

DEVELOPMENT CONSENT AUTHORITY PALMERSTON DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM:	1	MEETING DATE:	10 July 2026	FILE:	PA2024/0147
APPLICATION PURPOSE:					Subdivision to create 52 lots and building setback plan (Zuccoli Aspire Stage 5B)
SUBJECT SITE:					Lot 12433, Zuccoli Parade, Zuccoli, Town of Palmerston – locality plans at Bookmark A
ZONE:					FD (Future Development)
SITE AREA:					51.06ha
APPLICANT:					- June D’Rozario & Associates Pty Ltd - Cunnington Rosse Town Planning and Consulting (Director - Brad Cunnington)
PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE					Hermanus Louw
LANDOWNER					Crown Lease Term to Costojic Pty Ltd (Directors – Tomo Ostojic & Michael Schokman)
ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND					None

1. APPLICATION

The application proposes subdivision of part Lot 12433 (balance parcel) to create 52 residential lots as Stage 5B of the Zuccoli Aspire estate. The application identifies that all proposed lots are intended to be zoned Zone LMR (Low-Medium Density Residential) through a future Planning Scheme Amendment. The proposed lot sizes range from 405m² to 664m², which are consistent with the expected lot size parameters for Zone LMR under Clause 6.2 (Subdivision in Zones LR, LMR, MR and HR) of the NT Planning Scheme 2020.

The subdivision includes the creation of six new public roads, with road reserve widths between 16m and 24m, to be vested in the City of Palmerston upon survey plan registration. This is consistent with the NT Subdivision Development Guidelines, which identify public roads as essential public infrastructure to be designed and constructed to the satisfaction of the relevant authority.

Similarly to other Zuccoli Aspire subdivisions, this development application does not include areas of ‘public open space’ and instead relies on public open space to be provided as part of future subdivisions / stages.

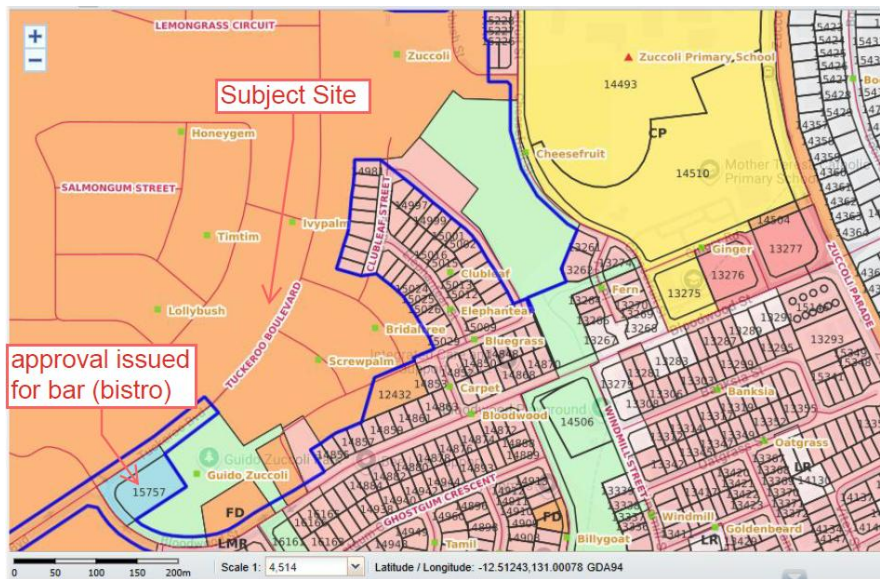


Image 1 – NTPS2020 Zoning Map extract

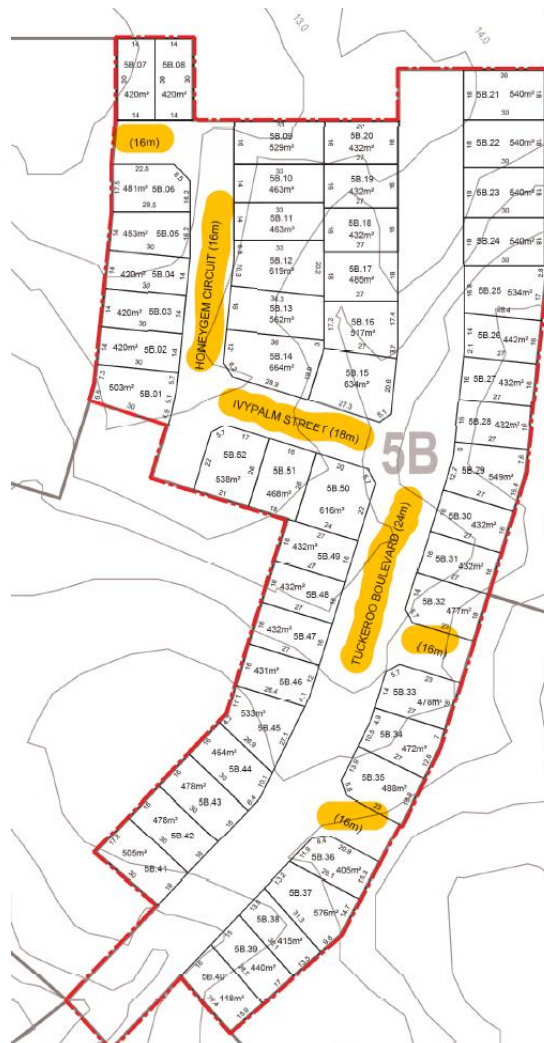


Image 2 – extract from drawing of proposed "Stage 5B" subdivision

A copy of the publicly exhibited application is provided at **Bookmark B** (prepared and lodged by June D'Rozario and Associates). In addition to the proposed subdivision layout plan, the

application includes the Zuccoli Aspire Masterplan, Zuccoli Aspire Staging Plan, Zuccoli Aspire Landscaping Plans (now superseded), an Engineering Services Report, civil engineering drawings, and a proposed bus route plan (also superseded).

The exhibited material also includes a draft Building Setback Plan for the proposed lots. This plan cannot be approved as part of the subdivision application and will need to be submitted separately as an application to amend the Northern Territory Planning Scheme 2020 (NTPS 2020) for inclusion in Schedule 9.

Following public exhibition, on 9 September 2024, a delegate of the consent authority deferred the application under section 46(4)(b) of the *Planning Act 1999* (refer to **Bookmark C**) to enable the applicant to:

- respond to matters raised in the Department's technical assessment of the subdivision against the NTPS2020; and
- address issues raised in the submission from the City of Palmerston.

The deferral period has subsequently been extended on several occasions under section 46(7) of the *Planning Act 1999*.

On 10 June 2026, the applicant's planning consultant, Cunningham Rosse Town Planning and Consulting, submitted a written response addressing the matters raised during the deferral. The response, together with supporting documentation (including the deferral notice), is provided at **Bookmark C**.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

Pursuant to section 44 of the *Planning Act 1999* 'subdivision' requires consent and is subject to assessment against the provisions of the NT Planning Scheme 2020 relevant to zoned land – as outlined in sub-clause 1(c)(ii) of Clause 1.8, the development is 'is Impact Assessable'.

Zone FD (Future Development)			
Development	Assessment Category	Overlays	Subdivision Requirements (Part 6 of NTPS2020)
Subdivision	Impact Assessable	None Applicable	• 6.2.1 Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR • 6.2.2 Lots Less Than 600m² for Dwellings-Single • 6.2.3 Site Characteristics for Subdivision in Zones LR, LMR, MR and HR • 6.2.4 Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR

As the proposed development is identified as *Impact Assessable*, the exercise of discretion by the consent authority that applies is sub-clause 4 of Clause 1.10 of the NTPS2020.

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should consider varying the requirements of Clauses:

- 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR), and
- Clause 6.5.1 (Subdivision in Zone FD)

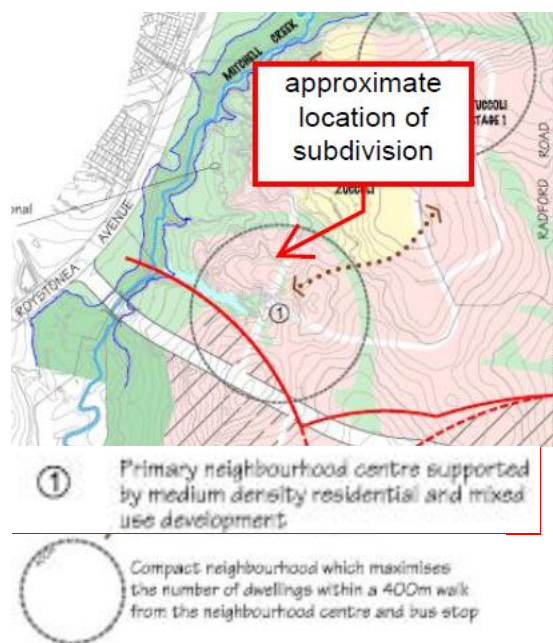
of the NT Planning Scheme 2020 and approve the application subject to conditions precedent and general conditions on a development permit.

4. BACKGROUND

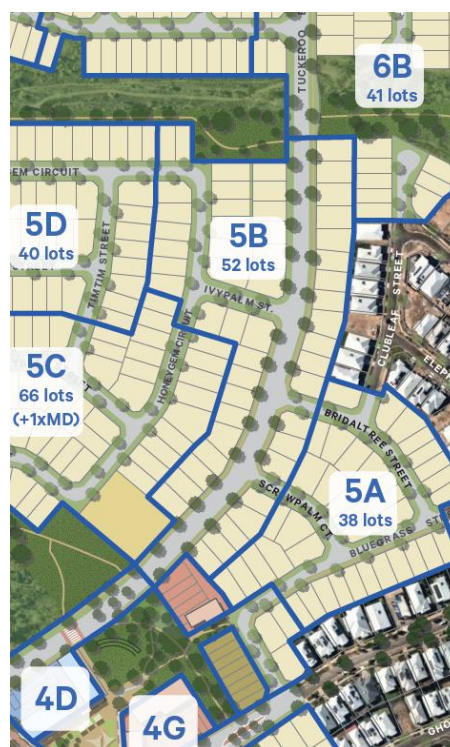
The subject site is located within the suburb of Zuccoli. The land is currently vacant, contains some native vegetation with some preparatory clearing works having been undertaken, and has not previously been developed.

The *Zuccoli Aspire* estate is being developed under a developer agreement and associated Crown Lease Term (copy at **Bookmark A2**) pursuant to the *Crown Lands Act 1992* between the Northern Territory Government and Costojic Pty Ltd. Residential lots are being released progressively across a number of development stages.

The proposed Stage 5B subdivision is located to the north-east of the identified Primary Neighbourhood Centre, as shown in the *Palmerston Eastern Suburbs Area Plan* forming part of the NT Planning Scheme 2022 (NTPS 2022). The site is also located north-east of the approved Zuccoli Parkside Bistro (also known as the Parkside Tavern) (DP23/0280 as varied), with site preparation works for the adjoining neighbourhood park (Guido Zuccoli Park) recently commenced.



Extracts from the *Palmerston Eastern Suburbs Area Plan*



Extract from the *Zuccoli Aspire Master Plan* (prepared by the developer)

Consistent with previous *Zuccoli Aspire* land releases, the Stage 5B subdivision is intended to be rezoned to Zone LMR (Low Density Residential) prior to the issue of individual land titles. The proposed subdivision is located within an area identified as a Compact Neighbourhood in the *Palmerston Eastern Suburbs Planning Principles and Area Plan*. The subject site is approximately 170–470 metres from the proposed Primary Neighbourhood Centre, providing convenient access to future commercial, community and recreational facilities.

The parcel, (Lot 12433 Town of Palmerston), has been the subject of numerous subdivision approvals under the *Planning Act 1999*, including the following permits (excluding permits relating to parent parcel creation):

Permit Number	Approved Purpose	Notes
DP24/0199	Subdivision to create 38 lots and building setback plan (Zuccoli Aspire Stage 5A)	Permit issued 20 September 2024.
DP23/0030	Subdivision to create 53 lots (Zuccoli Aspire Stage 4B)	Permit issued 17 February 2023 and extended under DP23/0030A.
DP22/0061	Subdivision to create 5 lots in two stages (Zuccoli Stage 4D)	Permit issued 23 March 2022 and extended under DP22/0061A.
DP19/0056	Subdivision to create 49 lots and a building setback plan (Zuccoli sub-stage 6A)	Permit issued 21 March 2019 and varied under DP19/0056A.
DP18/0435	Subdivision to create 49 lots and a building setback plan (Zuccoli sub-stage 6A)	Permit issued 21 March 2019 and varied under DP18/0435A.
DP17/0049	Subdivision to create 237 lots in five stages (Zuccoli sub-stage 3)	Permit issued 28 February 2017. DP17/0049A, C, and E varied conditions on the original permit, and DP17/0049B and D extended the base period.
DP15/0301	Zuccoli Stages 3 & 4 (Sub-Stage One) - Building envelope and setback plan	Permit issued 29 May 2015.
DP15/0096	Subdivision of Zuccoli Stages 3 & 4 (Sub-Stage One)	Permit issued 2 March 2015. DP15/0096A and B approved variations to conditions of DP15/0096A.

5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks, commencing on 7 June 2024 and concluding on 21 June 2024, in accordance with sections 47(1) and 47(5) of the *Planning Act 1999*. Five pink public exhibition signs were erected on the site (photographs at **Bookmark F**). However, the applicant did not provide the required declaration confirming that the signs remained on display for the full duration of the exhibition period. This may be able to be provided prior to the DCA meeting.

A delegate of the consent authority granted the City of Palmerston an extension of time to lodge a submission under section 49(8) of the *Planning Act 1999*.

No public submissions were received under section 49(1) of the *Planning Act 1999*. However, pursuant to section 49(6), the comments provided by the City of Palmerston were taken to oppose the application and were therefore treated as a local government council submission under section 47(3) of the *Planning Act 1999*.

Following public exhibition, the application was deferred to enable the applicant to respond to the issues raised in the Department's technical assessment and the matters identified in the City of Palmerston's submission.

During the deferral period, the applicant liaised with the City of Palmerston and addressed the matters raised in its submission. The issues giving rise to the deferral have since been resolved, and the City of Palmerston's comments are no longer considered to constitute an adverse submission.

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

Pursuant to Section 51(1) of the Act, a consent authority must, in considering a development application, take into account relevant matters listed under that section. However, under section 51(3) when considering a development application under subsection 51(1), the consent

authority must apply the relevant considerations to only those components of the development that triggered the requirement for consent under the planning scheme.

In this instance, the requirement for consent is that under the NTPS 2020, the proposed subdivision is “Impact Assessable”. This is discussed further in the report.

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

The NT Planning Scheme 2020 applies to the land, multiple zones apply to the land (Lot 12433) however the “site” of this development application (within Lot 12433) is entirely zoned FD (Future Development).

The application (as amended) has been assessed against the NTPS2020 as in force in 2026, the detailed Technical Assessment is provided at **Bookmark D** and should be read in conjunction with this section of the report.

Pursuant to sub-clause 1(c)(ii) of Clause 1.8 of the NTPS2020, the proposed subdivision is Impact Assessable, therefore, pursuant to sub-clause 4 of Clause 1.10 (Exercise of Discretion by the Consent Authority), the following provisions of the NTPS2020 needs to be considered by the consent authority :

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

Part 5 of the NTPS2020 does not apply to subdivision.

- 6.5.1 Subdivision in Zone FD – the clause requires that the subdivision be compliant with the relevant subdivision requirements of the intended future zoning. The intended future zoning has been identified as Zone LMR, therefore the following clauses are also required to be considered:
 - o 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
 - o 6.2.2 (Lots Less Than 600m² for Dwellings-Single)
 - o 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
 - o 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

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

None applicable to subdivision area.

(c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule

- 4.27 – Zone FD (Future Development)

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

These are:

- Darwin Regional Land Use Plan
- Holtze to Elizabeth River Subregional Land Use Plan
- Central Palmerston Area Plan

The above requirements (sub-clause 4 of Clause 1.10) have been assessed and it's found that the application (as amended) complies with Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single), and does not comply with clauses:

- 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR), and
- as a result of not complying with Zone LMR subdivision requirements does not comply with Clause 6.5.1 (Subdivision in Zone FD).

DAS notes that while it is expected that the proposed site layout of lots less than 600m² is unlikely to impact on the street infrastructure in this instance, the a standard condition is recommended to be included on any permit issued to ensure compliance with the purpose of Clause 6.2.2 which is to - *"Ensure the subdivision of land to lots of less than 600m² will allow residential development that minimises impact on amenity and the functionality of the street infrastructure"*. This is a condition that has been included on other stages of 'Zuccoli Aspire'.

In addition to the above, the consent authority must consider the guidance provided by the relevant zone purpose and outcomes, and any relevant component of the Strategic Framework.

Although Overlay 3.7 (Land Subject to Storm Surge) is identified on the NT Atlas as applying to Lot 12433, the portion of the lot affected by the overlay is located more than 350 metres from the Stage 5B subdivision area. Accordingly, the overlay is not relevant to the assessment of the proposed subdivision.

The application's consistency with the NTPS2020 Strategic Framework, Clause 4.27 (Zone FD – Future Development), and the identified technical variations to the *Northern Territory Planning Scheme 2020* are discussed in detail below -

The Strategic Framework

Darwin Regional Land Use Plan (DRLUP):

The Darwin Regional Land Use Plan (DRLUP) identifies the subject land within the Urban Area. Relevant strategic objectives include providing sufficient land to meet housing demand, encouraging a range of dwelling types, and ensuring new development responds to local environmental conditions and contributes to attractive, liveable neighbourhoods.

The proposed subdivision facilitates the staged delivery of residential land within an identified urban growth area and is consistent with these strategic objectives.

Holtze to Elizabeth River Land Use Plan 2022 (HESLUP):

The Holtze to Elizabeth River Subregional Land Use Plan 2022 (HESLUP) provides that development requiring impact assessment is to accord with the relevant concepts and policies of the subregional plan or, where applicable, a more detailed Area Plan.

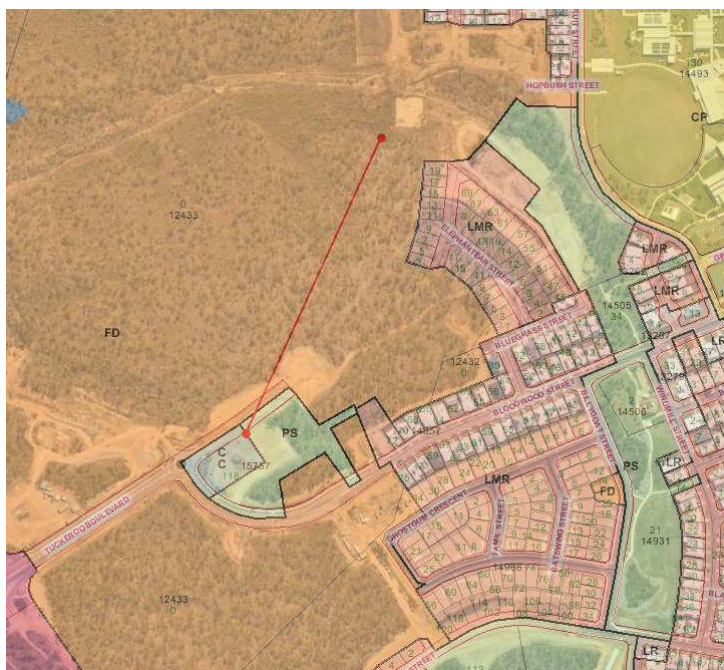
The subject land is within the Palmerston Eastern Suburbs Planning Principles and Area Plan, which provides the more detailed strategic framework for assessment.

Palmerston Eastern Suburbs Planning Principles and Area Plan:

The Area Plan contains seven planning principles. Of these, Principles 1, 4 and 6 are relevant to the proposed subdivision. Principles 2 and 3 relate to neighbourhood centres, Principle 5 relates to community and active recreation facilities, and Principle 7 relates specifically to the Temple Terrace Mixed Use Node.

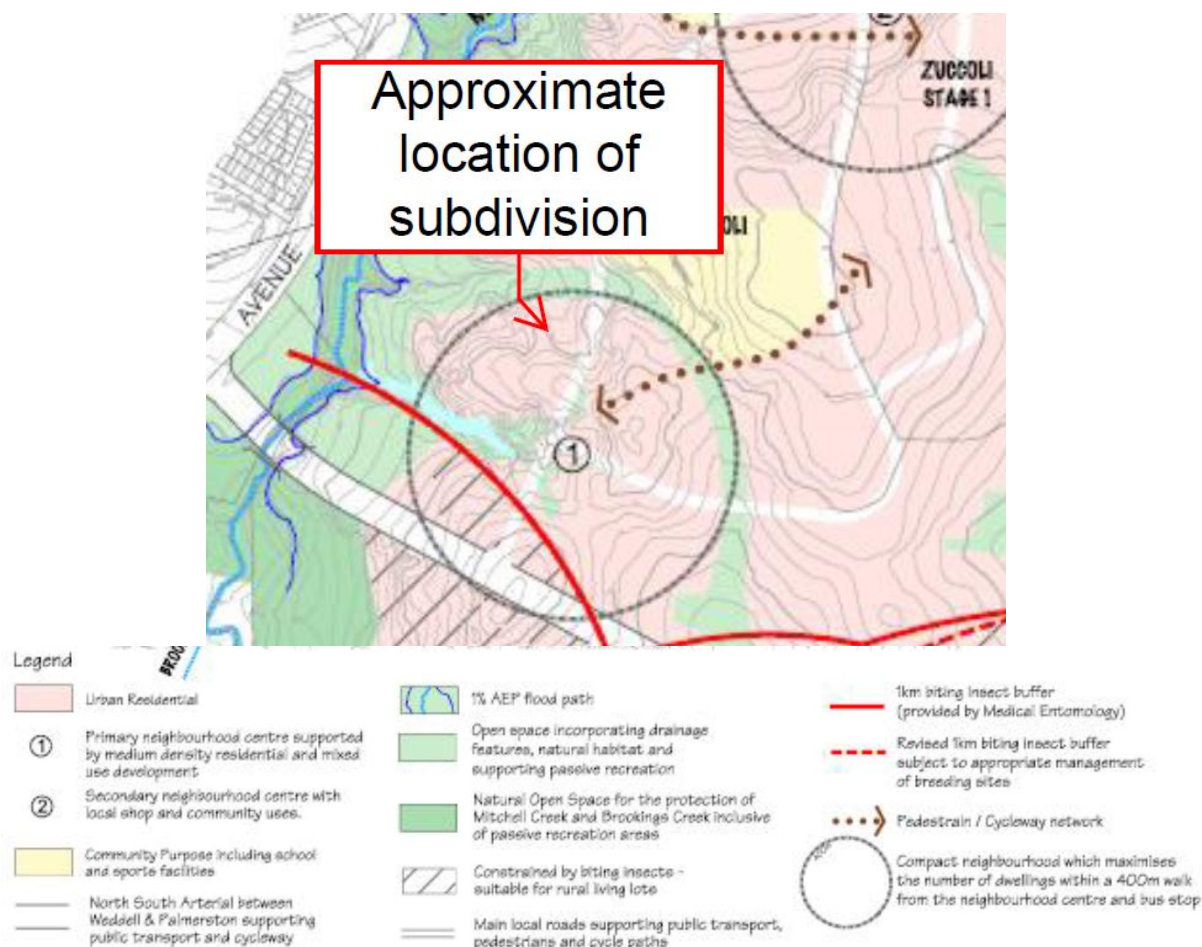
Planning Principles 1 and 4 – Compact neighbourhoods and housing diversity

Planning Principles 1 and 4 seek the delivery of compact, accessible and walkable neighbourhoods through an interconnected street network, a range of lot sizes and housing opportunities, integrated public open space, efficient transport connections and residential densities that support neighbourhood centres.



The application is supported by an updated Zuccoli Aspire Master Plan (Bookmark C3) and Landscape Master Plan (Bookmark C4), which demonstrate that Stage 5B forms part of the broader master planned community. The plans illustrate the subdivision's integration with the overall street network, staging, public open space system, pedestrian and cycle connections, street tree framework, retained creek corridors and future neighbourhood facilities. The Landscape Master Plan also incorporates Crime Prevention Through Environmental Design (CPTED) principles, universal accessibility, and environmental design measures consistent with the NT Subdivision Development Guidelines.

The Area Plan identifies the land as being within a compact neighbourhood adjoining a Primary Neighbourhood Centre, where development should maximise the number of dwellings within convenient walking distance of neighbourhood services and public transport.



The majority of the proposed lots are located within approximately 400 metres walking distance of the neighbourhood centre and proposed public transport facilities. Stage 5B proposes 52 residential lots that will ultimately form part of Zone LMR (Low-Medium Density Residential). The lots range from approximately 415m² to 664m², with an average area of approximately 440m².

Although this stage does not itself provide “medium density” residential development immediately adjoining the neighbourhood centre, the broader master plan identifies future higher-density residential opportunities, commercial development and mixed-use land surrounding the centre. The neighbourhood centre is also constrained to some extent by the recommended biting insect buffer, which influences the ultimate development pattern.

Following the commencement of Planning Scheme Amendment 159, Clause 5.4.1 of the NTPS2020 permits one single-bedroom dwelling-group per 150m² within Zone LMR. Consequently, the proposed lot sizes are capable of supporting a significantly higher residential density than detached dwelling-single's alone should redevelopment occur in the future.

Accordingly, the application is considered to be generally consistent with Planning Principles 1 and 4 by delivering a connected residential subdivision capable of supporting the long-term strategic objectives for housing diversity and urban consolidation.

Planning Principle 6 – Environmental and heritage values

Planning Principle 6 seeks to preserve and integrate areas of environmental significance, including the Mitchell Creek drainage corridor, while incorporating appropriate environmental and engineering measures, including water sensitive urban design.

The subdivision has been designed to avoid development within the Mitchell Creek corridor and retains significant creekline vegetation within the proposed public open space network. The submitted Landscape Master Plan demonstrates that retained vegetation corridors will continue to provide habitat connectivity, recreational opportunities and landscape amenity, while integrating stormwater management through grassed swales, drainage corridors and retained creeklines.

Detailed environmental management, stormwater design and erosion and sediment control will be addressed through engineering approvals and the requirements of the relevant service authorities.

Overall, the application appropriately responds to the environmental objectives of the Area Plan.

Strategic Framework Conclusion

The proposed subdivision forms part of the orderly staged development of the broader Zuccoli Aspire community and is generally consistent with the Darwin Regional Land Use Plan, the Holtze to Elizabeth River Subregional Land Use Plan 2022 and the Palmerston Eastern Suburbs Planning Principles and Area Plan.

While Stage 5B predominantly comprises conventional residential lots, it integrates with the broader master planned neighbourhood through its connected street network, proximity to the neighbourhood centre, future public transport, public open space network and retained environmental corridors. The application therefore gives effect to the strategic planning intent for the locality and is considered to be consistent with the NTPS2020 Strategic Framework.

Clause 4.27 – Zone FD (Future Development)

The Zone purpose, and Outcomes 1, 2 and 3:

The purpose of Zone FD is to “Identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes”.

The application is considered to be generally consistent with the purpose of Zone FD (Future Development). The land is identified for urban development within the NTPS2020 Strategic Framework, including the Palmerston Eastern Suburbs Area Plan, and the subdivision forms part of the broader staged development of the Zuccoli Aspire estate.

In relation to Zone Outcomes 1 and 2, the subdivision responds to the Strategic Framework and is not considered to compromise the intended ultimate development of the land. The proposed road network, lot configuration and staging integrate with the broader master-planned neighbourhood and do not prejudice future subdivision or development of adjoining land.

In relation to Outcome 3, the application is supported by engineering and servicing information demonstrating that reticulated water, sewer, stormwater, electricity and road infrastructure can be provided to the satisfaction of the relevant service authorities. Service authorities did not identify any fundamental servicing constraints and have recommended standard subdivision conditions.

Outcome 6:

6. *Development:*

- (a) supports the needs of the immediate community;*
- (b) is of a scale and intensity compatible with the character and amenity of the area;*
- (c) minimises impacts on sensitive environments;*

- (d) *avoids adverse impacts on the local road network; and*
- (e) *is managed to minimise unreasonable impacts to the amenity of surrounding land.*

The proposed subdivision will create 52 residential lots connected to reticulated urban services and is consistent with the established pattern of development within the Zuccoli Aspire estate. The scale and intensity of the subdivision are compatible with the planned residential character of the locality.

The subdivision avoids development within the Mitchell Creek environmental corridor, with stormwater management, erosion and sediment control, and other environmental matters to be addressed through detailed engineering design and the requirements of the relevant service authorities. No unacceptable impacts on the local road network have been identified.

Potential impacts on surrounding amenity, including those associated with earthworks and construction activities, can be appropriately managed through permit conditions and compliance with relevant legislation.

Accordingly, the application is considered to satisfy the relevant outcomes of Zone FD.

Clause 6.5.1 (Subdivision in Zone FD)

Pursuant to sub-clause 2 of Clause 6.5.1, the application includes a diagram identifying the intended future zoning of the subdivision (refer Bookmark B5). The plan indicates that the residential lots created by Stage 5B are intended to be included within Zone LMR (Low-Medium Density Residential). A planning scheme amendment to normalise the zoning from Zone FD (Future Development) to Zone LMR will be required before new titles are issued. This may be addressed separately through the planning scheme amendment process or, if considered appropriate, by a condition or advisory note on any development permit (requiring the developer to demonstrate this is done).

Sub-clause 3 of Clause 6.5.1 requires that subdivision of land within Zone FD create lots with a minimum area of 50 hectares. The proposed subdivision creates residential lots ranging from approximately 405m² to 664 m² and therefore does not comply with this requirement.

However, sub-clause 4 provides that, despite sub-clause 3, subdivision may create lots consistent with the intended future zoning where:

- *the subdivision complies with the relevant subdivision requirements of the intended future zone;*
- *it is generally in accordance with an Area Plan or other relevant component of the Strategic Framework; and*
- *services are, or can be, made available to the land.*

In considering sub-clause 4, the consent authority must also have regard to Clause 1.10.5 of the *Northern Territory Planning Scheme 2020* and section 52 of the *Planning Act 1999*.

The intended future zoning of the land is Zone LMR. The proposal has therefore been assessed against the relevant subdivision requirements for that zone. As discussed elsewhere in this report, the proposal involves technical variations to:

- Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR);
- Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR); and
- Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR).

Those variations have been assessed individually and are considered to be acceptable, having regard to the purpose of the relevant clauses and the discretion available under sub-clause 5 of Clause 1.10 of the NTPS2020.

The purpose of Clause 6.5.1 is:

Provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future development of the land envisaged in the Strategic Framework.

Sub-clause 1 provides that the consent authority may consent to a subdivision that is not in accordance with sub-clauses 3 or 4 where it is satisfied that the subdivision is consistent with the purpose of the clause.

The proposed subdivision is considered to achieve that purpose because:

- it is generally consistent with the Strategic Framework, including the Palmerston Eastern Suburbs Area Plan;
- it reflects the ultimate subdivision pattern identified in the approved Master Plan;
- the intended future zoning is clearly identified and the proposed lot configuration is consistent with that future zoning;
- essential infrastructure and reticulated services can be provided to the satisfaction of the relevant service authorities; and
- the subdivision will not prejudice the orderly future development of the balance of the land.

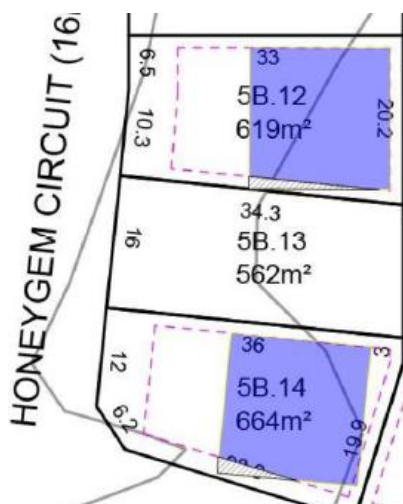
Accordingly, notwithstanding the technical non-compliance with the minimum lot size requirement for Zone FD and the identified variations to the intended Zone LMR subdivision requirements, the proposal is considered to achieve the purpose of Clause 6.5.1. The exercise of the consent authority's discretion under sub-clause 1 is therefore considered appropriate.

Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 6 of Clause 6.2.1 requires that “*Lots are to conform with the building envelope requirements in Table B to this clause*” (see table below).

Table B to Clause 6.2.1: Lot Size and Configuration in Residential Subdivisions	
Lot Size	Minimum Building Envelope Requirement
300m ² to less than 450m ²	7m x 15m (exclusive of any boundary setbacks or service authority easements)
450m ² to less than 600m ²	8m x 15m (exclusive of any boundary setbacks or service authority easements).
600m ² and greater	17m x 17m (exclusive of any boundary setbacks or service authority easements)

The application (as amended) does not fully comply with this requirement because proposed design / layout of (proposed) ‘Lot 12’ and ‘Lot 14’ do not accommodate the required building envelopes (image below).



Administratively - sub-clause 4 allows the consent authority to “consent to a subdivision that is not in accordance with sub-clauses 5-12, only if it is satisfied the subdivision is consistent with the purpose of this clause and the zone purpose and outcomes”.

The purpose of Clause 6.2.1 is to “Ensure that subdivision of land for urban residential purposes creates lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

Apart from proposed Lot 14, lots will have sufficient area to accommodate the minimum building envelopes and an engineering report included in the application shows driveways are able to meet the requirements outlined by the NTPS 2020, specifically Clause 5.2.4.5 (of Part 5), and no “battle-axe lots” are proposed.

Lots allowing for an east-west building orientation to minimise morning and afternoon sun exposure to external walls is preferable, and the majority of the lots are configured to support this.

The Compact Urban Growth Policy that forms part of the NTPS2020 defines higher density residential as “Usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m² of site area or less), as such lots for ‘higher density residential development’ is not considered to be proposed (lots average a dwelling density of 1 dwelling per 440m² and LMR only allows up to 2 storeys) noting that a dwelling density of 1 dwelling per 150m² for one bedroom dwelling groups is possible.

As such, the application is considered (by DAS) to provide lots that are of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

Additionally, the Zone FD (Future Development) purpose and relevant outcomes are discussed above and the application was assessed as being generally consistent with the zone.

Noting the:

- overall suitability of lot size, configuration and orientation;
- ability to meet driveway and access requirements;
- absence of battle-axe lots;
- alignment with the Strategic Framework and Zone FD purpose; and
- limited extent of non-compliance (primarily Lot 14),

the subdivision is considered consistent with the purpose of Clause 6.2.1 and the zone purpose and outcomes. A variation is therefore appropriate in this instance.

Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 3 of Clause 6.2.3 requires that, for subdivisions in Zone LMR, areas intended for lots less than 600m² are to be selected or graded so they do not exceed a slope of 2%, thereby minimising the need for on-site stormwater infrastructure, retaining walls and similar engineering works.

The amended application does not fully comply with this requirement. Proposed Lots 1-2, 9-12, 16-40 and 51-52 include finished lot gradients exceeding 2%. Accordingly, 33 of the 52 lots less than 600m² are subject to a technical variation to this requirement.

Sub-clause 1 provides that the consent authority may approve a subdivision that does not comply with sub-clauses 2 to 6 where it is satisfied that the subdivision design is consistent with the purpose of the clause. In doing so, the consent authority must also have regard to sub-clause 5 of Clause 1.10 of the *Northern Territory Planning Scheme 2020* and section 52 of the *Planning Act 1999*.

The purpose of Clause 6.2.3 is:

Ensure that the subdivision of land provides lots suitable for urban residential purposes that respond appropriately to the physical characteristics of the land and does not detrimentally impact on surrounding land.

The application is supported by an Engineering Services Report incorporating detailed earthworks design and bulk earthworks plans. These demonstrate that the proposed subdivision responds to the site's natural topography while integrating with the approved road network, adjoining completed stages of the Zuccoli Aspire development and the anticipated levels of future stages.

The proposed earthworks will establish residential lots, roads and drainage infrastructure capable of accommodating urban development. Stormwater will be collected and conveyed through a designed drainage network to the existing drainage system, minimising the potential for adverse impacts on adjoining land.

Although a significant proportion of the proposed lots exceed the preferred 2% gradient, the variation is primarily a consequence of responding to the site's natural landform while maintaining an integrated subdivision layout and efficient road network. Similar engineering solutions, including cut and fill earthworks and retaining structures where required, have been implemented throughout earlier stages of the Zuccoli Aspire estate.

To ensure the completed lots are suitable for residential development, it is recommended that a condition of the development permit require certification by an appropriately qualified person that the approved earthworks have been completed in accordance with the endorsed engineering design. Any retaining walls requiring approval under the *Building Act 1993* will also be required to comply with the National Construction Code and relevant Australian Standards.

Having regard to the purpose of Clause 6.2.3, the proposed subdivision is considered to provide residential lots that are capable of supporting urban development without resulting in unacceptable impacts on surrounding land. Accordingly, notwithstanding the technical non-compliance with sub-clause 3, the exercise of the consent authority's discretion under sub-clause 1 is considered appropriate.

Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 7 of Clause 6.2.4 requires residential subdivisions to provide a minimum of 10% of the subdivision area as public open space that:

- *ensures the majority of dwellings are within 400 metres walking distance of a neighbourhood park;*
- *incorporates larger areas suitable for active recreation;*
- *is generally unencumbered by drainage infrastructure and provides sufficient level area for informal recreation; and*
- *provides passive surveillance from surrounding dwellings and public roads.*

The subject land is currently zoned FD (Future Development). However, the intended zoning following completion of the subdivision process is Zone LMR (Low-Medium Density Residential). The application therefore has regard to the requirements of Clause 6.2.4.

The proposed subdivision does not comply with sub-clause 7, as no public open space is proposed within the boundaries of this stage. The subdivision will create 52 residential lots, leaving the balance of Lot 12433 for future stages of development. The proposal is otherwise considered to comply with sub-clauses 2, 3, 4, 5 and 6 of Clause 6.2.4.

Sub-clause 1 provides that the consent authority may approve a subdivision that is not in accordance with sub-clauses 2 to 7 where it is satisfied that the subdivision is consistent with the purpose of the clause.

The purpose of Clause 6.2.4 is:

Ensure that subdivision of land for residential purposes is appropriately integrated with infrastructure, community services and facilities.

In considering the proposed variation, regard has also been had to sub-clause 5 of Clause 1.10 of the *Northern Territory Planning Scheme 2020*, which provides guidance to the consent authority when determining whether a variation to a development requirement is appropriate.

The proposed subdivision forms one stage of the broader Zuccoli Aspire Subdivision, which is being delivered in accordance with a Developer Agreement and associated Crown Lease Term (Lease 02508) under the *Crown Lands Act 1992*. The parent parcel (Lot 12433) is also subject to a registered caveat in favour of the Northern Territory, providing an additional mechanism to ensure the coordinated delivery of the approved master-planned development.

The applicant has submitted an updated Zuccoli Aspire Master Plan and Landscape Master Plan, which demonstrate that public open space, community facilities and infrastructure are to be delivered across the estate on a staged basis. The Landscape Master Plan indicates that, upon completion of the overall development, approximately 16.35% of the estate will comprise unencumbered public open space, exceeding the minimum requirement of Clause 6.2.4. The Master Plan also identifies neighbourhood parks, pedestrian and cycle connections, community facilities and the neighbourhood centre within adjoining stages, all of which will serve residents of Stage 5B.



Public Open Space Master Plan (diagram produced by the developer)

Requiring each individual subdivision stage to independently provide 10% public open space would result in an inefficient and fragmented distribution of parks and would not reflect the integrated approach contemplated by the approved master plan or the staged delivery arrangements established under the *Crown Lands Act 1992*.

It is also noted that Planning Scheme Amendment 173 amended the *Northern Territory Planning Scheme 2020* to incorporate references to the NT Subdivision Development Guidelines within Schedule 5 and Clause 6.1. The proposal has been assessed having regard to those Guidelines, including the coordinated provision of public open space and community infrastructure across staged developments.

Accordingly, although the proposed subdivision represents a technical non-compliance with sub-clause 7, it is considered to achieve the purpose of Clause 6.2.4 by providing an integrated pattern of infrastructure, community facilities and public open space across the broader Zuccoli Aspire development. The exercise of the consent authority's discretion under sub-clause 1 is therefore considered appropriate.

- (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**

At the time of determining this application, there are no proposed amendments to the *Northern Territory Planning Scheme 2020* that are on exhibition or awaiting a decision under the *Planning Act 1999* that are relevant to the proposed subdivision.

It is noted that, during the deferral period, a number of planning scheme amendments came into effect, including:

- Planning Scheme Amendment 159, which amended the density provisions for single-bedroom dwelling groups, permitting a density of one dwelling per 150 m² in applicable areas; and
- Planning Scheme Amendment 176, which introduced references to the NT Subdivision Development Guidelines within the *Northern Territory Planning Scheme 2020*.

Neither amendment materially affects the assessment of this application or the recommendation contained in this report, as the proposal has been assessed against the planning scheme and associated subdivision requirements in force at the time of determination.

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

The subject land is affected by Interim Development Control Order No. 33 (IDCO 33) and Interim Development Control Order No. 34 (IDCO 34).

Interim Development Control Order No. 33 regulates the display of business signs and promotion signs on zoned land within the Northern Territory. The current application seeks consent for the subdivision of land only and does not propose, or rely upon, any business or promotion signage. Accordingly, while IDCO 33 applies to the land, it is not relevant to the assessment of the proposed subdivision. It is further noted that the proposed roads have been assigned names in accordance with the *Place Names Act 1967*, and any temporary or permanent signage associated with the subdivision will be subject to the relevant requirements of the City of Palmerston and other applicable legislation.

Interim Development Control Order No. 34 regulates the keeping of domestic livestock on specified land. The application does not propose the keeping of domestic livestock or any development associated with animal husbandry. Accordingly, while IDCO 34 applies to the land, it is not relevant to the assessment of the proposed subdivision.

Accordingly, although IDCO 33 and IDCO 34 apply to the subject land, neither Interim Development Control Order has any bearing on the assessment or determination of the proposed subdivision.

(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*

Under the *Waste Management and Pollution Control Act 1998*, an environment protection objective includes any beneficial use, quality standard, criterion or objective declared under section 73 of the *Water Act 1992*.

Beneficial uses have been declared under section 73 of the *Water Act 1992*. The relevant beneficial uses applicable to the subject land are discussed under section 51(1)(s) of this report.

No other declared environment protection objectives relevant to the subject land have been identified. In addition, the Land Resource Division of the Department of Lands, Planning and Environment did not identify any issues relating to environment protection objectives in its referral response.

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

The application was placed on public exhibition for a period of two weeks in accordance with sections 47(1) and 47(5) of the *Planning Act 1999*. No public submissions were received under section 49(1) of the *Planning Act 1999*.

The City of Palmerston lodged comments during the exhibition period. Pursuant to section 49(6) of the *Planning Act 1999*, those comments were taken to oppose the application and were therefore treated as a local government council submission under section 47(3) of the *Planning Act 1999*.

Following public exhibition, the application was deferred to enable the applicant to respond to the issues raised in the Department's technical assessment and the matters identified by the City of Palmerston. During the deferral period, the applicant worked with the Council to address those matters. The issues have since been resolved, and the Council has advised that it generally supports the application, subject to the imposition of appropriate permit conditions.

The matters raised by the City of Palmerston are discussed further under section 51(m) of this report.

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

No directions made by the Minister under section 85 of the *Planning Act 1999* are applicable to this application.

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

In support of the application, the applicant submits that the proposed subdivision has the following merits:

- it forms part of the staged delivery of the broader Zuccoli Aspire master planned neighbourhood;
- it supports the strategic objectives of increasing housing supply and diversity, improving housing affordability, and fostering a strong sense of community and neighbourhood identity;
- with the exception of the proposed variations to the building envelope requirements for two lots, the subdivision is consistent with the requirements of the *Northern Territory Planning Scheme 2020*;
- the subdivision has been designed in accordance with the broader Master Plan and represents an integral stage in the delivery of the planned neighbourhood;
- it provides local road connections linking Stage 5B with the neighbourhood centre and surrounding schools;
- it contributes to the creation of a neighbourhood with a high standard of residential amenity and a connected urban form; and
- it will not adversely affect the amenity of existing or future residents.

These matters have been considered as part of the assessment of the application. The proposal facilitates the orderly staging of the broader Zuccoli Aspire development and is generally consistent with the strategic planning framework for the area. The merits of the proposal are considered further throughout this report, including the assessment against the *Northern Territory Planning Scheme 2020* and the matters prescribed under section 51 of the *Planning Act 1999*.

- (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 land has been identified for urban development within the *Northern Territory Planning Scheme 2020* Strategic Framework, including the Palmerston Eastern Suburbs Area Plan. The capability of the land for urban development was considered at a strategic level through the rezoning of the land to Zone FD (Future Development) and the subsequent development approval framework established under the *Crown Lands Act 1992*, including the relevant Developer Agreement and Crown Lease Term.

The application is supported by an Engineering Services Report, which demonstrates how the site will be developed to accommodate the proposed subdivision. Parts of the site have natural gradients exceeding 2%, consistent with the topographical constraints previously recognised under Clause 6.2.3 of the *Northern Territory Planning Scheme 2020*. The engineering report details the earthworks required to create suitably graded residential lots, roads and associated infrastructure.

To ensure the completed lots are suitable for residential development, it is recommended that a condition of the development permit require certification by an appropriately qualified person that the approved earthworks have been completed in accordance with the endorsed engineering design. Where retaining walls require approval under the *Building Act 1993*, they should also be certified as complying with the National Construction Code and relevant Australian Standards.

The application was referred to the Land Resource Division of the Department of Lands, Planning and Environment. The Division did not identify any concerns regarding the capability of the land to support the proposed subdivision. It recommended a condition precedent requiring the preparation of a Type 2 Erosion and Sediment Control Plan (ESCP), together with standard conditions requiring implementation and maintenance of the endorsed ESCP throughout the construction phase.

Subject to compliance with the recommended permit conditions and the requirements of the relevant service authorities, the land is considered capable of supporting the proposed subdivision without resulting in unacceptable impacts on the land or adjoining properties.

- (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 subject land is located within the established suburb of Zuccoli, which already contains a range of public facilities, including neighbourhood parks, schools and associated community infrastructure delivered through earlier stages of the suburb's development.

Under the *Northern Territory Planning Scheme 2020* and the NT Subdivision Development Guidelines, residential subdivisions are generally required to provide public open space equivalent to at least 10% of the gross developable area.

This stage of the subdivision does not include the dedication of public open space. However, it forms part of the broader Zuccoli Aspire Subdivision, for which the applicant has submitted a Zuccoli Aspire Masterplan and Subdivision Landscape Plan demonstrating the proposed public open space network across the entire development.

The submitted Landscape Plan indicates that, upon completion of the overall Zuccoli Aspire Subdivision, approximately 16.35% of the development area will comprise unencumbered

public open space. The delivery of public open space across the broader subdivision is being managed through the staged development of the estate, with oversight provided through the Crown lease conditions and associated development agreement under the *Crown Lands Act 1992*. Accordingly, although no public open space is proposed within this stage, the overall development is intended to satisfy, and exceed, the minimum public open space requirement through its staged delivery.

- (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 original development application was circulated to the following authorities for comment:

Local Government Council:

The City of Palmerston – **Bookmark E1**

- Comments provided during the exhibition period opposed the application on the basis that the application was incomplete and should be rejected. Concerns included:
 - o Lack of compliance with the planning scheme.
 - o The impact of the development on other land, specifically stormwater drainage, public open space, and the road hierarchy.
- Comments include recommended conditions/notes should the application be approved. The recommended conditions relate to:
 - o Street network and hierarchy design
 - o Public open space masterplan
 - o Stormwater management
 - o Earthworks
 - o Street and landscaping
 - o Approved works at the developer's expense
 - o Proposed and existing easements
 - o Reinstatement works
 - o Permit to work within road reserve (note)

Since these comments were received, the City of Palmerston have provided additional comments indicating that they no longer have issues with the progression of the application subject to recommended conditions.

Additionally, the City of Palmerston request that conditions are discussed with them prior to approval.

Service Authority:

Crown Land Estate – **Bookmark E2**

- Does not object to the application.
- Recommends conditions relating to stormwater management.

After the deferral period, DAS got in contact with CLE via phone and followed up with an email requesting any additional/amended comments be provided. No additional comments have been received at the time of writing this report.

Power and Water Corporation (power services)– **Bookmark E3**

- Does not object to the application.
- The subdivision can and will be connected to the PAWC reticulated underground network

- List requirements and guidelines for the developer to be aware of/follow.

Power and Water Corporation (water services)– Bookmark E4

- Does not object to the application.
- Do not object to the application
- The subdivision can and will be connected to the PAWC reticulated water and sewerage services
- Request, a condition precedent be included requiring a services Master Plan be approved by water services
- Request conditions relating to the connection of services and easements, and advise that PWC must be notified 1 month prior to commencement of construction works

Land Resource Division Development Assessment – DLPE (formally Rangelands Division – DEPWS) – Bookmark E5

Land Management Unit:

- Do not object to the application
- Request conditions/notes relating to a Type 2 ESCP.

Weed Management Branch

- Provides information and request a note relating to weed management.

NT Health (Medical Entomology) – Bookmark E6

- Do not object to the application.
- Advice that there are no Medical Entomology comments.

DAS comments: standard conditions can be included on the permit to address services authority comments.

It is noted that comments requested by Council reference the Subdivision Guidelines, and that the Council request a condition be included that requires 'All approved works must be completed to the satisfaction of City of Palmerston and constructed at the developer's expense'.

1. Conditions relating to the subdivision guidelines can include reference to the current version of the guidelines. Additionally, the requested condition relating to 'approved works' is not clear as it does not reference who the works are approved by. The following standard condition (relating to Council infrastructure) is recommended in its place: 'All proposed and affected:

- (a) roads,
- (b) street lighting,
- (c) stormwater drainage (including stormwater runoff)
- (d) site earthworks,
- (e) vehicular access
- (f) pedestrian/ cycle corridors,
- (g) public open space and streetscaping/ landscaping

must be designed and constructed at the owner's expense in accordance with the requirements of the NT Subdivision Development Guidelines and to the technical requirements of the City of Palmerston, and to the requirements of the Land Development Unit (where relevant), to the satisfaction of the consent authority'.

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

The *Planning Act 1999* and the *Northern Territory Planning Scheme 2020* define **amenity**, in relation to a locality or building, as *any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable*.

Since the application was publicly exhibited (2024), a considerable period has elapsed. During this time, additional stages of development within Zuccoli have been completed, titles have been issued for nearby lots, and the residential population in the locality has increased. Notwithstanding this, the application has substantially completed the statutory public exhibition process required under the *Planning Act 1999*. Subject to the applicant providing the required declaration confirming that the public exhibition signs remained on display for the duration of the exhibition period, there is no statutory requirement to undertake a further period of public exhibition or notify subsequent landowners.

The proposal will change the amenity of the immediate locality by facilitating the urban development of land that is currently vacant. However, this change is consistent with the strategic planning framework for the area, the zoning of the land, and the intended character of the broader Zuccoli Aspire development. Although this stage does not include public open space, the overall master-planned subdivision will provide a network of public open space that will contribute positively to the future amenity of the neighbourhood.

Temporary impacts on surrounding properties are likely to occur during the earthworks and construction phase, including noise, dust, traffic movements and general construction activity. These impacts are typical of subdivision works and can be appropriately managed through permit conditions, engineering approvals and the requirements of relevant legislation administered by referral authorities. This includes requirements relating to erosion and sediment control, stormwater management, construction access, the provision of reticulated services, pollution control, work health and safety, and construction operating practices.

Subject to compliance with these requirements, the proposal is not expected to result in any unacceptable adverse impacts on the existing or future amenity of the locality.

(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**

The proposed subdivision is considered to be in the public interest as it facilitates the creation of additional residential lots within the Zuccoli growth area, supporting the orderly development of land and increasing the supply and diversity of residential housing opportunities in the City of Palmerston.

Community safety through crime prevention

Crime Prevention Through Environmental Design (CPTED) principles generally relate to the design of buildings and public spaces. As this application is for subdivision only and does not include the development of buildings or public open space (other than roads and footpaths), these principles have limited application. Nevertheless, the proposed subdivision demonstrates several positive CPTED outcomes, including:

- a conventional street layout that provides long sightlines and good passive surveillance opportunities;
- a connected road network with no cul-de-sacs;
- provision for street lighting in accordance with the Engineering Services Report and the NT Subdivision Development Guidelines; and

- a clear street hierarchy that will facilitate wayfinding and street identification.

The NT Subdivision Development Guidelines also contain design requirements relating to CPTED. Compliance with these requirements, including the provision of roads, footpaths and street lighting, will be assessed through the engineering approval process and secured through standard subdivision conditions administered by the City of Palmerston.

Water safety

No water safety issues have been identified. Stormwater generated by the subdivision is proposed to be conveyed through the subdivision drainage network and discharged to an open drainage system. The design, construction and maintenance of stormwater infrastructure will be required to comply with the requirements of the City of Palmerston and the Crown Land Estate.

Access for persons with disabilities

The subdivision itself does not raise any specific disability access issues. Requirements relating to accessible public infrastructure, including footpaths and road crossings where applicable, will be addressed through the NT Subdivision Development Guidelines and other relevant legislation as part of the engineering design and construction process.

(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;

The subject land is not located within a declared Restricted Water Extraction Area under the Water Act 1992. Accordingly, sections 14A, 14B and 14C(1) of the Water Act 1992 do not apply to 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)

The applicant has indicated that there are no buildings currently on the land subject of this application. The proposal comprises a subdivision only and does not seek approval for buildings. The consent authority has nevertheless considered section 51(1)(q) of the Act. Any future building work, retaining walls or other building work requiring approval under the Building Act 1993 will be subject to separate assessment and permitting under that Act and do not form part of this development 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

Prior to the land being rezoned to Zone FD and the creation of the parent parcel, advice was obtained from the NT Heritage Branch and the Aboriginal Areas Protection Authority as part of earlier strategic planning and development processes. Those investigations did not identify any known natural, cultural or heritage values within the proposed subdivision area that would be adversely affected by the development.

Mitchell Creek, which adjoins the broader parent parcel, is recognised as having social and environmental value to the Palmerston community. However, the proposed Stage 5B subdivision is not expected to result in any additional impacts on those values beyond those previously considered through the planning framework for the area.

Notwithstanding the above, the developer remains responsible for complying with the requirements of the Heritage Act 2011 and the *Northern Territory Aboriginal Sacred Sites Act 1989*. Accordingly, advisory notes reminding the permit holder of these statutory obligations may be included on any development permit issued.

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

Declared Beneficial Uses under the *Water Act 1992* apply to receiving waters within Darwin Harbour, including waters downstream of the subject land.

The proposed development is an urban residential subdivision that will be connected to the reticulated water supply and serviced by the City of Palmerston's stormwater drainage network. Subject to compliance with relevant engineering standards and permit conditions relating to stormwater management and erosion and sediment control during construction, the proposal is not expected to adversely affect the declared beneficial uses of Darwin Harbour.

Compliance with the requirements of the *Water Act 1992* remains the responsibility of the developer and landowner throughout the construction and operation of the development.

The Land Resources Division, Department of Lands, Planning and Environment (formerly the Rangelands Division, Department of Environment, Parks and Water Security), did not identify any matters relevant to the declared beneficial uses, quality standards, criteria or objectives during the assessment of the application.

(t) other matters it thinks fit

No other matters are raised for consideration by the consent authority.

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.

The subject land was rezoned to Zone FD (Future Development) prior to the lodgement of this application, and the parent parcel was subsequently created. Environmental matters associated with the broader development area are understood to have been considered during the strategic planning and land release process, including the rezoning of the land and, where applicable, the subsequent grant of Crown leases under the *Crown Lands Act 1992*.

As part of the assessment of this application, the proposal was referred to the Land Resource Division of the Department of Lands, Planning and Environment (formerly the Rangelands Division of the Department of Environment, Parks and Water Security) for comment. No concerns were raised regarding the proposal under the *Environment Protection Act 2019*. Accordingly, there is no information before the consent authority to indicate that section 51(2) precludes the determination of this application.

7. RECOMMENDATION

That, the Development Consent Authority vary the requirements of clauses 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR), 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR), 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR), and Clause 6.5.1 (Subdivision in Zone FD) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Lot 12433, Zuccoli Parade, Zuccoli, Town of Palmerston for the purpose of a subdivision to create 52 lots and building setback plan (Zuccoli Aspire Stage 5B), subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans, the following is to be prepared in accordance with the requirements of the NT Subdivision Development Guidelines and to be submitted to and approved by relevant authorities (indicated below), to the satisfaction of the consent authority. The master plan is to address:
 - (a) Streets and Pathways Masterplan (the City of Palmerston)
 - (b) An updated Part 1 Stormwater Management Plan (the City of Palmerston)
 - (c) An updated Public Open Space Masterplan (the City of Palmerston)
 - (d) Water and Sewage Masterplan (Water Services - Power and Water Corporation)
2. Prior to the endorsement of drawings and prior to the commencement of works, a schematic plan demonstrating showing any on-site collection of stormwater that will be discharged into Crown Land's (Northern Territory Government) stormwater drainage system, shall be submitted to and approved by the Land Development Unit, DLPE, to the satisfaction of the consent authority.
3. Prior to the commencement of works, a Site Earthworks Masterplan indicating finished levels of the subdivision is to be submitted to and approved by the City of Palmerston to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.
4. Prior to the commencement of works, detailed design documentation in accordance with the subdivision guidelines must be submitted to the City of Palmerston, to the satisfaction of the consent authority, the following detailed documents are to be included:
 - (a) Part 2 Stormwater Management Plan
 - (b) Detailed drawings relating to stormwater drainage.
 - (c) Bulk earthworks plan
 - (d) Roads, pathways (including cycle pathways) and vehicle crossings
 - (e) Streetscaping and landscaping (including irrigation and lighting).
5. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Lands, Planning and Environment (DLPE) ESCP Procedures. The ESCP must be certified by a suitably qualified and experienced professional and must be submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

GENERAL CONDITIONS

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

7. Prior to issue of Part 5 (section 62 Planning Act 1999) clearance, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for dwellings-single allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer or stormwater infrastructure) which demonstrates a 3.5 metre driveway can be located on each lot in accordance with sub-clause 4 of Clause 6.2.2 of the NT Planning Scheme 2020 (which requires compliance with the purpose of Clause 6.2.2, and the requirements of Clause 5.2.4.5).
8. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/ cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Palmerston and/or Land Development Unit (where applicable), to the satisfaction of the consent authority.
9. All proposed and affected:
 - (a) roads,
 - (b) street lighting,
 - (c) stormwater drainage (including stormwater runoff)
 - (d) site earthworks,
 - (e) vehicular access
 - (f) pedestrian/ cycle corridors,
 - (g) public open space and streetscaping/ landscapingmust be designed and constructed at the owner's expense in accordance with the requirements of the NT Subdivision Development Guidelines and to the technical requirements of the City of Palmerston, and to the requirements of the Land Development Unit (where relevant), to the satisfaction of the consent authority.
10. The Developer must enter into agreement/s with Power and Water Corporation for the provision of water, sewer, electricity services, to each lot shown on the endorsed drawings in accordance with the requirements of the NT Subdivision Development Guidelines and relevant authority policies.

Please refer to notation 5 for further information.
11. Any developments on or adjacent to any easements on site shall be carried out at no cost to, and to the requirements of the relevant service authority to the satisfaction of the consent authority.
12. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
13. All new easements, and amendments to existing easements, to be vested in the Relevant Authority for which the easement is to be created must be shown on the survey plan, to the satisfaction of the consent authority for approval by the Surveyor General.
14. The Developer must enter into agreements with a Telecommunications Carrier for the provision of telecommunication networks supply to each lot shown on the endorsed drawings in accordance with the requirements of the NT Subdivision Development Guidelines and relevant authority policies

15. Should the certified Type 2 ESCP require amendment, the revised ESCP must be certified by a suitably qualified and experienced professional and submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

All works relating to this permit must be undertaken in accordance with the certified Type 2 ESCP.

At completion of works, certification must be provided by a suitably qualified and experienced professional regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. This certification must be submitted to Development Assessment Services via email: das.ntg@nt.gov.au.

16. Before the issue of a "Part 5" (section 62 Planning Act 1999) clearance, the developer is to provide, to the consent authority, written confirmation from a suitably qualified person that the earthworks are constructed to an appropriate standard in accordance with the National Construction Code.

NOTES:

1. In order to process the building setback plan submitted as part of this application, the applicant is required to make a separate application for a planning scheme amendment to include the building setback plan in Schedule 9 of the Northern Territory Planning Scheme 2020. Please contact Lands Planning on 08 8999 8963
2. The Northern Territory Subdivision Development Guidelines apply to the design and construction of public infrastructure associated with subdivision works. Compliance with the technical standards in the Guidelines should be achieved to the satisfaction of the relevant local government council and service authorities. Early engagement with the relevant authorities is encouraged prior to commencing any works, to confirm their specific requirements and any variations they may seek to the Subdivision Development Guidelines. This will assist in ensuring that all subdivision works are completed in accordance with the requirements of the responsible authorities.

The Northern Territory Subdivision Development Guidelines are available at: <https://www.ntlis.nt.gov.au/sdg-online/>

3. Information regarding preparation of a Subdivision Masterplan can be obtained from the Northern Territory Subdivision Development Guidelines available at <https://www.ntlis.nt.gov.au/sdg-online>
4. A "Permit to Work Within a Road Reserve" may be required the City of Palmerston, before commencement of any work within the road reserve.
5. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
6. If you choose nbn to service your development, you will need to enter into a development agreement with nbn.

The first step is to register the development via <https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html>, once registered nbn will be in contact to discuss the specific requirements for the development.

Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure must be built to nbn guidelines found at <https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/designbuild-install>.

7. The DLPE ESCP Procedures factsheet is available at: <https://environment.nt.gov.au/rangelands/technical-notes-and-fact-sheets/land-management-technical-notes-and-fact-sheets>.

A suitably qualified and experienced professional in erosion and sediment control as defined by the International Erosion Control Association (IECA) Australasia at <https://www.austieca.com.au/rsp-esc/suitably-qualified-professional>

Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Development Coordination Branch: (08) 8999 4446.

8. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 2005 must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 8936 4070 to determine if the proposed works are subject to the Act.
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.
10. The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the Heritage Act 2011. Should any heritage or archaeological material be discovered during the subdivision works, cease works and please phone Heritage Branch of the Department of Lands, Planning and Environment.
11. All land in the Northern Territory is subject to the Weeds Management Act 2001 (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Section 9 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection.

Should you require further weed management advice contact the weed management branch by phone on (08) 8999 4567 or by email to weedinfo@nt.gov.au

8. REASONS FOR THE RECOMMENDATION

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

The NT Planning Scheme 2020 applies to the land, multiple zones apply to the land (Lot 12433) however the “site” of this development application (within Lot 12433) is entirely zoned FD (Future Development).

Pursuant to sub-clause 1(c)(ii) of Clause 1.8 of the NTPS2020, the proposed subdivision is Impact Assessable, therefore, pursuant to sub-clause 4 of Clause 1.10 (Exercise of Discretion by the Consent Authority), the following provisions of the NTPS2020 needs to be considered by the consent authority :

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

Part 5 of the NTPS2020 does not apply to subdivision.

- 6.5.1 Subdivision in Zone FD – the clause requires that the subdivision be compliant with the relevant subdivision requirements of the intended future zoning. The intended future zoning has been identified as Zone LMR, therefore the following clauses are also required to be considered:
 - o 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
 - o 6.2.2 (Lots Less Than 600m² for Dwellings-Single)
 - o 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
 - o 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

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

None applicable to subdivision area.

- (c) *the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule*

- 4.27 – Zone FD (Future Development)

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

These are:

- Darwin Regional Land Use Plan
- Holtze to Elizabeth River Subregional Land Use Plan
- Central Palmerston Area Plan

The above requirements (sub-clause 4 of Clause 1.10) have been assessed and it's found that the application (as amended) complies with Clause 6.2.2 (Lots Less Than 600m² for Dwellings-Single), and does not comply with clauses:

- 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)
- 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR), and
- Consequently, the proposal also requires the exercise of discretion under Clause 6.5.1 Clause 6.5.1 (Subdivision in Zone FD).

The consent authority notes that while it is expected that the proposed site layout of lots less than 600m² is unlikely to impact on the street infrastructure in this instance, a condition is included on the permit issued to ensure compliance with the purpose of Clause 6.2.2 which is to - *“Ensure the subdivision of land to lots of less than 600m² will allow residential development that minimises impact on amenity and the functionality of the street infrastructure”*. This is a condition that has been included on other stages of ‘Zuccoli Aspire’.

In addition to the above, the consent authority must consider the guidance provided by the relevant zone purpose and outcomes, and any relevant component of the Strategic Framework.

Although Overlay 3.7 (Land Subject to Storm Surge) is identified on the NT Atlas as applying to Lot 12433, the portion of the lot affected by the overlay is located approximately 350 metres from the Stage 5B subdivision area. Accordingly, the overlay is not relevant to the assessment of the proposed subdivision.

The application's consistency with the *NTPS2020* Strategic Framework, Clause 4.27 (Zone FD – Future Development), and the identified technical variations to the *Northern Territory Planning Scheme 2020* are discussed in detail below -

The Strategic Framework

Darwin Regional Land Use Plan (DRLUP):

The Darwin Regional Land Use Plan (DRLUP) identifies the subject land within the Urban Area. Relevant strategic objectives include providing sufficient land to meet housing demand, encouraging a range of dwelling types, and ensuring new development responds to local environmental conditions and contributes to attractive, liveable neighbourhoods. The proposed subdivision facilitates the staged delivery of residential land within an identified urban growth area and is consistent with these strategic objectives.

Holtze to Elizabeth River Land Use Plan 2022 (HESLUP):

The Holtze to Elizabeth River Subregional Land Use Plan 2022 (HESLUP) provides that development requiring impact assessment is to accord with the relevant concepts and policies of the subregional plan or, where applicable, a more detailed Area Plan.

The subject land is within the Palmerston Eastern Suburbs Planning Principles and Area Plan, which provides the more detailed strategic framework for assessment.

Palmerston Eastern Suburbs Planning Principles and Area Plan:

The Area Plan contains seven planning principles. Of these, Principles 1, 4 and 6 are relevant to the proposed subdivision. Principles 2 and 3 relate to neighbourhood centres, Principle 5 relates to community and active recreation facilities, and Principle 7 relates specifically to the Temple Terrace Mixed Use Node.

Planning Principles 1 and 4 – Compact neighbourhoods and housing diversity

Planning Principles 1 and 4 seek the delivery of compact, accessible and walkable neighbourhoods through an interconnected street network, a range of lot sizes and housing opportunities, integrated public open space, efficient transport connections and residential densities that support neighbourhood centres.

The application is supported by an updated Zuccoli Aspire Master Plan and Landscape Master Plan, which demonstrate that Stage 5B forms part of the broader master planned community. The plans illustrate the subdivision's integration with the overall street network, staging, public open space system, pedestrian and cycle connections, street tree framework, retained creek corridors and future neighbourhood facilities. The Landscape Master Plan also incorporates Crime Prevention Through Environmental Design (CPTED) principles, universal accessibility, and environmental design measures consistent with the NT Subdivision Development Guidelines.

The Area Plan identifies the land as being within a compact neighbourhood adjoining a Primary Neighbourhood Centre, where development should maximise the number of dwellings within convenient walking distance of neighbourhood services and public transport.

The majority of the proposed lots are located within approximately 400 metres walking distance of the neighbourhood centre and proposed public transport facilities. Stage 5B proposes 52 residential lots that will ultimately form part of Zone LMR (Low-Medium Density Residential). The lots range from approximately 415m² to 664m², with an average area of approximately 440m².

Although this stage primarily comprises dwelling-single lots, the broader master plan identifies future medium and higher density housing surrounding the neighbourhood centre, the broader master plan identifies future higher-density residential opportunities, commercial development and mixed-use land surrounding the centre. The neighbourhood centre is also constrained to some extent by the recommended biting insect buffer, which influences the ultimate development pattern.

Following the commencement of Planning Scheme Amendment 159, Clause 5.4.1 of the NTPS2020 permits one single-bedroom dwelling-group per 150m² within Zone LMR. Consequently, the proposed lot sizes are capable of supporting a significantly higher residential density than detached dwelling-single's alone should redevelopment occur in the future.

Accordingly, the application is considered to be generally consistent with Planning Principles 1 and 4 by delivering a connected residential subdivision capable of supporting the long-term strategic objectives for housing diversity and urban consolidation.

Planning Principle 6 – Environmental and heritage values

Planning Principle 6 seeks to preserve and integrate areas of environmental significance, including the Mitchell Creek drainage corridor, while incorporating appropriate environmental and engineering measures, including water sensitive urban design.

The subdivision has been designed to avoid development within the Mitchell Creek corridor and retains significant creek line vegetation within the proposed public open space network. The submitted Landscape Master Plan demonstrates that retained vegetation corridors will continue to provide habitat connectivity, recreational opportunities and landscape amenity, while integrating stormwater management through grassed swales, drainage corridors and retained creek lines.

Detailed environmental management, stormwater design and erosion and sediment control will be addressed through engineering approvals and the requirements of the relevant service authorities.

Overall, the application appropriately responds to the environmental objectives of the Area Plan.

Strategic Framework Conclusion

The proposed subdivision forms part of the orderly staged development of the broader Zuccoli Aspire community and is generally consistent with the Darwin Regional Land Use Plan, the Holtze to Elizabeth River Subregional Land Use Plan 2022 and the Palmerston Eastern Suburbs Planning Principles and Area Plan.

While Stage 5B predominantly comprises conventional residential lots, it integrates with the broader master planned neighbourhood through its connected street network, proximity to the neighbourhood centre, future public transport, public open space network and retained environmental corridors. The application therefore gives effect to the strategic planning intent for the locality and is considered to be consistent with the NTPS2020 Strategic Framework.

Clause 4.27 – Zone FD (Future Development)

The Zone purpose, and Outcomes 1, 2 and 3:

The purpose of Zone FD is to *“Identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes”*.

The application is considered to be generally consistent with the purpose of Zone FD (Future Development). The land is identified for urban development within the NTPS2020 Strategic Framework, including the Palmerston Eastern Suburbs Area Plan, and the subdivision forms part of the broader staged development of the Zuccoli Aspire estate.

In relation to Zone Outcomes 1 and 2, the subdivision responds to the Strategic Framework and is not considered to compromise the intended ultimate development of the land. The proposed road network, lot configuration and staging integrate with the broader master-planned neighbourhood and do not prejudice future subdivision or development of adjoining land.

In relation to Outcome 3, the application is supported by engineering and servicing information demonstrating that reticulated water, sewer, stormwater, electricity and road infrastructure can be provided to the satisfaction of the relevant service authorities. Service authorities did not identify any fundamental servicing constraints and have recommended standard subdivision conditions.

Outcome 6:

7. *Development:*

- (f) *supports the needs of the immediate community;*
- (g) *is of a scale and intensity compatible with the character and amenity of the area;*
- (h) *minimises impacts on sensitive environments;*
- (i) *avoids adverse impacts on the local road network; and*
- (j) *is managed to minimise unreasonable impacts to the amenity of surrounding land.*

The proposed subdivision will create 52 residential lots connected to reticulated urban services and is consistent with the established pattern of development within the Zuccoli Aspire estate. The scale and intensity of the subdivision are compatible with the planned residential character of the locality.

The subdivision avoids development within the Mitchell Creek environmental corridor, with stormwater management, erosion and sediment control, and other environmental matters

to be addressed through detailed engineering design and the requirements of the relevant service authorities. No unacceptable impacts on the local road network have been identified.

Potential impacts on surrounding amenity, including those associated with earthworks and construction activities, can be appropriately managed through permit conditions and compliance with relevant legislation.

Accordingly, the application is considered to satisfy the relevant outcomes of Zone FD.

Sub-clause 5 of Clause 1.10 of the NTPS2020 specifies that - *the consent authority may consent to a proposed use or development that is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to: (a) the purpose and administration clauses of the requirement; and (b) the considerations listed under Clause 1.10(4).* The consent authority has considered these criteria in the context of section 51(3) of the Planning Act 1999 and has determined:

Clause 6.5.1 (Subdivision in Zone FD)

Pursuant to sub-clause 2 of Clause 6.5.1, the application includes a diagram identifying the intended future zoning of the subdivision. The plan indicates that the residential lots created by Stage 5B are intended to be included within Zone LMR (Low-Medium Density Residential). A planning scheme amendment to normalise the zoning from Zone FD (Future Development) to Zone LMR will be required before new titles are issued. This may be addressed separately through the planning scheme amendment process or, if considered appropriate, by a condition or advisory note on any development permit (requiring the developer to demonstrate this is done).

Sub-clause 3 of Clause 6.5.1 requires that subdivision of land within Zone FD create lots with a minimum area of 50 hectares. The proposed subdivision creates residential lots ranging from approximately 405m² to 664 m² and therefore does not comply with this requirement.

However, sub-clause 4 provides that, despite sub-clause 3, subdivision may create lots consistent with the intended future zoning where:

- *the subdivision complies with the relevant subdivision requirements of the intended future zone;*
- *it is generally in accordance with an Area Plan or other relevant component of the Strategic Framework; and*
- *services are, or can be, made available to the land.*

In considering sub-clause 4, the consent authority must also have regard to Clause 1.10.5 of the *Northern Territory Planning Scheme 2020* and section 52 of the *Planning Act 1999*.

The intended future zoning of the land is Zone LMR. The proposal has therefore been assessed against the relevant subdivision requirements for that zone. As discussed elsewhere in this report, the proposal involves technical variations to:

- Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR);
- Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR); and
- Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR).

Those variations have been assessed individually and are considered to be acceptable, having regard to the purpose of the relevant clauses and the discretion available under sub-clause 5 of Clause 1.10 of the NTPS2020.

The purpose of Clause 6.5.1 is:

Provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future development of the land envisaged in the Strategic Framework.

Sub-clause 1 provides that the consent authority may consent to a subdivision that is not in accordance with sub-clauses 3 or 4 where it is satisfied that the subdivision is consistent with the purpose of the clause.

The proposed subdivision is considered to achieve that purpose because:

- it is generally consistent with the Strategic Framework, including the Palmerston Eastern Suburbs Area Plan;
- it reflects the ultimate subdivision pattern identified in the approved Master Plan;
- the intended future zoning is clearly identified and the proposed lot configuration is consistent with that future zoning;
- essential infrastructure and reticulated services can be provided to the satisfaction of the relevant service authorities; and
- the subdivision will not prejudice the orderly future development of the balance of the land.

Accordingly, notwithstanding the technical non-compliance with the minimum lot size requirement for Zone FD and the identified variations to the intended Zone LMR subdivision requirements, the proposal is considered to achieve the purpose of Clause 6.5.1. The exercise of the consent authority's discretion under sub-clause 1 is therefore considered appropriate.

Clause 6.2.1 (Lot Size and Configuration for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 6 of Clause 6.2.1 requires that “*Lots are to conform with the building envelope requirements in Table B to this clause*” (see table below).

Table B to Clause 6.2.1: Lot Size and Configuration in Residential Subdivisions	
Lot Size	Minimum Building Envelope Requirement
300m ² to less than 450m ²	7m x 15m (exclusive of any boundary setbacks or service authority easements)
450m ² to less than 600m ²	8m x 15m (exclusive of any boundary setbacks or service authority easements).
600m ² and greater	17m x 17m (exclusive of any boundary setbacks or service authority easements)

The application (as amended) does not fully comply with this requirement because proposed design / layout of (proposed) ‘Lot 12’ and ‘Lot 14’ do not accommodate the required building envelopes.

Administratively - sub-clause 4 allows the consent authority to “*consent to a subdivision that is not in accordance with sub-clauses 5-12, only if it is satisfied the subdivision is consistent with the purpose of this clause and the zone purpose and outcomes*”.

The purpose of Clause 6.2.1 is to “*Ensure that subdivision of land for urban residential purposes creates lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.*”

Apart from proposed Lot 12 and 14, lots will have sufficient area to accommodate the minimum building envelopes and an engineering report included in the application shows

driveways are able to meet the requirements outlined by the NTPS 2020, specifically Clause 5.2.4.5 (of Part 5), and no “battle-axe lots” are proposed.

An east-west building orientation is generally preferred because it reduces solar heat gain to external walls. The majority of the proposed lots support this orientation.

The Compact Urban Growth Policy that forms part of the NTPS2020 defines higher density residential as “Usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m² of site area or less), as such lots for ‘higher density residential development’ is not considered to be proposed (lots average a dwelling density of 1 dwelling per 440m² and LMR only allows up to 2 storeys) noting that a dwelling density of 1 dwelling per 150m² for one bedroom dwelling groups is possible.

As such, the application is considered (by DAS) to provide lots that are of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

Additionally, the Zone FD (Future Development) purpose and relevant outcomes are discussed above and the application was assessed as being generally consistent with the zone.

Noting the:

- overall suitability of lot size, configuration and orientation;
- ability to meet driveway and access requirements;
- absence of battle-axe lots;
- alignment with the Strategic Framework and Zone FD purpose; and
- limited extent of non-compliance (primarily Lot 14),

the subdivision is considered consistent with the purpose of Clause 6.2.1 and the zone purpose and outcomes. A variation is therefore appropriate in this instance.

Clause 6.2.3 (Site Characteristics for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 3 of Clause 6.2.3 requires that, for subdivisions in Zone LMR, areas intended for lots less than 600m² are to be selected or graded so they do not exceed a slope of 2%, thereby minimising the need for on-site stormwater infrastructure, retaining walls and similar engineering works.

The amended application does not fully comply with this requirement. Proposed Lots 1–2, 9–12, 16–40 and 51–52 include finished lot gradients exceeding 2%. Accordingly, 33 of the 52 lots less than 600m² are subject to a technical variation to this requirement.

Sub-clause 1 provides that the consent authority may approve a subdivision that does not comply with sub-clauses 2 to 6 where it is satisfied that the subdivision design is consistent with the purpose of the clause. In doing so, the consent authority must also have regard to sub-clause 5 of Clause 1.10 of the *Northern Territory Planning Scheme 2020* and section 52 of the *Planning Act 1999*.

The purpose of Clause 6.2.3 is:

Ensure that the subdivision of land provides lots suitable for urban residential purposes that respond appropriately to the physical characteristics of the land and does not detrimentally impact on surrounding land.

The application is supported by an Engineering Services Report incorporating detailed earthworks design and bulk earthworks plans. These demonstrate that the proposed subdivision responds to the site's natural topography while integrating with the approved

road network, adjoining completed stages of the Zuccoli Aspire development and the anticipated levels of future stages.

The proposed earthworks will establish residential lots, roads and drainage infrastructure capable of accommodating urban development. Stormwater will be collected and conveyed through a designed drainage network to the existing drainage system, minimising the potential for adverse impacts on adjoining land.

Although a significant proportion of the proposed lots exceed the preferred 2% gradient, the variation is primarily a consequence of responding to the site's natural landform while maintaining an integrated subdivision layout and efficient road network. Similar engineering solutions, including cut and fill earthworks and retaining structures where required, have been implemented throughout earlier stages of the Zuccoli Aspire estate.

To ensure the completed lots are suitable for residential development, a condition of the development permit requires certification by an appropriately qualified person that the approved earthworks have been completed in accordance with the endorsed engineering design. Any retaining walls requiring approval under the *Building Act 1993* will also be required to comply with the National Construction Code and relevant Australian Standards.

Having regard to the purpose of Clause 6.2.3, the proposed subdivision is considered to provide residential lots that are capable of supporting urban development without resulting in unacceptable impacts on surrounding land. Accordingly, notwithstanding the technical non-compliance with sub-clause 3, the exercise of the consent authority's discretion under sub-clause 1 is considered appropriate.

Clause 6.2.4 (Infrastructure and Community Facilities for Subdivision in Zones LR, LMR, MR and HR)

Sub-clause 7 of Clause 6.2.4 requires residential subdivisions to provide a minimum of 10% of the subdivision area as public open space that:

- *ensures the majority of dwellings are within 400 metres walking distance of a neighbourhood park;*
- *incorporates larger areas suitable for active recreation;*
- *is generally unencumbered by drainage infrastructure and provides sufficient level area for informal recreation; and*
- *provides passive surveillance from surrounding dwellings and public roads.*

The subject land is currently zoned FD (Future Development). However, the intended zoning following completion of the subdivision process is Zone LMR (Low-Medium Density Residential). The application therefore has regard to the requirements of Clause 6.2.4.

The proposed subdivision does not comply with sub-clause 7, as no public open space is proposed within the boundaries of this stage. The subdivision will create 52 residential lots, leaving the balance of Lot 12433 for future stages of development. The proposal is otherwise considered to comply with sub-clauses 2, 3, 4, 5 and 6 of Clause 6.2.4.

Sub-clause 1 provides that the consent authority may approve a subdivision that is not in accordance with sub-clauses 2 to 7 where it is satisfied that the subdivision is consistent with the purpose of the clause.

The purpose of Clause 6.2.4 is:

Ensure that subdivision of land for residential purposes is appropriately integrated with infrastructure, community services and facilities.

In considering the proposed variation, regard has also been had to sub-clause 5 of Clause 1.10 of the *Northern Territory Planning Scheme 2020*, which provides guidance to the consent authority when determining whether a variation to a development requirement is appropriate.

The proposed subdivision forms one stage of the broader Zuccoli Aspire Subdivision, which is being delivered in accordance with a Developer Agreement and associated Crown Lease Term (Lease 02508) under the *Crown Lands Act 1992*. The parent parcel (Lot 12433) is also subject to a registered caveat in favour of the Northern Territory, providing an additional mechanism to ensure the coordinated delivery of the approved master-planned development. While the caveat is not itself a planning consideration, it provides additional confidence that the broader master-planned development will be implemented in accordance with the Developer Agreement.

The applicant has submitted an updated Zuccoli Aspire Master Plan and Landscape Master Plan, which demonstrate that public open space, community facilities and infrastructure are to be delivered across the estate on a staged basis. The Landscape Master Plan indicates that, upon completion of the overall development, approximately 16.35% of the estate will comprise unencumbered public open space, exceeding the minimum requirement of Clause 6.2.4. The Master Plan also identifies neighbourhood parks, pedestrian and cycle connections, community facilities and the neighbourhood centre within adjoining stages, all of which will serve residents of Stage 5B.

Requiring each individual subdivision stage to independently provide 10% public open space would result in an inefficient and fragmented distribution of parks and would not reflect the integrated approach contemplated by the approved master plan or the staged delivery arrangements established under the *Crown Lands Act 1992*.

It is also noted that Planning Scheme Amendment 173 amended the *Northern Territory Planning Scheme 2020* to incorporate references to the NT Subdivision Development Guidelines within Schedule 5 and Clause 6.1. The proposal has been assessed having regard to those Guidelines, including the coordinated provision of public open space and community infrastructure across staged developments.

Accordingly, although the proposal represents a technical non-compliance with sub-clause 7, it is considered to achieve the purpose of Clause 6.2.4 by providing an integrated pattern of infrastructure, community facilities and public open space across the broader Zuccoli Aspire development. The exercise of the consent authority's discretion under sub-clause 1 is therefore considered appropriate.

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

The application was placed on public exhibition for a period of two weeks in accordance with sections 47(1) and 47(5) of the *Planning Act 1999*. No public submissions were received under section 49(1) of the *Planning Act 1999*.

The City of Palmerston lodged comments during the exhibition period. Pursuant to section 49(6) of the *Planning Act 1999*, those comments were taken to oppose the application and were therefore treated as a local government council submission under section 47(3) of the *Planning Act 1999*.

Following public exhibition, the application was deferred to enable the applicant to respond to the issues raised in the Department's technical assessment and the matters identified by the City of Palmerston. During the deferral period, the applicant worked with the Council to address those matters. The issues have since been resolved, and the Council has advised that it generally supports the application, subject to the imposition of appropriate permit conditions.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration 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 land has been identified for urban development within the *Northern Territory Planning Scheme 2020 Strategic Framework*, including the Palmerston Eastern Suburbs Area Plan. The capability of the land for urban development was considered at a strategic level through the rezoning of the land to Zone FD (Future Development) and the subsequent development approval framework established under the *Crown Lands Act 1992*, including the relevant Developer Agreement and Crown Lease Term.

The application is supported by an Engineering Services Report, which demonstrates how the site will be developed to accommodate the proposed subdivision. Parts of the site have natural gradients exceeding 2%, consistent with the topographical constraints previously recognised under Clause 6.2.3 of the *Northern Territory Planning Scheme 2020*. The engineering report details the earthworks required to create suitably graded residential lots, roads and associated infrastructure.

To ensure the completed lots are suitable for residential development, it is recommended that a condition of the development permit require certification by an appropriately qualified person that the approved earthworks have been completed in accordance with the endorsed engineering design. Where retaining walls require approval under the *Building Act 1993*, they should also be certified as complying with the National Construction Code and relevant Australian Standards.

The application was referred to the Land Resource Division of the Department of Lands, Planning and Environment. The Division did not identify any concerns regarding the capability of the land to support the proposed subdivision. It recommended a condition precedent requiring the preparation of a Type 2 Erosion and Sediment Control Plan (ESCP), together with standard conditions requiring implementation and maintenance of the endorsed ESCP throughout the construction phase.

Subject to compliance with the recommended permit conditions and the requirements of the relevant service authorities, the land is considered capable of supporting the proposed subdivision without resulting in unacceptable impacts on the land or adjoining properties.

4. Pursuant to section 51(1)(k) of the *Planning Act 1999*, the consent authority must take into consideration 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 subject land is located within the established suburb of Zuccoli, which already contains a range of public facilities, including neighbourhood parks, schools and associated community infrastructure delivered through earlier stages of the suburb's development.

Under the *Northern Territory Planning Scheme 2020* and the NT Subdivision Development Guidelines, residential subdivisions are generally required to provide public open space equivalent to at least 10% of the gross developable area.

This stage of the subdivision does not include the dedication of public open space. However, it forms part of the broader Zuccoli Aspire Subdivision, for which the applicant has submitted a Zuccoli Aspire Masterplan and Subdivision Landscape Plan demonstrating the proposed public open space network across the entire development.

The submitted Landscape Plan indicates that, upon completion of the overall Zuccoli Aspire Subdivision, approximately 16.35% of the development area will comprise unencumbered public open space. The delivery of public open space across the broader subdivision is being managed through the staged development of the estate, with oversight provided through the Crown lease conditions and associated development agreement under the *Crown Lands Act 1992*. Accordingly, although no public open space is proposed within this stage, the overall development is intended to satisfy, and exceed, the minimum public open space requirement through its staged delivery.

5. Pursuant to section 51(1)(m) of the *Planning Act 1999*, in considering a development application, the consent authority must take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be 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 is supported by an Engineering Services Report and was referred to the relevant service authorities for comment. The referral agencies did not identify any constraints that would prevent the proposed subdivision from being serviced. Instead, standard conditions and advisory notes have been recommended to ensure the subdivision is designed and constructed in accordance with the requirements of the relevant authorities.

The recommended conditions and advisory notes ensure that:

- stormwater drainage is appropriately designed and constructed;
- works within road reserves and adjacent to easements are undertaken with the approval of the relevant authorities;
- reticulated electricity, water and sewerage services are provided to each lot;
- vehicle access and any impacts on the surrounding road and pedestrian network are appropriately managed; and
- all required public infrastructure is provided by the developer to the standard required by the relevant service authorities.

It is also noted that, consistent with the Editor's Note to Clause 6.1 of the *Northern Territory Planning Scheme 2020*, detailed matters relating to access, engineering design, works within road reserves and the provision of public utilities and infrastructure are primarily addressed through the NT Subdivision Development Guidelines and the engineering approval process.

Subject to the recommended conditions of approval, the application is considered capable of being appropriately serviced and is consistent with the requirements of section 51(1)(m) of the *Planning Act 1999*.

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

The *Planning Act 1999* and the *Northern Territory Planning Scheme 2020* define amenity, in relation to a locality or building, as *any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable*.

Since the application was publicly exhibited (2024), a considerable period has elapsed. During this time, additional stages of development within Zuccoli have been completed, titles have been issued for nearby lots, and the residential population in the locality has increased. Notwithstanding this, the application has substantially completed the statutory public exhibition process required under the *Planning Act 1999*. Subject to the applicant providing the required declaration confirming that the public exhibition signs remained on display for the duration of the exhibition period, there is no statutory requirement to undertake a further period of public exhibition or notify subsequent landowners.

The proposal will change the amenity of the immediate locality by facilitating the urban development of land that is currently vacant. However, this change is consistent with the strategic planning framework for the area, the zoning of the land, and the intended character of the broader Zuccoli Aspire development. Although this stage does not include public open space, the overall master-planned subdivision will provide a network of public open space that will contribute positively to the future amenity of the neighbourhood.

Temporary impacts on surrounding properties are likely to occur during the earthworks and construction phase, including noise, dust, traffic movements and general construction activity. These impacts are typical of subdivision works and can be appropriately managed through permit conditions, engineering approvals and the requirements of relevant legislation administered by referral authorities. This includes requirements relating to erosion and sediment control, stormwater management, construction access, the provision of reticulated services, pollution control, work health and safety, and construction operating practices.

Subject to compliance with these requirements, the proposal is not expected to result in any unacceptable adverse impacts on the existing or future amenity of the locality.

7. Pursuant to section 51(1)(p) of the *Planning Act 1999*, in considering a development application, the consent authority must take into account *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;*

The proposed subdivision is considered to be in the public interest as it facilitates the creation of additional residential lots within the Zuccoli growth area, supporting the orderly development of land and increasing the supply and diversity of residential housing opportunities in the City of Palmerston.

Community safety through crime prevention

Crime Prevention Through Environmental Design (CPTED) principles generally relate to the design of buildings and public spaces. As this application is for subdivision only and does not include the development of buildings or public open space (other than roads and footpaths), these principles have limited application. Nevertheless, the proposed subdivision demonstrates several positive CPTED outcomes, including:

- a conventional street layout that provides long sightlines and good passive surveillance opportunities;

- a connected road network with no cul-de-sacs;
- provision for street lighting in accordance with the Engineering Services Report and the NT Subdivision Development Guidelines; and
- a clear street hierarchy that will facilitate wayfinding and street identification.

The NT Subdivision Development Guidelines also contain design requirements relating to CPTED. Compliance with these requirements, including the provision of roads, footpaths and street lighting, will be assessed through the engineering approval process and secured through standard subdivision conditions administered by the City of Palmerston.

Water safety

No water safety issues have been identified. Stormwater generated by the subdivision is proposed to be conveyed through the subdivision drainage network and discharged to an open drainage system. The design, construction and maintenance of stormwater infrastructure will be required to comply with the requirements of the City of Palmerston and the Crown Land Estate.

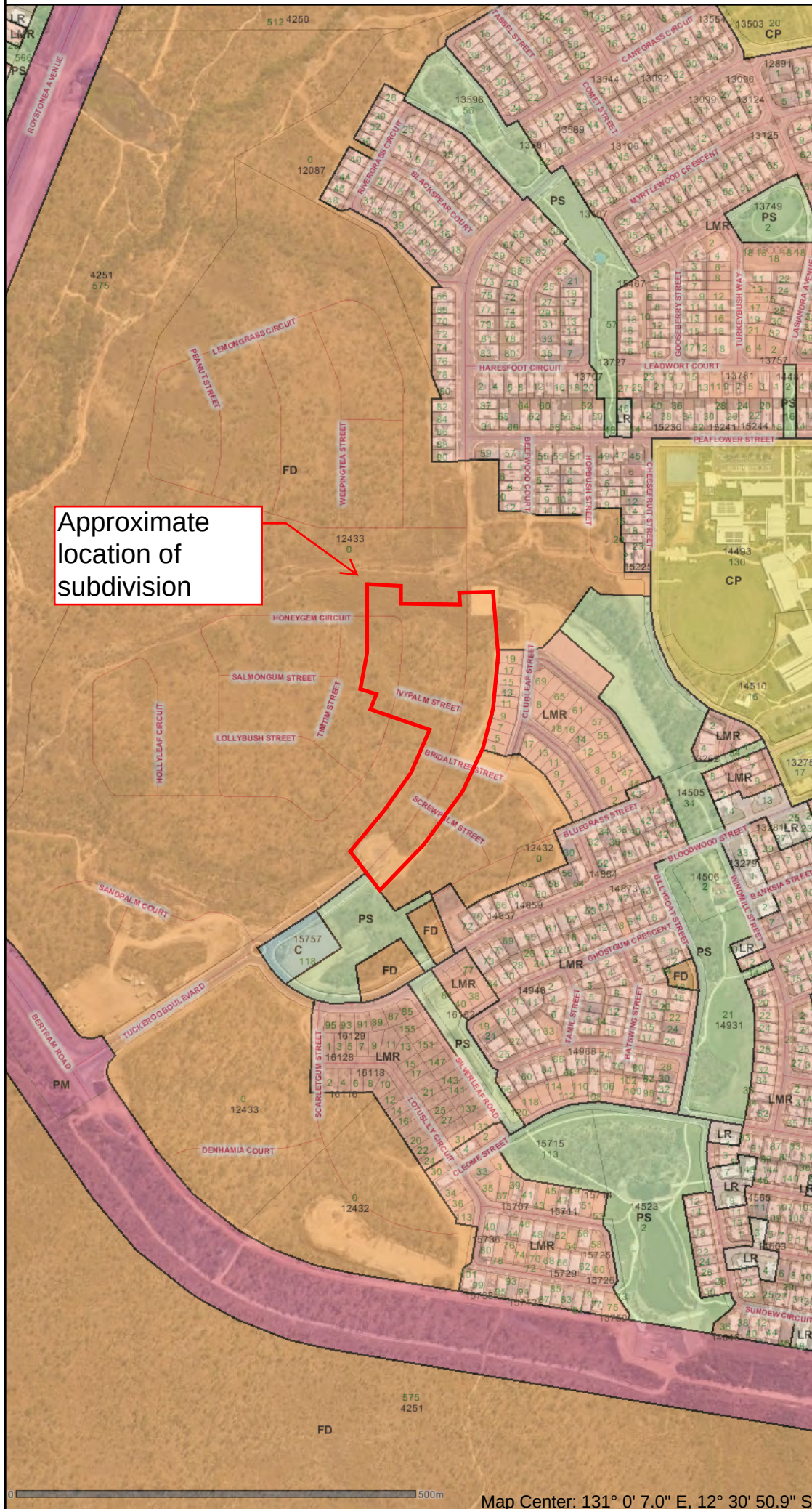
Access for persons with disabilities

The subdivision itself does not raise any specific disability access issues. Requirements relating to accessible public infrastructure, including footpaths and road crossings where applicable, will be addressed through the NT Subdivision Development Guidelines and other relevant legislation as part of the engineering design and construction process.



AUTHORISED:

.....
**MANAGER, PALMERSTON & EAST ARM
DEVELOPMENT ASSESSMENT SERVICES**



- 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
 - SCJ - Service Commercial Jabiru
 - TCJ - Tourist Commercial Jabiru
 - CPJ - Community Purpose Jabiru
 - FDJ - Future Development Jabiru
 - IJ - Industrial Jabiru
 - MJ - Main Road Jabiru
 - UJ - Utilities Jabiru
- Road Labels**
- Road Centrelines**
- Highway
 - Other Road
- Street Numbers**
- Parcel Numbers**
- Cadastre
 - Coastline

Created by DAHER

Bottom Left: 130° 59' 50", -12° 31' 00"

Top Right: 131° 00' 23", -12° 30' 41"

Approximate Scale: 1:7,000

Datum: GDA 1994

Data for information purposes only

- accuracy not guaranteed

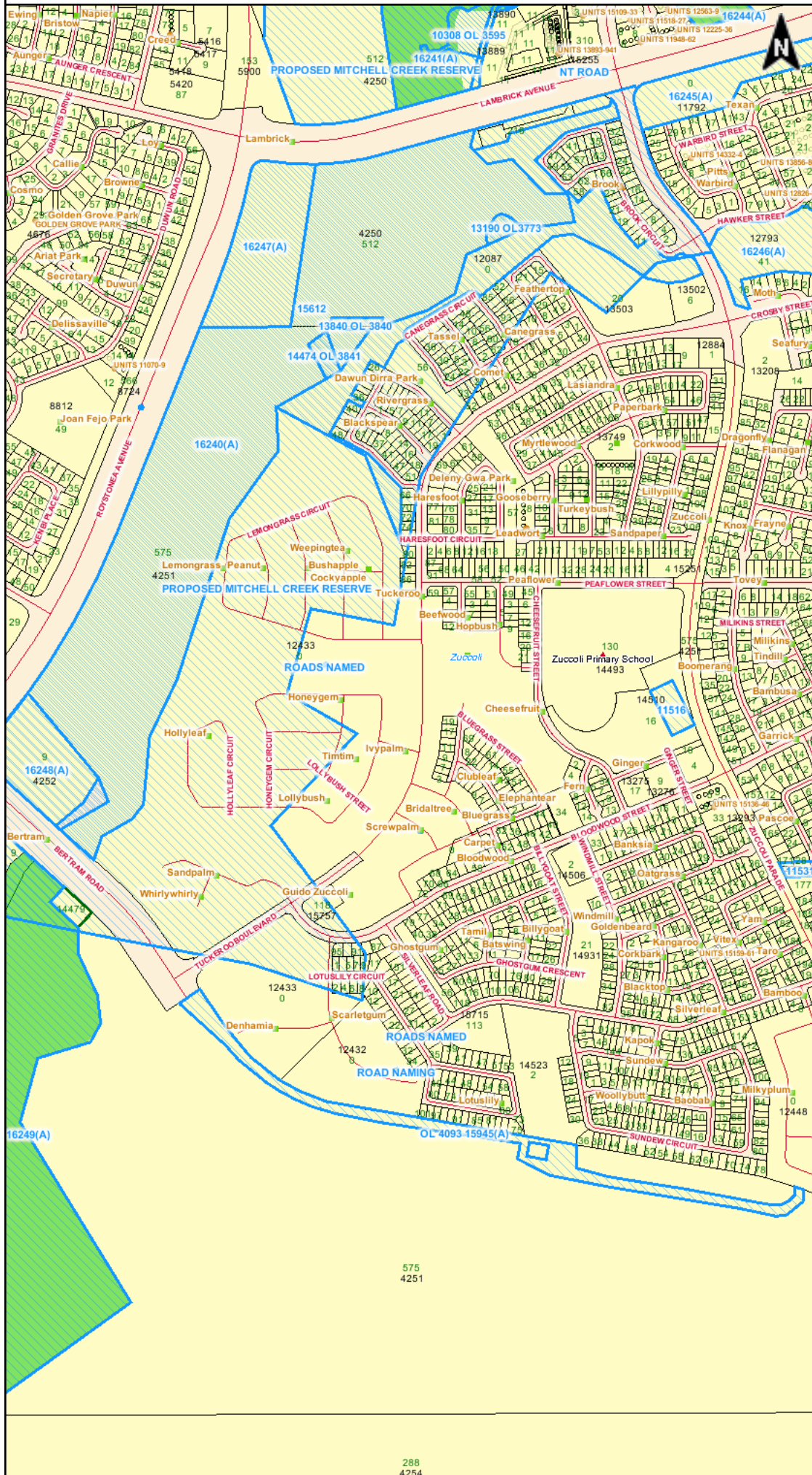
N.T. Land Information System

Copyright Northern Territory of Australia

Map Center: 131° 0' 7.0" E, 12° 30' 50.9" S

NTPS2020 - Clearing of Native Vegetation Overlay

Legend



- Placenames**
- Recorded
 - Historical
 - Registered
 - Assigned
 - Revoked
 - Registered - Historical
 - General Text
- General Lines**
- General Lines
- Notations**
- Active
 - Proposed
- Clearing of Native Vegetation**
- Clearing of Native Vegetation
- Road Labels**
- Road Centrelines
 - Highway
 - Other Road
- Street Numbers**
- Street Numbers
- Parcel Numbers**
- Cadastre Proposed
 - Cadastre
 - Coastline

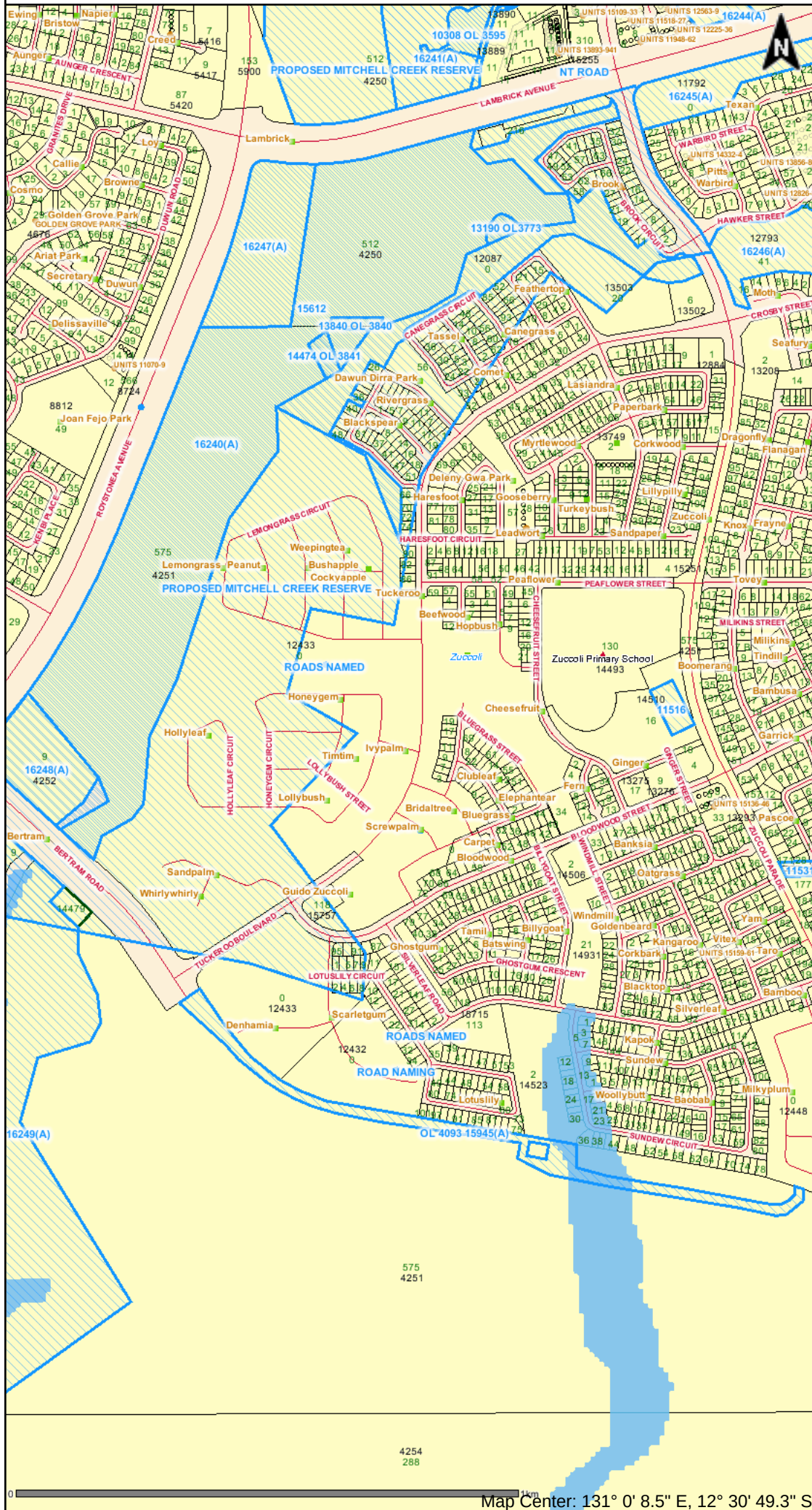
Created by Public User

Bottom Left: 130° 59' 41", -12° 31' 03"
 Top Right: 131° 00' 35", -12° 30' 35"
 Approximate Scale: 1:11,000
 Datum: GDA 1994
 Data for information purposes only
 - accuracy not guaranteed
 N.T. Land Information System
 Copyright Northern Territory of Australia

Map Center: 131° 0' 8.5" E, 12° 30' 49.3" S

NTPS - Land Subject to Flooding Overlay

Legend



Placenames

- ▲ Recorded
- ★ Historical
- Registered
- ▲ Assigned
- Revoked
- + Registered - Historical

General Text

- General Text

General Lines

- General Lines

Notations

- Active
- Proposed
- Land Subject to Flooding

Road Labels

Road Centrelines

- Highway
- Other Road

Street Numbers

Parcel Numbers

- Cadastre Proposed
- Cadastre
- Coastline

Created by Public User

Bottom Left: 130° 59' 41", -12° 31' 03"

Top Right: 131° 00' 35", -12° 30' 35"

Approximate Scale: 1:11,000

Datum: GDA 1994

Data for information purposes only

- accuracy not guaranteed

N.T. Land Information System

Copyright Northern Territory of Australia



Legend

- 1 Lemongrass Circuit
- 2 Peanut Street
- 3 Bushapple Street
- 4 Weepingtea Street
- 5 Cockyapple Street
- 6 Ivypalm Street
- 7 Hollyleaf Circuit
- 8 Lollybush Street
- 9 Timtim Street
- 10 Salmongum Street
- 11 Honeygem Circuit
- 12 Sandpalm Court
- 13 Whirlywhirly Court
- 14 Denhamia Court
- 15 Scarletgum Street
- 16 Lotuslily Circuit
- 17 Screwpalm Street
- 18 Brldaltree Street
- 19 Milkyplum Street
- 20 Pongamia Street
- 21 Bottletree Street
- 22 Zoysla Street
- 23 Bladderwort Street
- 24 Horsfieldia Street
- 25 Beautyleaf Street
- 26 Whitecloud Street
- 27 Limeberry Street
- 28 Cleome Street
- 29 Bamboo Street

A Guido Zuccoli Park



Department of Infrastructure, Planning and Logistics

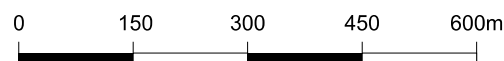
Naming of Roads and Park - Zuccoli Aspire Estate Lots 12432, 12433 & 12448 Town of Palmerston



CERTIFIED CORRECT :

Robert Lih
SURVEYOR-GENERAL

18 May 2022
DATE



S2022/038

Date Registered: 15/05/2026

Volume 907 Folio 072

Duplicate Certificate as to Title issued? No

SEARCH CERTIFICATE

CROWN LEASE TERM 02508

Lot 12432 Town of Palmerston from plan(s) S2014/168B

Lot 12433 Town of Palmerston from plan(s) S2014/168

Area under title is 62 hectares 4200 square metres

Owner:

Costojic Pty Ltd (ACN 601 969 064)

of PO Box 2014, Darwin NT 0801

Registered Date	Dealing Number	Description
		Previous title is Volume 904 Folio 993
15/05/2026	1066396	Electricity supply Easement to Power and Water Corporation
14/04/2026	1063525	Covenant
17/10/2024	1023383	Covenant
10/07/2024	1017751	Variation - term extended to 31/12/2029
05/06/2024	1015902	Covenant
27/11/2023	1005917	Covenant
14/03/2023	991120	Covenant
17/10/2022	982493	Covenant
18/07/2022	976270	Covenant
11/11/2021	960320	Covenant
17/09/2021	956788	Covenant
09/03/2021	945349	Variation - term extended to 31/12/2024
11/02/2021	944053	Covenant
14/05/2018	903652	Covenant
11/01/2018	898506	Covenant
25/09/2017	893387	Covenant
23/03/2017	884578	Covenant
26/08/2016	874176	Covenant
02/03/2015	844540	Caveat Northern Territory of Australia
End of Dealings		

Commencement Date: 2nd March 2015

Expiry Date: 31st December 2029

Reservations:

1. Reservation of a right of entry and inspection. 2. Reservation of all minerals, mineral substances and ores in or upon the Lease Area, including gems, stones, sands, valuable earths and fossil fuels. 3. Reservation of a power of resumption.

Interpretation:

Unless the contrary intention appears, words and expressions defined, and rules of interpretation in the Development Agreement entered into between the parties on 11 December 2014 ("Development Agreement") have the same meaning in this Lease.

Duplicate Certificate as to Title issued? No

Provisions:

1. This Lease is granted for the purpose of enabling the Lessee to comply with its obligations under the Development Agreement in relation to the Lease Area ("Lease Purpose").
2. This Lease is granted under and subject to the Crown Lands Act and the Regulations for the time being in force thereunder, and is conditional upon compliance by the Lessee with the covenants and conditions to be complied with by the Lessee under that Act and those Regulations and will, subject to the Crown Lands Act and the Regulations be liable to be forfeited for non-compliance with any such lease condition.
3. Subject to the Crown Lands Act, if the Development Agreement is lawfully terminated for any reason whatsoever, then this Lease (without prejudice to any other right or action the Territory may have against the Lessee whether arising out of the Lease or the Development Agreement) will likewise terminate without the need for any further or specific action to be taken by the terminating party.
4. Subject to Provision 5 and the terms of the Development Agreement, the Lessee may at any time surrender this Lease or part of this Lease in the manner prescribed by the Crown Lands Act provided that the Lessee complies with, or has complied with the Development Agreement and this Lease and provided the Lessee is not in breach of the Crown Lands Act and any regulations thereunder. Subject to the Development Agreement, upon surrender of this Lease or part of this Lease, the Lessee shall be granted or be entitled to be granted an estate in fee simple in each Developed Lot. The Developer shall not be entitled to an estate in fee simple in any open space, thoroughfare, park, garden, road or path or any other land dedicated to a public purpose and all such land shall vest in fee simple in, or at the direction of, the Territory.
5. This Lease may only be surrendered and estates in fee simple issued in respect of groups of not less than thirty (30) Developed Lots. The surrender and conversion to estates in fee simple of less than thirty (30) individual Developed Lots from an approved survey plan for any stage of development within the Lease Area will not be permitted except in relation to Developed Lots that are to be surrendered to the Territory or the Territory's nominee in accordance with the Development Agreement.
6. The Lessee shall not surrender or attempt to surrender the whole or any part of this Lease with a view to obtaining title for that part of the Lease Area unless there is in respect of that part of the Lease Area a Certificate of Practical Completion issued in accordance with the provisions of the Development Agreement.

Conditions and Covenants

1. Subject to the Crown Lands Act and the Development Agreement, the Lessee must not use the Lease Area for a purpose other than the Lease Purpose.
2. The Lessee shall in carrying out the subdivision or subdivisional works comply with the terms and conditions imposed or implied in respect of the subdivision by the relevant consent authority under the Planning Act.
3. The Lessee must ensure that at all times and to the satisfaction of the Minister, that the Lease Area is kept clean, tidy and free of weeds, debris, dry herbage, rubbish, carcasses of animals and other unsightly or offensive, poisonous, toxic or hazardous matter and is not permitted to become a harbour for insects, pests or for the breeding of mosquitoes.
4. The Lessee shall, within twelve (12) months from the commencement of this Lease, clear the Lease Area of any noxious plants and thereafter maintain the Lease Area free of all noxious plants in accordance with the Weeds Management Act 2001 and the regulations for the time being in force thereunder. 5. If the Lessee fails to observe and carry out or to cause to be observed or carried out the requirements of conditions 3 or 4 above on its part, the Territory shall if such failure is not remedied within thirty (30) days of a notice from the Territory requiring the Lessee to remedy it, have the right to enter onto the Lease Area and do all things necessary to that end and the expense and cost thereof, as determined by the Delegate of the Minister, shall be borne and payable by the Lessee on demand.

Date Registered: 15/05/2026

Volume 907 **Folio** 072

Duplicate Certificate as to Title issued? No



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 12432 Town of Palmerston plan(s) S2014/168B

(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 907 072 (order 1)

Tenure Type

CROWN LEASE TERM 2508

Tenure Status

Current

Area Under Title

62 hectares 4200 square metres

Owners

Costojic Pty Ltd (ACN 601 969 064)
PO Box 2014, Darwin NT 0801

Easements

Electricity supply Easement to Power and Water Corporation

Scheme Name

(none found)

Scheme Body Corporate Name

(none found)

Reserved Name(s)

(none found)

Unit Entitlements

(none found)



Transfers

(none found)

Tenure Comments

(none found)

Historic Titles

CUFT 904 993 (order 1)
CUFT 884 050 (order 1)
CUFT 881 080 (order 1)
CUFT 880 560 (order 1)
CUFT 876 949 (order 1)
CUFT 869 040 (order 1)
CUFT 866 658 (order 1)
CUFT 864 177 (order 1)
CUFT 860 964 (order 2)
CUFT 860 964 (order 1)
CUFT 846 502 (order 2)
CUFT 846 502 (order 1)
CUFT 845 420 (order 1)
CUFT 834 351 (order 1)
CUFT 832 687 (order 1)
CUFT 831 420 (order 1)
CUFT 825 638 (order 1)
CUFT 823 450 (order 1)
CUFT 821 352 (order 1)
CUFT 816 265 (order 1)
CUFT 815 493 (order 1)
CUFT 815 491 (order 1)
CUFT 812 927 (order 2)
CUFT 812 927 (order 1)
CUFT 812 857 (order 1)
CUFT 812 701 (order 1)
CUFT 810 171 (order 1)
CUFT 810 153 (order 1)
CUFT 810 140 (order 1)
CUFT 798 904 (order 1)

Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5346)**Address**

ZUCCOLI PDE, ZUCCOLI

Survey Plan

S2014/168B

Survey Status

Approved

Parcel Status

CURRENT

Parcel Area

11 hectares, 3600 square metres

Map Reference

(none found)

Parent Parcels

Lot 04251 Town of Palmerston plan(s) S 911035

Parcel Comments

SURRENDER AREAS - LI2020/0020. LOTS 13264 TO 13272, 13275 TO 13277, 13279 TO 13324 AND ROAD EXCISED - S2015/192. LOTS 13325 TO 13445 EXCISED - S2015/193. LOTS EXCISED 14504 TO 14506 - S2016/119. LOTS 14843 TO 14887 EXCISED (SUB-STAGE 3A) - S2017/062. LOTS 14888 TO 14931 EXCISED (SUB-STAGE 3B) - S2017/063. LOTS 14935 TO 14975 EXCISED (SUB-STAGE 3C) - S2017/064. LOTS 14981 TO 14989 AND 14996 TO 15029 TO BE EXCISED (SUB-STAGE 3D-1) - S2017/065. LOTS 14524 TO 14589 EXCISED (SUB-STAGE 2A) - S2016/130. LOTS 14659 TO 14729 EXCISED (SUB-STAGE 2C) - S2016/132. LOTS 14590 TO 14658 EXCISED (SUB-STAGE 2B) - S2016/131. LOT 14523 EXCISED - S2017/092. LOTS 15684 TO 15751 EXCISED - S2022/052. LOTS 14990 TO 14995 AND 15030 TO BE EXCISED (SUB-STAGE 3D-2) - S2023/394. LOTS 16120 TO 16126, 16135 TO 16151 AND PART LOTS 16119, 16134, 16152, 16162 TO 16164 TO BE EXCISED (STAGE 4B) - S2024/128.

Survey Comments

LOTS 12432 AND 12433, ZUCCOLI STAGE 3 AND 4, SUBDIVISION OF LOT 4251, TOWN OF PALMERSTON.

Proposed Easements

(none found)

Local Government Area

PALMERSTON MUNICIPALITY

Region

DARWIN

Custodian - Valuer General (+61 8 8995 5375)**Owner's Last Known Address**

Costojic Pty Ltd (ACN 601 969 064), PO BOX 2014, DARWIN NT 0801

Parcels in Valuation

Lot 12432 Town of Palmerston

Unimproved Capital Value

\$6,425,000 on 01/07/2023

\$5,800,000 on 01/07/2020

\$4,900,000 on 01/07/2017

\$7,000,000 on 01/07/2014

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: Slab for Future bus shelter only
Number of Residential Units:
Australian Bureau of Statistics Type: (none found)
Building Class: Non-habitable building
Area: 18 square metres
Certification: Non-habitable building - Occupancy Permit - *issued on 17/11/2025*

Application Number: 3 of 4
Description: Shade Structure and Shed
Number of Residential Units:
Australian Bureau of Statistics Type: (none found)
Building Class: Non-habitable building
Area: 53 square metres
Certification: Non-habitable building - Occupancy Permit - *issued on 28/03/2023*

Application Number: 2 of 4
Description: Shade Structure
Number of Residential Units:
Australian Bureau of Statistics Type: (none found)
Building Class: Non-habitable building
Area: 33 square metres
Certification: Non-habitable building - Occupancy Permit - *issued on 11/10/2016*

Application Number: 1 of 4
Description: Shade Structure
Number of Residential Units:
Australian Bureau of Statistics Type: (none found)
Building Class: Non-habitable building
Area: 100 square metres
Certification: Non-habitable building - Occupancy Permit - *issued on 14/09/2016*

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

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

Planning Scheme Zone

MZ (Multi Zone)

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:

- Palmerston Eastern Suburbs Area Plan

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications

File Number

PA2025/0330

Type

Planning Scheme Amendment

Date Received

23/09/2025

Application Purpose

Rezoned approved subdivision lots in Zuccoli Aspire Stage 4B from Zone FD to Zone LMR and Zone PS; and add setbacks drawing to Schedule 9.

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

11/11/2025

Instrument Number

150

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0431

Type

Extension of Time

Date Received

03/02/2025

Application Purpose

extend base period of DP23/0030 for a period of 3 years

Application Status

Approved



Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

18/02/2025

Instrument Number

DP23/0030A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2024/0148

Type

Subdivision

Date Received

04/06/2024

Application Purpose

Subdivision to create 38 lots and building setback plan (Zuccoli Aspire Stage 5A)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

20/09/2024

Instrument Number

DP24/0199

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2024/0041

Type

Planning Scheme Amendment

Date Received

01/03/2024

Application Purpose

Rezone Part Lot 12432 from Zone FD to Zone PS

Application Status

Approved



Other Affected Parcels

(none found)

Instrument Signed

11/04/2024

Instrument Number

104

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2023/0211

Type

Planning Scheme Amendment

Date Received

10/07/2023

Application Purpose

Rezone lots in Stage 4A of Zuccoli Aspire from Zone FD to Zones LMR and PS, and include setbacks plan in Schedule 9 of NTPS

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

01/09/2023

Instrument Number

86

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0431

Type

Subdivision

Date Received

14/11/2022

Application Purpose

Subdivision to create 53 lots (Zuccoli Aspire Stage 4B)

Application Status

Approved



Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

17/02/2023

Instrument Number

DP23/0030

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0079

Type

Planning Scheme Amendment

Date Received

11/03/2022

Application Purpose

Rezone from Zone FD (Future Development) to Zone LMR (Low-Medium Residential) and Zone PS (Public Open Space) (Zuccoli Aspire 3a, 3b & 3c)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Lot 14859 Town of Palmerston

Instrument Signed

11/04/2022

Instrument Number

44

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0069

Type

Development

Date Received

07/03/2022

Application Purpose

Office (sales office) in a single storey demountable structure



Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

14/04/2022

Instrument Number

DP22/0083

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2021/0452

Type

Subdivision

Date Received

14/01/2022

Application Purpose

Subdivision to create 68 lots (Zuccoli Aspire Stage 4A)

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

25/03/2022

Instrument Number

DP22/0063

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2021/0066

Type

Subdivision

Date Received

10/03/2021

Application Purpose

Subdivision to create one lot

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

15/04/2021

Instrument Number

DP21/0108

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0760

Type

Variation of Development Permit

Date Received

03/03/2021

Application Purpose

vary Condition 8 of Development Permit DP17/0049 & subsequent Development Permit DP17/0049A for the purpose of changes to the approved subdivision to reduce the overall number of lots from 237 to 223 (Zuccoli sub-stages 3B, 3C & 3D)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

06/05/2021

Instrument Number

DP17/0049C

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0760

Type

Extension of Time

Date Received

12/02/2021



Application Purpose

extend base period of DP17/0049 by two years

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

22/02/2021

Instrument Number

DP17/0049B

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2018/0033

Type

Planning Scheme Amendment

Date Received

01/02/2018

Application Purpose

Rezoning Zuccoli Stage 3 & 4 (Sub-stage 2B) Lots 12432 and 4251 Town of Palmerston from Zone FD to Zone SD (Single Dwelling Residential) and Zone MD (Multiple Dwelling Residential) (Zone Normalisation)

Application Status

Approved

Other Affected Parcels

Lot 12448 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

02/04/2018

Instrument Number

492

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0760

Type

Variation of Development Permit



Date Received

25/10/2017

Application Purpose

vary Condition 8 of DP17/0049 for the purpose of changing the ordering of staging and changing the identified land use from Lot 427 from MD (Medium Density Residential) to CP (Community Purpose)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

11/12/2017

Instrument Number

DP17/0049A

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2015/0713

Type

Variation of Development Permit

Date Received

07/02/2017

Application Purpose

Vary Condition 8 and 24 of Development Permit DP16/0033 for the purpose of changing the ordering of staging and realigning stage boundaries to include sub-stage 2D

Application Status

Approved

Other Affected Parcels

Lot 04251 Town of Palmerston

Instrument Signed

21/02/2017

Instrument Number

DP16/0033A

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0760



Type

Subdivision

Date Received

22/12/2016

Application Purpose

Subdivision to create 237 lots in five stages (Zuccoli sub-stage 3)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

28/02/2017

Instrument Number

DP17/0049

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0532

Type

Subdivision

Date Received

29/08/2016

Application Purpose

Subdivision to create 237 lots in 5 stages (Zuccoli 3&4 sub-stage 3)

Application Status

Refused

Other Affected Parcels

Lot 12433 Town of Palmerston

Instrument Signed

26/10/2016

Instrument Number

NR16/0021

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0312



Type

Planning Scheme Amendment

Date Received

16/05/2016

Application Purpose

Rezone from Zone FD to Zones SD, MD, MR and PS

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Lot 12448 Town of Palmerston

Instrument Signed**Instrument Number**

444

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2014/1034

Type

Variation of Development Permit

Date Received

30/03/2016

Application Purpose

vary Condition 5 of DP15/0096A for the purpose of changing the identified land use for Lot 003 from MR (Medium Density Residential) to CP (Community Purpose)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

20/04/2016

Instrument Number

DP15/0096B

Instrument Issued

Signed

Instrument Status

Completed



File Number

PA2014/1034

Type

Variation of Development Permit

Date Received

26/11/2015

Application Purpose

remove condition 6 and vary Condition 5 of DP15/0096 for the purpose of identifying all lots over 600m2 as Zone SD (Single Dwelling), as well as minor amendments to the staging

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston
Lot 04251 Town of Palmerston

Instrument Signed

03/12/2015

Instrument Number

DP15/0096A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2015/0713

Type

Subdivision

Date Received

28/09/2015

Application Purpose

Subdivision to create 205 residential lots and 1 public open space lot in 3 stages, and a side setback plan (Zuccoli 3/4 sub-stage 2)

Application Status

Approved

Other Affected Parcels

Lot 04251 Town of Palmerston

Instrument Signed

03/02/2016

Instrument Number

DP16/0033

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2015/0713

Type

Development

Date Received

28/09/2015

Application Purpose

Subdivision to create 205 residential lots and 1 public open space lot in 3 stages, and a side setback plan (Zuccoli 3/4 sub-stage 2)

Application Status

Approved

Other Affected Parcels

Lot 04251 Town of Palmerston

Instrument Signed

03/02/2016

Instrument Number

DP16/0032

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2015/0540

Type

Development

Date Received

27/07/2015

Application Purpose

Temporary sales office and display village

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

11/09/2015

Instrument Number

DP15/0547

Instrument Issued

Signed



Instrument Status

Completed

File Number

PA2014/1034

Type

Development

Date Received

10/02/2015

Application Purpose

Zuccoli Stages 3 & 4 (Sub-Stage One) - Building envelope and setback plan

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

28/05/2015

Instrument Number

DP15/0301

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2014/1034

Type

Subdivision

Date Received

24/12/2014

Application Purpose

Subdivision of Zuccoli Stages 3 & 4 (Sub-Stage One)

Application Status

Approved

Other Affected Parcels

Lot 12433 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

02/03/2015

Instrument Number

DP15/0096

Instrument Issued

Signed

Instrument Status

Current

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 (none found)

Power Water - Water (none found)

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
RL26136	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
RB56	Granted	Reservation of Blocks		Petroleum Act 1984
RB167	Granted	Reservation of Blocks		Petroleum Act 1984
RB225	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





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 12433 Town of Palmerston plan(s) S2014/168

(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 907 072 (order 1)

Tenure Type

CROWN LEASE TERM 2508

Tenure Status

Current

Area Under Title

62 hectares 4200 square metres

Owners

Costojic Pty Ltd (ACN 601 969 064)
PO Box 2014, Darwin NT 0801

Easements

Electricity supply Easement to Power and Water Corporation

Scheme Name

(none found)

Scheme Body Corporate Name

(none found)

Reserved Name(s)

(none found)

Unit Entitlements

(none found)



Transfers

(none found)

Tenure Comments

(none found)

Historic Titles

CUFT 904 993 (order 1)
CUFT 884 050 (order 1)
CUFT 881 080 (order 1)
CUFT 880 560 (order 1)
CUFT 876 949 (order 1)
CUFT 869 040 (order 1)
CUFT 866 658 (order 1)
CUFT 864 177 (order 1)
CUFT 860 964 (order 2)
CUFT 860 964 (order 1)
CUFT 846 502 (order 2)
CUFT 846 502 (order 1)
CUFT 845 420 (order 1)
CUFT 834 351 (order 1)
CUFT 832 687 (order 1)
CUFT 831 420 (order 1)
CUFT 825 638 (order 1)
CUFT 823 450 (order 1)
CUFT 821 352 (order 1)
CUFT 816 265 (order 1)
CUFT 815 493 (order 1)
CUFT 815 491 (order 1)
CUFT 812 927 (order 2)
CUFT 812 927 (order 1)
CUFT 812 857 (order 1)
CUFT 812 701 (order 1)
CUFT 810 171 (order 1)
CUFT 810 153 (order 1)
CUFT 810 140 (order 1)
CUFT 798 904 (order 1)

Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5346)**Address**

ZUCCOLI PDE, ZUCCOLI

Survey Plan

S2014/168

Survey Status

Approved

Parcel Status

CURRENT

Parcel Area

51 hectares, 600 square metres

Map Reference

(none found)

Parent Parcels

Lot 04251 Town of Palmerston plan(s) S 911035

Parcel Comments

SURRENDER AREAS - LI2020/0020. LOTS 13261, 13262, 13274 AND ROAD EXCISED VIDE S2015/192B. LOTS 14504 TO 14506 EXCISED - S2016/119. LOT 14510 EXCISED- S2016/122. LOTS 14844 TO 14887 EXCISED (SUB-STAGE 3A) - S2017/062. LOTS 14888 TO 14934 EXCISED (SUB-STAGE 3B) - S2017/063. LOTS 14935 TO 14975 EXCISED (SUB-STAGE 3C) - S2017/064. LOTS 14981 TO 14989 AND 14996 TO 15029 EXCISED (SUB-STAGE 3D-1) - S2017/065. LOTS 15268 AND 15273 EXCISED - S2018/082. LOTS 15285 TO 15332 (SUB-STAGE 6A) EXCISED - S2019/022. LOTS 15224 TO 15251 AND 14993 EXCISED (STAGE 3E) - S2018/018. PROPOSED ROAD OPENING - S2019/074. PROPOSAL TO OPEN ROAD NTG G50 11/12/2019 - LI2019/0008~0017. ROAD OPENED (BERTRAM ROAD) NTG G8 26/02/2020. LOTS 15753 TO 15756 TO BE EXCISED - S2022/058. LOT 15757 EXCISED - S2022/094. LOTS 14990 TO 14995 AND 15030 TO BE EXCISED (SUB-STAGE 3D-2) - S2023/394. LOTS 16115 TO 16118, 16127 TO 16133, 16153 TO 16160, 16165 TO 16167 AND PART LOTS 16119, 16134, 16152, 16162 TO 16164 TO BE EXCISED (STAGE 4B) - S2024/128.

Survey Comments

LOTS 12432 AND 12433, ZUCCOLI STAGE 3 AND 4, SUBDIVISION OF LOT 4251, TOWN OF PALMERSTON.

Proposed Easements

(none found)

Local Government Area

PALMERSTON MUNICIPALITY

Region

DARWIN

Custodian - Valuer General (+61 8 8995 5375)**Owner's Last Known Address**

Costojic Pty Ltd (ACN 601 969 064), PO BOX 2014, DARWIN NT 0801

Parcels in Valuation

Lot 12433 Town of Palmerston

Unimproved Capital Value

\$11,250,000 on 01/07/2023

\$8,100,000 on 01/07/2020

\$8,100,000 on 01/07/2017

\$9,000,000 on 01/07/2014

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:

1 of 1

Description:

New Primary School

Number of Residential Units:

Australian Bureau of Statistics Type:

(none found)

Building Class:

Assembly building

Non-habitable building

Structure (Fence, Mast)

Area:

2490 square metres

Certification:

Assembly building - Occupancy Permit - *issued on 13/12/2019*

Non-habitable building - Occupancy Permit - *issued on 13/12/2019*

Structure (Fence, Mast) - Occupancy Permit - *issued on 13/12/2019*

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

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

Planning Scheme Zone

MZ (Multi Zone)

Overlays: The following overlays may apply to your land

- LSSS - Land Subject to Storm Surge

Refer to the NT Planning Scheme 2020 for more information.

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:

- Palmerston Eastern Suburbs Area Plan

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications

File Number

PA2022/0008

Type

Extension of Time

Date Received

23/02/2026

Application Purpose

extend base period of DP22/0061 for a period of two years

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

11/03/2026

Instrument Number

DP22/0061A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2025/0330

Type

Planning Scheme Amendment

Date Received

23/09/2025

Application Purpose

Rezone approved subdivision lots in Zuccoli Aspire Stage 4B from Zone FD to Zone LMR and Zone PS; and add setbacks drawing to Schedule 9.

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

11/11/2025

Instrument Number

150

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0431

Type

Extension of Time

Date Received

03/02/2025

Application Purpose

extend base period of DP23/0030 for a period of 3 years



Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

18/02/2025

Instrument Number

DP23/0030A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2024/0147

Type

Subdivision

Date Received

04/06/2024

Application Purpose

Subdivision to create 52 lots and building setback plan (Zuccoli Aspire Stage 5B)

Application Status

Deferred

Other Affected Parcels

(none found)

Instrument Signed**Instrument Number****Instrument Issued**

Not Complete

Instrument Status

File Number

PA2024/0148

Type

Subdivision

Date Received

04/06/2024

Application Purpose

Subdivision to create 38 lots and building setback plan (Zuccoli Aspire Stage 5A)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

20/09/2024

Instrument Number

DP24/0199

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2023/0369

Type

Planning Scheme Amendment

Date Received

27/10/2023

Application Purpose

Rezone Stage 3D of Zuccoli Aspire from Zone FD to Zones LMR and PS. Add Setbacks Plan to Schedule 9

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

21/03/2024

Instrument Number

98

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0760

Type

Variation of Development Permit

Date Received

02/06/2023

Application Purpose

vary Condition 8 of Development Permits DP17/0049, DP17/0049A and DP17/0049C for the purpose of further sub-staging of Stage 3D

Application Status

Approved



Other Affected Parcels

(none found)

Instrument Signed

21/07/2023

Instrument Number

DP17/0049E

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0760

Type

Extension of Time

Date Received

24/02/2023

Application Purpose

Extension of time for a further 3 years

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

22/03/2023

Instrument Number

DP17/0049D

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0431

Type

Subdivision

Date Received

14/11/2022

Application Purpose

Subdivision to create 53 lots (Zuccoli Aspire Stage 4B)

Application Status

Approved



Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

17/02/2023

Instrument Number

DP23/0030

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0430

Type

Planning Scheme Amendment

Date Received

14/11/2022

Application Purpose

Rezone Part Lot 12433 comprising subdivision of Stage 4D from Zone FD to Zone C, Zone LMR and Zone PS

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

03/02/2023

Instrument Number

73

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0079

Type

Planning Scheme Amendment

Date Received

11/03/2022

Application Purpose

Rezone from Zone FD (Future Development) to Zone LMR (Low-Medium Residential) and Zone PS (Public Open Space) (Zuccoli Aspire 3a, 3b & 3c)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston
Lot 14859 Town of Palmerston

Instrument Signed

11/04/2022

Instrument Number

44

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2022/0008

Type

Subdivision

Date Received

14/01/2022

Application Purpose

Subdivision to create 5 lots in two stages (Zuccoli Stage 4D)

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

23/03/2022

Instrument Number

DP22/0061

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0760

Type

Variation of Development Permit

Date Received

03/03/2021

Application Purpose

vary Condition 8 of Development Permit DP17/0049 & subsequent Development Permit DP17/0049A for the purpose of changes to the approved subdivision to reduce the overall number of lots from 237 to 223 (Zuccoli sub-stages 3B, 3C & 3D)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

06/05/2021

Instrument Number

DP17/0049C

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0760

Type

Extension of Time

Date Received

12/02/2021

Application Purpose

extend base period of DP17/0049 by two years

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

22/02/2021

Instrument Number

DP17/0049B

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2018/0445

Type

Variation of Development Permit

Date Received

01/02/2021

Application Purpose

vary Condition 1 of Development Permit DP19/0056 for the purpose of changes to the approved setback plan to include altered setbacks for 8 further lots

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

26/02/2021

Instrument Number

DP19/0056A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2019/0277

Type

Planning Scheme Amendment

Date Received

12/07/2019

Application Purpose

Rezoning lots subdivided in Stage 3E of Zuccoli Aspire to Zone MD and Zone PS

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

27/08/2019

Instrument Number

531

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2018/0445

Type

Variation of Development Permit

Date Received

22/03/2019

Application Purpose

vary DP18/0435 for the purpose of amending Condition Precedent 1



Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

02/04/2019

Instrument Number

DP18/0435A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2019/0090

Type

Compliance Check

Date Received

14/03/2019

Application Purpose

education establishment (Zuccoli Primary School)

Application Status

Approved

Other Affected Parcels

Lot 14493 Town of Palmerston

Instrument Signed**Instrument Number****Instrument Issued**

Not Complete

Instrument Status

File Number

PA2018/0445

Type

Development

Date Received

11/03/2019

Application Purpose

Subdivision to create 49 lots and a building setback plan (Zuccoli sub-stage 6A)

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

21/03/2019

Instrument Number

DP19/0056

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2018/0507

Type

Compliance Check

Date Received

13/12/2018

Application Purpose

Compliance Check - Zuccoli Primary School

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed**Instrument Number****Instrument Issued**

Not Complete

Instrument Status

File Number

PA2018/0445

Type

Subdivision

Date Received

26/10/2018

Application Purpose

Subdivision to create 49 lots and a building setback plan (Zuccoli sub-stage 6A)

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

20/12/2018

Instrument Number

DP18/0435

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2018/0353

Type

Development

Date Received

24/08/2018

Application Purpose

Clearing of native vegetation in two stages

Application Status

Approved

Other Affected Parcels

(none found)

Instrument Signed

27/09/2018

Instrument Number

DP18/0336

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0760

Type

Variation of Development Permit

Date Received

25/10/2017

Application Purpose

vary Condition 8 of DP17/0049 for the purpose of changing the ordering of staging and changing the identified land use from Lot 427 from MD (Medium Density Residential) to CP (Community Purpose)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

11/12/2017

Instrument Number

DP17/0049A

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0760

Type

Subdivision

Date Received

22/12/2016

Application Purpose

Subdivision to create 237 lots in five stages (Zuccoli sub-stage 3)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

28/02/2017

Instrument Number

DP17/0049

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2016/0532

Type

Subdivision

Date Received

29/08/2016

Application Purpose

Subdivision to create 237 lots in 5 stages (Zuccoli 3&4 sub-stage 3)

Application Status

Refused

Other Affected Parcels

Lot 12432 Town of Palmerston

Instrument Signed

26/10/2016

Instrument Number

NR16/0021

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2016/0312

Type

Planning Scheme Amendment

Date Received

16/05/2016

Application Purpose

Rezone from Zone FD to Zones SD, MD, MR and PS

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Lot 12448 Town of Palmerston

Instrument Signed**Instrument Number**

444

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2014/1034

Type

Variation of Development Permit

Date Received

30/03/2016

Application Purpose

vary Condition 5 of DP15/0096A for the purpose of changing the identified land use for Lot 003 from MR (Medium Density Residential) to CP (Community Purpose)

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston
Lot 04251 Town of Palmerston

Instrument Signed

20/04/2016

Instrument Number

DP15/0096B

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2014/1034

Type

Variation of Development Permit

Date Received

26/11/2015

Application Purpose

remove condition 6 and vary Condition 5 of DP15/0096 for the purpose of identifying all lots over 600m2 as Zone SD (Single Dwelling), as well as minor amendments to the staging

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston
Lot 04251 Town of Palmerston

Instrument Signed

03/12/2015

Instrument Number

DP15/0096A

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2015/0787

Type

Development

Date Received

26/10/2015

Application Purpose

3 x 3 bedroom multiple dwellings in a single storey building

Application Status

Approved

Other Affected Parcels

Lot 13262 Town of Palmerston

Instrument Signed

15/12/2015

Instrument Number

DP15/0763

Instrument Issued

Signed

Instrument Status

Completed

File Number

PA2014/1034

Type

Development

Date Received

10/02/2015

Application Purpose

Zuccoli Stages 3 & 4 (Sub-Stage One) - Building envelope and setback plan

Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

28/05/2015

Instrument Number

DP15/0301

Instrument Issued

Signed

Instrument Status

Current

File Number

PA2014/1034

Type

Subdivision

Date Received

24/12/2014

Application Purpose

Subdivision of Zuccoli Stages 3 & 4 (Sub-Stage One)



Application Status

Approved

Other Affected Parcels

Lot 12432 Town of Palmerston

Lot 04251 Town of Palmerston

Instrument Signed

02/03/2015

Instrument Number

DP15/0096

Instrument Issued

Signed

Instrument Status

Current

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 (none found)

Power Water - Water (none found)

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
RL26136	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
RB56	Granted	Reservation of Blocks		Petroleum Act 1984
RB167	Granted	Reservation of Blocks		Petroleum Act 1984

Title ID	Status	Title Type	Expiry Date	Legislation
RB225	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

Storm Surge: This lot is within a primary surge zone. For more information contact Lands Planning on 8999 8963.

Storm Surge: This lot is within a secondary surge zone. For more information contact Lands Planning on 8999 8963.



Land owner/s authorisation to lodge a development application under the Planning Act 1999

****signatures from ALL landowners registered on the land title must be provided****

The owners and/or persons duly authorised as signatory on behalf of the landowner**, hereby authorise: B - application		
NAME OF CONSULTANT OR ACTING AGENT ON BEHALF OF LANDOWNER (please print)	June D'F June D'F tes Pty Ltd	
Contact number:	Ph: 08	Mob: 0400 291 556
to lodge a development application under the <i>Planning Act 1999</i> over the property described as:		
LOT/ NT PORTION:	12433	
LOCATION/TOWN	Palmerston	
STREET ADDRESS:	0 Zuccoli Parade	
PROPOSED DEVELOPMENT:	Stage 5B Zuccoli Aspire - subdivide into 53 lots including the balance lot	
OWNER'S SIGNATURE:		
FULL NAME: (please print)	Michael Schokman	
TITLE: (ie. company director/secretary)	Director & LTO Power of Attorney 354724	
COMPANY NAME:	Costojic Pty Ltd	
Contact number:	Ph:	Mob: 0418 626361
DATE:	31/05/2024	
OWNER'S SIGNATURE:		
FULL NAME: (please print)		
TITLE: (ie. company director/secretary)		
COMPANY NAME:		
Contact number:	Ph:	Mob:
DATE:		

Crown Land Estate
Level 5 Energy House
18-20 Cavenagh Street
DARWIN NT 0801

Postal Address
GPO Box 1680
DARWIN NT 0801

T 08 8999 6822
E lyn.walsh@nt.gov.au

File Reference
LD2014/0094-0155~0002

Mr Hermanus Louw
Development Manager
Costojic Pty Ltd
PO Box 2014
Darwin NT 0801

Dear Mr Louw

Re: Territory's consent to lodge a Development Application – Lot 12433 Town of Palmerston

I refer to your correspondence dated 9 February 2024, requesting the Territory's consent, in accordance with the Zuccoli Stages 3 and 4 Development Agreement, to lodge a Development Application for sub-stage 5B of Zuccoli Aspire.

This letter authorises Costojic Pty Ltd or its agents to lodge the above development application for consideration by the Development Consent Authority, in accordance with the requirements of the *Planning Act 1999*.

A new approval will be required should the development application be amended or varied subsequent to this approval.

In providing this authorisation, the Department in no way endorses the content of the application but merely provides authorisation for the application to be lodged and considered by the Development Consent Authority.

Should you have any queries regarding this matter, please contact me on 8999 7301 or james.buckley@nt.gov.au.

Yours sincerely



Lyn Walsh
Director Land Transactions

27 February 24



**SECTION 46 PLANNING ACT - APPLICATION FOR DEVELOPMENT
CONSENT**

FOR

**PROPOSED SUBDIVISION OF STAGE 5B – PART LOT 12433 TOWN OF
PALMERSTON**

1. NATURE OF THE APPLICATION

The application is made under section 46(1) of the Planning Act 1999.

For the purpose of s 46(3)(aa), the application is made by June D'Rozario & Associates Pty Ltd, on behalf of Costojic Pty Ltd, the Crown lessee of Lot 12433.

The contact details of the applicant are:

June D'Rozario & Associates Pty Ltd ABN 55009644240
Registered address Unit 2, 85 Cavenagh Street, Darwin NT 0800
GPO Box 780, Darwin NT 0801
Telephone 08 89 81 1284 0400 291 556
Email drozario@ozemail.com.au

The contact details of the land owner are:

Costojic Pty Ltd ABN 77601969064
Registered address Level 1, 48-50 Smith Street, Darwin NT 0800
GPO Box 2524, Darwin NT 0801

The application is for consent to subdivide Part Lot 12433 into 52 residential lots, comprising Stage 5B of the residential neighbourhood of Zuccoli Aspire.

The proposal is shown in the attached Subdivision Drawing, prepared by Element, planning and urban design consultants.

2. CONTEXT

Costojic Pty Ltd is developing major stages of Zuccoli under a development agreement with the NT Government, following a process which commenced with the identification of the new suburb of Zuccoli in 2010.

The suburb of Zuccoli is located in the area bounded by Lambrick Avenue to the north, Radford Road to the east, Bertram Road to the south, and Roystonea Avenue to the west.

The Costojic development is known as Zuccoli Aspire, which distinguishes it from other parts of Zuccoli.

Earlier subdivisions included in Zuccoli Aspire were approved in March 2015 (185 lots), February 2016 (207 lots), February 2017 (237 lots), June 2021 (187 lots), March 2022 (71 lots), and February 2023 (53 lots).

Subdivision of Stage 5B will be conducted in accordance with the Master Plan prepared for Zuccoli Aspire. A copy of the Master Plan with the Staging Plan overlaid on it is at Annexure 1.

Zuccoli Aspire is a staged development in 12 parts of varying sizes. The Staging Plan is at Annexure 2. An extract of the Staging Plan, showing the location of Stage 5B, is in Figure 1.

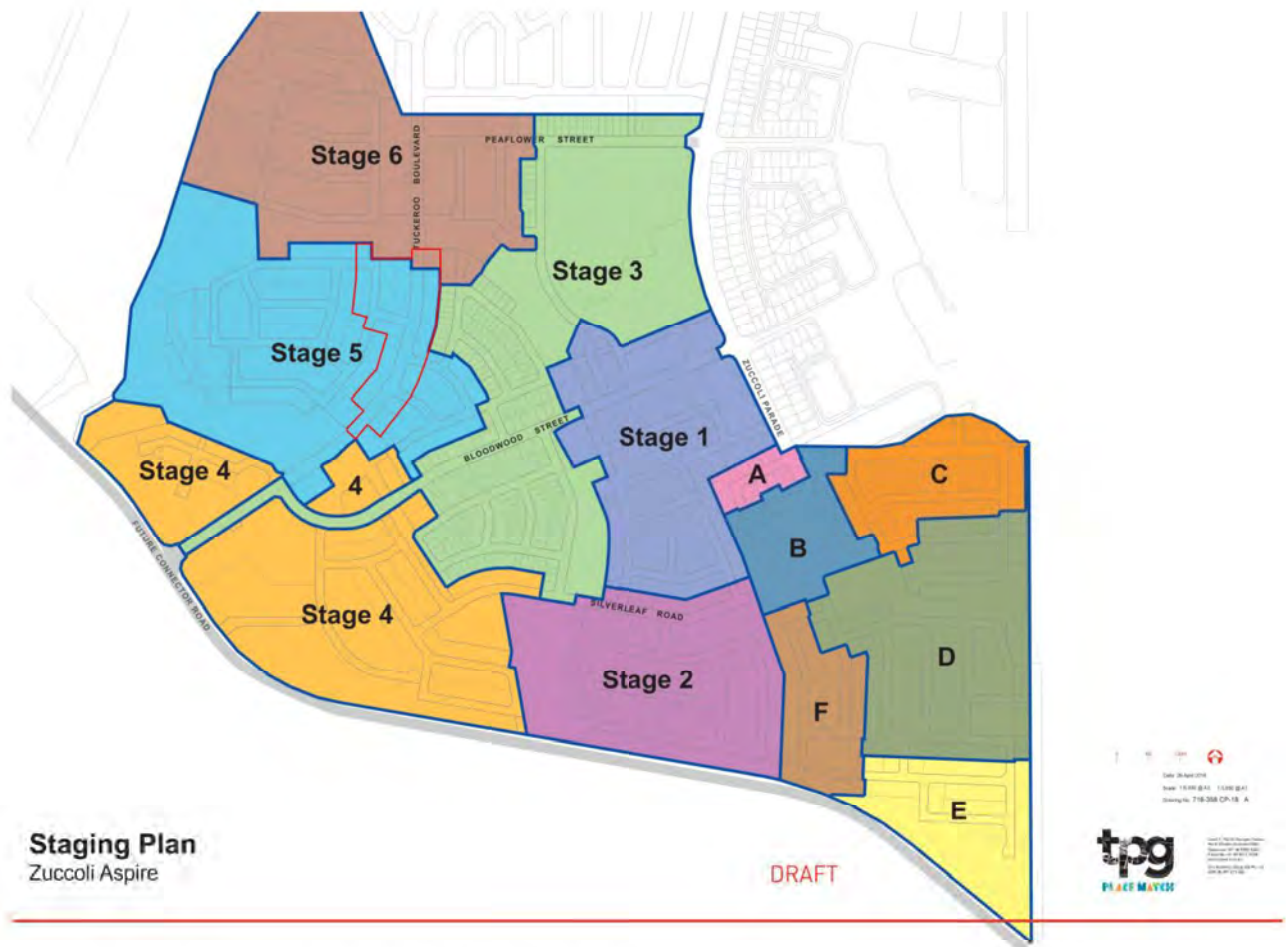


Figure 1: Location of Stage 5B in Zuccoli Aspire

Stage 5B will be part of an integrated neighbourhood, containing community facilities, a primary activity centre, and an interconnected open space system that acknowledges natural features and incorporates pedestrian and cycle ways.

3. LAND DESCRIPTION

The land to be subdivided as Stage 5B is part of Lot 12433, and will be situated on Tuckeroo Boulevard.

The location of Stage 5B is shown in the locality diagram in Figure 2.



Figure 2: Locality Diagram (Source: NT LIS)

The subdivision area of Stage 5B is approximately 3.9 ha.

The subdivision area will be accessed from a section of Tuckeroo Boulevard, which has been constructed in earlier stages of Zuccoli Aspire.

The subdivision area drains generally from west to east, where elevation varies between 15 m AHD in the northern half of Stage 5B, and 19 m AHD in the southern section. Natural gradients vary between 2.3% and 3.4% across the site.

Land units in the subdivision area are comprised of Land Units 1c and 2a1. Land Unit 1c is described as low scarps and short steep slopes, mostly on lateritic sediments. Site drainage is described as very rapid, characterised by rapidly drained soils.

Land Unit 2a1 is described as low rises with gradients less than 4%, with site drainage described as rapid, and characterised by well drained soils.¹

Natural resource mapping by the Department of Environment, Parks and Water Security shows no occurrences of a listed threatened or significant flora or fauna species in the subdivision area.

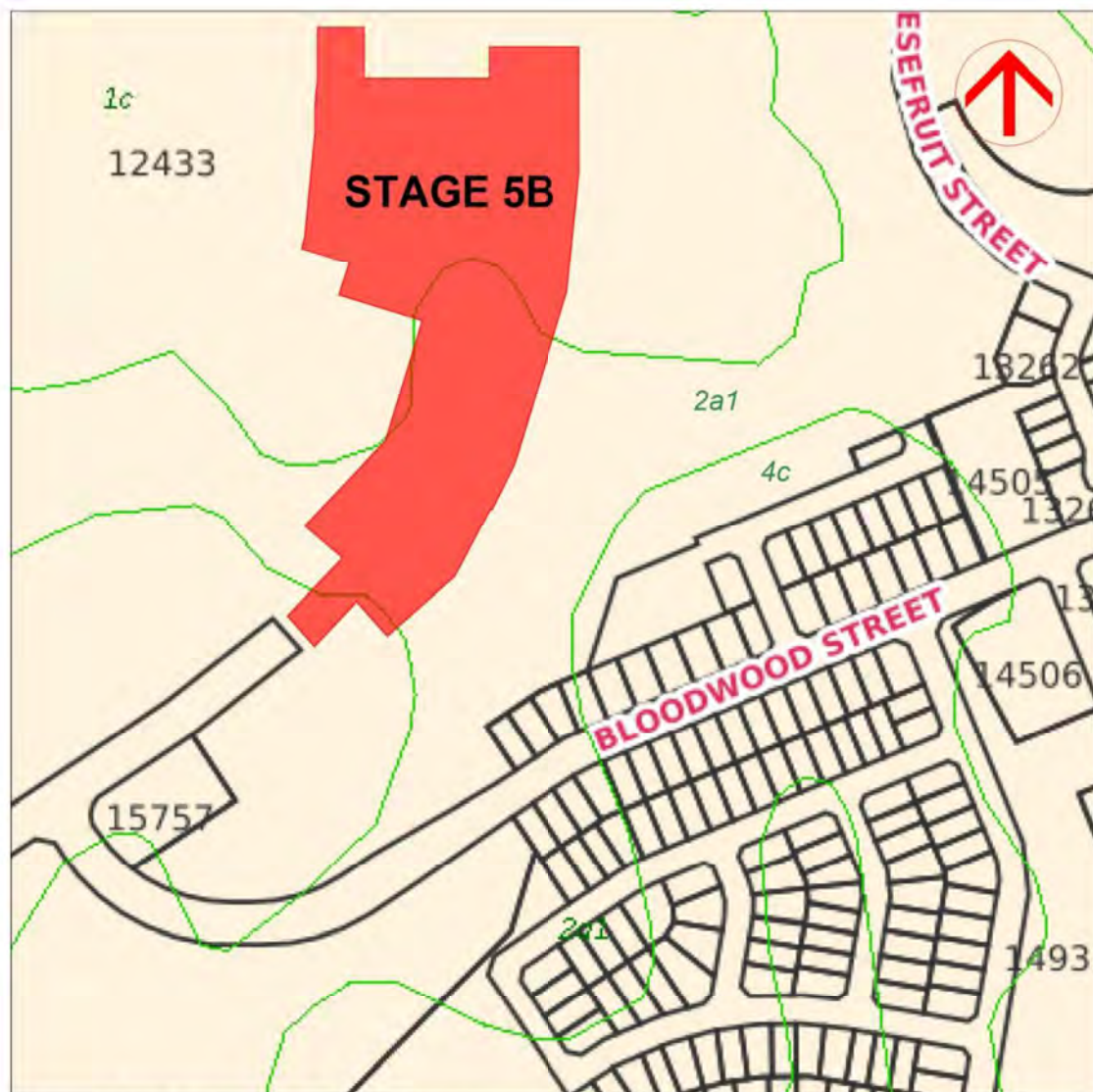


Figure 3: Land units (Source: NR Maps)

¹ PJ Fogarty, B Lynch & B Wood **The Land Resources of Elizabeth, Darwin and Blackmore Rivers** Land Conservation Unit, Territory Parks and Wildlife Commission 1984

The land is zoned FD (Future Development) under the NT Planning Scheme, as shown in Figure 4.

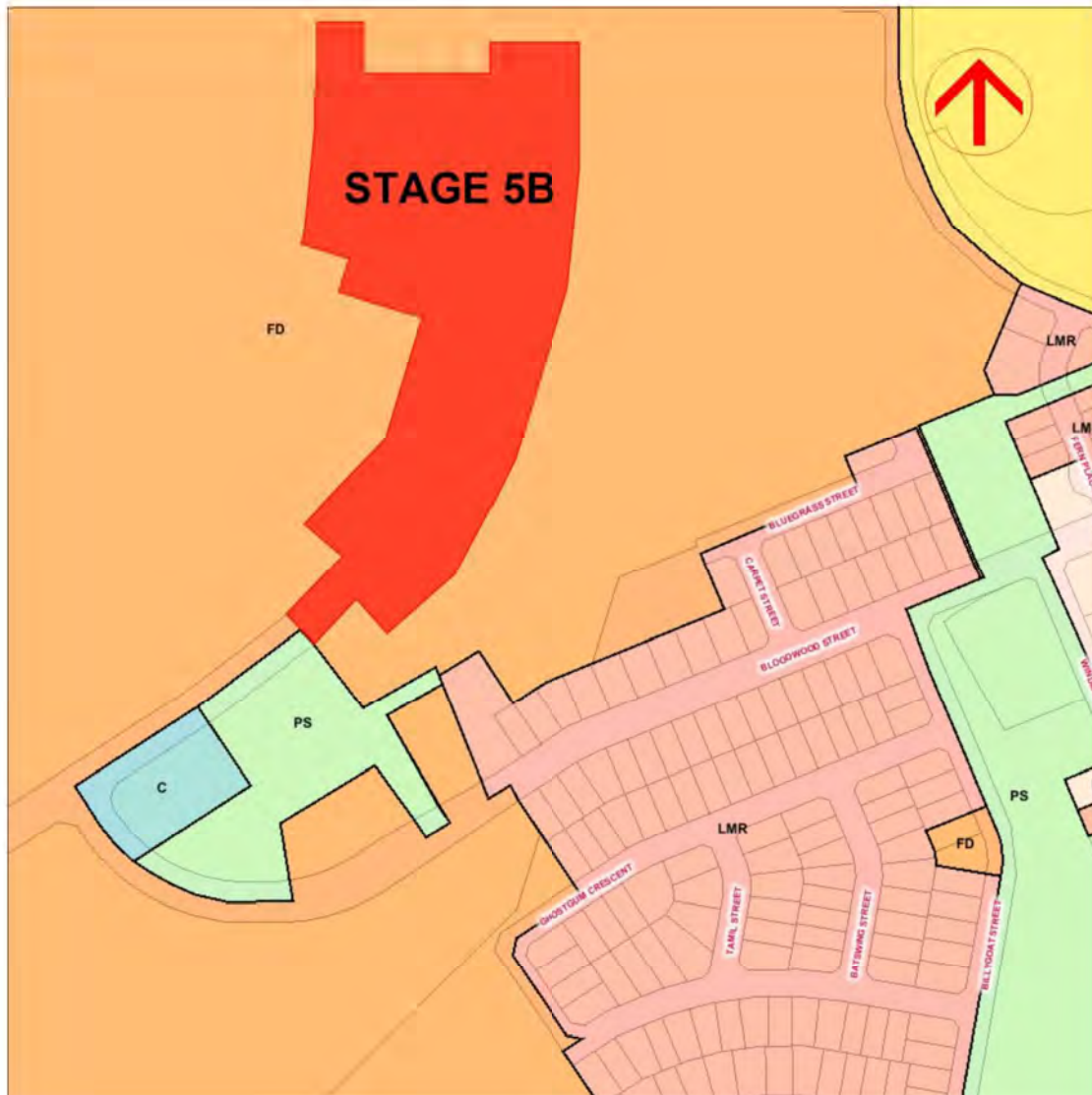


Figure 4: Zoning extract (Source: NT LIS)

4. THE PROPOSAL

The proposal is to subdivide the land contained in Stage 5B into 52 residential lots for “dwelling-single”.

Residential lots will range in size between 415 m² and 664 m². The average size of a residential lot will be 440 m². The lots are generally of regular configuration. Smaller lots will be designated with minimal side setbacks to one side boundary, and may be developed for dwelling styles such as courtyard houses and villas.

The drawings include a drawing showing building side setbacks for each residential lot. It is intended that the setbacks drawing will be included in Schedule 9 of the NT Planning Scheme. This will require a separate application, which will be part of a future application to for a planning scheme amendment to rezone the residential lots from Zone FD to Zone LMR (Low-Medium Density Residential), and add the setbacks plan to Schedule 9.

Except for nominated side boundaries where a zero or 0.3 m side setback is optional, all setbacks will be in accordance with the requirements of the Planning Scheme. This is noted on the setbacks drawing.

The proponent has prepared services and road infrastructure reports, in consultation with service agencies. The Engineering Services Report is at Annexure 4.

The work done for road infrastructure for previous subdivision stages of Zuccoli Aspire identified the road hierarchy for the remaining stages of Zuccoli Aspire, and the general framework has been retained. Part of Tuckeroo Boulevard has been constructed in a previous stage, and will be extended into the subdivision of Stage 5B.

Tuckeroo Boulevard has been designed as a primary collector, with a width of 24 m. It will be on a bus route when the bus service is extended.

Honeygem Circuit and Ivypalm Street will be local roads and will connect to Tuckeroo Boulevard. These roads will have a reserve width of 16 m.

5. MATTERS TO BE TAKEN INTO ACCOUNT

The definition of “development” in section 3 of the Planning Act includes subdivision of land. Section 44(b) of the Planning Act states that a development permit is required if the proposed development is the subdivision of land.

Section 46 (3) sets out the matters to be addressed in a development application. Section 51 sets out the matters to be considered by the consent authority.

The Planning Scheme as it applies to the land to which the application relates - s. 46(3)(a) and s. 51(a);

The land is zoned FD (Future Development) under the NT Planning Scheme. Zone FD is described in the zone purpose clause as an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes.

The Strategic Framework in this case is contained in the Palmerston Eastern Suburbs Planning Principles and Area Plan.

The Zone Outcomes of Zone FD relevant to this proposal are -

- Subdivision and development respond to the Strategic Framework and does not compromise existing or planned or future development or infrastructure through its location and operation (cl 4.27.1);
- Subdivision and development demonstrate that it does not prejudice the intended ultimate subdivision and future development (cl 4.27.2); and
- Subdivision and development demonstrate that infrastructure can be provided and funded in accordance with an approved plan for infrastructure and will be to a standard that satisfies the requirements of the responsible service authority (cl 4.27.3).

It is submitted that the proposal complies with the zone purpose and outcomes, because –

- The subdivision for Stage 5B is part of a planned development, and as it is being conducted in accordance with the Area Plan, a Master Plan and a Staging Plan, it will not prejudice or compromise the intended ultimate subdivision and future development of the land.
- The provision of service infrastructure, as required by the project development agreement, will support subdivision of current and future stages of development in accordance with the Area Plan. Zuccoli Aspire is a staged development, and the developer is making services available on a staged basis. Services will be provided to each lot in the subdivision of Stage 5B as part of

subdivision works.

Consistency with the Area Plan and Planning Principles

The Area Plan shows the land in Stage 5B as being suitable for urban residential development. The proposed subdivision of Stage 5B is intended for urban dwelling sites.

Planning Principles

Paragraph 1

This principle is to provide compact, accessible and walkable neighbourhoods that are safe and foster a sense of community and local identity.

The requirements of this paragraph are dealt with in the Master Plan, and in the Landscape Master Plan.

Paragraphs 2 and 3

These principles are to promote community-focused neighbourhood centres with a compatible mix of uses, and to relate the scale of development in neighbourhood centres to their surroundings and desired future character.

The land in Stage 5B is not part of the neighbourhood centre. The requirements of the neighbourhood centre were dealt with in previous applications for subdivision of earlier stages.

Paragraph 4

This principle is to provide a range of lot sizes and housing choice to cater for diverse household types.

The requirements of this paragraph are dealt with in the Master Plan, which shows the locations of sites for dwellings-single, dwellings-multiple and rural residential lots across Zuccoli Aspire.

Sites for dwellings-multiple are focused around the neighbourhood centre and school sites. Smaller development sites, for two or three dwellings, are sprinkled through areas of predominantly dwelling-single lots.

Rural residential lots are located in the biting insect buffer zone, and are to be turned off in Sub-Stages 4C and 4F and in Precinct E.

Paragraph 5

This principle is to provide community purpose sites of sufficient size to allow for co-location and integration of schools and other community facilities.

Two adjoining sites for schools are shown on the Master Plan, in a location consistent with that intended by the Area Plan. These sites were included in the subdivision of Stage 3.

Paragraph 6

This principle is to preserve and integrate areas of environmental and heritage significance.

The requirements of this paragraph are dealt with in Master Plan and in the Landscape Master Plan, which incorporates retention of remnant bushland in the interconnected open space system, and protection of creek lines and natural drainage lines and associated vegetation.

Paragraph 7

This principle is to establish a compact neighbourhood centre around the Temple Terrace Mixed Use Node. It is not applicable to the land in Zuccoli Aspire.

In summary, it is submitted that the subdivision proposal for Stage 5B is consistent with the zone purpose of Zone FD and the Palmerston Eastern Suburbs Planning Principles and Area Plan.

It is expected that the FD zoning will be superseded by the land being rezoned during the construction phase, so that lot buyers will have zoning consistent with the purpose for which the lots are produced. This will assist buyers to build their homes without the necessity to apply for development consent, which would otherwise be required under the zoning table to clause 4.27 of the Planning Scheme. In Zone FD, dwelling-single and dwelling-multiple are impact assessable.

It is intended that all residential lots will be rezoned to Zone LMR under the Planning Scheme. The proposed zoning plan shows the proposed zoning of each lot in the subdivision.

The proposal to rezone the land will require a separate application for amendment to

the Planning Scheme.

Subdivision in Zone FD is subject to Clauses 6.5.1, and 6.2 (applicable to subdivision in the intended future zone).

Clause 6.5.1 – Subdivision in Zone FD

The purpose of this clause is to provide for subdivision in a manner that will not prejudice the intended ultimate subdivision and future development of the land.

Clause 6.5.1.2 requires the application to include a proposed zoning plan identifying the intended future zoning. The submitted drawings include a proposed zoning plan, showing the residential lots to be zoned LMR.

Clause 6.5.1.4 permits subdivision that complies with the requirements of the intended future zone; is generally in accordance with an Area Plan; and where services are, or can be made, available to the land.

The intended future zone is Zone LMR. Compliance with the subdivision provisions applicable to Zone LMR is set out below.

As noted earlier in this statement, the subdivision is in accordance with the Palmerston Eastern Suburbs Planning Principles and Area Plan, and services are being made available as each stage of Zuccoli Aspire is developed in accordance with approved infrastructure master plans.

Clause 6.2.1 – Lot size and configuration for Subdivision in Zone LMR

The purpose of this clause is to ensure that subdivision for urban residential purposes create lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.

The proposal complies as follows –

6.2.1.5 – the minimum lot size in the proposed subdivision is 415 m², which exceeds the size specified in Table A to this clause.

Clause 6.2.1.6

For the purposes of compliance with this clause, boundary setbacks are the “standard” setbacks specified in Table A to clause 5.4.3 for residential buildings up to two storeys. These are 6.0 m to a primary street, 2.5 m to a secondary street, and 1.5 m to side and rear boundaries, or 1.0 m if conditions specified in Table A are met.

As noted in Section 4, describing details of the proposal, the proponent intends to apply for a planning scheme amendment to rezone the lots from Zone FD and to add a setbacks plan to Schedule 9 of the NT Planning Scheme.

Clause 5.4.3.6 requires compliance with either Table A to Clause 5.4.3 or a Schedule 9 setback plan. As the intended setback plan is not yet incorporated in Schedule 9, compliance is assessed by reference to Table A to clause 5.4.3.

It is also noted that clause 5.4.3.3 provides for reduced setbacks for dwellings-single if the conditions specified in that clause are met. These provisions are discussed under clause 6.2.2 below.

There is some tension between the provisions of clauses 5.4.3, clause 5.4.3.3, and 6.2.1.6, because the application of setbacks allowed by clause 5.4.3.3 would only become evident when construction of a dwelling is proposed. A permit for subdivision does not authorise construction of the houses on the lots created by the subdivision.

For this reason, the standard setbacks in Table A to clause 5.4.3 have been used to illustrate compliance with clause 6.2.1.6. The minimum lot dimensions required to comply with setback provisions of clause 5.4.3 are summarised in Table 1 below.

Table 1 - Minimum lot dimensions required to comply with clause 5.4.3

Calculation of minimum lot width (lots less than 450 sq m)				
	Side setback	Envelope width	Side setback	Minimum lot width to comply with envelope
Standard setback, cl 5.4.3	1.5	7.0	1.5	10.0
Calculation of minimum lot depth (lots less than 450 sq m)				
	Street setback	Envelope depth	Rear setback	Minimum lot depth to comply with envelope
Standard setback, cl 5.4.3	6.0	15.0	1.5	22.5
Calculation of minimum lot width (lots 450 - 600 sq m)				
	Side setback	Envelope width	Side setback	Minimum lot width to comply with envelope
Standard setback, cl 5.4.3	1.5	8.0	1.5	11.0
Calculation of minimum lot depth (lots 450 - 600 sq m)				
	Street setback	Envelope depth	Rear setback	Minimum lot depth to comply with envelope
Standard setback, cl 5.4.3	6.0	15.0	1.5	22.5

Table 1 demonstrates that any regular-shaped or trapezium-shaped lot with a minimum width of 11.0 m and depth of 22.5 m would comply with the envelope requirements of clause 6.2.1.6.

In the proposed subdivision, the width of lots with area less than 450 m² varies between 13.5 m and 16 m. The depth of these lots is between 27 m and 30 m. These dimensions will accommodate readily a building envelope of 7 x 15 m net of setbacks, as required by Table B for lots less than 450 m².

Most of the lots with areas between 450 m² and 600 m² are also of regular shape. They have widths between 15.3 m and 18.0 m, and depths between 27 m and 33 m. These dimensions will accommodate the required building envelope of 8 m x 15 m.

Four lots are greater than 600 m² in area and require a building envelope of 17 x 17 m. The building envelopes for these lots is shown in Figure 5.

Lots 15 and 50 comply with the requirement, but there will be small encroachments of the building envelope into the setbacks for Lots 12 and 14. The extent of the encroachment is 9 m² for Lot 12 and 11 m² for Lot 14.

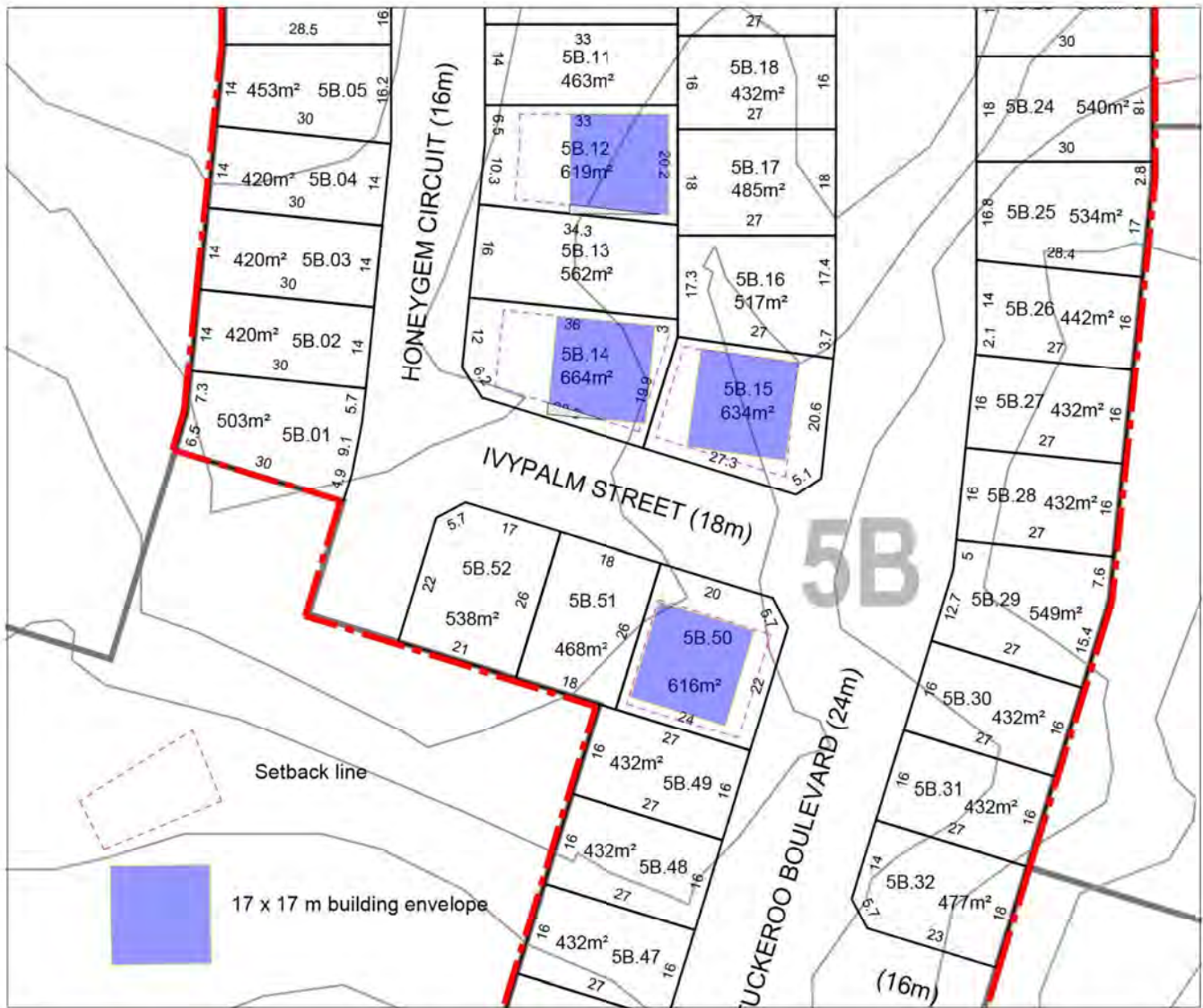


Figure 5: Building envelopes for irregular-shaped lots

The consent authority is requested to vary the provisions of Table B to this clause, for Lots 12 and 14, on the following bases:

- The encroachment of the 17 x 17 m building envelope is minor.
- Lot 14 is the largest lot in the subdivision. Its irregular shape and size are a consequence of its location on a slightly curved road alignment. Lot 14 is also

on a slightly curved road alignment. The larger lot sizes will ensure that the lots can be developed without compromising their utility.

- The likely development of these lots is that it will be similar to a house constructed on a lot less than 600 m², but with much larger areas of private open space.
- The configuration of these lots is consistent with purpose of this clause, which is to ensure that subdivision for urban residential purposes creates lots of a size, configuration and orientation suitable for residential development at a density envisaged by the zone.
- The configuration of these lots is consistent with the zone purpose for Zone LMR, which is to provide a range of low-rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and with full reticulated services.
- The configuration of these lots is consistent with the zone outcomes of providing for the types of housing permissible in the zone on a range of lot sizes that respond to changing community needs.

As compliance for regular-shaped lots is a mathematical certainty, as demonstrated by Table 1, it is not necessary to depict building envelopes for these lots for the purpose of clause 6.2.1.6. The same is true for trapeziums that meet the minimum width and depth dimensions in Table 1.

Consistency with the setback and derived building envelopes permitted by clause 5.4.3.3 and proposed setbacks in Schedule 9 is discussed under clause 6.2.2 below.

6.2.1.7 - all lots exceed the minimum lot size for Zone LMR, and will have sufficient width and depth to ensure that they will be suitable for a dwelling, vehicle access, parking, and ancillary buildings.

6.2.1.8 – there are no battle-axe lots in the proposed subdivision.

6.2.1.9 – the orientation of all lots will allow dwellings to receive prevailing breezes and sunlight.

6.2.1.10 – all lots will be connected to reticulated services.

6.2.1.11 – all lots are contiguous with other residential lots, such that land use conflict is minimal.

6.2.1.12 – the subdivision does not include lots for medium and higher density residential development.

Clause 6.2.2 – Lots less than 600 m² for Dwellings-Single

The purpose of this clause is to ensure that residential development minimises impact on amenity and functionality of street infrastructure.

The proposal complies with this clause by configuring lots less than 450 m² with a minimum length to road boundary of 13.5 m, compared to 10.0 m required by this clause.

Lots between 450 m² and 600 m² will have a minimum road boundary of 14.0 m, compared to 13.0 m required by this clause.

The application includes a site arrangement drawing, demonstrating that lots with an area less than 600 m² will comply with the requirements of clause 6.2.2.4. The requirements of clause 6.2.2.4 are parking (cl 5.2.4), building setbacks (cl 5.4.3 and 5.4.3.3) and private open space (cl 5.4.6).

The site arrangement drawing shows houses by local builders on typical lots of regular shape, and also for the smallest lot of irregular shape (Lot 5B.36). Obviously, wider and/or deeper lots would also comply, so it is not necessary to produce illustrations for them. Thumbnails of the floor plans for each sample house are included in the drawing.

This is not to say that the houses depicted will be those constructed on the lots, but that the houses depicted are known products, of which there are numerous variations, available to prospective home owners.

Parking

Parking is for two cars in an enclosed garage.

Setbacks

The sample houses for 14 m and 16 m wide lots less than 450 m² have a minimum street setback of 6.0 m. This is consistent with clause 5.4.3, and does not rely on the reduced setbacks permitted by clause 5.4.3.3 for lots less than 600 m².

All the sample houses use a 0.3 m setback to one side boundary, as proposed in the setbacks plan to be incorporated in Schedule 9. In each case the reduced side setback is to the garage.

For the smallest irregular-shaped lot less than 450 m² (Lot 5B.36), the site

arrangement drawing avails of a street setback permitted by clause 5.4.3.3, and a side setback consistent with the setback in the Schedule 9 proposal.

The street setback is 4.5 m, which exceeds the 3.0 m setback allowed by clause 5.4.3.3, and 0.3 m to the side setback. The garage for this sample house is set back 8.1 m from the street.

For lots more than 450 m², the site arrangement for the smallest of these is shown. This lot (Lot 5B.11) is shown with a street setback of 6.0 m, which exceeds the 3.0 m setback permitted by clause 5.4.3.3.4.

The garage for this lot is set back more than 7.0 m, whereas the required minimum setback is 6.0 m.

Where a reduced side setback is used on a lot more than 450 m² under clause 5.4.3.3, a 3.0 m setback must be provided on the other side. The sample site arrangement for Lot 5B.11 shows this.

Lots will have one side boundary nominated as optional zero or 300 mm setbacks in the Setbacks Plan to be included in Schedule 9. Zero setback is permitted by clause 5.4.3.3.4. A 300 mm setback will be facilitated by the Schedule 9 Setbacks Plan.

The rear setback for each of the sample houses well exceeds 1.5 m, specified in Table A to clause 5.4.3.

Private open space

The configuration and distribution of private open space for each of the sample houses is shown in the site arrangement drawing. In each case, Area A well exceeds the requirement in clause 5.4.6 of 45 m² for lots less than 450 m², and 50 m² for lots of more than 450 m².

The dimensions of Area A and Area B are noted on the site arrangement drawing. Compliant private open space for the sample houses is summarised as follows –

Table 2 - Private Open Space

Lot type	Builder	Area A, sq m	Area B, sq m
14 m wide lot	KTM	188	25
16 m wide lot	About Homes	179	31
5B.36	Abode Homes	167	29
5B.11	Vanguard Homes	230	36

Area A in Table 2 above does not include any part of Area B that is open to sky, although this is permitted by clause 5.4.6.

Clause 6.2.3 – Site characteristics for Subdivision in Zone LMR

The purpose of this clause is to ensure that subdivision provides lots suitable for urban residential purposes that respond to the physical characteristics of the land and does not detrimentally impact surrounding land.

The proposed subdivision meets the requirements of this clause as follows -

6.2.3.2 - the land in Stage 5B does not contain land with excessive slope;

6.2.3.3 – site grading will ensure that all residential lots will have a gradient below 2%. The Engineering Services Report at Annexure 4 details the grading objective to achieve a cut and fill balance, and to grade all lots to fall towards the road reserve;

6.2.3.4 - the Landscape Master Plan provides for the retention of natural bushland in the open space system of Zuccoli Aspire. The land does not contain significant cultural features;

6.2.3.5 - the land in Stage 5B is not subject to flooding or storm surge; and

6.2.3.6 - natural drainage lines and remnant bushland are retained and protected in the open space system for Zuccoli Aspire as a whole.

Clause 6.2.4 – Infrastructure and Community Facilities for Subdivision in Zone LMR

The purpose of this clause is to ensure that residential subdivisions are integrated with infrastructure, community services and facilities.

The proposed subdivision complies with this clause in the following ways–

6.2.4.2 - Internal accessibility and connectivity are shown on the Master Plan, and includes the road hierarchy, pedestrian and cyclist network, links to key features in the neighbourhood, and connections to external roads. The road hierarchy is shown in the Traffic Impact Assessment at Appendix D of the Engineering Services Report (Annexure 4). Pedestrian and cyclist networks are highlighted in drawings in the Landscape Master Plan at Annexure 3.

6.2.4.3 - Zuccoli Aspire is a planned neighbourhood, and its construction is being undertaken in stages in accordance with the Area Plan, a Master Plan, and a Staging Plan. The Master Plan shows the locations of schools, local commercial facilities, and

public open space. Sites for schools and public open space have been turned off in earlier stages of the development. A site for commercial development was approved as part of the subdivision of Stage 4D.

6.2.4.4 - Traffic speed restrictions will be determined in accordance with the function of each road in the Road Hierarchy Plan prepared as part of master planning for Zuccoli Aspire.

6.2.4.5 - Collectors identified in the road hierarchy will be capable of accommodating bus routes. Tuckeroo Boulevard is classed as a primary collector under City of Palmerston's Development Guideline. The bus route is shown in Annexure 5.

6.2.4.6 - All lots will be connected to reticulated services as part of subdivision works.

6.2.4.7 - Public open space is being provided in accordance with the Master Plan. The public open space system is not evenly distributed by area on a stage-by-stage basis in the Master Plan. Stage 5B will not include a park, as parks have been provided in earlier stages.

Examples of the proportion of public open space provided in other stages of subdivision in Zuccoli Aspire are:

- Stage 3 – 22%
- Stage 4A – 17.8%
- Stage 4D – 47%
- Precinct D – 24%

- (a) All the lots will be within a 400 m walk of a park.
- (b) Stage 5B will be in proximity to Guido Zuccoli Park, which is a major park, and will offer active leisure opportunities.
- (c) Low lying areas are to be incorporated as a lake as part of the open space system, and will contain sufficient flat areas for informal recreation, such as picnic and fishing areas.
- (d) Parks are designed to allow clear views from surrounding dwellings, with extensive interfaces with public roads contributing to the degree of passive surveillance.

An assessment of how the proposed development will comply with an interim development control order, if any applying to the land - s. 46(3)(b) and s. 51(c);

and

Any proposed amendment to the Planning Scheme, that has been or is on exhibition under Part 2 Division 3, in respect of which a decision has not been made under Part 2 Division 5, and that is relevant to the development proposed in the development application - s. 51(b);

and

A matter that the Minister has, under section 85, directed it to consider in relation to development applications generally - s. 51(f)

There are no matters under these heads of consideration.

A statement specifying whether the proposed development is required to be referred to the EPA, and whether it has been referred to the EPA – s 46(3)(c)

The Land Development Corporation submitted a Notice of Intent (NOI) for the development of the new suburb of Zuccoli in 2010. The NOI included extensive environmental investigations and specialist studies. The outcome of the NOI was a notice to LDC that no further environmental assessment was required.

The proponent's applications for earlier subdivision stages were referred to NT EPA. NT EPA commented on the subdivision applications in relation to dust, erosion control, and noise from heavy machinery, but no environmental report was required.

Accordingly, it is not expected that any further environmental assessment under the *Environment Protection Act 2019* will be required for the application to subdivide Stage 5B.

An environmental protection objective within the meaning of the *Waste Management and Pollution Control Act* that is relevant to the land to which this application relates - s. 51(d)

and

Any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the *Water Act* - s. 51(s)

By s 18 of the *Waste Management and Pollution Control Act*, any beneficial use, quality standard, criteria or objective declared under s 73 of the *Water Act* is an environment protection objective.

The land is within the area for which a declaration for beneficial uses is current for Darwin Harbour Region.

The declared beneficial uses for saline waters between Charles Point and Gunn Point are aquaculture, environment, and cultural.

The declared beneficial uses for natural waterways are agriculture, environment, cultural, and rural stock and domestic.

Under the declared beneficial uses and objectives, water quality objectives are those specified in *Water Quality Objectives for the Darwin Harbour Region Background Document*, and *ANZECC Guidelines for Fresh and Marine Water Quality*.

To avoid adverse effects on the declared beneficial uses, subdivision works will be carried out in accordance with an approved Stormwater Plan and with an approved Erosion and Sediment Control Plan.

Any submission made under section 49 in relation to the development application - s. 51(e)

The proponent has had ongoing discussions with relevant service agencies as part of documenting its development of Zuccoli Aspire, and has incorporated the requirements of these agencies in the proposal.

It is expected that the application will be referred formally to the relevant persons and authorities and that submissions from these parties will become known after the proposal has been notified in accordance with Section 47.

Any issues raised from the notification of the proposal will be dealt with when they are made known to the proponent.

The merits of the proposed development as demonstrated in the application - s. 46(3)(d) and s. 51(h);

and

The potential impact on the existing and future amenity of the area in which the land is situated- s. 46(3)(h) and s. 51(n)

The proposal is part of the staged development of a master planned neighbourhood. It implements key public policies of increasing housing stock and diversity, improving housing affordability, and promoting a sense of community and identity.

Except for building envelope requirements for two lots, for which variation is sought, the proposal complies with the NT Planning Scheme.

Considerable design effort has been applied to the production of the Master Plan, and Stage 5B will be an essential part of bringing the vision for the neighbourhood into reality.

The proposal includes local road connections that will link Stage 5B with the neighbourhood centre and schools precinct.

The proposal will contribute to the development of a neighbourhood that will provide a very high standard of amenity for its residents and the foundation for residents to forge a distinct identity for their neighbourhood.

The proposed subdivision will have no adverse effect on existing or future amenity.

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 - s. 51(j)

The design of the proposal is consistent with the Master Plan, which considered the natural attributes and capability of the land, and the effect on adjoining land, including sensitive natural drainage features, and responds to these considerations.

Subdivision works will be carried out in accordance with approved Stormwater and Erosion and Sediment Control Plans, which will avoid undue adverse effects on the water environment in the vicinity of the land.

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 - s. 46(3)(f) and s. 51(k)

The proposal is part of the development of a new neighbourhood and will include a primary neighbourhood centre, schools, and an integrated open space system.

Large components of the neighbourhood centre were provided for in the subdivision of Stage 4D. Further commercial sites for the neighbourhood centre will be developed in Stage 4E.

The school sites were included in Stage 3.

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 - s. 46(3)(g) and s. 51(m)

The proposed subdivision will require public utilities and infrastructure. The project engineering consultant has prepared an Engineering Services Report (Annexure 4), outlining the infrastructure and services to be connected to each lot

The proponent will provide the services necessary to turn off the lots in the subdivision as part of subdivision works required by conditions imposed on a subdivision permit.

The public interest - s. 46(3)(j)(ja) and s. 51(p)

The proposal supports public policy objectives to develop new neighbourhoods in the eastern suburbs of Palmerston to increase housing stock, choice and affordability.

The land is not in a Restricted Water Extraction Area.

There are no other public interest issues relevant to the proposal that have not been dealt with under other heads of consideration.

In the case of a proposed subdivision of land on which a building is situated - whether the building will cease to comply with the *Building Act* if the proposed development were to proceed - s. 46(3)(k) and s. 51(q)

There are no existing buildings on the subdivision area.

Any potential impact on natural, social, cultural or heritage values - s. 51(r)

A certificate was issued by AAPA to the Land Development Corporation for the whole of Zuccoli in March 2010. The certificate was given for clearing, provision of servicing and infrastructure to create new subdivisions of open space, mixed residential, community and commercial uses.

Natural resource mapping hosted by the Department of Environment, Parks and Water Security (DEPWS) does not indicate the presence of threatened species on the land.

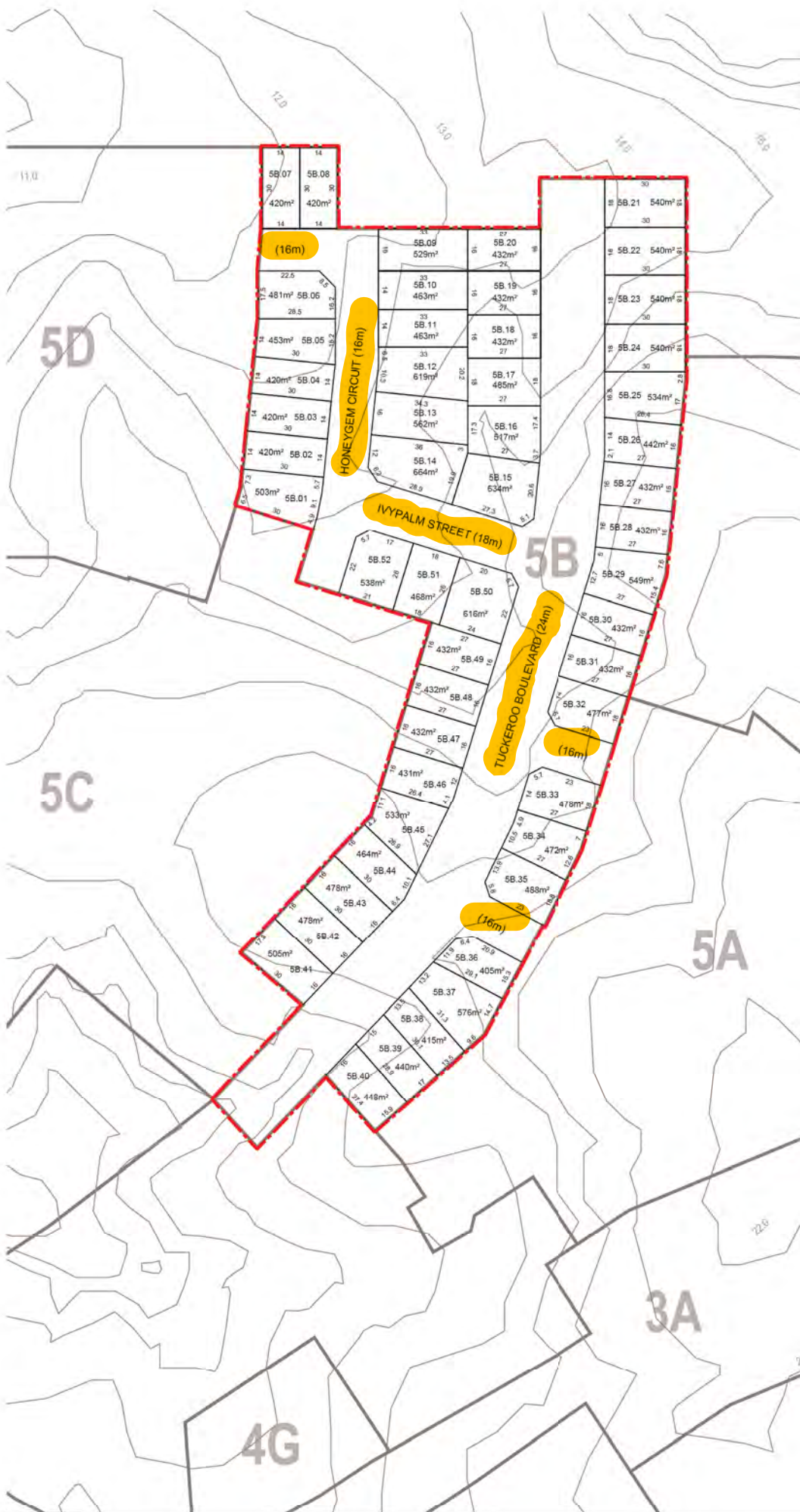
Other matters it thinks fit - s. 51(t)

There are no other matters that have not already been dealt with under other headings.

JUNE D'ROZARIO

List of Annexures

1. Master Plan
2. Staging Plan
3. Landscape Master Plan
4. Engineering Services Report
5. Bus route



- Legend
- Application Area
 - Existing Lot Boundary
 - Existing Contours
 - Proposed Lot Boundary
 - Proposed Stage Boundary
 - 5A Proposed Stage Number

Lot Summary - Stage 5A

Site Area	3.9168ha
Single Residential Lots	52
Single Dwelling Lot Summary	
Average Area of Lots	485m²
Minimum Lot Area	420m²
Maximum Lot Area	664m²



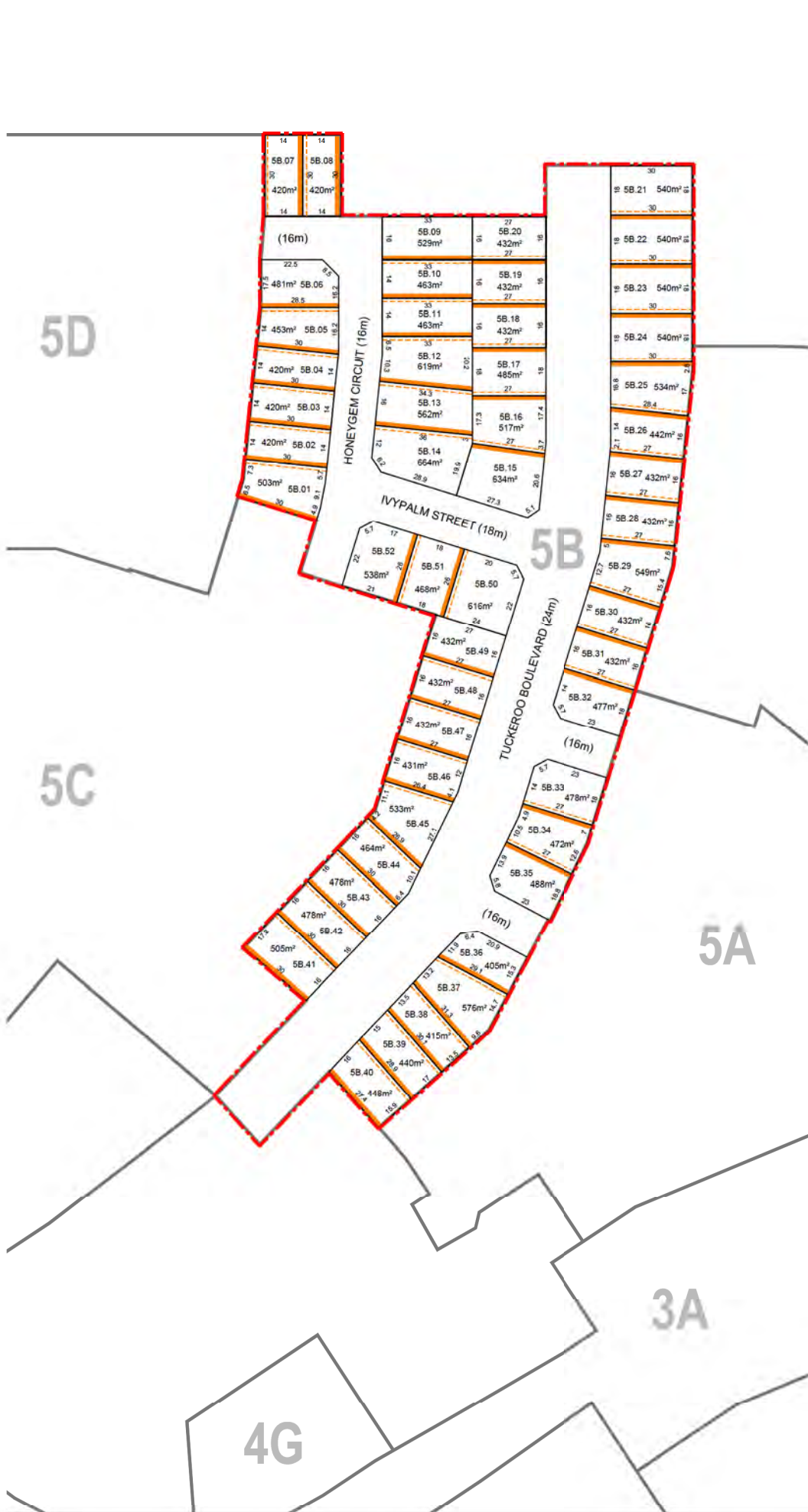
Subdivision Plan

Zuccoli Aspire Stage 5B

Date: 24 Oct 2023 Scale: 1:1500 @ A3 1:750 @ A1 File: 716-358 SU05B Staff: AH CW Checked: AH

element.

Level 10, 101 St Georges Terrace, Perth Western Australia 6000
P.O. Box 37255, Queens Square, Perth Western Australia 6000
T: +61 8 9250 8500 E: info@element.com.au www.element.com.au

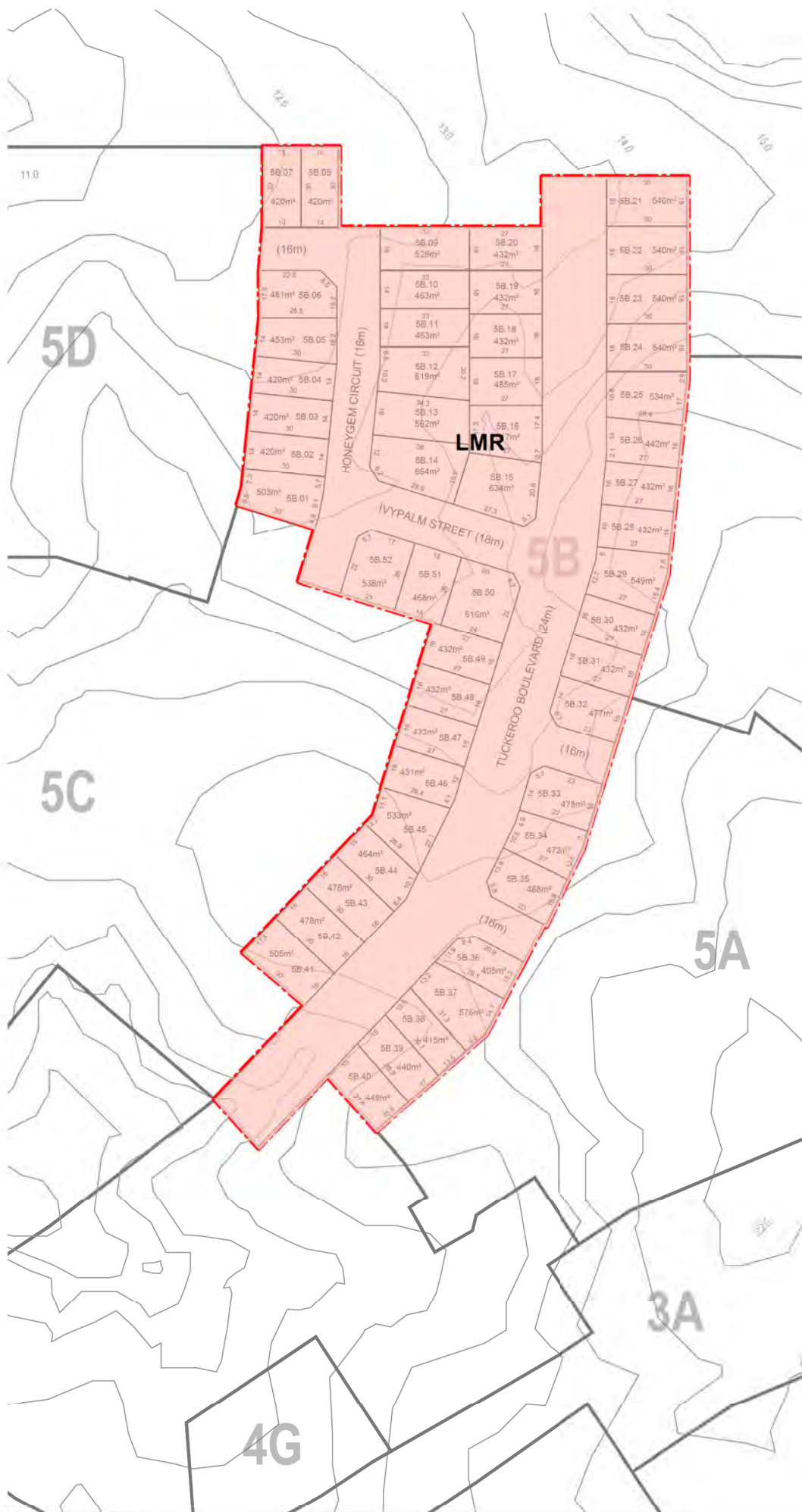


Subdivision Plan

Zuccoli Aspire Stage 5B

Date: 24 Oct 2023 Scale: 1:1500 @ A3 1:750 @ A1 File: 716-358 SU05B Staff: A11 GVF Checked: A11

element.



- Legend**
- Application Area
 - Existing Lot Boundary
 - Existing Contours
 - Proposed Lot Boundary
 - Proposed Stage Boundary
 - Proposed Stage Number

Lot Summary - Stage 5A

Site Area	3.9168ha
Single Residential Lots	52
Single Dwelling Lot Summary	
Average Area of Lots	485m ²
Minimum Lot Area	420m ²
Maximum Lot Area	664m ²



PROPOSED ZONING PLAN

Zuccoli Aspire Stage 5B

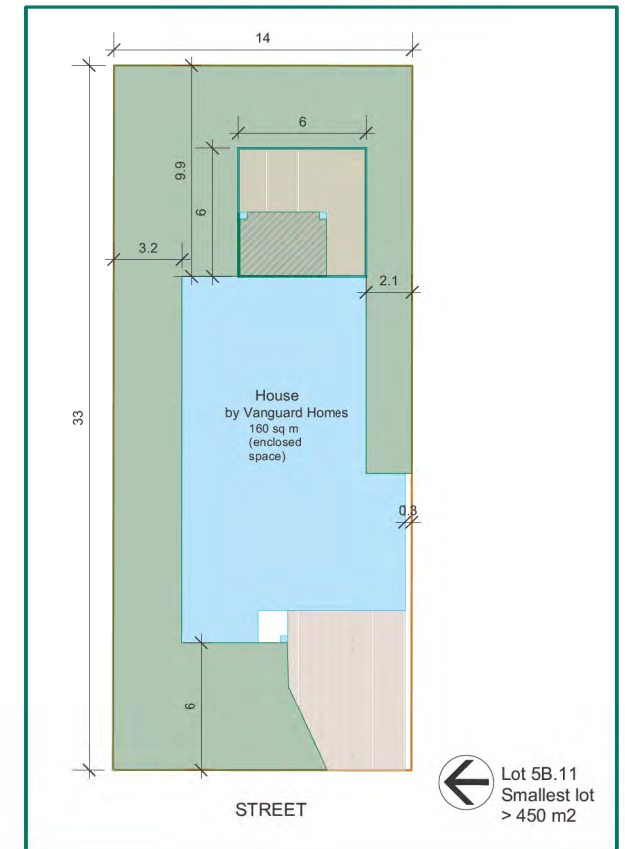
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element.

LOTS LESS THAN 450 m2

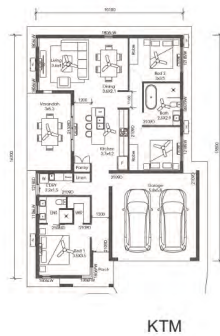


LOTS MORE THAN 450 m2



- Open space Area A, including deep soil planting zones
- Open space Area B partly covered
- Open space Area B open to sky
- Driveway

0 5 10 m
1:250



KTM



About



Abode



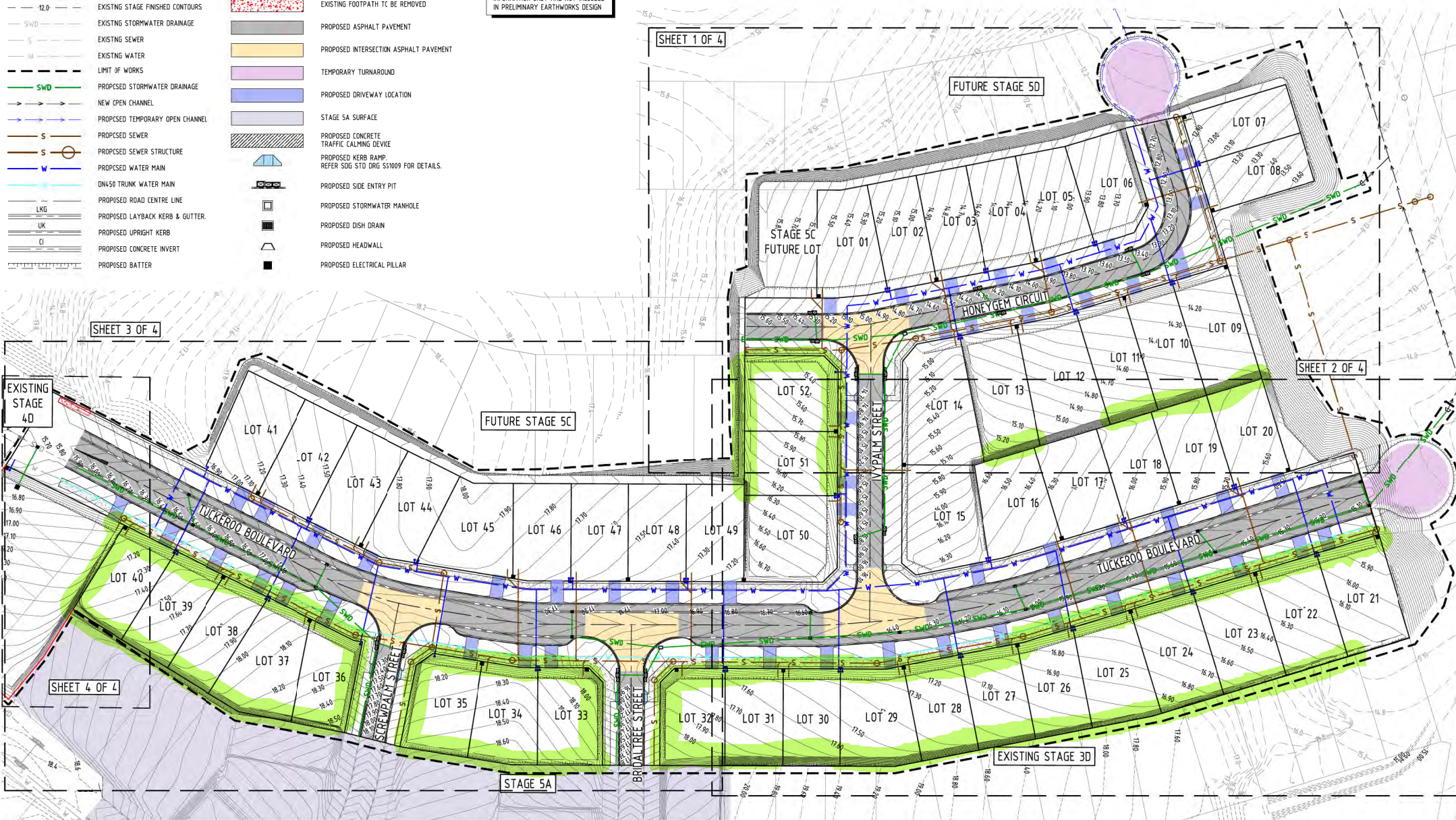
Vanguard

SITE ARRANGEMENT DRAWINGS - ZUCCOLI ASPIRE STAGE 5B

LEGEND

- | | | | |
|--|----------------------------------|--|--|
| | DESIGNED SURFACE CONTOURS | | PROPOSED FOOTPATH REFER
SGD STD S05/009 FOR DETAILS |
| | EXISTING SURFACE CONTOURS | | EXISTING FOOTPATH TO BE REMOVED |
| | EXISTING STAGE FINISHED CONTOURS | | PROPOSED ASPHALT PAVEMENT |
| | EXISTING STORMWATER DRAINAGE | | PROPOSED INTERSECTION ASPHALT PAVEMENT |
| | EXISTING SEWER | | TEMPORARY TURNAROUND |
| | EXISTING WATER | | PROPOSED DRIVEWAY LOCATION |
| | LIMIT OF WORKS | | STAGE 5A SURFACE |
| | PROPOSED STORMWATER DRAINAGE | | PROPOSED CONCRETE
TRAFFIC CALMING DEVICE |
| | NEW OPEN CHANNEL | | PROPOSED KERB RAMP
REFER SGD STD DRG S05/009 FOR DETAILS. |
| | PROPOSED TEMPORARY OPEN CHANNEL | | PROPOSED SIDE ENTRY PIT |
| | PROPOSED SEWER | | PROPOSED STORMWATER MANHOLE |
| | PROPOSED SEWER STRUCTURE | | PROPOSED DISH DRAIN |
| | PROPOSED WATER MAIN | | PROPOSED HEADWALL |
| | DN450 TRUNK WATER MAIN | | PROPOSED ELECTRICAL PILLAR |
| | PROPOSED ROAD CENTRE LINE | | |
| | PROPOSED LAYBACK KERB & GUTTER. | | |
| | PROPOSED UPRIGHT KERB | | |
| | PROPOSED CONCRETE INVERT | | |
| | PROPOSED BATTER | | |

NOTE
TEMPORARY TURNAROUNDS SHOWN FOR
INFORMATION ONLY AND NOT INCLUDED
IN PRELIMINARY EARTHWORKS DESIGN

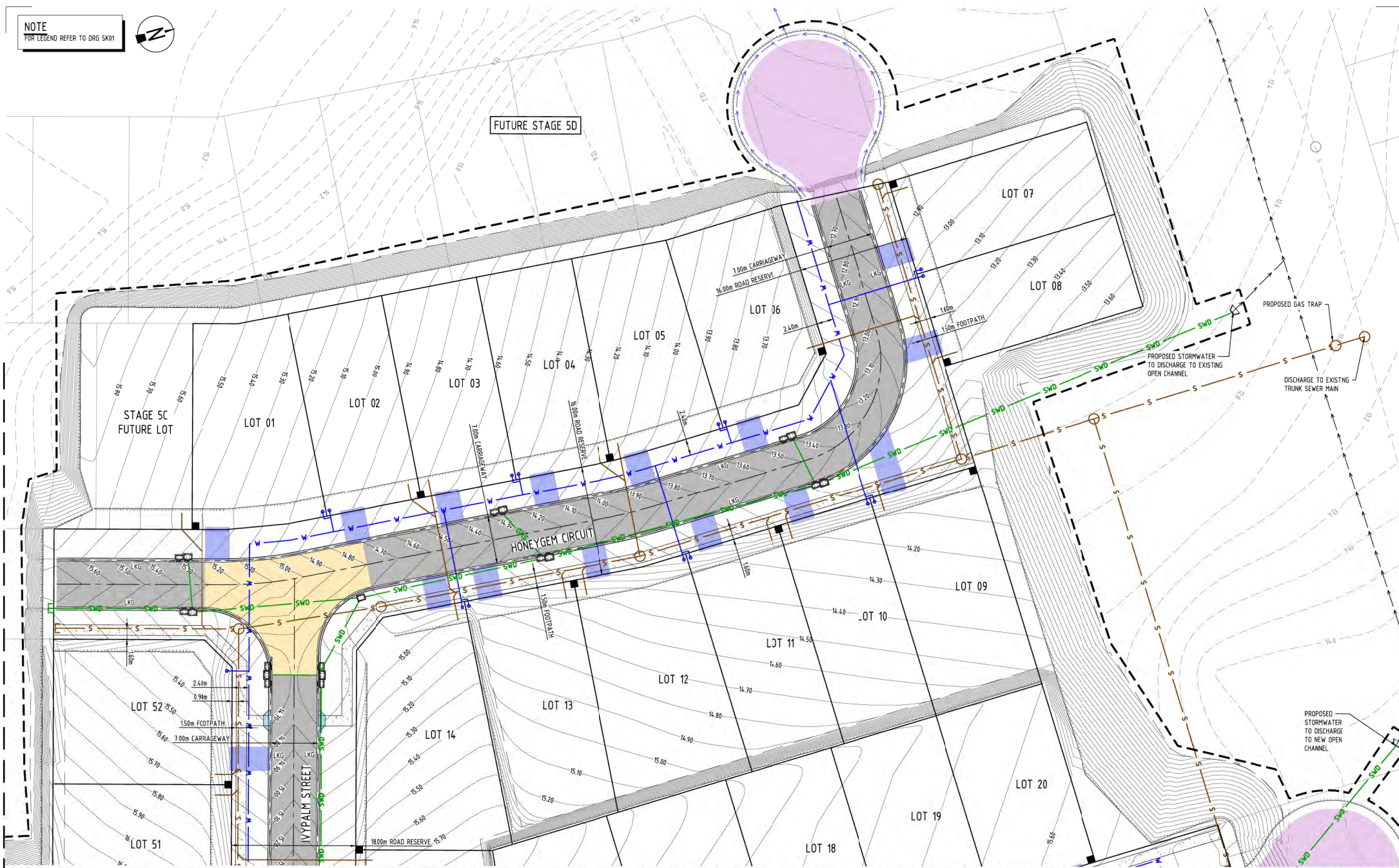
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Client	COSTOJIC PTY LTD
Project Name	ZUCCOLI ASPIRE STAGE 5B CIVIL WORKS

Discipline CIVIL		Status INFORMATION
Designed By LL	Checked By SW	Approved By SW
Project No. 20696_5B	Drawn By AB	Scale at A1 1:500
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Title		
FUNCTIONAL LAYOUT PLAN OVERALL LAYOUT PLAN		
Drawing No.	Revision	
SK01	C	

NOTE
FOR LEGEND REFER TO DRG SK01



REFER DRG SK03 & SK04 FOR CONTINUATION

Rev	Date	Description	By	CHK
C	14.02.24	ISSUED FOR INFORMATION	AB	SW
B	19.01.24	ISSUED FOR INFORMATION	AB	SW
A	07.11.23	ISSUED FOR INFORMATION	DL	HD



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

Discipline		Status	
CIVIL		INFORMATION	
Designed By	LL	Checked By	SW
Project No.	20696_SB	Drawn By	AB
Scale at A1		1:250	

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SHEET 1 OF 4			

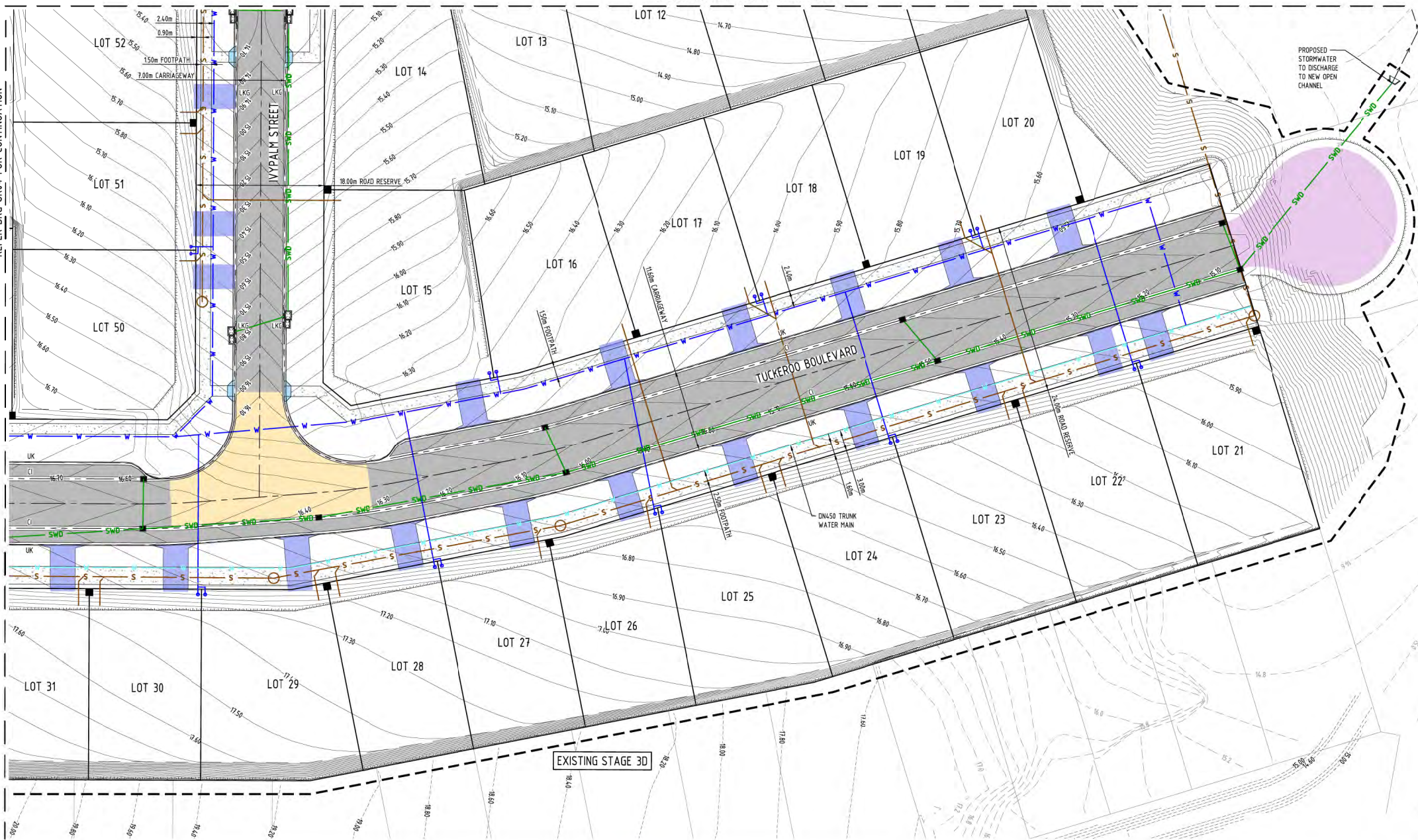
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NOTE
FOR LEGEND REFER TO DRG SK01



REFER DRG SK02 FOR CONTINUATION

REFER DRG SK04 FOR CONTINUATION



Rev	Date	Description	By	Chk
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B	19.01.24	ISSUED FOR INFORMATION	AB	SW
A	07.11.23	ISSUED FOR INFORMATION	DL	HD

SCALE 1:1250
AT ORIGINAL SIZE (A1)



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

Discipline		Status	
CIVIL		INFORMATION	
Designed By	LL	Checked By	SW
Project No.	20696_SB	Drawn By	AB

Title		Revision	
FUNCTIONAL LAYOUT PLAN		C	
SHEET 2 OF 4		SK03	



REFER DRG SK03 FOR CONTINUATION

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Client	COSTOJIC PTY LTD
Project Name	ZUCCOLI ASPIRE STAGE 5B CIVIL WORKS

Discipline CIVIL		Status INFORMATION
Designed By LL	Checked By SW	Approved By SW
Project No. 20696_6B	Drawn By AB	Scale at A1 1:250

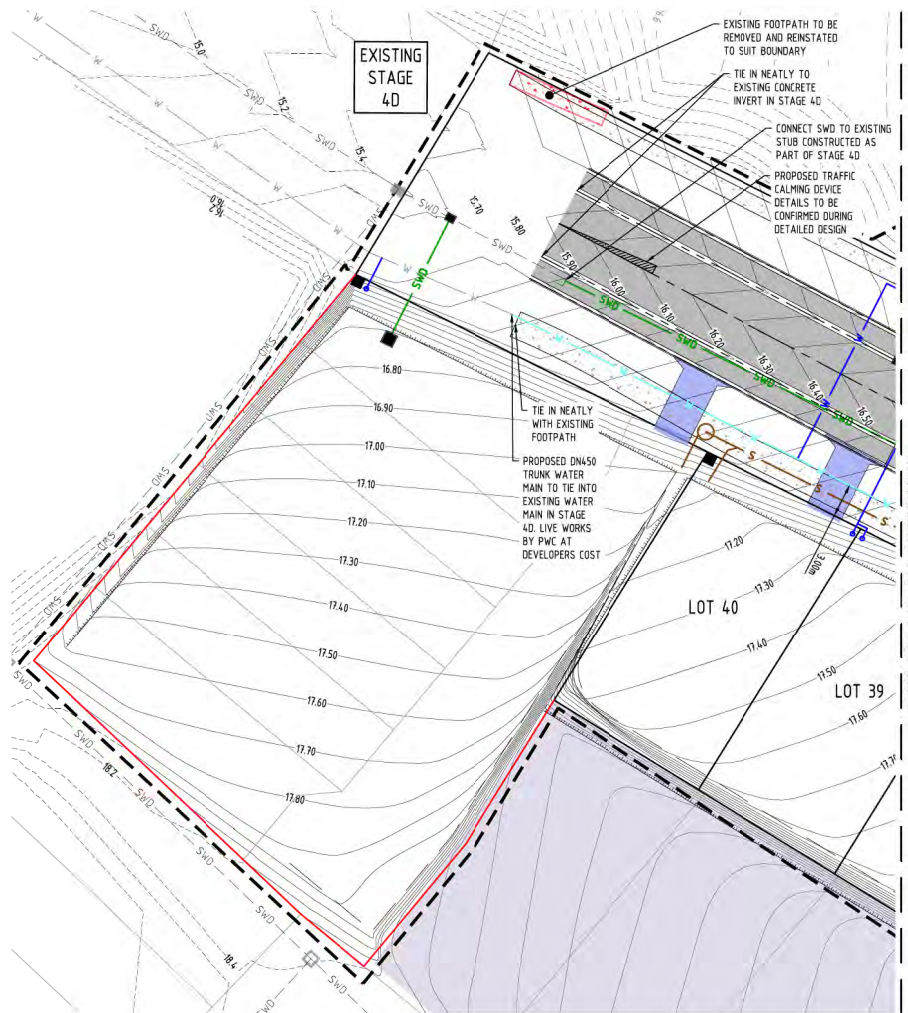
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Title
FUNCTIONAL LAYOUT PLAN
SHEET 3 OF 4

Drawing No.	Revision
SK04	C

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NOTE
FOR LEGEND REFER TO DRG SK01



ISSUED FOR
CONSTRUCTION

Rev	Date	Description	By	Chk
C	14.02.24	ISSUED FOR INFORMATION	AB	SW
B	19.01.24	ISSUED FOR INFORMATION	AB	SW
A	07.11.23	ISSUED FOR INFORMATION	DL	HD

SCALE 1:250
AT ORIGINAL SIZE (A1)



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

Discipline	Checked By	Approved By
CIVIL	SW	SW
Designed By	LL	SW
Project No.	20696_SB	Scale at A1 1:250

Title	Drawing No.	Revision
FUNCTIONAL LAYOUT PLAN SHEET 4 OF 4	SK05	C

	DESIGNED SURFACE CONTOURS
	EXISTING SURFACE CONTOURS
	EXISTING STAGE FINISHED CONTOURS
	LIMIT OF WORKS
	PROPOSED ROAD CENTRE LINE
	PROPOSED NOMINAL FACE KERB
	PROPOSED BATTER
	STAGE SA SURFACE
	FINISHED SURFACE LEVEL
	EXISTING SURFACE LEVEL



SHEET 1 OF 3

FUTURE STAGE 5D

SHEET 2 OF 3

SHEET 3 OF 3

EXISTING
STAGE
40

FUTURE STAGE 5C

SHEET 4 OF 4

EXISTING STAGE 3D

B	19-01-24	ISSUED FOR INFORMATION		AB	SW
A	07-11-23	ISSUED FOR INFORMATION		DL	HD
Rev	Date	Description		By	Che



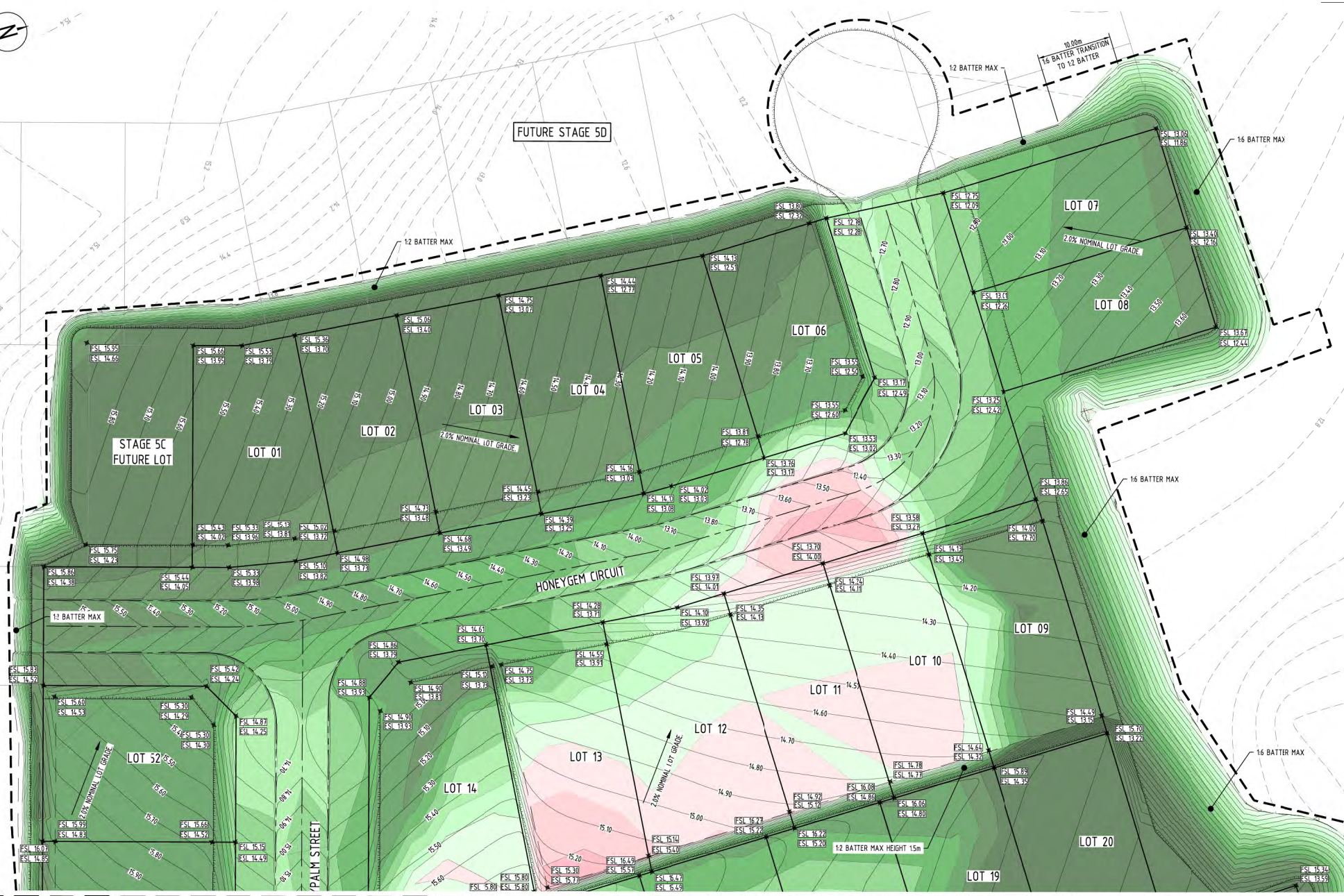
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Project Name	ZUCCOLI ASPIRE STAGE 5B CIVIL WORKS

Discipline CIVIL		Status INFORMATION
Designed By LL	Checked By SW	Approved By SW
Project No. 20696_5B	Drawn By AB	Scale at A1 1:500
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Title	BULK EARTHWORKS OVERALL LAYOUT PLAN
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Drawing No.	Revision
SK06	B

NOTE
FOR LEGEND REFER TO DRG SK06



REFER DRG SK08 & SK09 FOR CONTINUATION

Rev	Date	Description	By	CHK
B	19.01.24	ISSUED FOR INFORMATION	AB	SW
A	07.11.23	ISSUED FOR INFORMATION	DL	HD

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SCALE 1:250
AT ORIGINAL SIZE (A1)



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

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CIVIL		INFORMATION	
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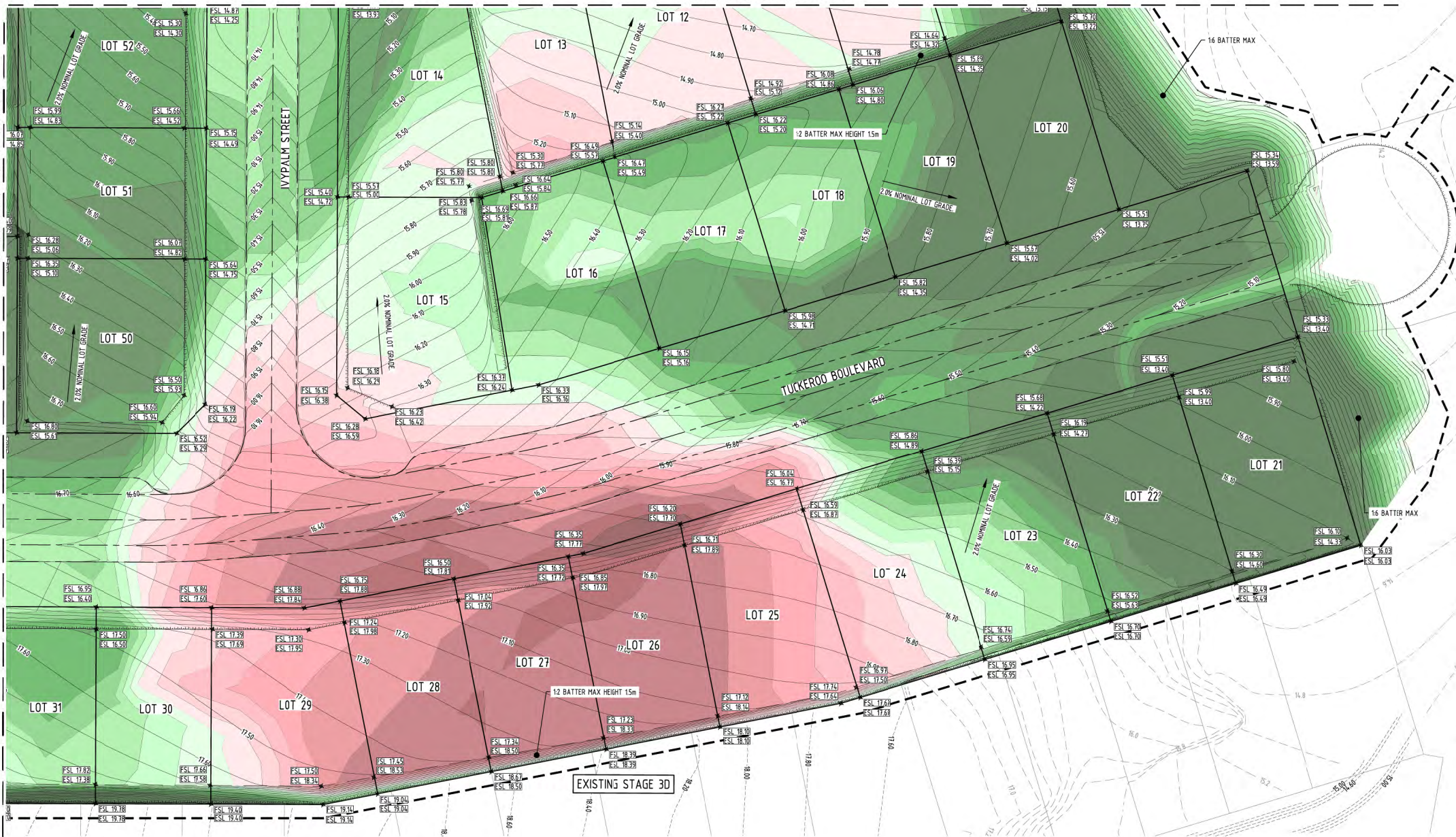
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BULK EARTHWORKS LAYOUT PLAN SHEET 1 OF 4		B	
Drawing No. SK07			

NOTE
FOR LEGEND REFER TO DRG SK06



REFER DRG SK07 FOR CONTINUATION

REFER DRG SK09 FOR CONTINUATION



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A	07.11.23	ISSUED FOR INFORMATION	DL	HD

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SCALE 1:250
AT ORIGINAL SIZE (A1)



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

Discipline		Status	
CIVIL		INFORMATION	
Designed By	LL	Checked By	SW
Project No.	20696_SB	Drawn By	AB
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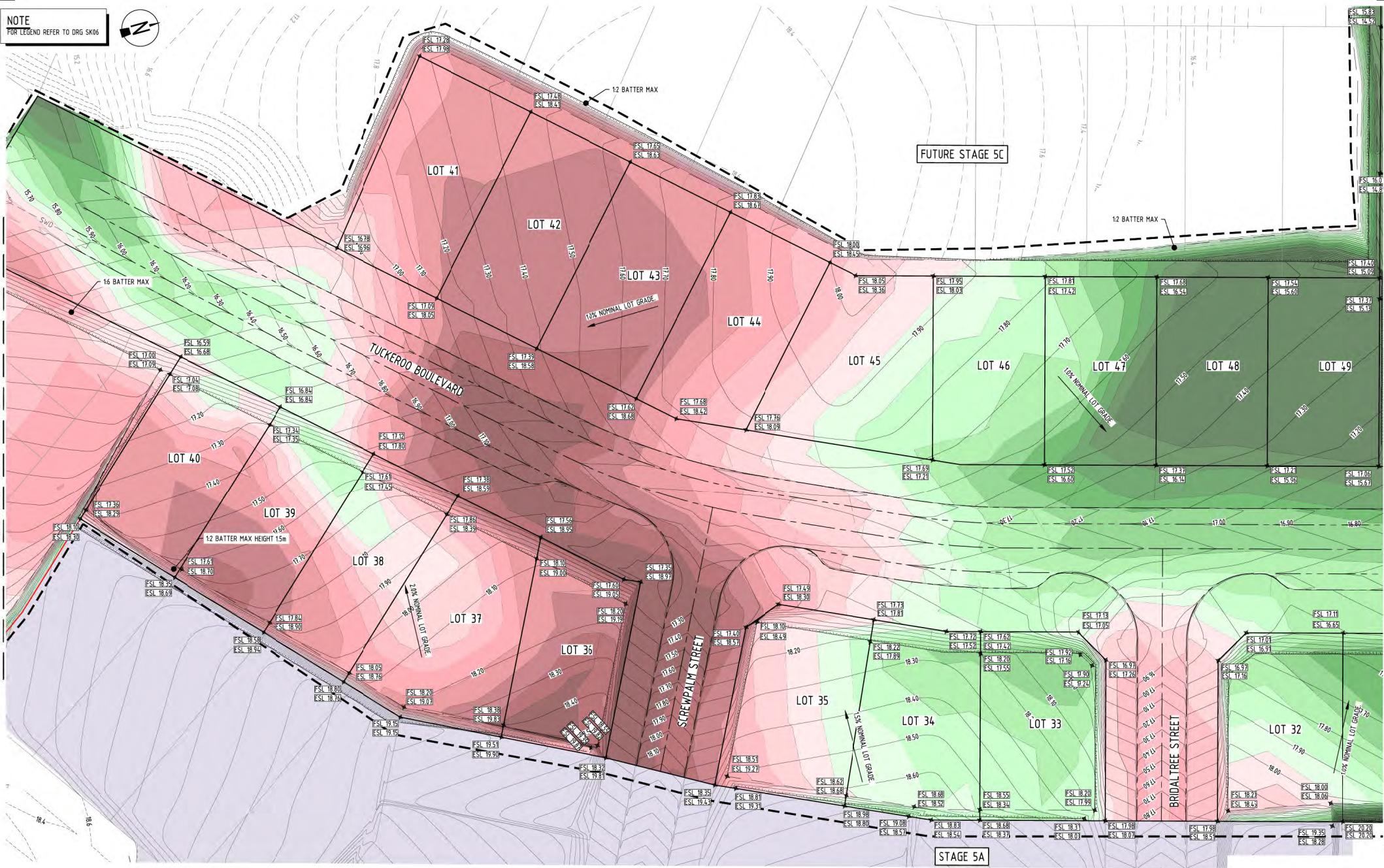
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BULK EARTHWORKS LAYOUT PLAN SHEET 2 OF 4		B	
Drawing No.	SK08		

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NOTE
FOR LEGEND REFER TO DRG SK06



REFER DRG SK10 FOR CONTINUATION



REFER DRG SK08 FOR CONTINUATION

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A	07.11.23	ISSUED FOR INFORMATION	DL	HD

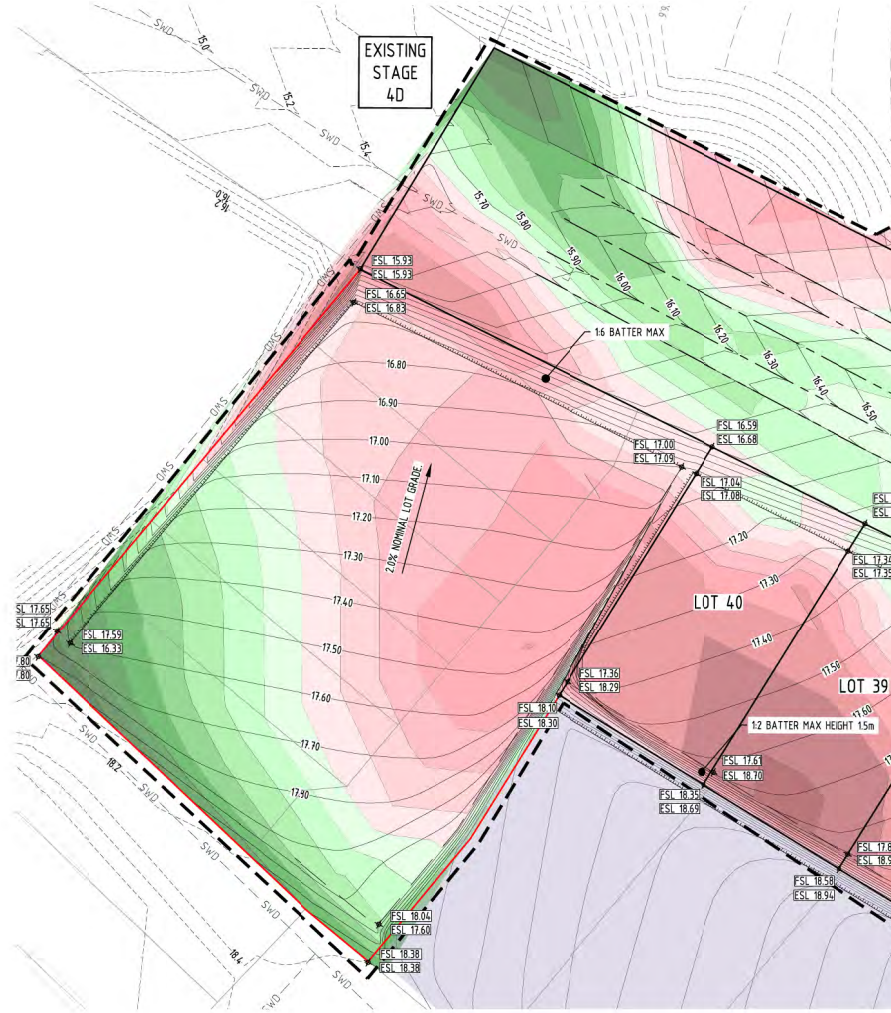
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AT ORIGINAL SIZE (A1)



Client		Discipline		Status		Title	
COSTOJIC PTY LTD		CIVIL		INFORMATION		BULK EARTHWORKS	
Project Name		Designed By		Checked By		Approved By	
ZUCCOLI ASPIRE		LL		SW		SW	
STAGE 5B		Project No.		Drawn By		Scale at A1	
CIVIL WORKS		20696_SB		AB		1:250	
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		Drawing No.		SK09		Revision	
						B	

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Rev	Date	Description	By	CHK
B	19.01.24	ISSUED FOR INFORMATION	AB	SW
A	07.11.23	ISSUED FOR INFORMATION	DL	HD



Client
COSTOJIC PTY LTD
Project Name
ZUCCOLI ASPIRE
STAGE 5B
CIVIL WORKS

Discipline	Checked By	Approved By	Scale at A1
CIVIL	SW	SW	1:250
Designed By	LL	AB	
Project No.	20696_5B		

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Client	Project Name	Project No.	Revision
COSTOJIC PTY LTD	ZUCCOLI ASPIRE	20696_5B	B
Discipline	Checked By	Approved By	Scale at A1
CIVIL	SW	SW	1:250
Designed By	LL	AB	
Project No.	20696_5B		

Drawing No.
SK10



Legend

- Commercial Uses
- Commercial Mixed Use
- Rural Lots
- Sites for Single Dwellings
- Sites for Multiple Dwellings (MD)
- Innovation Lots



SUBJECT TO CHANGE*

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LEGEND

P1 - LAKE PARK

- Passive recreation
- Recreational lake
- Lake edge picnic facilities
- Viewing deck and fishing platform
- Retained bush with shaded irrigated grass areas
- Terraced platform seating
- Linking shared user paths
- Retained bushland

P2 - CONNECTOR PARK

- Open irrigated grass kickabout space
- All ages playground
- Pockets of retained bushland
- Retained trees in dryland grass
- Picnic facilities
- Linking shared user paths

P3 - RIDGETOP PARK

- Shaded irrigated grass areas.
- Pockets of retained bushland and trees
- Fitness equipment
- Shared use of the adjacent future school sporting facilities
- Passive recreation
- Linking shared user paths
- Marked loop fitness trails

P4 - CREEK VIEW PARK

- Extensive areas of protected creekline and vegetation
- Linking shared user paths
- Small scale fenced playground aimed at 0-5 age
- Picnic facilities
- Lake edge access
- Connections to existing Mitchell Creek bush trails

P5 - BUSHLAND HABITAT PARK

- Large areas of protected creekline and vegetation
- Lake edge passive recreation
- Pockets of shaded irrigated grass areas
- Linking shared user paths

P6 - CIVIC PARK

- Possible adjoining alfrescos opening out to civic plaza
- Paved surfaces with seating and feature shade trees
- Pocket of protected vegetation
- Public art
- Possible water play
- Terraced performance / gathering space
- Flexible spaces for possible small scale markets
- Shaded playground
- Picnic facilities
- Feature garden beds

P7 - ESTATE ENTRY PARK

- 'Green Entry' into the development
- Shaded irrigated grass
- Linking shared user path
- Nature playground

P8 - ACTIVITY PARK

- Adventure playground aimed at ages 6-12
- 'Time Trial' measured loop path for cycling and running
- Pocket of retained bushland
- Fitness station and equipment
- Lake edge picnic facilities
- Public art
- Linking shared user paths

P9 - DOG PARK

- Dedicated fenced dog park with dog exercise equipment
- Shaded seating

P10 - POND PARK

- Passive park with retained trees in grass
- Pond edge access
- Picnic facilities

CLOUSTON associates

PARK DESCRIPTION PLANS

CLOUSTON ASSOCIATES • LANDSCAPE ARCHITECTS • URBAN DESIGNERS • LANDSCAPE PLANNERS

1:6000 @A3

0 30 60 90 120 150

300m



D16_0033 ISSUE B DECEMBER 2016

1



LEGEND

2.5m WIDE SHARED PATH

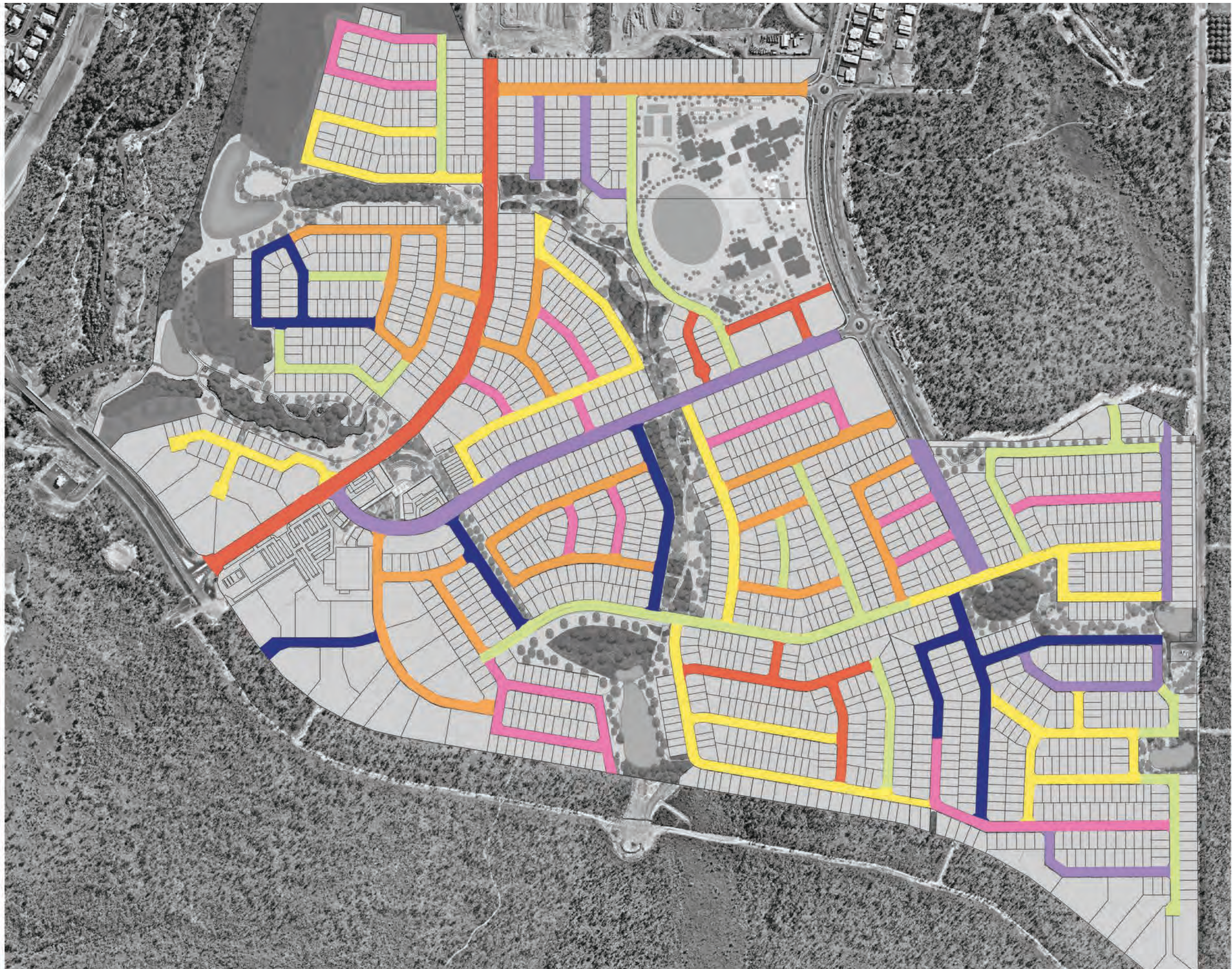
PEDESTRIAN & SHARED PATHWAYS NETWORK

CLOUSTON ASSOCIATES • LANDSCAPE ARCHITECTS • URBAN DESIGNERS • LANDSCAPE PLANNERS



CLOUSTON associates

D16_0033 ISSUE B DECEMBER 2016



LEGEND

- *Mimusops elengi*
- *Tabebuia argentea*
- *Tabebuia rosea*
- *Alstonia actinophylla*
- *Syzygium armstrongii*
- *Allosyncarpia ternata*
- *Alphitonia excelsa*

STREET TREE PLAN

CLOUSTON ASSOCIATES • LANDSCAPE ARCHITECTS • URBAN DESIGNERS • LANDSCAPE PLANNERS

1:6000 @A3

0 30 60 90 120 150

300m



CLOUSTON associates

D16_0033 ISSUE B DECEMBER 2016

3



PROTECTED CREEKLINE & VEGETATION WITHIN OPEN SPACE AREAS

MANAGEMENT REQUIREMENTS

The retention and protection of existing creeklines and adjacent vegetation within the parklands of Zuccoli Aspire is an important aspect of the overall environmental outcomes of the development. Typically they are related to existing natural drainage lines where they are able to support a diverse mix of plants and animals while also being a responsible approach to water sensitive urban design within greenfield residential sub-divisions.

The protected creekline and vegetation require carefully targeted maintenance effort and will generally be a cost effective landscape treatment. The whole of life costs are low, while the environmental and aesthetic returns are high. Maintenance activities may include:

Weed management and control:

- Key focus would be grass weeds including Mission Grass (annual and perennial) and Gamba Grass.
- Monitor and treat as necessary any garden escapes. The inclusion of the 10 metre minimum buffers to adjoin properties will reduce this risk.
- All maintenance activities should utilise best practice bush management and regeneration techniques which includes minimising disturbance, work from the edges of the healthiest areas outwards, promotion of natural regeneration of species. Importantly, weed control should utilise herbicides and weedicides very carefully to minimise impacts on existing desirable plants and natural regeneration.

Fire management:

- Reduction of fuel loads within the protected creekline vegetation through active weed management – mainly introduced grasses.
- Landscaped buffers, including pathways, running parallel to the edges of all protected creekline vegetation provide maintained with very low fuel loads while also providing emergency access.

Tree management:

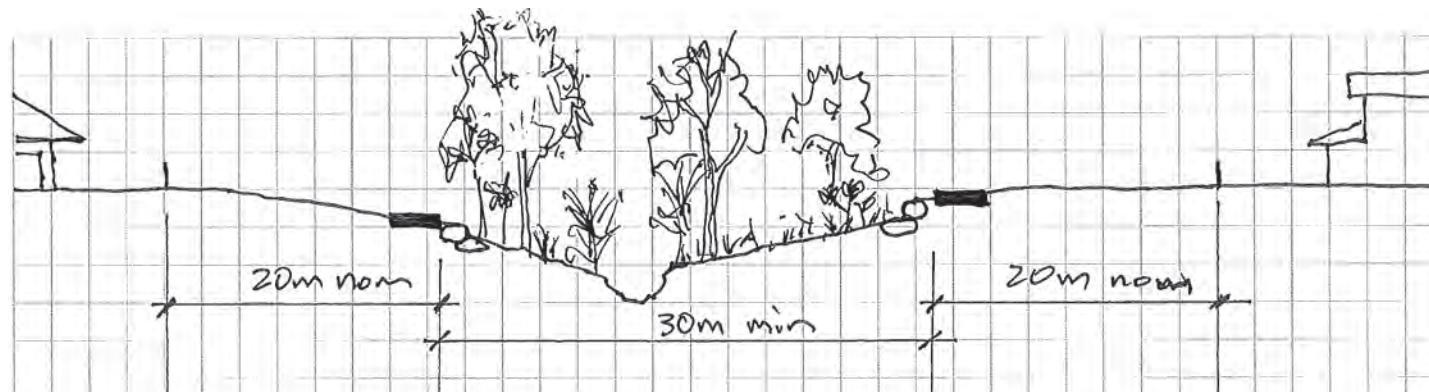
- Annual monitoring of trees within area to assess any risks. Undertake necessary tree management.
- Monitoring and action would only apply to those trees that pose a risk to people using adjoining areas of the park. Limb drop and tree failure within a bush area is a natural occurrence that poses a low and known risk. The resultant habitat provided by these natural functions is an important value of the bush areas.

Revegetation:

- Generally limited to selective infill planting to repair damaged and disturbed areas.
- Adoption of a Landcare Group approach via an organised Community Planting Day can be an effective community building activity when combined with an educational talk and BBQ. Through this process, local residents can become important advocates and participants in bush management.

LEGEND

 PROTECTED CREEKLINE AND VEGETATION

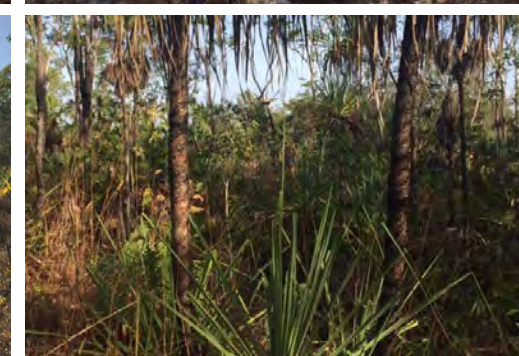


LANDSCAPE BUFFER
- May include subdivision earthworks and services.
Will include:
• 4m clear grass adjoining fence line.
• 3m wide maintenance/ recreation path.
• Open and clear sightlines and recreation facilities.

RETAINED CREEKLINE & NATIVE VEGETATION
• Area retained largely intact.
• Corridor to consider natural topography and landscape features including exposed rock ledges.

LANDSCAPE BUFFER
- May include subdivision earthworks and services.
Will include:
• 4m clear grass adjoining fence line.
• 3m wide maintenance/ recreation path.
• Open and clear sightlines and recreation facilities.

PRIVATE PROPERTY ADJOINING



PROTECTED CREEKLINE & VEGETATION STRATEGY

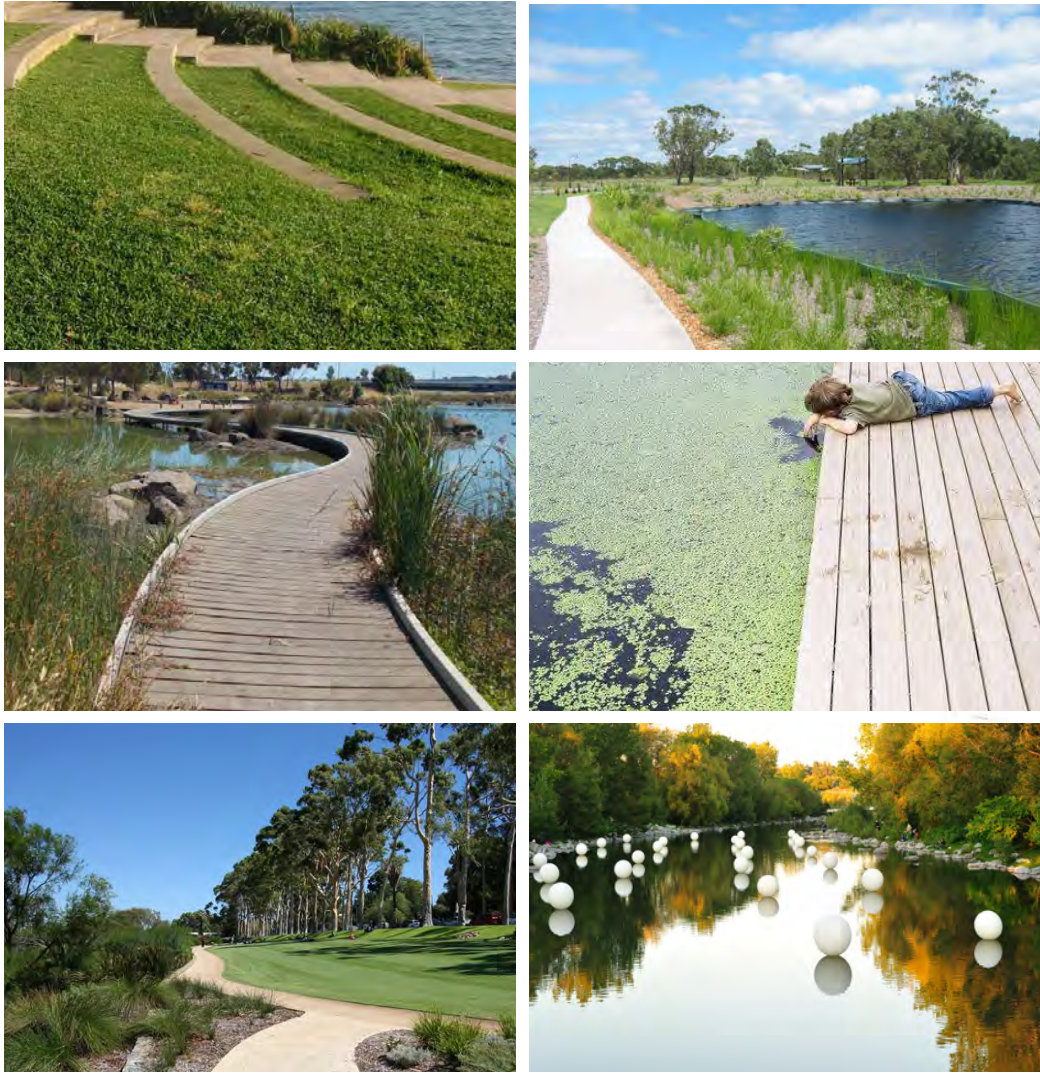




- LEGEND**
- 1 Trees in Irrigated Grass
 - 2 Retained Bush
 - 3 Feature Park Entry Garden Bed
 - 4 Picnic Shelter
 - 5 Dedicated Fishing Area
 - 6 Viewing Platform



KEY PLAN



P1 - LAKE PARK

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KEY PLAN

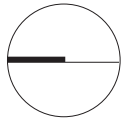
- LEGEND
- 1 Flying Fox
 - 2 Picnic Shelter
 - 3 Playground
 - 4 Grass & Trees
 - 5 Garden Bed
 - 6 Retained Bush



P2 - CONNECTOR PARK

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1:1000 @A3
0 5 10 15 20 25 50m



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LEGEND

- 1 Fitness Station
- 2 Garden Bed
- 3 Grass & Trees
- 4 Retained Bush
- 5 Start/Finish 700m Fitness Loop Trail
- 6 Link to School



KEY PLAN



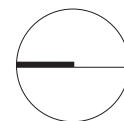
P3 - RIDGETOP PARK

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1:1000 @A3

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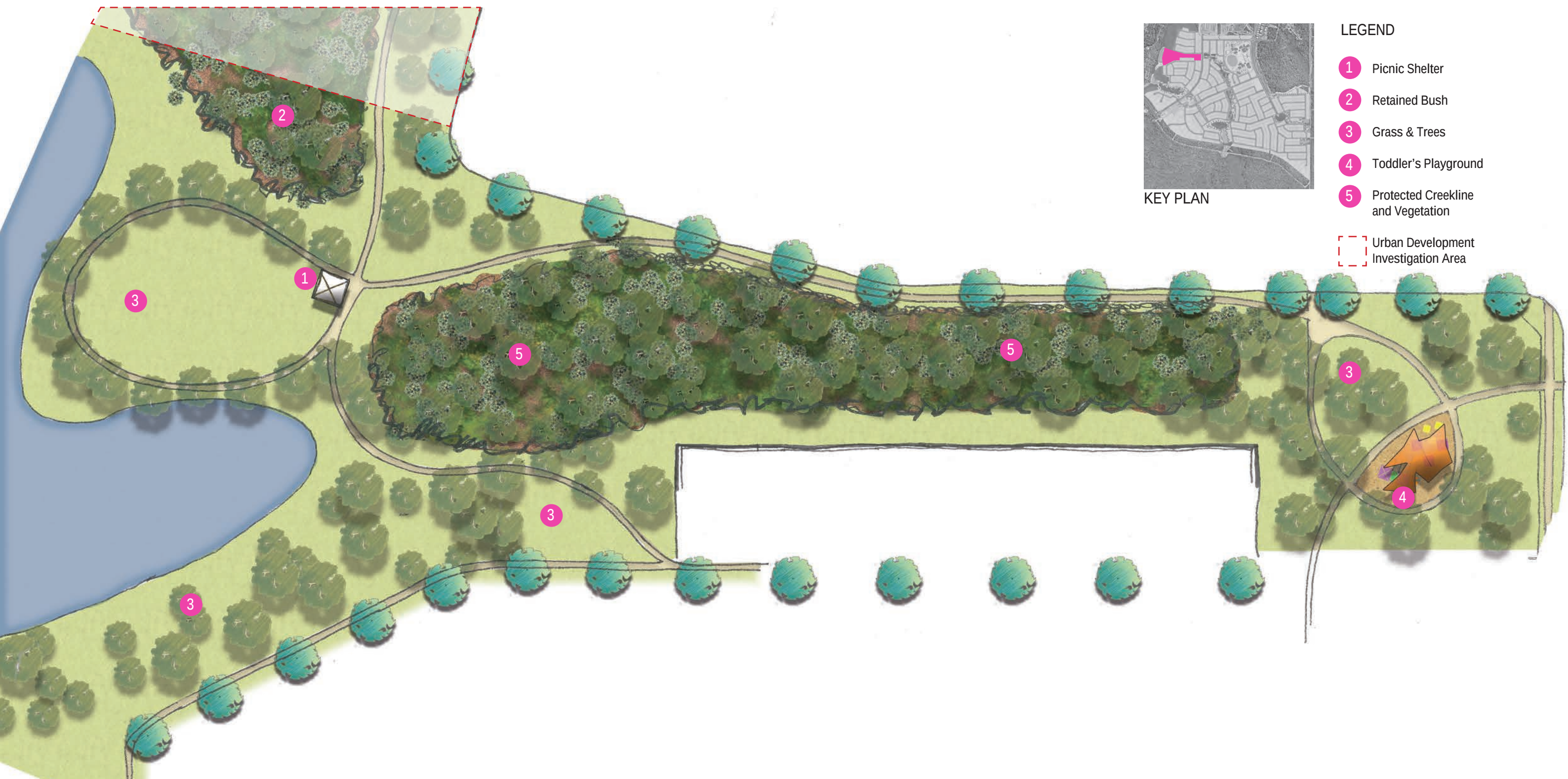
50m



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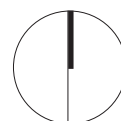
P4 - CREEK VIEW PARK

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1:1000 @A3

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50m



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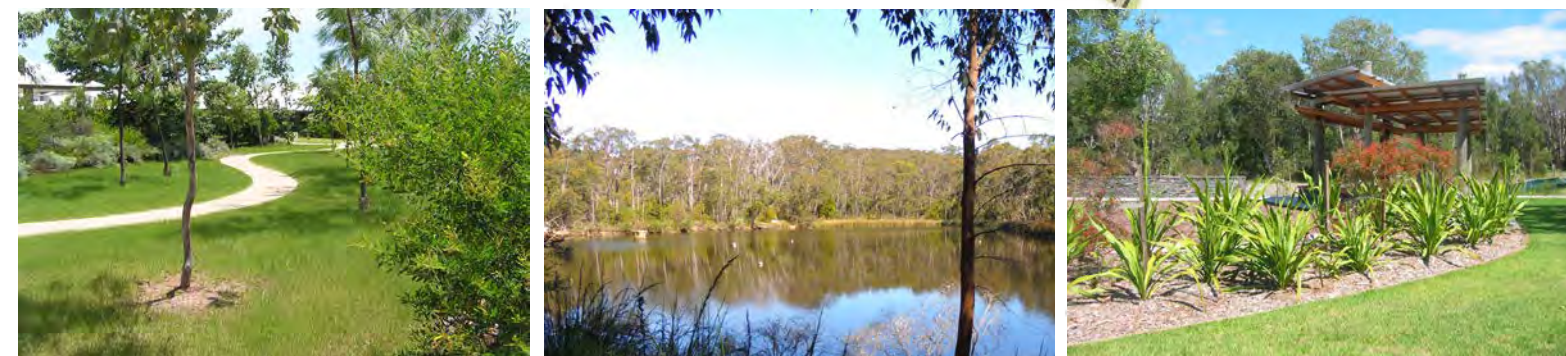
8



KEY PLAN

LEGEND

- 1 Picnic Shelter
- 2 Irrigated Grass & Trees
- 3 Retained Bush
- 4 Feature Park Entry Statement
- 5 Protected Creekline and Vegetation
- [Dashed Red Line] Urban Development Investigation Area



P5 - BUSH AND HABITAT PARK

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1:1000 @A3

0 5 10 15 20 25

50m



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LEGEND

- 1 Future Building
- 2 Road with Pedestrian Crossing
- 3 Raised Grassed Area with Seating Wall
- 4 Rows of Palms
- 5 Possible Water Play
- 6 Grass Terraced Seating
- 7 Playground
- 8 Grass & Trees
- 9 Protected Vegetation

A Perspective A, B & C Views
- Refer pages 13-15



P6 - CIVIC PARK

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1:1000 @A3

0 5 10 15 20 25

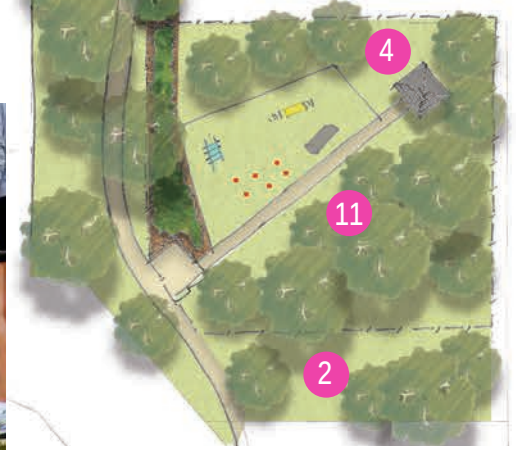
50m



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P8 & P9 - ACTIVITY & DOG PARK

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1:1000 @A3
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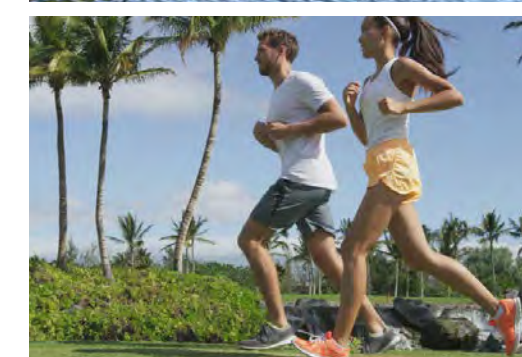
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KEY PLAN

LEGEND

- 1 Retained Bush
- 2 Picnic Shelter
- 3 Grass & Trees
- 4 Garden Bed



P10 - POND PARK

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