21 August 2026 as Trevor Dalton is prevented from performing his duties of office because of absence.

ITEM 1 **21 x 3 BEDROOM DWELLINGS-GROUP IN 12 SINGLE STOREY BUILDINGS**
PA2026/0138
SUBJECT SITE **LOT 13502 (6) TUCKEROO BOULEVARD, ZUCCOLI, TOWN OF PALMERSTON**
APPLICANT **ONE PLANNING CONSULT**

Applicant;- Israel Kgosiemang (One Planning Consult), George Savvas and Mark Imaysay (Concept Designs) attended.

Mr Kgosiemang tabled amended drawings via USB. These drawings were displayed on the projection screen and spoken to during the hearing.

Submitter Ian Lunney attended.

RESOLVED That, pursuant to section 46(4)(b) of the *Planning Act 1999*, the Development
21/26 Consent Authority defer consideration of the application to develop Lot 13502
(6) Tuckeroo Boulevard, Zuccoli, Town of Palmerston for the purpose of 21 x 3
bedroom dwellings-group in 12 single storey buildings to require the applicant to
provide the following additional information that the Authority considers
necessary in order to enable the proper consideration of the application:

1. Amended drawings (updates to those tabled at the 14 August 2026 meeting) that address the following matters:
 - (a) Clause 5.2.4.4 (Layout of Car Parking Areas)
 - i. Provide 2 car parking spaces within the common property of the development available for use by visitors to the site
 - ii. provide appropriate lighting of common property areas within the site;
 - iii. provide safe and unobstructed pedestrian access to all dwellings, particularly Units 12, 13, 19 and 21;
 - iv. resolve conflicts between pedestrian areas, parking spaces, landscaping and retaining wall structures;
 - v. demonstrate compliant parking dimensions having regard to the location and clearances of air-conditioning units;
 - vi. demonstrate that waste collection vehicles can safely and efficiently access all waste storage areas without compromising vehicle or pedestrian safety and circulation on the site.
 - vii. Clarification / amended drawings showing a better design response to pedestrian access to and within the site (including unhindered access to the main entrance of each dwelling (unit) and height / clearance details of air-conditioning units) and internal pedestrian

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circulation arrangements within common property and driveway areas, including evidence that the internal driveway and footpath arrangement will not result in unsafe and inefficient function of the internal driveway and footpath network, including that caused by waste removal (garbage and recycling collection) trucks and service vehicles. Consideration should also be given to City of Palmerston's technical requirements (access, dimensions and screening of bin enclosures). – evidence of compliance should be provided by a suitably qualified professional.

(b) Clause 5.2.6.1 (Landscaping in Zones Other Than Zone CB)

- i. demonstrate full compliance with the landscaping requirements of Clause 5.2.6.1 of the NTPS2020, including:
 - the 2m planting depth requirement in sub-clause 7;
 - sufficient detail to demonstrate compliance with Sub-clauses 3(a), 3(c), 3(d) and 4.
 - Revised species list and planting depths, particularly at the Zuccoli Parade truncation.
 - Confirmation that landscaping (planting) will not obstruct sightlines or conflict with utility services.
 - show planting areas that are dimensioned and sized to accommodate the species nominated in accordance with the NTG Species Guide for Landscaping in the NTPS2020;
 - clearly identify the species, location, and number of proposed plants;
 - clearly identify any existing trees to be retained.
- ii. Demonstrate full compliance with the requirements of sub-clauses 2(d), (e) & (f) of Clause 5.4.6.1 of the NTPS2020.

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

- i. Updated design (building setbacks, design and layout) to demonstrate compliance with the Clause 5.4.3 minimum requirements listed in sub-clauses 6 and 8, particularly regarding:
 - Building setbacks to Zuccoli Parade and the truncation;
 - Interface with Lot 13503;
 - Landscaping depth and species selection;
 - Breeze penetration outcomes.
 - Roof eave and gutter details (dimensions) and proposed setback distances of building roof lines from other building roof structures and lot boundaries (to demonstrate compliance with sub-clauses 6(a) and 8 of Clause 5.4.3).

(d) Clause 5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings-Independent, and Dwellings-Group)

- i. Updated drawings demonstrating:
 - compliant private open space areas for all dwellings (showing dimensions, and total areas (m²) of Private Open Space

including A, B and Overlapping areas, and “open to the sky” calculations) required in Clause 5.4.6.1;

- fencing to private open space boundaries that appropriately balances privacy, outlook and compliance with Clause 5.4.18.1, a solid fence should be provided on the Zuccoli Parade boundary to achieve visual and acoustic privacy for occupants of dwellings and screen private open space areas from the road reserve;
- design measures that mitigate the impacts of traffic noise and vehicle headlight glare from Zuccoli Parade on the private open space areas associated with Units 11–19, so as to maintain their visual and acoustic amenity and usability
- that storm water drainage infrastructure will not unreasonably constrain the function of private open space areas; and
- that the design minimises overlooking between dwellings and adjoining public areas.

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

- i. air-conditioning units are located in accessible positions that do not unreasonably affect carport functionality, pedestrian access, private open space or bedroom amenity;
- ii. air-conditioning units and associated services are appropriately screened from public and adjacent private open space views;
- iii. the layout and design prevent unreasonable overlooking between dwellings and private open space areas;
- iv. Demonstration of appropriate acoustic amenity for future residents given proximity to Zuccoli Parade and community-purpose land.
- v. appropriate acoustic building design measures are incorporated to mitigate traffic noise impacts from Zuccoli Parade and maintain residential amenity; and
- vi. the building layout, fencing and landscaping arrangements facilitate breeze penetration and natural ventilation throughout the development.
- vii. Site sections showing, finished floor levels of the buildings, “ground level” (NTPS2020 definition) of the site, finished ground levels of the site including driveways and private open space areas and overall building heights, and interactions (including boundary details, ie fencelines/retaining walls) between each building on the site and neighbouring lots (Lots 13502 & 13503, Town of Palmerston). This is to include details of how potential negative impacts from the adjacent car parking area and lighting infrastructure (existing works and works proposed by Council) on Lot 13503 is to be mitigated to a reasonable level.
- viii. All elevations of buildings and fencing, indicating finished floor levels, existing and finished ground levels, overall building/fence height, location of services (including air-conditioning units, service ducts, pipes, etc) and external

finishes, and interactions between all neighbouring buildings.

2. Updated assessment (by Development Assessment Services) and the City of Palmerston (and service authorities) of the drawings submitted in response to deferral point 1 on the extent of compliance with Part 5 NTPS2020 requirements.

REASONS FOR THE DECISION

1. The consent authority considers that the amended application (drawings tabled at 14 August 2026 meeting) continues to present numerous non-compliances with minimum requirements listed in Part 5 of the NTPS2020, together with unresolved matters relating to physical constraints and potential impacts on adjoining land. Despite the further information tabled at the public hearing, the application (as amended) does not demonstrate that it appropriately responds to the outcomes expected for Zone MR (Medium Density Residential). In particular, the application has not shown that building setbacks, private open space, landscaping and car parking arrangements can comply with minimum Part 5 requirements.

Noting the above, it is considered unlikely the consent authority will consent to minimum Part 5 NTPS2020 landscaping and building setback standards and the applicant should consider adjusting footprints or number of bedrooms of dwellings to achieve a closer level of compliance.

Further the consent authority considers that the design does not adequately demonstrate how unreasonable impacts on adjoining land can be avoided, including interface impacts with Zone CP land to the west, potential overlooking between dwellings, light spill and headlight glare from adjoining public areas, and noise impacts associated with Zuccoli Parade. Several justifications advanced for non-compliances—such as reliance on single-storey built form, alternative street frontage interpretations, or comparisons to LMR standards—do not address whether the development is appropriate having regard to the actual zoning, site characteristics and planning framework. The Authority also notes that landscaping, private open space, building design and internal access arrangements also remain unresolved and do not demonstrate compliance with the relevant clause purposes.

The consent authority has determined that the applicant should demonstrate how empirical visitor car parking requirements for the development will be addressed noting the development does not provide any dedicated visitor parking spaces. While the NTPS2020 does not require visitor parking for a dwelling-group development of this nature, the Authority considers that the proposed use (21 x 3 bedroom dwellings) will generate parking demand from visitors, tradespersons, service providers and delivery vehicles in addition to residents. The absence of any designated visitor parking reduces the flexibility of the site to accommodate these users and is a relevant consideration when assessing whether sufficient off-street parking has been provided to service the proposed use.

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Taken collectively, the Authority considers that outstanding matters are substantive rather than technical, and the information provided does not demonstrate that the development, in its current form, is an appropriate outcome for the site. While further information could potentially resolve some issues, a further deferral would only be suitable if the consent authority is satisfied that the deficiencies can be addressed without fundamentally altering the proposal. On the information available, the amended application has not shown that it can appropriately respond to the purpose of NTPS2020 “Part 5” clauses, site constraints or potential impacts on adjoining land.

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

The Development Consent Authority (DCA) notes that the following persons attended the public session of the DCA meeting held on 14 August 2026 and made representations in relation to the development application.

Applicant's representatives

Mr Israel-Tshepo Kgosiemang (One Planning Consult), Mr George Savvas (representing the landowners and in his capacity as Director of Concept Designs NT) and Mr Mark Imaysay (Concept Designs NT) attended in support of the application.

Mr Kgosiemang:

- addressed the recommended points of deferral identified in the Development Assessment Services assessment report;
- tabled amended drawings via USB, which were displayed on the projection screen and explained during the public session;
- advised that the tabled drawings incorporated various adjustments and improvements to the design intended to achieve greater compliance with, and/or better address the purpose and outcomes of, the relevant Part 5 provisions of the NTPS2020;
- submitted that the proposed variations to building setbacks and landscaping depth requirements are appropriate having regard to the site and locality;
- advised that the amended locations of air-conditioning units would not conflict with the functionality of car parking spaces;
- indicated that there may be scope for visitor car parking spaces to be provided within the site; and
- submitted that, when the parcel was created, trunk services to the allotment were designed having regard to the maximum dwelling yield anticipated for Zone MR and, consequently, the proposed development is not anticipated to require upgrading of electricity supply easements or adjustment to the water supply trunk service dimension. Mr Kgosiemang submitted that servicing matters can appropriately be addressed through standard conditions on any development permit.

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Mr Savvas:

- explained the proposed stormwater drainage philosophy and intended finished levels for the development;
- advised that stormwater and drainage from the development would not be discharged onto adjoining properties, including Lot 13503 (Zuccoli Dog Park) and Lot 12087 (Crown Lease Term containing a drainage line);
- submitted that the proposed building setbacks and landscaping dimensions/depths cannot be further adjusted; and
- advised that the dwellings are intended to be marketed towards, and be attractive to, first-home buyers.

Public submitter

Mr Ian Lunney attended the meeting in support of his written submission and gave evidence in relation to the development application pursuant to section 50(1) of the *Planning Act 1999*.

Mr Lunney advised that:

- he is an owner-occupier of a dwelling in Moth Court, Zuccoli, located on the eastern side of Zuccoli Parade;
- in his opinion, solid fencing should be provided along the Zuccoli Parade frontage of the subject site to provide an improved visual barrier, such that persons using the abutting footpath on Zuccoli Parade would not have direct views into the private open space areas of the proposed dwellings. He also considered that such fencing would be visually consistent with other established development in the locality; and
- based on his experience of living in the area, each bedroom of a dwelling may realistically generate demand for approximately one car parking space, and occupation of dwellings in the locality has resulted in overflow parking by residents and visitors within road reserves.

City of Palmerston

Mr Christopher Tickner and Mr Ivan Ng, representing the City of Palmerston, attended the meeting in relation to the Council's submission and advice/comment.

Mr Tickner advised that the use of Lot 13503 (Zuccoli Dog Park) for visitor car parking associated with the proposed development would not be appropriate. Mr Tickner further advised that standard conditions and advisory notes addressing matters identified in the Council's written comments, including stormwater drainage, works within road reserves, access, and garbage collection and storage, could be included on any development permit issued.

The DCA notes that the matters raised by the City of Palmerston are relevant to the consideration of the development application, including pursuant to sections 49 and 50 of the *Planning Act 1999*.

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DCA consideration

The DCA Chair noted that the amended drawings tabled at the meeting contain changes to the proposed development that were not the subject of the assessment undertaken by Development Assessment Services and, accordingly, have not yet been assessed in detail against the applicable requirements of Part 5 of the NTPS2020.

The DCA considers that further assessment is required to determine:

- the extent to which the development, as amended by the tabled drawings, complies with the relevant requirements of Part 5 of the NTPS2020;
- the extent and nature of any remaining variations to those requirements;
- whether the amendments affect the assessment of the development against the purpose and outcomes of the relevant NTPS2020 provisions;
- whether the amendments alter or otherwise affect the matters raised in the written submissions, Council's comments, or the evidence and information presented at the DCA meeting; and
- whether any further information, amendments or conditions are required to enable the application to be properly considered and determined.

The DCA therefore considers that additional information and assessment are necessary to enable it to properly consider the development application, including the amended drawings tabled at the meeting. Pursuant to section 46(4)(b) of the *Planning Act 1999*, the consent authority may require an applicant to provide additional information where the consent authority considers that the information is necessary to enable it to properly consider the application.

Accordingly, consideration and determination of the development application is deferred to enable Development Assessment Services to assess the amended drawings and associated information against the NTPS2020 and to properly take into account the submissions, evidence and information received in relation to the development application pursuant to section 51(1)(e) of the *Planning Act 1999*.

FOR: 4

AGAINST: 0

ABSTAIN: 0

ACTION: Notice of Deferral

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

SUZANNE PHILIP
Chair

24 August 2026