

DEVELOPMENT CONSENT AUTHORITY PALMERSTON DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: **1** MEETING DATE: 13 June 2025 FILE: PA2025/0106

APPLICATION PURPOSE: Dwellings-group (12 x 3 bedroom) in 6 x 1 storey buildings
SUBJECT SITE: Lot 11203 (5) Lind Road, Johnston, Town of Palmerston
ZONE: MR (Medium Density Residential)
SITE AREA: 3430m²
APPLICANT Tatam Planning Co. (Catriona Tatam)
PERSONS ON WHOSE - Landowner; and
BEHALF THE - Mr George Savvas
APPLICATION IS MADE
LANDOWNER Mr Jimmy Corfias
ANY PERSON WITH AN Nil
AGREEMENT TO ACQUIRE
AN INTEREST IN THE
LAND

1. PROPOSAL

The application is to construct 12 x 'dwellings-group' in 6 x single storey buildings on a vacant site zoned MR (Medium Density Residential). Each dwelling will contain 3 bedrooms and 2 bathrooms and 2 car parking spaces (carport under main roofs). 6 visitor car parking spaces are provided, and vehicle access to the site will be via Lind Road. The driveway feeds into all units from the centre of the lot and the private open space for each dwelling is located between the buildings and the lot boundaries. The fences proposed along the boundaries adjacent a road reserve are 1.5m high. A dwelling density of 1 dwelling per 285.83m² is proposed.

The proposal (as lodged) is technically non-compliant with aspects of the following NTPS2020 clauses:

- 5.2.4.4 *Layout of Car Parking Areas*
- 5.2.6.1 *Landscaping in Zones other than Zone CB*
- 5.4.3 *Building Setbacks of Residential Buildings and Ancillary Structures*
- 5.4.6.1 *Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group*

A copy of the application is at **Bookmark B1 – B7**.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

An application is required for a development permit as the land is within Zone MR (Medium Density Residential) of the NT Planning Scheme 2020 (NTPS2020), where "dwelling-group" is listed as an *Impact Assessable* land use in the zone.

Furthermore, aspects of the design do not fully comply with the minimum development requirements listed in Part 5 of the NTPS2020.

Zoning and Level of Assessment	Part 3 Overlay	Consent required by virtue of Overlay Requirement	Part 5 – General and Specific Development Requirements	
Zone MR	Nil	No	5.2.1	General Height Control
Impact Assessable			5.2.4.1	Car Parking Spaces
			5.2.4.4	Layout of Car Parking Areas
			5.2.6.1	Landscaping in Zones Other Than Zone CB
			5.4.1	Residential Density
			5.4.3	Building Setbacks of Residential Buildings and Ancillary Structures
			5.4.6	Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group
			5.4.8.1	Building Design for Dwelling-Group, Rooming Accommodation, and Residential Care Facility
			5.4.17	Building Articulation
			5.4.18.1	Fencing in Zones MR and HR

The exercise of discretion by the consent authority that applies is *Impact Assessable* as outlined in sub-clause 4 of Clause 1.10.

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should vary the requirements of Clause 5.2.4.4 (Layout of Car Parking Areas), Clause 5.2.6.1 (Landscaping in Zones other than Zone CB) and Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme 2020 and approve the application subject to conditions on a development permit.

4. BACKGROUND

Title to the land was registered in 2013 (part of the Johnston Stage 2(1) subdivision).

The site is vacant and has frontages to two public roads; the primary street (south) is Lind Road and the secondary street (east) is Angel Road. The adjacent lot to the west is zoned C (Commercial); this lot has an established “shopping centre” and approval to build a child care centre. Photographs of the site (taken in 2025) are located at **Bookmark A2**.

There have been no previous planning applications lodged in relation to the subject site.

Lot 11256 (south side of Lind Road) is vacant land zoned CP (Community Purpose), Lot 11257 is zoned PS (Public Open Space) and developed as a neighbourhood park. Properties on the east side of Angel Road are in Zone LR (Low Density Residential).

The abutting parcel (Lot 11201) to the north/north-west is a vacant site zoned LMR (Low-Medium Density Residential). The property is owned by the Chief Executive Officer Housing, in 2015 a permit (DP15/0153) was issued to develop 88 x dwellings-group, however works did not proceed, and the permit expired).

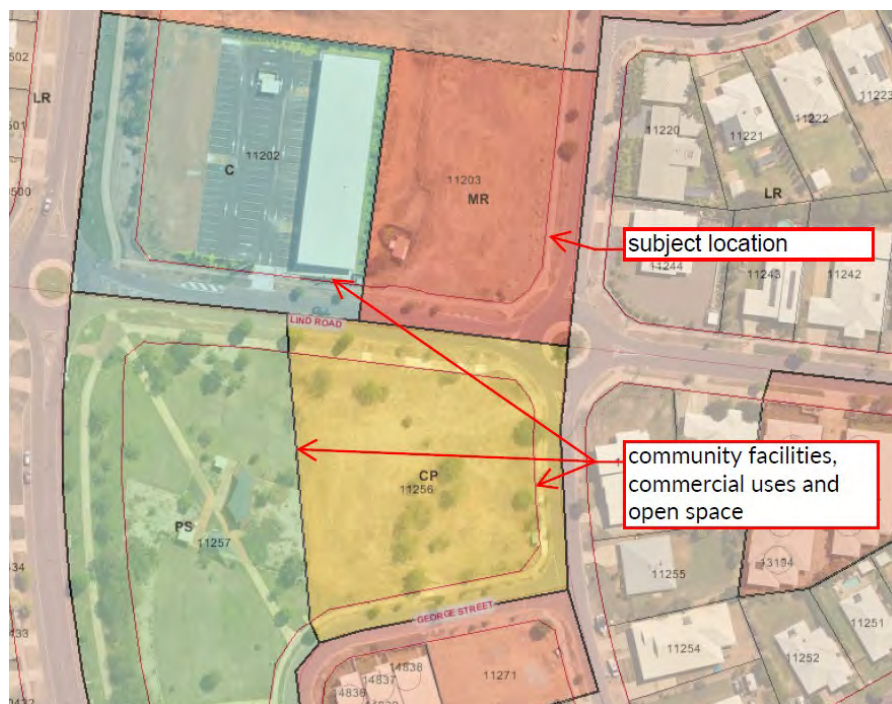


Figure 1 - Zoning Map

5. PUBLIC EXHIBITION

The application was placed on public exhibition (website advertisement and pink signs displayed on the boundary to each street frontage) for a period of two weeks (11 April 2025 until 25 April 2025).

No public 'submissions' were received under section 49(1) of the *Planning Act 1999*. City of Palmerston responded with comments (section 49(6)), which are discussed under sections 51(1)(e)&(m) below).

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 development/use 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 (NTPS2020) applies to the land which is zoned MR (Medium Density Residential). A Technical Assessment is at **Bookmark C**, the assessment provides a detailed analysis of compliance against each requirement of the applicable clauses and should be read in conjunction with this section of the report.

Under sub-clause 4 of Clause 1.10 of NTPS 2020, *in considering an application for consent for a use or development identified as 'Impact Assessable' the consent authority must take into account all of the following:*

NTPS2020 Considerations (Sub-Clause 4 of Clause 1.10)		Summary
(a)	any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;	A Technical Assessment against requirements of NTPS 2020 is included at Bookmark C. The application does not fully comply with: <ul style="list-style-type: none"> 5.2.6.1 (Landscaping in Zones other than Zone CB) 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) 5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group) 5.4.18.1 (Fencing in Zones MR and HR) Discussion of non-compliant aspects and other notable issues in relation to Part 5 requirements is provided below.
(b)	any Overlays and associated requirements in Part 3 that apply to the land;	No Overlays apply to the site
(c)	the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and	The land is zoned MR (Medium Density Residential). Discussion provided below under 'Clause 4.4'.
(d)	any component of the Strategic Framework relevant to the land as set out in Part 2.	As the application proposes a low-density type of development, the Compact Urban Growth Policy is not technically applicable (as it is not "higher density residential"). The Darwin Regional Land Use Plan and the Holtze to Elizabeth River Subregional Land Use Plan are relevant to the land and promotes infill development. Full discussion provided in the Technical Assessment.

It is further noted that under sub-clause 1(c) of Clause 1.8 of the NTPS2020, "Impact Assessable" is – *use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the site and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.*

Clause 4.4 – Zone MR (Medium Density Residential)

Zone Purpose

The purpose of Zone MR is to - *provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development.*

DAS Comment:

- all buildings on the site will be single storey.
- proposal is for a "low density" residential development – Compact Urban Growth Policy (page 9) suggests – a "medium density locality is where densities are approximately 60 dwellings per hectare" (ie: 1 dwelling per 166.7m²) whereas the dwelling density proposed for the subject site is 1 per 285.83m².
- Zone MR (in Palmerston) allows for up to 4 storeys (proposed design on the site does not take advantage of this height – resulting in greater building footprint and hardstand car parking area and non-compliance with private open space, building setback requirements). Incidentally if the site were zoned LMR, the proposal would not comply with the dwelling density limitation of 1 per 300m²
- electricity, water, sewerage and telecommunications services are able to be connected to or upgraded for the development
- the site is located less than ~500m walking distance to neighbourhood parks (eg: Lot 11257). Other areas of open space, public bus stop, community purpose zoned land and a abuts a commercial zoned parcel which could include a child care centre (permit issued, but works not commenced).

Outcome 1

Outcome 1 is - *predominantly medium density residential developments generally not exceeding four storeys.*

DAS Comment:

- In the context of the Compact Urban Growth Policy, a 'low density' development is proposed for the site (1 dwelling per 285.83m²)
- The dwellings are all single storey buildings (Zone MR (in Palmerston) allows up to four storeys).
- Despite this, it is noted that the proposal does meet density requirements under Clause 5.4.1 (Residential Density).

Outcome 5

Outcome 5 is - *building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces.*

DAS Comment:

- The building design, site layout and landscaping proposed is consistent with what would be reasonably anticipated within a LMR, however the plants proposed to screen the private open space along the east boundary grow to a maximum height of 1.5m and the fence proposed along this boundary is visually permeable. It is unclear if the plants chosen will adequately screen the private open space areas.
- Solid metal fencing (greater than 1.8m in height) is already in place along the shared boundary to Lot 11202 (Zone Commercial – developed site) a solid metal fence will be installed on the north boundary (Lot 11201 – vacant parcel) Landscaping and visually permeable fencing will be provided along the street boundaries. The proposed buildings are all single storey.
- Elements of the design do not fully comply with “Part 5” NTPS2020 requirements – see separate heading below.

Outcome 6

Outcome 6 is - *in efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks and with convenient access to open space, community and educational facilities.*

DAS Comment:

- The subject site is a 'greenfield' allotment within a urban subdivision / area (titles issued in 2013). The parcel can be connected to reticulated electricity, water, sewerage and telecommunications services. Public open space and other community facilities are located in close proximity.
- With regards to “an efficient pattern of land use”. The Darwin Regional Land Use Plan (Page 12 – Key Residential Objectives) promotes efficient use of land, efficient built form, densification, access to public transport.
- Other sites zoned MR within the suburb of Johnson have been developed at the following densities (see table below):

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Address & area of site	Dwelling Density (approved / constructed)	Number of storeys
2 Brisbane Crescent (5110m ²)	51 dwellings (1 per 100.19m ²)	4 storeys

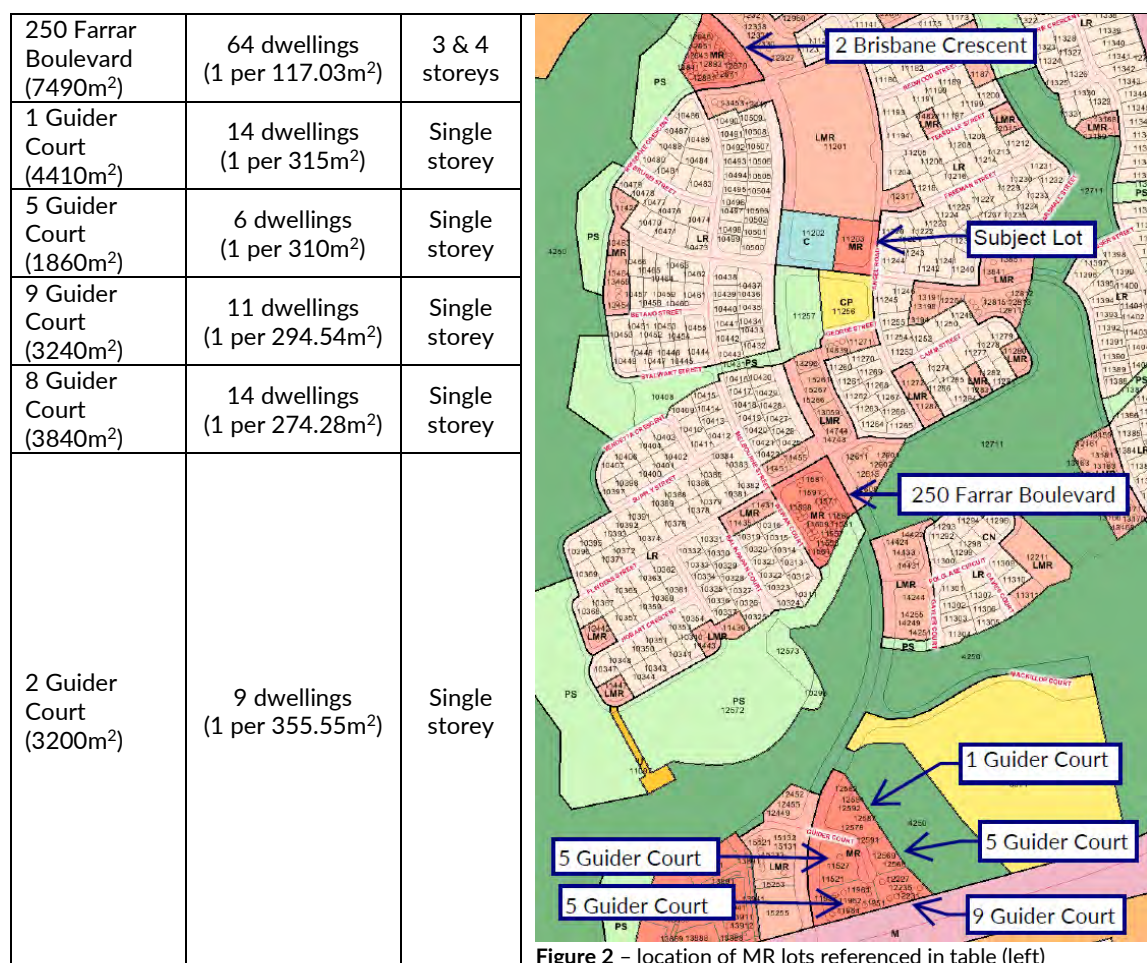


Figure 2 – location of MR lots referenced in table (left)

What is proposed to be built on the subject site (Lind Road) is compatible with the dwelling densities approved for the Guider Court properties, however, these were all approved prior to the commencement of the NT Planning Scheme 2020 and updated outcomes for Zone MR etc.

5.3 ZONE MR – MEDIUM DENSITY RESIDENTIAL

1. The primary purpose of Zone MR is to provide for a range of housing options to a maximum height of four storeys above ground level.
2. The availability or future availability of services, size of lots and proximity to major roads, schools and other community facilities should be sufficient to support multiple dwelling residential development.
3. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.

TABLE B TO CLAUSE 7.1.1 – DWELLING DENSITY IN ZONE MR OTHER THAN IN ALICE SPRINGS

Number of Storeys Above Ground Level	1 or 2 Bedrooms	3 Bedrooms	4 Bedrooms
1	155m ²	180m ²	215m ²
2	125m ²	170m ²	210m ²
3	95m ²	130m ²	180m ²
4 (maximum)	85m ²	130m ²	140m ²

Figure 3 – Extracts from NT Planning Scheme 2007 (repealed on 31 July 2020)

Sub-clause 6 of Clause 1.10 specifies that “When consenting to the use or development of land, the consent authority may impose a condition requiring a higher standard of development than is set out in a requirement of Parts 3, 5 or 6 if it considers it necessary to the achievement of the Strategic Framework, the purpose of the overlay or the zone, or it considers it is otherwise necessary to do so”.

Darwin Regional Land Use Plan (DRLUP)

The subject site is located within the area identified for Urban/Peri-Urban use in the ‘Land Use Structure’ map, and the proposed development is for *dwellings-group* which is an expected type of development within these areas.

Despite the above, the DRLUP also encourages a mixture of housing options and efficient land use, as well as more compact development around activity centres.

The site is located adjacent an 'activity centre' and has potential for higher density development. The proposed *dwelling-group* development does not take advantage of potential for the site (zoned MR) to be developed with more (eg: up to 4 storey @) dwellings to make more efficient use of infrastructure and closer compliance with Part 5 NTPS2020 requirements.

Part 5 – Development Requirements

5.2.4.4 Layout of Car Parking Areas

Schedule 2 of the Northern Territory Planning Scheme 2020 defines a "car parking area" as *an area set aside or designated for the parking of three or more motor vehicles*.

Sub-clause 6 of Clause 5.2.4.4 requires a car parking area to be at least 3m from any lot abutting a road.

All car parking spaces are set back 3 or more metres from the boundaries abutting a road with the exception to the 'visitor car park' located next to 'Unit 1' which is set back 2.3m (figure 4).

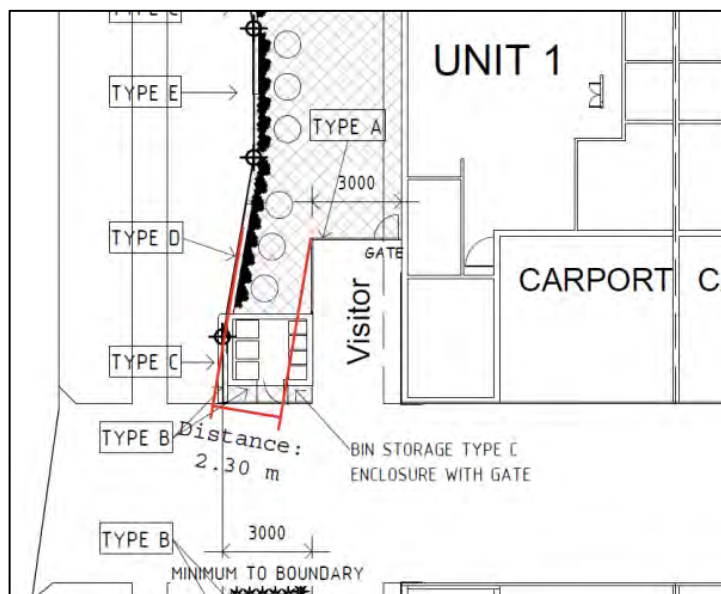


Figure 4 – non-compliance

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

The non-compliant car parking space is setback significantly from the carriageway of the public road and will be reasonably screened from the streets and adjacent lots by a bin area and landscaping, and therefore it is unlikely to impact detrimentally on the amenity of the surrounding locality. The reduced setback allows greater functionality / manoeuvring area for the car parking bay.

A variation is considered supportable in this instance.

5.2.6.1 Landscaping in Zones other than Zone CB

Sub-clause 5 of Clause 5.2.6.1 requires that at least 30% of a site area of a *dwelling-group* development is to be landscaped.

The lot has a site area of 3430m²; 30% of 3430m² is 1029m². The applicant indicates that there is ~975m² (28.42% of site area) of landscaping proposed. Water meters and electricity meters (locations and dimensions) are not shown on the drawings, it is anticipated this infrastructure may only require ~3m² (or less) of landscaping being removed. Drawings should be updated to

show this information. PAWC have also identified they have technical requirements regarding landscaping works within the easements registered on the title.

Additionally, sub-clause 7 of Clause 5.2.6.1 requires that side and rear setbacks within Zones MR and HR are to include at least 2m deep landscaping (along boundaries that are not private open space).

Approximately 0.95m (wide) of planting is proposed along the north side boundary at the end of the driveway. A solid metal fence (1.8m high) on the north boundary will provide screening. The section of landscaping that is non-compliant is only 6m long (see Figure 5).

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

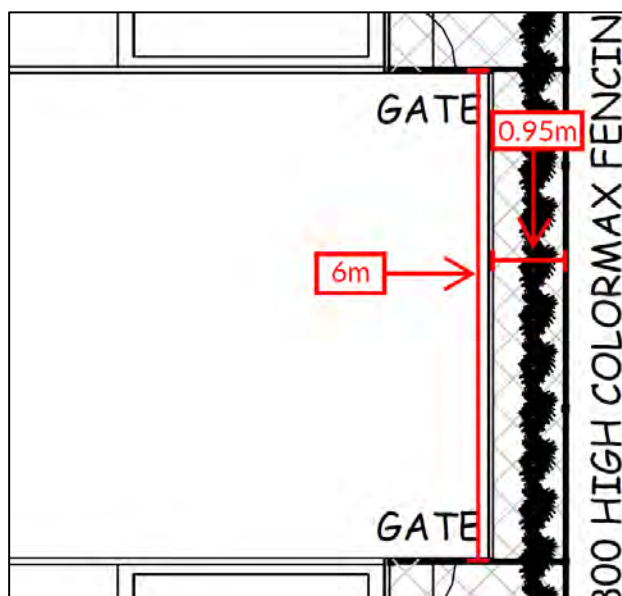


Figure 5 – non-compliance

The proposal is considered to be consistent with the clause purpose as discussed above. The design generally meets the landscaping outcome of Zone MR relevant to the below non-compliances. The amount of landscaping proposed is considered an adequate amount in this instance as it is located around the boundary of the lot which will assist in on-site stormwater infiltration and is unlikely to impact on the amenity of the streetscape, locality or adjoining properties.

It is noted, however, that the species chosen for most of the boundary have maximum heights of 1.5m. Although this is not expected to impact on the amenity of the streetscape, locality or adjoining properties, it is unlikely to provide adequate screening to the private open space areas.

With consideration of the above, in this instance the variations are considered supportable.

It is also recommended that a condition is included on the permit that prior to the endorsement of plans, amended drawings are provided to show the locations of water meters and electricity meters for the proposed development.

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

Sub-clause 6 of Clause 5.4.3 requires residential buildings and ancillary structures in Zone MR to be set back from lot boundaries in accordance with Table B to Clause 5.4.3.

Six “residential buildings” and (associated) ancillary structures are proposed, a detailed assessment of the building setbacks is provided in the table below and the (below – Figure 6) image shows the different setback requirements in relation to the proposal.

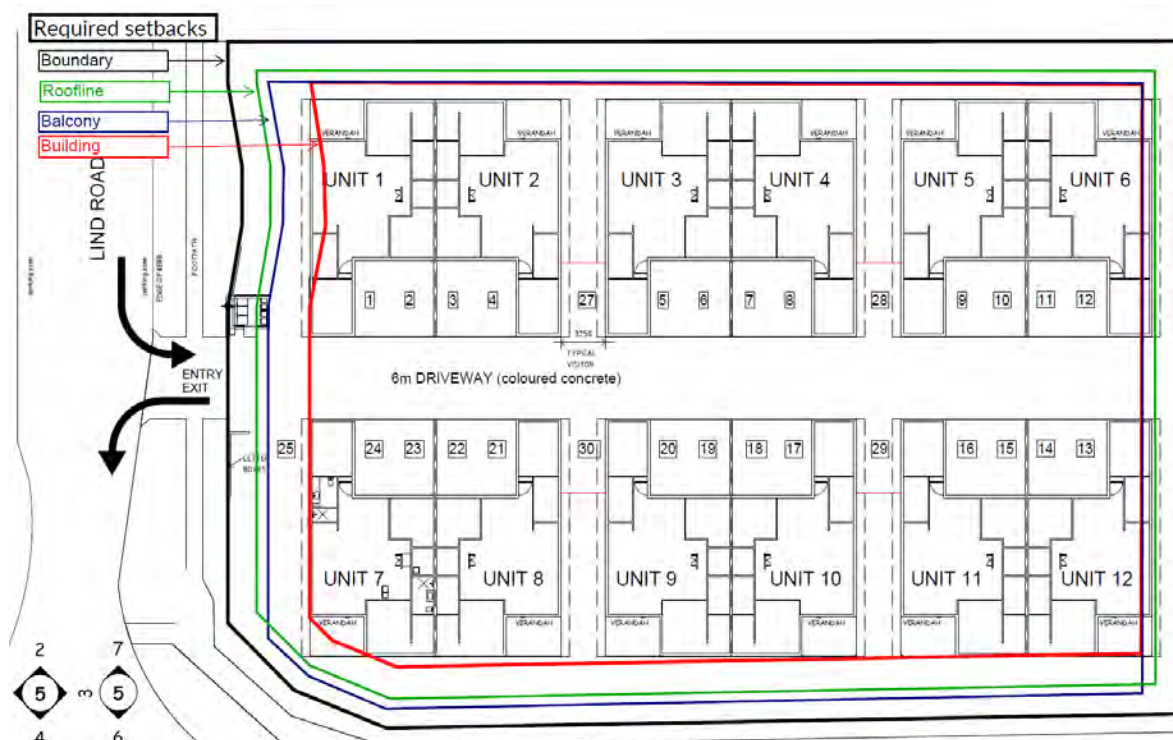


Figure 6 – approximate position (coloured lines) of required building setbacks

Lot Boundary	Minimum Building Setbacks for first four storeys above ground level	Building Setback(s) Proposed			Complies?
Primary Street frontage (Lind Road)	6m for residential buildings, and ancillary structures with external walls and 3m for balconies; and 2.1m minimum setback for roofline (provided that no supporting member is located within 6m of the boundary)	Building containing Unit 1	Wall of dwelling	4.948m	No
			Roofline (of dwelling)	4.348m	Yes
			Gutters (of dwelling)		
			Verandah (support column)	4.948m	No
		Building containing Unit 7	Roofline (of verandah)	4.348m	Yes
			Wall of dwelling	6m	Yes
			Roofline (of dwelling)	5.4m	Yes
			Gutters (of dwelling)	5.4m	Yes
Secondary Street (truncation)	4.5m for residential buildings and ancillary structures, and 1.5m for balconies and 2.1m minimum setback for roofline (provided that no supporting member is located within 4.5m of the boundary)	Building containing Unit 7	Verandah (support column) – ancillary structure (not a balcony)	2.541m	No
			Roofline (of verandah) – ancillary structure (not a balcony)	2.117m	No
Secondary Street (Angel Road)	4.5m for residential buildings and ancillary structures, and 1.5m for balconies and 2.1m minimum setback for roofline (provided that no supporting member is located within 4.5m of the boundary)	Building containing Units 7 and 8	Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
			Gutters (of each dwelling)		
			Verandah (support column)	4.140m	No
		Building Containing Units 9 and 10	Roofline (of verandah)	4.140m	No
			Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
			Gutters (of each dwelling)	4.140m	Yes
		Building Containing Units 11 and 12	Verandah (support column)	4.140m	No
			Roofline (of verandah)	4.140m	No
			Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
Side Boundary (North / Lot 11201)	3m for residential buildings, and ancillary structures with external walls and 3m for balconies; and 2.1m minimum setback for roofline	Building Containing Unit 12	Gutters (of dwelling)	4.140m	Yes
			Verandah (support column)	4.140m	No
			Roofline (of verandah)	4.140m	No
			Wall of each dwelling	4.140m	No
		Building Containing Unit 6	Roofline (of dwelling)	2.24m	No
			Gutters (of dwelling)	1.64m	No
			Verandah (support column)	1.64m	No
			Roofline of verandah	1.64m	No
			Wall of each dwelling	2.24m	No
			Roofline (of dwelling)	1.64m	No

Side (West / Lot 11202)	3m for residential buildings, and ancillary structures with external walls and 3m for balconies; and 2.1m minimum setback for roofline	Building Containing Units 5 and 6	Wall of each dwelling	4.2m	Yes
			Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes
		Building Containing Units 3 and 4	Wall of each dwelling	4.2m	Yes
			Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes
		Building Containing Units 1 and 2	Wall of each dwelling	4.2m	Yes
			Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes

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

The purpose of clause 5.4.3 is to - *ensure that residential buildings and ancillary structures are located in a manner that:*

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

The surrounding residential lots are zoned LMR and LR. The application proposes similar building setbacks to those established in the surrounding area, and what would be reasonably anticipated on the neighbouring vacant LMR parcel (Lot 11201). In addition to this, the adjacent commercial lot has a building setback of 4m which is less than what this application proposes. An existing solid metal fence provides screening (to the commercial parcel).

Regarding such matters as its location, scale and impact on adjoining and nearby property, the proposed setbacks are consistent with those of surrounding residential developments (east side of Angel Road), and the proposal is one storey and unlikely to contribute to building massing and overlooking from adjoining properties. If the subject site were zoned LMR, the secondary street building setbacks would comply.

In this instance the variations are considered supportable.



Figure 7 – Road reserve of Angel Road (facing south)

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

Sub-clause 3 of Clause 5.4.6.1 requires that for *dwelling-groups*, any private open space located at ground level is to be screened by either a screened fence to a height of 1.8m, or a fence to a height of 1.8m with dense vegetation that will provide a visual barrier to adjoining residences and public areas

The application proposes 1.5m high fencing between the primary and secondary street boundaries and the private open space of unit 1, and units 7 through to 12 (figure 7 below).

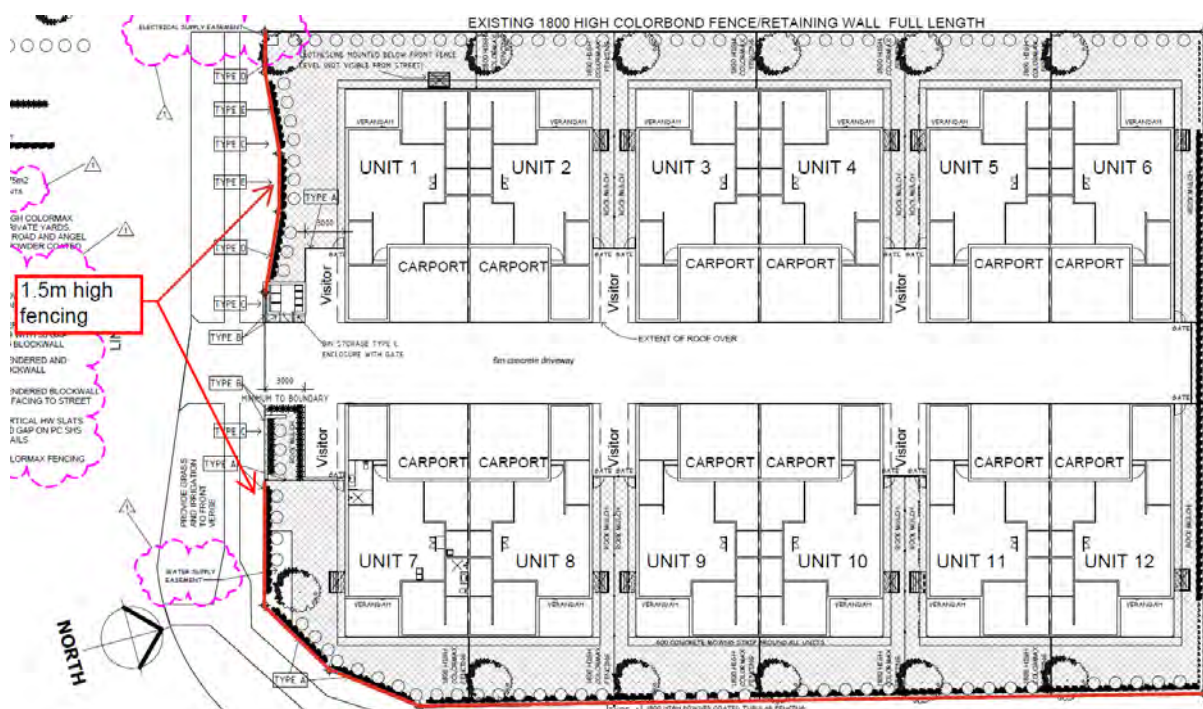


Figure 7 – Redline showing length of 1.5m high fence

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

The proposal is consistent with the clause purpose as discussed above however it is unclear if the species chosen to screen the private open spaces adjacent the east boundary will adequately screen the private open space area.

To ensure adequate private open space (privacy, delineation and screening) it is recommended that amended plans are provided prior to endorsement of plans to amend the landscaping to include screen fencing to the height of 1.8m or to provide landscaping that will grow to a height of 1.8m or more and that will provide a visual barrier within 2 years of planting.

5.4.18 Fencing

The purpose of Clause 5.4.18 is to “Promote fencing in medium and high density areas that provides a positive interface with the public domain, while allowing necessary privacy for residents and neighbouring properties”.

While the proposed fencing complies with the fencing requirements of Clause 5.4.18, the proposed fencing between private open spaces and adjacent roads are only 1.5m in height which will not allow for necessary privacy screening for residents.

While no variation is required, it is recommended that a condition is included on the development permit to ensure there is adequate screening to the private open space. The recommended condition under Clause 5.4.6.1 discussed above will be sufficient to ensure adequate private open space screening is include in the design.

- (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**

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect the subject site or proposed development.

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

There are no interim development control orders relevant to the site.

- (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*, the declared environment protection objectives are; any beneficial use, quality standard, criteria or objective declared under section 73 of the *Water Act 1992*.

Beneficial uses have been declared under section 73 of the *Water Act 1992*. These beneficial uses are identified under section 51(1)(s) below.

No other declared environment protection objective has been identified. Additionally, no comments were received from Land Resources Division (formally Rangelands Division).

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

No public submissions were received during the exhibition period under Section 49(1) of the *Planning Act 1999* with respect to the proposal.

The City of Palmerston (the relevant local government council) provided comments that contradict the application and therefore their comments have been taken to be a 'submission' under Section 49(7) of the *Planning Act 1999*. It is noted that the council has provided a written response indicating the comments were made under Section 49(6) of the *Planning Act 1999*, however the comments had not been amended. Council's comments are discussed below under heading 51(1)(m).

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

The Minister has made no direction in relation to the site or development applications generally.

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

The applicant indicates *“The assessed merits of the proposed development are the :*

- *site is considered suitable for the intended purpose.*
- *proposed development is of a sound quality of design and construction.*
- *intended use of the site is compatible with the surrounding area.*
- *nature and scale of the proposed development is suitable to the local context.*
- *development will not introduce negative impacts on the surrounding area.*
- *development is not detrimental to the public interest.”*

In addition to the above, the proposal seeks to develop a site which has been vacant since the issuing of titles in 2013. The development of the land will provide more housing in the community in close proximity to commercial and public spaces. However, the applicant does not address how the proposal aligns with the Strategic Framework’s vision, or how the proposal aligns with the purpose and outcomes of Zone MR as discussed under section 51(1)(a) above.

In addition to the above, the applicant has indicated that *“The proposed use on site for residential development is consistent with the existing low-rise residential development of the surrounding suburb”* rather than responding to the “mid-rise” housing requirement.

Furthermore, the applicant has not addressed privacy issues for units abutting roads and identifies that *“The proposal is consistent with an efficient pattern of land use”* which is questionable given the zoning and location next to and adjacent community purpose, public open space and commercial areas.

While the proposal does have its merits, the Authority should take note that proposed dwelling-group development does not take advantage of potential for the site (zoned MR) to be developed with more (2 - 4 storey) dwellings to make more efficient use of infrastructure and closer compliance with Part 2, Part 4 and Part 5 NTPS2020 requirements.

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

The subject site is a greenfield parcel within a subdivision that had titles issued in 2013. The land is within Zone MR (Medium-Density Residential) and can support more intense developments (2-4 storey residential buildings) to make more efficient use of public infrastructure.

Works will need to be undertaken within the road reserves in terms of upgrading of vehicle access and connection to / upgrading of reticulated services. Some excavation and fill will be required.



Figure 8 – photo from low point of lot (north-west corner of lot) facing south

No adverse comments were received from service authorities regarding land constraints or limitations for development on the land.

- (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*

There are no requirements for the provision of new public facilities and public open space with respect to the proposal. The subject site is located in walking distance to established neighbourhood parks (in Johnston), public transport and footpath networks.

- (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 proposal was circulated to the following authorities for comment:

- The City of Palmerston
- Power and Water - power services
- Power and Water - water services
- Telstra
- Transport Planning - Department of Logistics and Infrastructure
- NBN Co
- Land Resources Division (formally Rangelands Division) – Department of Lands, Planning and Environment

The following authorities provided comments and their comments are summarised below:

Local Government Council:

The City of Palmerston – **Bookmark D1**

The City of Palmerston provided comments that are interpreted as contradicting the application and therefore their comments have been taken to be a “submission” under Section 49(7) of the *Planning Act 1999*. It is noted that the council has provided a written response indicating the comments were made under Section 49(6) of the *Planning Act 1999*, however the comments had not been amended.



Council's comments are summarised below:

- Council had concerns with the *“Underutilisation of MR zoned land and loss of housing choice”*.
- The council indicated that the proposal should *“achieve density targets outlined in the Compact Urban Growth Strategy”*.
- Council does not believe cost of construction is a valid argument for not providing more appropriate housing choices.
- Council recommended standard conditions and notes.
- Council also noted the following:
 - *“If Council owned trees are required to be removed from the verge to accommodate the access, City of Palmerston may require a financial contribution toward the establishment of trees at another location. You are encouraged to contact Council to discuss this matter further”*.
 - *“Irrigation in the Council verge is not supported and reference should be removed from the endorsed drawings”*.

DAS comments: the underutilisation of the site, and housing choices are discussed above under section 51(1)(a) and (m) above.

Council references the 'Compact Urban Growth Policy', the policy is only applicable to 'higher density residential proposals' and does not prevent a lower density development being proposed or approved. The policy is to be used as a tool to assess whether a higher density proposal is appropriate.

The recommended conditions and notes are mostly standard and can be included on the permit should the permit be issued – see discussion below

Conditions requested by Council	DAS DLPE comment
<i>Prior to the commencement of works the applicant is to submit to City of Palmerston for approval a stormwater management plan prepared by a suitably qualified professional demonstrating how stormwater is to be collected and discharged to the external stormwater network, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection points and provide confirmation that there is capacity in the existing stormwater network.</i>	Standard Condition – addressed in recommendation below.
<i>Prior to the commencement of use, a waste management plan, including bin storage and screening design, in accordance with Council's Waste Management Guideline is required to be submitted, to the requirements of City of Palmerston, to the satisfaction of the consent authority.</i>	<ul style="list-style-type: none"> Standard Condition – addressed in recommendation below. Site plan shows a communal storage area for bins
<i>Prior to the commencement of works, the applicant is to prepare and submit a driveway plan to be approved by City of Palmerston, to the satisfaction of the consent authority. Note: If Council owned trees are required to be removed from the verge to accommodate the access, City of Palmerston may require a financial contribution toward the establishment of tress at another location. You are encouraged to contact Council to discuss this matter further.</i>	<p>Vehicle access is proposed off Lind Road frontage. There may be conflicts (of proposed driveway location) with the street trees, line marking in carriageway associated with roundabout, PAWC assets (in ground fire hydrant)</p> <p>The Condition Precedent should resolve these matters.</p> 
<i>Any reinstatement works required as a result of any damage or alterations caused to City of Palmerston infrastructure or landscaping must be undertaken by the applicant, to the technical standards of and at no cost to City of Palmerston. This includes grassing the verge between the property boundary and the kerb.</i>	 <p>Figure 9 – 2025 photo of Lind Road frontage (existing street trees, line marking in road reserve etc)</p>

Service Authority:

Power and Water – power services **Bookmark D2**

Power services have raised the following matters for consideration and inclusion on a permit:

Matter identified by PAWC (electricity)	DAS DLPE comment
<i>This property is provided with limited capacity of power supply of 117KVA, three phase from pillar P100JN on the property</i>	The easement associated with the pillar (P100JN) is shown on the submitted site plan.
<i>The developer shall engage a licensed electrician to prepare an overall AS 3000 maximum power demand calculation for the proposed dwelling-group and apply for a Negotiated Connection application under the Australian Energy Regulator compliance for</i>	This can be addressed via standard conditions (connection to and upgrading of services, creation of easements).

PAWCS assessment on any power supply capacity upgrade requirements	
The engaged licensed electrician shall carry out the customers' internal electricity reticulation installation works for the new dwelling group in accordance with the PAWC's current NP018 Service an Installation Rules 2024 and NP010 -Meter Manual	This can be addressed via standard conditions (connection to services + labelling of electricity meters).
There is in existing 1m x 1m electricity easement for an existing distribution pillar on the property. Inappropriate fencing prevents PAWC gaining 24hr front access for operations and maintenance purposes is not permitted.	The easement is shown on the submitted site plans. Standard conditions can address fencing requirements

Power and Water – water and sewerage services **Bookmark D3**

Water services have raised the following matters for consideration and inclusion on a permit:

Matter identified by PAWC (water and sewer)	DAS DLPE comment
The developer may need to upgrade the existing water and sewer service and should contact Services Development prior to start of construction	This can be addressed via standard conditions and notations on a Development Permit.
Multi-metering is required for all new multiple residential dwelling developments that are to be unit-titled. Multi-metering is suitable for up to 12 units.	The drawings do not show proposed locations and dimensions of water meters. This can be addressed via standard conditions (locating in common property, connection to services + labelling of water meters).
The developer must install the backflow prevention device at the water service. The backflow prevention device must be installed in accordance with the requirements of the AS/NZS 3500.1 – Plumbing and Drainage-Water Supply. It must be maintained in accordance with AS/NZS 2845.1 Water Supply.	This can be addressed via standard conditions and notations on a Development Permit.
The existing water easement within Lot 11203 is still required. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists such as within a road reserve without obtaining the prior written approval of Power and Water.	Submitted drawings show location and dimensions of easement. This can be addressed via standard conditions and notations on a Development Permit.
The development application, on drawing No/s. T8626-9, indicates there is a proposed shrubs/trees over the easement. Please refer to the Power and Water Allowable planting on water and sewer easements guidelines	This can be addressed via standard conditions and notations on a Development Permit. DCA could request an updated landscaping plan.
All required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. A letter has been sent to the applicant outlining the fees and charges applicable for this development. All standard and quoted charges, as well as contribution charges will be valid for a period of 6 months from date of letter issue. As required, Power and Water will reassess the charges for the development.	This can be addressed via standard conditions and notations on a Development Permit. Connections to and upgrading of services.

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

“amenity in relation to a locality or building, means any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable” (the Planning Act 1999 and schedule 2 of the NTPS2020).

While the proposal is in keeping with surrounding developments and unlikely to directly impact on the current amenity of the area, there are concerns for the future “amenity” of the area.

The Compact Urban Growth Policy suggests the following benefits of Compact Urban Growth (page 6 of the Compact Urban Growth Policy):

“The Compact Urban Growth model described above has been linked to improving urban sustainability. Urban sustainability is not just about environmental concerns, it is also about economic viability, liveability and social equity.

For example, locating more dwellings close to shops, existing employment centres, public open spaces, public transport and schools allows improved access to jobs, services and facilities.

Compact growth localities add to the variety of housing products, which cater for the diverse aspirations of our socio-demographic.

The closer people are to local services, the higher likelihood that these services will be used, and the more viable it becomes to operate these services.

If more people start using their local services and facilities, the opportunity for safety via passive surveillance improves (ie. eyes on the street).

If you locate more people close to these facilities, the likelihood of people walking to and using local shops, using public open space and using public transport increases.

If people start walking more as part of their daily routine, it increases people's ability to exercise, which has many health benefits for the individual.

Cumulatively, these factors result in the ability to access a greater social network locally. In simple terms, these factors in combination can lead to the development of stronger and more resilient communities."

By developing the land for "dwelling-group" with a dwelling density of approximately 35 dwellings per a hectare (low to medium density as per the Compact Urban Growth Policy) next to commercial, public open space community purpose land, the area is unlikely to experience the full benefits anticipated through the development of higher density development, such as 60 dwellings per a hectare (medium density as per the Compact Urban Growth Policy).

In addition to the above, the proposal includes several non-compliances, including technical non-compliances with building setbacks to the majority of boundaries and non-compliances to the amount of landscaping provided as discussed under section 51(1)(a) above.

(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;

The Community Safety Design Guide is a reference document contained within the NT Planning Scheme 2020.

Aspects of compliance:

- Visually permeable fencing to boundaries fronting streets.
- verandahs and living areas overlook the road reserves.

Aspects of non-compliance:

- No gate has been proposed at driveway entry (to deter unauthorised pedestrian access).
- No/limited detail of lighting within common property areas
- Water meter, electricity easement and associated infrastructure and fencing are "natural ladders" to climb into private open space areas

(ii) water safety;

No swimming pools or spas are shown on the drawings.

(iii) access for persons with disabilities

All buildings are single storey and no issues for persons with disability have been identified. The building certification process will ensure the design and construction of the buildings will comply with contemporary building standards for persons with disabilities, relevant to the National Construction Code classification for the dwellings.

- (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 proposal is not for a subdivision or consolidation.

- (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 proposal is not for a subdivision or consolidation.

- (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**

There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

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

Declared beneficial uses apply to the subject land for Darwin Harbour. It is the responsibility of the developer and land owner to ensure that land use does not result in a contravention of the Water Act 1992. The site will be connected to the reticulated water supply and storm water discharges into the Councils drainage network.

The Department of Lands, Planning and Environment did not comment on 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 application states that the proposed development does not require referral to the NT EPA. At the time of writing this report, the Department of Lands, Planning and Environment did not comment on the application.

7. RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clause 5.2.4.4 (Layout of car parking areas), Clause 5.2.6.1 (Landscaping in Zones other than Zone CB) and Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the Northern Territory Planning Scheme 2020, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Lot 11203, 5 Lind Road, Johnston, Town of Palmerston for the purpose of Dwelling-group (12 x 3 bedroom) in 6 x 1 storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of drawings and prior to commencement of works, amended drawings to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the drawings will be endorsed and will then form part of the permit. The drawings must be to scale with dimensions and must be generally in accordance with the drawings submitted with the application but modified to show:
 - (a) fencing and landscaping arrangements to the private open space boundaries of each dwelling fully compliant with sub-clause 3 of Clause 5.4.6.1 of the NT Planning Scheme 2020
 - (b) details of any proposed retaining walls for the containment of fill etc (eg: shared boundary to Lot 11201)
 - (c) locations of water meters and electricity meters for the proposed development.
2. Prior to the commencement of works the applicant is to submit to City of Palmerston for approval a stormwater management plan prepared by a suitably qualified professional demonstrating how stormwater is to be collected and discharged to the external stormwater network, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection points and provide confirmation that there is capacity in the existing stormwater network.
3. Prior to the commencement of works, the applicant is to prepare and submit a driveway plan to be approved by City of Palmerston, to the satisfaction of the consent authority. Note: If Council owned trees are required to be removed from the verge to accommodate the access, City of Palmerston may require a financial contribution toward the establishment of trees at another location.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity and telecommunication networks to the development shown on the endorsed drawings in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations 1, 2 and 3 for further information.

8. Confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional confirming that all new number labels have been correctly installed at the Customer's Metering Panel(s) and water meters (where applicable). Please provide a copy of an email addressed to both waterdevelopment@powerwater.com.au and powerconnections@powerwater.com.au
9. Prior to the use/occupation of the development and connection of services (i.e. power and water), the owner of the land must apply for street addressing from the Surveyor-General of the Northern Territory. This will form the legal address and will be required to be placed on the meters within the development in accordance with the allocation. A Certificate of Compliance (section 65 *Planning Act 1999*) will not be able to be granted until such time as addressing is obtained."
10. Stormwater is to be collected and discharged into the drainage network in accordance with the approved stormwater plan for the site, to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
11. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street, in accordance with the requirements of City of Palmerston, to the satisfaction of the consent authority.
12. The kerb crossovers and driveways to the site are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
13. Prior to the commencement of use, a waste management plan, including bin storage and screening design, in accordance with Council's Waste Management Guideline is required to be submitted, to the requirements of City of Palmerston, to the satisfaction of the consent authority.
14. Before the *use or occupation of the development* starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed drawings must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the drawings;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked or otherwise suitably delineated to indicate each car space;

to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.
15. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.
16. Before the use/occupation of the development starts, the landscaping works shown on the endorsed drawings must be carried out and completed to the satisfaction of the consent authority.
17. The landscaping shown on the endorsed drawings must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
18. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to

minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (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.
2. All developers, including owner-builders, are required to comply with Commonwealth telecommunications requirements. Under Commonwealth law, developers are generally required to provide fibre-ready pit and pipe in their developments at their expense. Developers may be able to access an exemption from these arrangements in some circumstances. For more information visit www.infrastructure.gov.au/tind
3. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>
4. The Surveyor-General advises you should immediately make application for unit/street addresses to the Survey and Land Records unit on (08) 89955346 (surveylandrecords@nt.gov.au).
5. 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.
6. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the *Northern Territory Aboriginal Sacred Sites Act 1989*. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.
7. 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.
8. For the purposes of best practice land management and environmental protection it is recommended that:
 - (a) prior to the commencement of works an Erosion and Sediment Control Plan (ESCP) is developed;
 - (b) the ESCP is implemented throughout the construction phase including clearing and early works; and

(c) all disturbed soil surfaces are stabilised against erosion at completion of works.

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

8. REASONS FOR THE RECOMMENDATION

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

The Northern Territory Planning Scheme 2020 (NTPS 2020) applies to the land and *dwelling-group* requires consent under Clause 1.8 (When development consent is required). It is identified as *impact assessable* under Clause 1.8(1)(c)(i), therefore the strategic framework (Part 2 of the Scheme, including the Darwin Regional Land Use Plan and Holtze to Elizabeth River Subregional Land Use Plan (HESLUP) is applicable, the zone purpose and relevant outcomes of Clause 4.5 – Zone HR (High Density Residential), and Clauses 5.2.1 (General Height Control), 5.2.4.1 (Car Parking Spaces), 5.2.4.4 (Layout of Car Parking Areas), 5.2.6.1 (Landscaping in Zones Other Than Zone CB), 5.4.1 (Residential Density), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), 5.4.3.2 (Distance Between Residential Buildings on One Site), 5.4.6.1 (Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group), 5.4.8.1 (Building Design for Dwelling-Group, Rooming Accommodation and Residential Care Facility), 5.4.17 (Building Articulation), and 5.4.18.1 (Fencing in Zones MR and HR), need to be considered.

These clauses have been considered and it is found that the development application is not entirely consistent with the Zone MR (Medium Density Residential) zone purpose, is not consistent with zone outcomes 1 and 5, and does not comply with all aspects of clauses 5.2.4.4 (Layout of Car Parking Areas), 5.2.6.1 (Landscaping in Zones other than Zone CB), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group).

In addition to the above, although the proposal was not compliant with Clause 5.4.18.1 (Fencing in Zones MR and HR) requirements, it is not consistent with the purpose of Clause 5.4.18.1 because the proposed fencing does not allow for necessary privacy for residents.

For similar reasons the proposal was found to be non-compliant with Sub-clause 3 of Clause 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group) because the application does not propose either a screen fenced to a height of at least 1.8m or fencing to a height of at least 1.8m with dense vegetation.

The zone purpose and outcomes, and the non-compliances with clauses 5.4.18.1 and 5.4.6.1 are discussed under 'reason 1', and the non-compliances with clauses 5.2.4.4, 5.2.6.1 and 5.4.3 are discussed under 'reason 2' below.

Zone MR (Medium Density Residential) zone purpose:

Part 1 of the NTPS 2020 provides that "*In considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:*
(c) *the guidance provided by the relevant zone purpose and outcomes in Part 4...*"

The Zone MR zone purpose is to *“Provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development”*.

The proposal is not entirely consistent with the purpose because the proposal does not propose a ‘mid-rise housing option’.

The zone purpose has been considered and it is found that although the proposal is not fully consistent with the purpose, the building designs (single storey and associated footprints) is consistent and compatible with surrounding developments and provides a slightly higher density in close proximity to community facilities, commercial uses, public transport and open space. For these reasons, despite the inconsistency with the zone purpose, the proposal is considered a suitable development.

Zone Outcome 1:

Zone Outcome 1 is *“predominantly medium density residential developments generally not exceeding four storeys”*.

In the context of the Compact Urban Growth Policy, a ‘low density’ development is proposed for the site (1 dwelling per 285.83m²). Despite this, it is noted that the proposal does meet density requirements under Clause 5.4.1 (Residential Density). For this reason, the proposal is considered to have an appropriate density that is consistent with the zoning and is an appropriate development.

Zone Outcome 5, Clause 5.4.6.1 (Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group), and the purpose of Clause 5.4.18.1 (Fencing in Zones MR and HR):

Outcome 5 is *“building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces”*.

The building design, site layout and landscaping proposed is consistent with what would be reasonably anticipated within Zone LMR (adjacent zoning to the north), however the plants proposed to screen the private open space along the east boundary grow to a maximum height of 1.5m and the fence proposed along this boundary is visually permeable. It is unclear if the plants chosen will adequately screen the private open space areas.

To ensure adequate private open space (privacy, delineation and screening), and compliance with Clause 5.4.6.1, and consistency with the Zone MR zone outcome 5, and consistency with the Clause 5.4.18.1 purpose, it is recommended that amended plans are provided prior to endorsement of plans to amend the landscaping to include screen fencing to the height of 1.8m or to provide landscaping that will grow to a height of 1.8m or more and that will provide a visual barrier within 2 years of planting to all private open space areas.

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), subclause 5 of the NT Planning Scheme 2020, the consent authority may consent to a proposed development which 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 proposal (as approved) has been found not to be in accordance with clauses 5.2.4.4 (Layout of Car Parking Areas), 5.2.6.1 (Landscaping in Zones other than Zone CB) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

5.2.4.4 (Layout of Car Parking Areas)

The proposal does not comply with sub-clause 6 of Clause 5.2.4.4 because a portion of the visitor car parking space (part of the car parking area for the site) located next to 'Unit 1' is set back 2.3m where it is required to be setback 3m.

Administration-clause 3 of Clause 5.2.4.4 allows the consent authority to *consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.*

It is considered that a variation to this clause is appropriate in this instance because the car parking space will be reasonably screened from the street and adjacent lots by a bin area and landscaping and as such is unlikely to impact detrimentally on the amenity of the surrounding locality.

5.2.6.1 (Landscaping in Zones other than Zone CB)

Sub-clause 5 of Clause 5.2.6.1 requires that at least 30% of a site area of a *dwelling-group* development is to be landscaped.

The site has a site area of 3430m²; 30% of 3430m² is 1029m². The application indicates that there is ~975m² (28.42% of site area) of landscaping proposed (instead of the required 30%). PAWC have also identified they have technical requirements regarding landscaping works within the easements registered on the title.

Additionally, sub-clause 7 of Clause 5.2.6.1 requires that side and rear setbacks within Zones MR and HR are to include at least 2m deep landscaping (along boundaries that are not private open space).

Approximately 0.95m (wide) of planting is proposed along the north side boundary at the end of the driveway. A solid metal fence (1.8m high) on the north boundary will provide screening. The section of landscaping that is non-compliant is only 6m long,

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

The proposal is considered to be consistent with the clause purpose as discussed above. The design generally meets the landscaping outcome of Zone MR relevant to the below non-compliances. The amount of landscaping proposed is considered an adequate amount in this instance as it is located around the boundary of the lot which will assist in on-site stormwater infiltration and is unlikely to impact on the amenity of the streetscape, locality or adjoining properties.

It is noted, however, that the species chosen for most of the boundary have maximum heights of 1.5m. Although this is not expected to impact on the amenity of the streetscape, locality or adjoining properties, it is unlikely to provide adequate screening to the private open space areas.

With consideration of the above, in this instance the variations are considered supportable.

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

The proposal has been found not to be in accordance with sub-clauses 6(a) and 8 of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) because the proposal will result in reduced building setbacks to the primary and secondary street frontages and the northern side boundary,

It is considered that variations to this clause are supportable in this instance because:

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

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

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

The nearby developed residential lots (east side of Angel Road) zoned LMR and LR. The application proposes similar building setbacks to those established in the surrounding area, and what would be reasonably anticipated on the neighbouring vacant LMR parcel (Lot 11201). In addition to this, the adjacent commercial lot has a building setback of 4m which is less than what this application proposes. An existing solid metal fence provides screening.

Regarding such matters as its location, scale and impact on adjoining and nearby property, the proposed setbacks are consistent with those of surrounding residential developments (east side of Angel Road), and the proposal is one storey and unlikely to contribute to building massing and overlooking from adjoining properties.

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

No public submissions were received during the exhibition period under Section 49 of the *Planning Act 1999* with respect to the proposal.

The City of Palmerston did not 'oppose' the application but did provide comments that were seen to contradict the application. Under Section 49(7), this was taken to be a 'submission'. Matters identified in the City of Palmerston comments were considered in the section 51(1)(a) and section 51(1)(m) matters. Pursuant to section 50(2) of the *Planning Act 1999*, Council were invited to attend the public session of a Development Consent Authority meeting, and the Authority considered the verbal evidence provided by the Council representative at the meeting held on 13 June 2025.

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

The physical characteristics of the land are considered suitable for the proposed development and use. The dwellings will be built on a greenfield site within the suburb of Johnston. No new works will occur on the easements registered on the land title. Conditions of approval will address local government council requirements in terms of works/impact on the adjacent road reserves and storm water drainage.

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

The conditions of approval and advisory notes are intended to assist in ensuring:

- Service authority interests are duly recognised in terms of storm water drainage, works within the road reserves, connections to and upgrading of electricity supply, water supply and sewerage services, utility meters that apply to the construction of dwellings-group; and
 - The NTPS2020 objectives and development performance criteria relating to vehicle access, works within road reserves and the provision of services/infrastructure will be complied with.
6. Pursuant to section 51(1)(n) of the *Planning Act 1999*, in considering a development application the consent authority is required to take into account the potential impact on the existing and future amenity of the area in which the land is situated.

The design of the proposed development is significantly less than the NTPS2020 allows for in Zone MR in terms of building height and dwelling density. Subject to the development complying with the permit conditions and advisory notes, the proposed development and use is expected to be compatible with the established amenity of the locality in terms of built form and landscaping arrangements.

7. Pursuant to section 51(1)(r) of the *Planning Act 1999*, in considering a development application, the Development Consent Authority is required to take into account any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the *Heritage Act 2011*. The assessment of the application did not identify any declared natural, cultural or heritage values relevant to the subject site.

AUTHORISED:



PLANNER – PALMERSTON AND EAST ARM
DEVELOPMENT ASSESSMENT SERVICES

Map created Wed Apr 09 14:17:05 ACST 2025

Legend



- General Lines
 - Lot Boundaries
 - Road Boundaries
 - Land Subject to Flooding
 - 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
- Parcel Numbers
- Cadastre
 - Coastline

Created by DAHER

Bottom Left: 131° 00' 19", -12° 29' 32"

Top Right: 131° 00' 28", -12° 29' 27"

Approximate Scale: 1:1,900

Datum: GDA 1994

Data for information purposes only

- accuracy not guaranteed

N.T. Land Information System

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Map Center: 131° 0' 23.79" E, 12° 29' 29.93" S



















Land owner/s authorisation to lodge a development application

The *Planning Act 1999*


Before you fill in the form

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

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

Applicant

In accordance with Section 46(3)(aa)(i) of the *Planning Act 1999*, a development application is to contain the name and contact details of the applicant AND any person on whose behalf the application is made.

Name of Applicant/Consultant or Acting agent	 Catriona Tatam Tatam Planning Co.		
Address	PO Box 2224 Darwin NT 0801		
Phone	0415 933 635	Email	cat@tatamplanningco.com.au
Persons on whose behalf the application is made:			
Person/s on whose behalf the application is made:	Jimmy Corfias		
Address	1 Adelaide Place, Durack NT		
Phone	0411 550 291	Email	jcorfias@gmail.com
The applicant is hereby authorised to lodge a development application over the subject land described as:			
*Lot/NT portion	Lot 11203		
*Location/town	Town of Palmerston		
*Street address	5 Lind Road, Johnston		

The application is for the purpose of:

Proposed development
Brief description of proposed development

12 x Dwelling - Group

Landowner/s signature

In accordance with Section 46(3)(aa)(ii) of the *Planning Act 1999*, a development application is to contain the **name and contact details of the owner of the land** to which the application relates.

Written authorisation from each:

- **Individual owner:** Each person listed on the title must provide written authorisation for the application.
- **Companies:** For each company listed on the title, written authorisation must be obtained from the **director** or **authorised representative** of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so.

***Full name**

Jimmy Corfias

^Company name**^Title**

(e.g. director/authorised representative)

Phone

0411 550 291

Email

jcorfias@gmail.com

***Signature**

***Date**

24/03/2025

Landowner signature***Full name**

N/A

^Company name**^Title**

(e.g. director/authorised representative)

Phone**Email*****Signature*****Date**

Any Persons with an interest in the land (as applicable)

In accordance with section 46(3)(aa)(iii) and (iv) of the *Planning Act 1999*, a development application is to contain the name and contact details of **any person who entered into an agreement with the applicant and/or landowner, to acquire an estate or interest in the land to which the application relates; and any person with an interest** prescribed by regulation.

^Full name			
^Company name			
^Title (e.g. director/authorised representative)			
Phone		Email	

Any Persons with an interest in the land

^Full name			
^Company name			
^Title (e.g. director/authorised representative)			
Phone		Email	

Privacy Note

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

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

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



STATEMENT OF EFFECT

MARCH 2025

TWELVE (12) x 3-BED
'DWELLING – GROUP' IN
SIX (6) SINGLE STOREY
BUILDINGS.

5 LIND ROAD, JOHNSTON
(LOT 11203 TOWN OF PALMERSTON)

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SUMMARY.

DEVELOPMENT APPLICATION DETAILS.	
Proposed Development.	Twelve (12) x 3-Bed 'Dwelling – Group' in Six (6) Single Storey Buildings.
Site Address.	5 Lind Road, Johnston (Lot 11203 Town of Palmerston)
Site Area.	3,430m ²
Easements.	Water Supply Easement to Power and Water Corporation Electricity Supply Easement to Power and Water Corporation
Owner Details.	Jimmy Corfias
Beneficiaries.	Concept designs NT (Building Designer)
Applicant.	Tatam Planning Co.
Contact Address.	PO Box 2224 Darwin NT 0800.
Contact Person.	Catriona Tatam.
Contact Email.	cat@tatamplanningco.com.au.
Job Reference.	J0136

PLANNING SCHEME DETAILS.	
Planning Scheme.	Northern Territory Planning Scheme 2020.
Defined Use(s).	Dwelling – Group
Zone.	MR (Medium Density Residential)
Category of Assessment.	Impact Assessable (by virtue of land use permissibility under the NT Planning Scheme 2020).
Consent Authority.	Palmerston Development Consent Authority or delegation.
Overlays.	None Identified.
Regional Land Use Plan.	Darwin Regional Land Use Plan
Sub Regional Land Use Plan.	Holtze to Elizabeth River Subregional Land Use Plan
Area Plan.	None identified.
Variations Identified	<ul style="list-style-type: none"> ➔ Clause 5.2.4.4 – Car Parking Layout ➔ Clause 5.2.6 – Landscaping ➔ Clause 5.4.3 – Building Setbacks ➔ Clause 5.4.6 – Private Open Space

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



1. INTRODUCTION.

1.1 DEVELOPMENT APPLICATION.

Tatam Planning Co. has been engaged by Concept Designs with consent from the landowner to prepare a Development Application for twelve (12) x 3-Bed 'Dwelling – Group' in six (6) single storey buildings at 5 Lind Road, Johnston (Lot 11203 Town of Palmerston).

The site is located within Zone MR (Medium Density Residential) of the Northern Territory Planning Scheme 2020 (NTPS). The proposed development is defined under the NTPS as follows:

'Dwelling – Group' - dwelling-group means a dwelling that is one of a group of two or more dwellings on the same site such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a unit title with common property;

In accordance with Section 44(a) of the *Northern Territory Planning Act 1999* (NTPA) and Section 1.8(c) of the NTPS, consent is required for Impact Assessable uses.

Pursuant to Section 44 of the NTPA, Tatam Planning Co. seeks consent on behalf of our client for the proposed use of the land.

1.2 CONTENTS OF THIS STATEMENT OF EFFECT.

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

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

In preparing this Statement of Effect, Tatam Planning Co. has conducted a desktop site and locality inspection, examined the development and site history, discussed the operation of the proposed development with the client, and considered the relevant provisions of the NTPS 2020.

1.3 OWNERSHIP OF THE SITE AND BENEFICIARIES.

The Title identifies the current landowner of Lot 11203 Town of Palmerston as Jimmy Corfias. The landowner has provided consent to lodge. Tatam Planning Co has been engaged on behalf of the landowner by Concept Designs NT, identified as a beneficiary to this application.

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

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



1.4 PLANNING HISTORY OF THE SITE.

The Certificate of Title typically lists the previous building and development approvals issued over the site. It is noted that the subject site has no previous planning or building applications detailed.

The Certificate of Title is provided at **Attachment A**.

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



2. SITE AND LOCALITY.

2.1 DESCRIPTION OF LOCALITY.

The site is within the suburb of Johnston, to the east of the Palmerston City Centre. Johnston is primarily a residential suburb, comprising of Low to Low-Medium density residential, with some pockets of medium density development zonings. The majority of dwellings in the area are low rise, freestanding dwellings, with some low-rise, single storey unit development.

A Site Aerial is provided at **Attachment C**. Land use patterns in the locality of the site are depicted in the Zoning Plan provided in **Attachment D**.

2.2 DESCRIPTION OF THE SITE.

The subject site is Lot 11203 Town of Palmerston, within the suburb of Johnston. The subject site is zoned MR (Medium Density Residential) and measures 3,430m².

The site has access to two street frontages; Lind Road and Angel Road. Lind Road is considered to be the primary frontage. There is an existing electricity supply easement to the south-west corner of the site (adjacent to Lind Road and the boundary with adjacent Lot 11202). There is an existing water supply easement to the site on the corner of Lind Road and Angel Road.

The Survey Plan is provided at **Attachment B**. A Site Aerial is provided at **Attachment C**. A Zoning Plan is provided at **Attachment D**.

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



3. PROPOSED DEVELOPMENT.

3.1 PROPOSED DEVELOPMENT APPLICATION.

The proposed use on site is for 'Dwellings – Group'. The proposed development consists of twelve (12) x 3-Bed 'Dwelling – Group' in six (6) single storey buildings. Subdivision (Unit Title Scheme) of the development is not proposed at this stage.

Each unit has two (2) car parks per dwelling, and is provided with ample private open space and landscaping. Six (6) visitor parking bays and a screened bin enclosure area are proposed.

A two-way driveway is proposed through the site, with entry and exit from Lind Road. Fencing is proposed around the site, as well as between individual residences. Solid 1.8m Colourbond fencing is proposed to the adjacent lots, and visually permeable 1.5m tubular fencing has been utilised to the Lind Road and Angel Road frontages to maintain sight lines to the street.

Proposed Development Plans are provided at **Attachment E**.

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

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

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

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

4.1 PART 1 – GUIDANCE.

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

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

The primary use of the proposed development, as defined in Schedule 2 of the NTPS, is 'Dwelling – Group'. A 'Dwelling – Group' is an Impact Assessable use in Zone MR (Medium Density Residential), and as such, consent is required pursuant to Clause 1.8(1)(c).

4.1.2 *Clause 1.10 – Exercise of Discretion.*

Pursuant to subclause 3 of Clause 1.10 of the NTPS, when considering an application for consent for a use or development identified as 'Impact Assessable', the Consent Authority must take into account all of the following:

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

This application therefore seeks consent for the proposed development pursuant to the abovementioned NTPS sections.

4.2 PART 2 – STRATEGIC FRAMEWORK.

Part 2 of the NTPS provides the strategic framework, comprising Regional Land Use Plans, Subregional Land Use Plans and Area Plans. The subject site is affected by the Darwin Regional Land Use Plan and the Holtze to Elizabeth River Subregional Land Use Plan.

4.2.1 *Darwin Regional Land Use Plan.*

Under the Darwin Regional Land Use Plan (DRLUP) the subject site is included in the general area shown as 'Urban/ Peri-Urban'.

This designation is consistent with the existing zoning of MR (Medium Density Residential) and permissible uses under the NT Planning Scheme (discussed further in Section 4.4 below).

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



4.2.2 *Holtze To Elizabeth River Subregional Land Use Plan.*

Under the Holtze to Elizabeth River Subregional Land Use Plan (HERSLUP) the subject site is included in the general area shown as 'Urban / Peri-Urban'.

This designation is consistent with the existing zoning of MR (Medium Density Residential) and permissible uses under the NT Planning Scheme (discussed further in Section 4.4 below).

The proposal is considered compliant with the applicable regional land use plan and subregional land use plan.

4.3 PART 3 – OVERLAYS.

Part 3 of the NTPS details the overlays which identify areas of land that have specific development requirements. The Title identifies that there are no overlays applicable to the site.

4.4 PART 4 – ZONES AND ASSESSMENT TABLES.

Part 4 of the NTPS details the zones, zone purposes and outcomes, and assessment tables.

4.4.1 *Clause 4.4 – Zone MR (Medium Density Residential)*

This clause seeks to provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development.

The proposed use on site for residential development is consistent with the existing low-rise residential development of the surrounding suburb. Although the MR zoning allows for higher density and increased building height, the current market demand is for ground-floor units rather than apartments. The construction costs of apartments and housing market demand has resulted in the proposed development and dwelling provision. The proposed development does not impact on adjoining land and has sufficient access to services.

The zone outcomes are detailed below:

1. *Predominantly medium density residential developments generally not exceeding four storeys.*

The proposal is for single storey 'Dwelling – Group' development. The proposed use on site for residential development is consistent with the existing low-rise residential development of the surrounding suburb. Although the MR zoning allows for higher density and increased building height, the current market demand is for ground-floor units rather than apartments. The construction costs of apartments and housing market demand has resulted in the proposed development and dwelling provision. The proposed development does not impact on adjoining land and has sufficient access to services.

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

Not applicable.

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



3. *Residential care facilities are of a scale and operated in a way that is compatible with the character and amenity associated with medium density residential development.*

Not applicable.

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

Not applicable.

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

The proposal for twelve (12) x grouped dwellings is considered to be of a good design quality, with a mix of building materials and building design detail adding visual interest. The design allows privacy between each dwelling, and a high level of landscaping contributes to attractive outdoor spaces.

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

The proposal is consistent with an efficient pattern of land use, noting that the site is connected to all reticulated services, existing road and transport networks and has convenient access to public open space and the like, noting that George Park is located across Lind Road from the development.

The proposal is consistent with the Zone MR outcomes in relation to land use, building design, site layout and intended landscaping. Proposed Development Plans are provided at **Attachment E**.

4.5 PART 5 – DEVELOPMENT REQUIREMENTS.

Part 5 of the NTPS outlines the specific development requirements.

4.5.1 *Clause 5.2.1 – General Height Control*

The purpose of this clause is to ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

Per Table B to this clause, the subject site has a maximum height of two storeys to a maximum of 8.5m.

The proposed development is single-storey, with a maximum height of 4.5m. Refer Development Plans at **Attachment E**.

STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



4.5.2 Clause 5.2.4.1 – Car Parking Spaces

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

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

PARKING REQUIREMENTS – BASE SCENARIO.			
USE OR DEVELOPMENT.	MINIMUM NUMBER OF CAR PARKING SPACES REQUIRED.	REQUIRED	TOTAL.
<i>Dwelling - Group</i>	<i>2 per dwelling</i>	24 (12 Units)	24 bays
<i>PROVIDED ON SITE.</i>			30 bays (inc. 6 x Visitor Parking)
<i>SHORTFALL</i>			Nil.

The proposal is compliant with car parking requirements for 'Dwelling – Group'.

4.5.3 Clause 5.2.4.4 – Layout of Car Parking Areas.

This clause seeks to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose. The requirements of the car parking area are as follows:

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

Variation Requested.

A small portion of the western-most visitor parking bay to the front of the site encroaches into the 3m setback from the road, due to the indented boundary alignment in this location. The minimum setback is approximately 0.5m (i.e. 2.5m setback from the lot boundary at the nearest point of the car bay).

However, the minor variation, coupled with the use of fencing, landscaping, and screening from the bin enclosure means that the visual impact of this small area of encroachment is negligible. Consideration of this variation is requested.

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

The proposed driveway and parking areas are of a suitable gradient for safe and convenient parking. The proposed driveway and parking areas are to be sealed and well drained, with stormwater flows on site discharging towards Lind Road. Refer Stormwater Management Plan contained within the Development Plans at **Attachment E**.

8. *The layout of a car parking area is to:*

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

The proposed parking is functional, being located immediately adjacent to each proposed dwelling. Separate access to every parking space is available. Vehicles are able to enter and exit the site in forward gear.

The proposed carports each measure 5.8m in width and 5.6m in length, being in accordance with the dimension requirements under this clause.

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

A single access point is proposed to Lind Road. This central driveway allows vehicular access through the site to each dwelling. Sightlines are sufficient for safe entry and exit from the parking areas.

The driveway has been designed for two-way traffic flow, and has a minimum width of 6.0m, being in accordance with the dimension requirements under this clause.

The proposed car parking areas are considered to comply with the requirements of this clause. One variation is noted, in relation to a small encroachment of the westernmost visitor car parking bay into the 3.0m required setback for parking areas.

The car parking layout is provided in the development plans at **Attachment E**.

4.5.4 *Clause 5.2.6 – Landscaping.*

This clause seeks to ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.

3. *Where landscaping is required by this Scheme it should be designed so that:*
- a) *planting is focused on the area within the street frontage setbacks, side setbacks, communal open space areas and uncovered car parking areas;*

Landscaping is proposed to the street frontage setbacks, side setbacks and visitor parking areas.

- b) *it maximises efficient use of water and is appropriate to the local climate;*

Proposed plant species are considered appropriate for the climate, and water-wise irrigation will be utilised.

- c) *it takes into account the existing streetscape, or any landscape strategy in relation to the area;*

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The proposed landscaping is considered to be appropriate to the existing character of the area, being predominantly single dwellings with residential landscaping similar to the extent proposed by this application.

- d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;*

Not applicable – there are no existing trees or vegetation on site.

- e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;*

Noted. The provision of landscaping on site, including heliconias of up to 2.0m and hibiscus trees of up to 7.0m in height will assist in providing shade to parts of the dwellings and private open spaces.

- f) the layout and choice of plants permits surveillance of public and communal areas; and*

The use of smaller, lower shrubs to the front boundary facing Lind Road will allow for surveillance of the public open space across the street, noting that the fencing is intended to be visually permeable to this boundary.

- g) it facilitates on-site infiltration of stormwater run-off.*

Ample permeable areas are allowed for within each private open space, allowing on-site infiltration of stormwater. The site is graded such that excess stormwater will discharge towards Lind Road.

- 4. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.*

Variation Requested.

The subject site measures 3,430m², requiring the provision of 1,029m² of landscaping. The proposal includes 975m² of landscaping (noting that this excludes easements within landscaped areas). The proposal is considered to be appropriate, noting that:

- George Park public open space, including playground, is located directly across Lind Road from the development; and
- Each dwelling meets the minimum requirement for private open space.

Refer Development Plans at **Attachment E**.

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

The purpose of this clause is to protect the visual and acoustic amenity of residential buildings where they are adjacent to non-residential development.

This clause is not applicable to the proposed development.

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4.5.6 Clause 5.4.1 - Residential Density Limitations.

This clause seeks to ensure that the development of residential buildings is:

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

The proposal seeks approval for twelve (12) units on a 3,430m² site.

RESIDENTIAL DENSITY REQUIREMENTS – TABLE B TO CLAUSE 5.4.1 - DWELLING DENSITY FOR DWELLING-GROUP AND DWELLING-SINGLE IN ZONE MR OTHER THAN IN ALICE SPRINGS

ZONE	CRITERIA	DWELLING DENSITY	AREA	PERMITTED DENSITY	PROPOSED DENSITY
MR	1 Storey, 3 Bed	1 per 180m ²	3,430m ²	19 Units	12 Units

The proposal is compliant with the residential density limitations.

4.5.7 Clause 5.4.3 - Building Setbacks of Residential Buildings and Ancillary Structures.

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

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

The site setbacks are assessed as follows:

TABLE B TO CLAUSES 5.4.3: MINIMUM BUILDING SETBACKS FOR RESIDENTIAL BUILDINGS, ANCILLARY STRUCTURES AND BALCONIES IN ZONES MR AND HR

LOT BOUNDARY	MINIMUM SETBACKS	PROPOSED SETBACKS
Primary street frontage – Lind Road	6m for residential buildings and ancillary structures 3m for balconies	The proposed dwellings are setback 6.0m from the primary street, except in relation to the small indentation to the front boundary. At this location the proposed front setback is 4.95m. Variation Requested. Justification provided below.

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Secondary Street frontage – Angel Road	4.5 m for residential buildings and ancillary structures 1.5m for balconies	The proposed dwellings are setback 4.14m from the secondary street. Variation Requested. Justification provided below.
Side and rear lot boundaries	3m for residential buildings, ancillary structures and balconies	The proposed dwellings are setback 4.2m from the side boundary to the west – this is compliant. The proposed dwelling are setback 2.24m from the rear boundary to the north. Variation Requested. Justification provided below.

Variation requested – primary street setback.

The front setback is proposed at 4.95m to a portion of Unit 1 to Lind Road, in lieu of the required 6.0m. Justification for the proposed variation is provided as follows:

- The primary street setback for the majority of the proposal is compliant, being 6m. The variation of 1.05m to a portion of the proposed Unit 1 only occurs as a result of the uneven front boundary line, which indents in – refer Survey plan provided at **Attachment B**.
- From the streetscape, any variation to the front setback is unlikely to be visually perceptible.
- Building massing is not considered likely, given the single story and low-profile nature of the development.
- The proposed Dwelling – Group development is of a good design quality, with materials, finishes and landscaping that will provide visual interest.

Variation requested – Secondary street setback.

The secondary street setback is proposed at 4.14m, in lieu of the required 4.5m. Justification for the proposed variation is provided as follows:

- Although the site is zoned MR, the proposed development is a single-storey grouped dwelling. It is noted that the setbacks for MR are more onerous than LMR or LR, by virtue of anticipated building mass and building height. The proposed grouped dwelling development is of single storey and is unlikely to be of visual impact, noting that single storey development in zones LR and LMR are permitted to be setback 2.5m from the secondary street.
- From the streetscape, any variation to the secondary setback is unlikely to be visually perceptible, noting that secondary street setbacks for LR and LMR development similar to surrounding residences is 2.5m.
- Building massing is not considered likely, given the single story and low-profile nature of the development.

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- The proposed Dwelling – Group development is of a good design quality, with materials, finishes and landscaping that will provide visual interest.

Variation requested – Rear setback.

The rear setback is proposed at 2.24m, in lieu of the required 3.0m. Justification for the proposed variation is provided as follows:

- Although the site is zoned MR, the proposed development is a single-storey grouped dwelling. It is noted that the setbacks for MR are more onerous than LMR or LR, by virtue of anticipated building mass and building height. The proposed grouped dwelling development is of single storey and is unlikely to be of visual impact, noting that single storey development in zones LR and LMR are permitted to be setback 1.5 -1.0m from the rear and side boundaries.
- From the adjoining property to the rear, any variation to the rear setback is unlikely to be visually perceptible, noting that rear setbacks for LR and LMR development similar to surrounding residences is 1.5-1.0m.
- Building massing is not considered likely, given the single story and low-profile nature of the development.
- The proposed Dwelling – Group development is of a good design quality, with materials, finishes and landscaping that will provide visual interest.

4.5.8 *Clause 5.4.3.2 - Distance Between Residential Buildings on one Site.*

This clause seeks to ensure residential buildings provide a sympathetic interface with the streetscape and surrounding development, minimise adverse effects of building massing, and avoid undue overlooking of adjoining residential buildings and private open space.

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

The required setback between the buildings is 3.0m (being 1.5m + 1.5m as if there were a lot boundary between the two buildings). The proposed setback between all buildings is 3.25m, and is compliant.

4.5.9 *Clause 5.4.4 - Extensions and Ancillary Structures to a Dwelling-group or Dwelling-multiple Development*

This clause seeks to ensure an extension or ancillary structure that is ancillary to an existing dwelling-group or dwelling-multiple responds to the streetscape and surrounding development.

This clause is not applicable to the proposed development.

4.5.10 *Clause 5.4.6 - Private Open Space.*

This clause seeks to extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:

- a) *of an adequate size to provide for domestic purposes;*
- b) *appropriately sited to provide outlook for the dwelling;*
- c) *open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the*

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- site; and*
d) *inclusive of areas for landscaping and tree planting.*

The requirements under this clause are as follows:

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

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

Private open space provision for each dwelling is detailed within plans provided at **Attachment E**. All dwellings meet the minimum private open space requirements of Area A and Area B.

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

The private open space areas are directly accessible from the dwelling and extend the function of the main living areas of each dwelling.

- (c) *be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings;*

No overlooking of private open space areas is anticipated. Units 1 and 7, fronting Lind Road have views to George Park across the road.

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

More than half of each private open space area is permeable, so as to allow stormwater infiltration.

- (e) *include at least one area of at least 5m², with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and*

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

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

Both street frontages are proposed to be landscaped.

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

3. *Where the private open space is at ground level and other than for a dwelling-single, or a dwelling-single and associated dwelling- independent, it should be:*
a) *screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and*

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- public areas; or*
- b) *fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.*

Variation Requested.

The private open space proposed is at ground level, and solid fencing to 1.8m has been provided between residences, and to the western side boundary and rear northern boundary.

However, Fencing Type A, C, D and E have been provided to the frontages to Lind Road and Angel Road, as follows:

- Type A – 1500mm High Powder Coated Tubular Fencing.
- Type C – 1500mm High Rendered And Painted Blockwall
- Type D – 1500mm High Rendered Blockwall With Stone Facing To Street
- Type E – 1500mm High Vertical Hw Slats (Posts And Rails)

Dense vegetation is proposed to this fencing line, and it is anticipated that privacy will be established, whilst still maintaining visual amenity. Further, it is noted that Clause 5.4.18 – Fencing in Zone MR, requires the provision of visually permeable fencing, and the proposed fencing is compliant with the requirements of that clause.

4.5.11 *Clause 5.4.8 - Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility*

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

The requirements under this clause are as follows:

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

The dwellings are oriented east-west, in order to maximise dwelling provision, whilst still allowing solar access and breeze penetration.

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

Building setbacks, facades and rooflines are varied, and eave overhang is provided to shade exposed walls where possible.

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

Air conditioners have been located for easy access for servicing. The Bedroom 2 air-conditioning unit will be on the up high on the back wall of the carport. The main bedroom unit will be on the rear wall & the Bedroom 3 & living room will be on the side, behind the Colorbond wing fence.

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

No service ducts, pipes or air conditioners etc will be visible from the public realm.

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

No overlooking of private open spaces or habitable rooms will be possible, given the fencing separating each dwelling and the single storey nature of the development.

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

No significant noise sources are anticipated.

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

No significant noise sources are anticipated. Construction of each of the duplexes will require the construction of a sufficient party wall between each set of units.

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

Not applicable.

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

It is considered that visual and acoustic privacy has been achieved whilst still allowing for passive climate control measures such as shade, orientation, breeze penetration, eaves etc.

12. *Allow breeze penetration and circulation.*

There is sufficient separation between buildings to allow breeze penetration and circulation within the site.

13. *Minimise use of reflective surfaces.*

No reflective surfaces are proposed.

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

Not applicable.

4.5.12 Clause 5.4.17 – Building Articulation

This clause seeks to ensure that residential buildings mitigate the perception of building mass and bulking when viewed from adjoining properties and the street, and provide opportunities for cross-ventilation within building design.

4. *A step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part thereof.*

This clause is applicable to buildings with a length greater than 15m. The proposed 'Dwelling-Group' development proposed 12 x units in six (6) single storey buildings. These buildings have a length of 18.4m.

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However, articulation has been provided through recesses proposed for the alfresco areas, and to the carports. The proposal is considered to be compliant.

4.5.13 *Clause 5.4.18 – Fencing in Zones MR and HR*

The purpose of this clause is to promote fencing in medium and high density areas that provides a positive interface with the public domain, while allowing necessary privacy for residents and neighboring properties.

4. *All fences adjacent to road boundaries or boundaries adjoining public open space are to be constructed so that:*
- (a) *the maximum height is 2m above ground level measured at the relevant site boundary; and*
 - (b) *the area of materials that is not visually permeable does not exceed an area equivalent to the length of the site boundary (excluding driveways) multiplied by 1.2m.*

The proposed fencing to the road boundaries does not exceed 2.0m above ground level.

Assessment against subclause (b) is as follows:

- Lind Road: Length 36.785m (excluding 6.0m driveway, excluding truncation), Permitted impermeability: 44.14m². Proposed Impermeability (Fencing Types C and D): 28m² (approx.).
- Angel Road: The proposed fencing is visually permeable for the entirety of the boundary length. Note: the truncation is also visually permeable.

5. *Fencing within 1.5m of driveways, pedestrian entries, and street corners is to be visually permeable above 0.6m (unless there is truncation provided within these areas to the same distance).*

The proposed fencing within 1.5m of the driveway and street corners is visually permeable above 0.6m.

6. *Where the development abuts land in Zones LR or LMR, development is to provide a solid screen fence to a minimum height of 1.8m to that boundary.*

The proposed fencing to the adjacent rear lot (Zoned LMR) is a solid screen fence to 1.8m for the entirety of the boundary length.

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

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

There are no Interim Development Control Orders currently applicable to the site.

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

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

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

The assessed merits of the proposed development are:

- The site is considered suitable for the intended purpose.
- The proposed development is of a sound quality of design and construction.
- The intended use of the site is compatible with the surrounding area.
- The nature and scale of the proposed development is suitable to the local context.
- The development will not introduce negative impacts on the surrounding area.
- The development is not detrimental to the public interest.

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

A description of the site is provided in **Section 2** of this report. The proposal is for a residential land use which is considered suitable for the zoning of the land.

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

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

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

Reticulated power, water and sewer are provided on site.

5.7 46(3)(H) – IMPACT ON AMENITY.

The proposal is not expected to have any negative impact on the amenity of the area considering that the proposed use of 'Dwelling – Group' is appropriate in the Residential area.

The proposal is of a sound design quality, with ample provision of private open space, landscaping and car parking areas. The proposal will not result in any noise, dust, lighting or visual amenity issues as a result of the ongoing use of the development.

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

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

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through crime prevention principles in design, per the assessment provided below.

Further, the proposed development does not jeopardise water safety and provides access for persons with disabilities.

All development is required to have due regard to the *Community Safety Design Guideline*, which is referenced in the NT Planning Scheme 2020. An assessment against the Community Safety Design Guideline (CSDG) is provided below.

Surveillance

- The proposed development is oriented towards the primary and secondary streets, and has sightlines to the public open space across the road. The development features doors, windows, and private open space areas that provide adequate surveillance of public spaces and adjacent streets.

Sightlines

- Dwelling entrance locations are clearly marked by way of entries and carports and do not provide opportunities for concealment.
- Windows are proposed to the Bedrooms 2 and 3 to provide clear views into the carport and clear views outwards.
- There are clear sightlines along proposed communal driveway spaces within the site.
- The proposed landscaping does not create a barrier or restrict sightlines.

Mixed Use Areas and Activity Generators

- Not applicable – the subject site is located within Zone MR and is not considered mixed use.

Design of Building Exteriors and Openings

- The proposed dwellings each have an entry point that is able to be clearly lit, articulated, secure.
- There are no lifts, stairwells or ramps proposed.
- Car parking areas to each dwelling are able to be well lit and secure, as the property itself will be fenced.
- There are no blank walls facing the street, or public spaces.
- The entrances to the site limit opportunities for concealment and entrapment.

Lighting

- It is understood that there will be adequate lighting to illuminate the internal driveway and the site more generally.
- The lighting proposed is not anticipated to be blocked by mature vegetation.
- It is anticipated that lighting will be well maintained and promptly replaced if damaged or not functioning.

Signage and Wayfaring

- Not applicable to the site (signage and wayfaring relates mostly to the public realm and streetscape).

Movement Predictors and Entrapment Locations

- Not applicable to the site (Movement predictors and Entrapment Locations relates mostly to the public realm and streetscape).
- It is noted that clear sightlines and adequate lighting are provided within the site.

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

The proposal is not for the subdivision of land.

5.10 46(3)(L) – SCHEME LAND.

The proposal is not for the development of scheme land.

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CONCLUSION.

Tatam Planning Co. has been engaged by Concept Designs with consent from the landowner to prepare a Development Application for twelve (12) x 3-Bed 'Dwelling – Group' in six (6) single storey buildings at 5 Lind Road, Johnston (Lot 11203 Town of Palmerston).

The site is located within Zone MR (Medium Density Residential) of the Northern Territory Planning Scheme 2020 (NTPS). The proposed development is defined under the NTPS as 'Dwelling – Group', which is an Impact Assessable use within Zone MR.

In accordance with Section 44(a) of the *Northern Territory Planning Act 1999* (NTPA) and Section 1.8(c) of the NTPS, consent is required for Impact Assessable uses. This Statement of Effect has been prepared to support the development application for the required development permit and has demonstrated that the proposed development is consistent with the intent of the NTPS and is a suitable development in this location.

The proposed development responds positively to requirements as set out in the NTPA in that:

- ➔ The site is considered suitable for the intended purpose.
- ➔ The proposed development is of a high quality of design and construction.
- ➔ The intended use of the site is compatible with the surrounding area.
- ➔ The nature and scale of the proposed development is suitable to the local context.
- ➔ The development will not introduce negative impacts on the surrounding area.
- ➔ The development is not detrimental to the public interest.

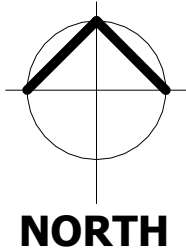
In consideration of the requirements of all relevant statutory planning tests of the NTPA, including the provisions of the NTPS, there are considered to be reasonable grounds for the Consent Authority to approve the development application subject to reasonable and relevant conditions.

PROPOSED 12x3 BEDROOM HOMES

LOT 11203 LIND ROAD

JOHNSTON

Sheet List	
NUMBER	Sheet Name
1	LOCALITY PLAN
2	MODELS
3	SITE PLAN
4	FLOOR PLAN A
5	ELEVATIONS
6	SCHEMATIC SECTION
7	ROOF SITE PLAN
8	SITE PLAN - POS
9	LANDSCAPING PLAN
10	SITE PLAN STORMWATER
11	EROSION/SEDIMENT PLAN



LOCALITY PLAN

1 : 20

TEAM DESIGN DRAFTING
P.O. BOX 41247 CASUARINA NT 0810
Email : tddrafting279@gmail.com
ABN: 26243378406

check all dimensions before commencing construction

PROJECT LOT 11203 LIND ROAD
JOHNSTON

CORFIAS

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MARCH 2025

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ANGEL ROAD



LIND ROAD

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

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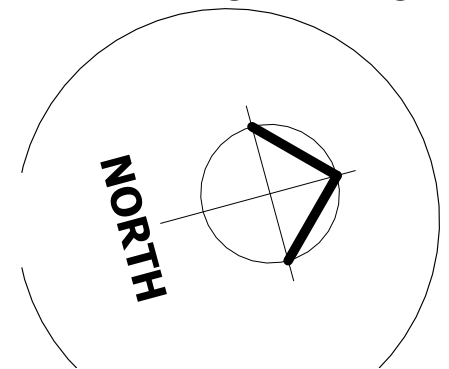
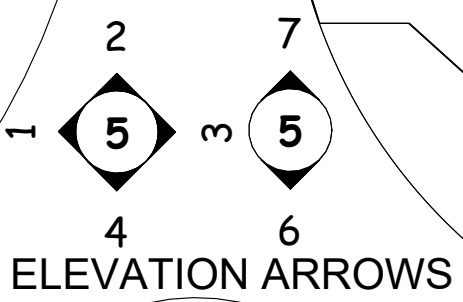
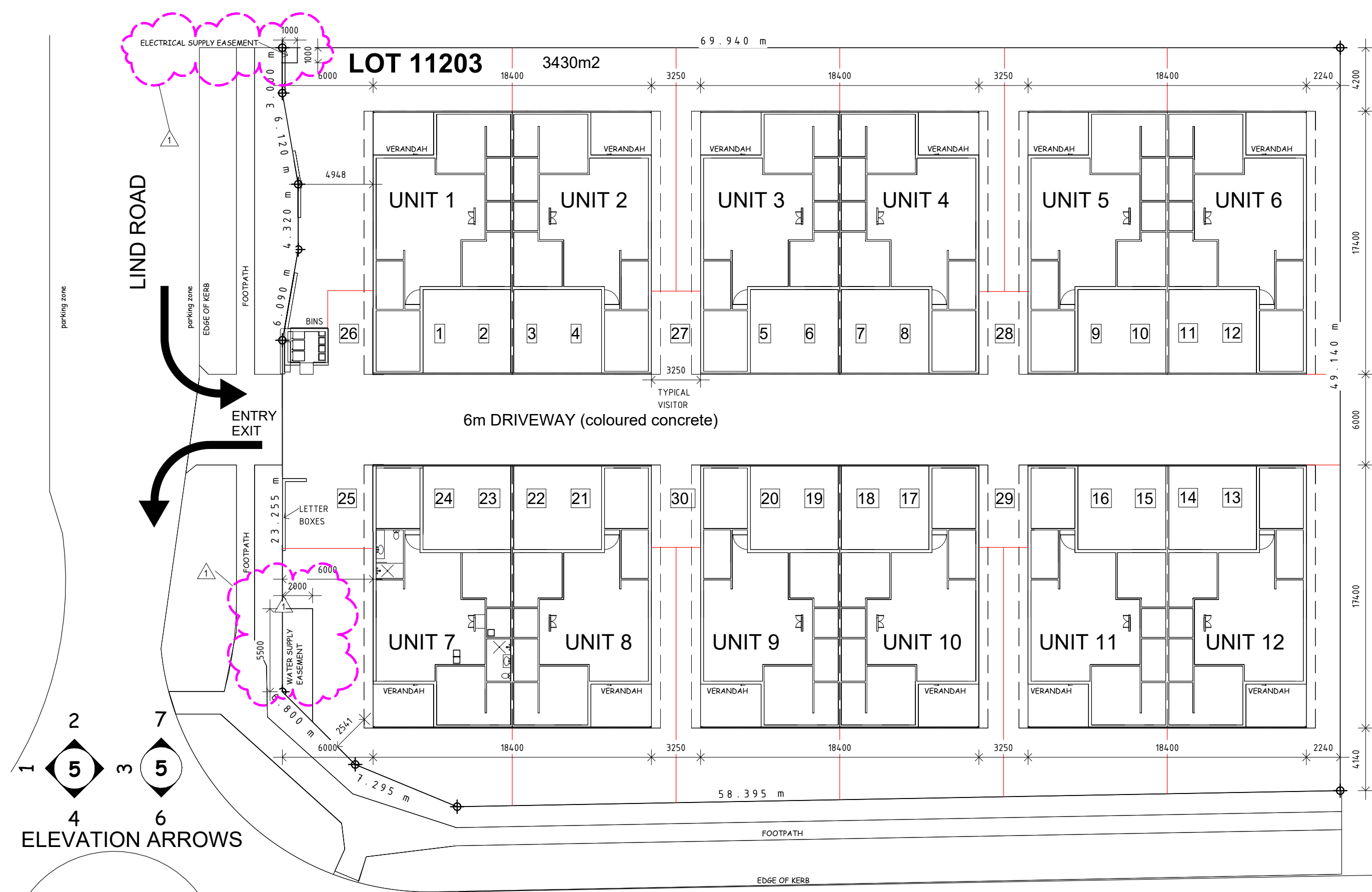
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REVISION  EASEMENTS ADDED 28/03/2025

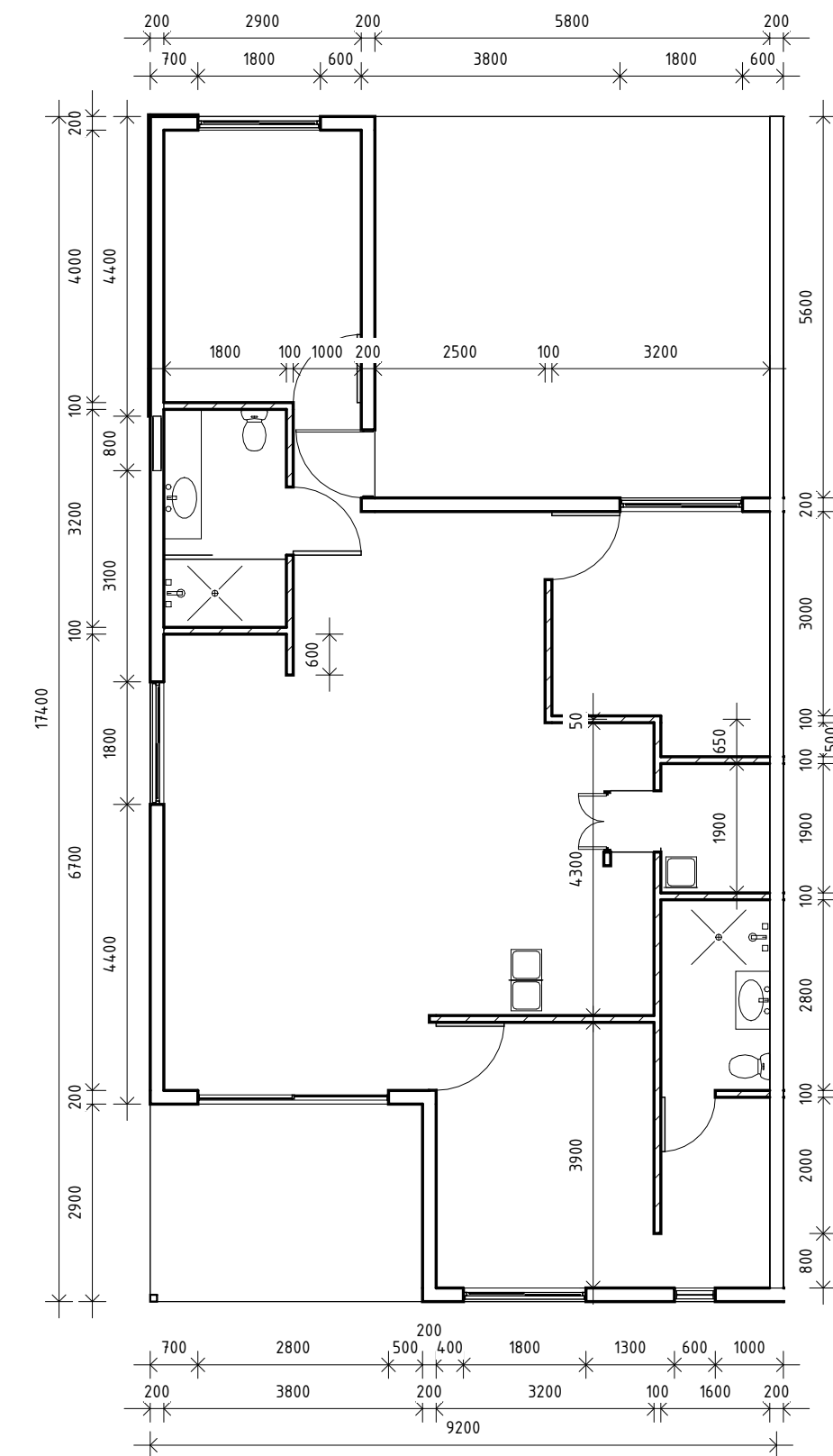


ANGEL ROAD

SITE PLAN

1 : 250

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	JOHNSTON		
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	DRAWN ➡	MARCH 2025	



DIMENSION PLAN TYPE A

1 : 100

Door Schedule				
Mark	Height	Width	Model	Count
D1	2100	1000	INTERNAL 920	48
D2	2100	1000	XN5 HUMES DOOR	12
D3	2100	2800	SLIDING DOOR XO	12
D4	2100	800	INTERNAL 720	12
D5	2100	900	BAR DOORS	12
D6	2100	900	OPENING SD FRAME	12

Window Schedule				
Mark	Height	Width	Model	Count
W1	1400	1800	SLIDER X0	48
W2	600	800	LOUVRE	12
W3	1500	600	LOUVRE	12

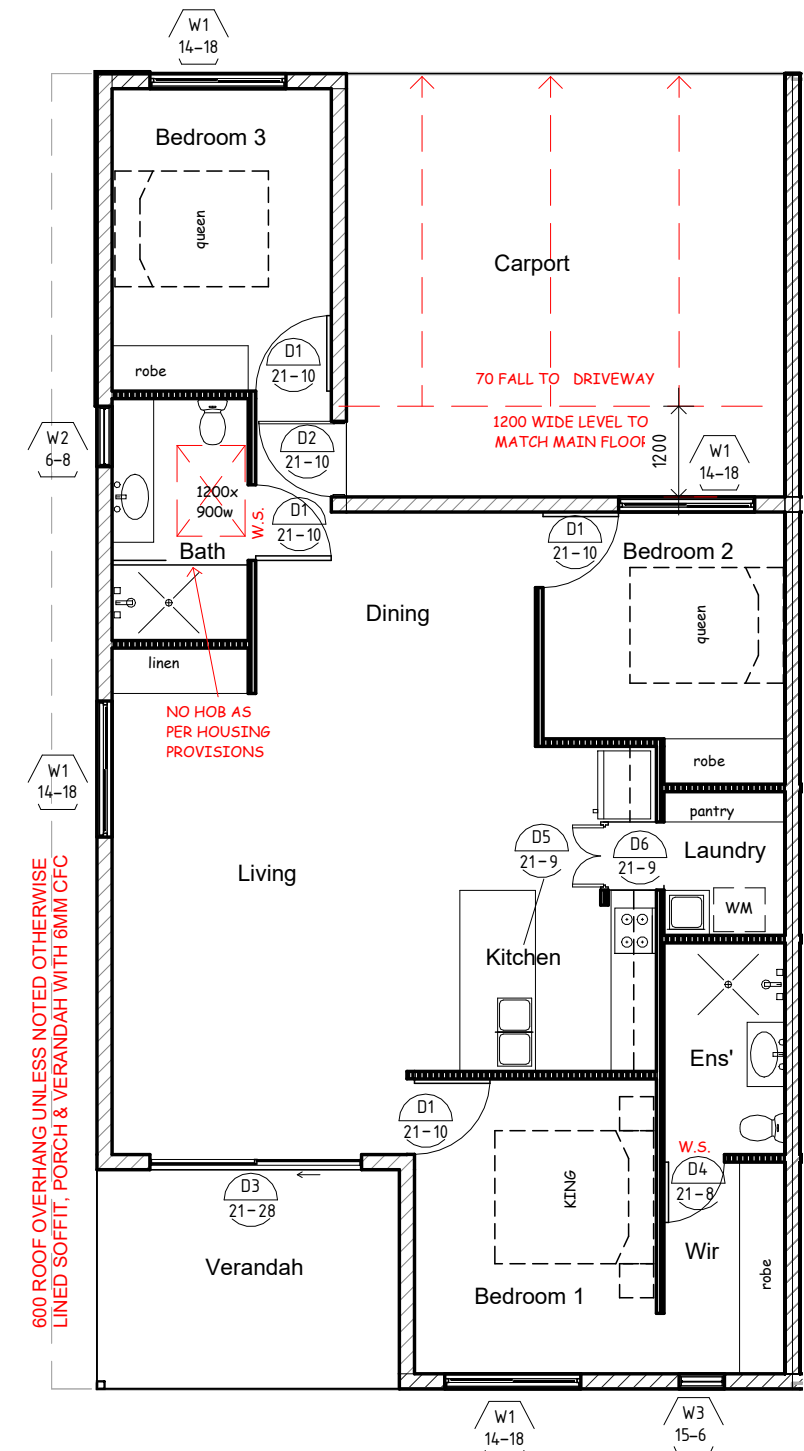
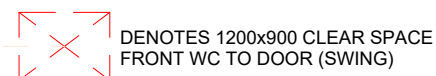
AREA SCHEDULE

INTERNAL	115.4 M2
VERANDAH	11.6 M2
CARPORT	34.2 M2
TOTAL	161.2 M2

WET AREAS TO COMPLY WITH BCA 2014 PART 3.8.1AND AS.3740
W.S. = PROVIDE WATER STOPS TO FLOOR TILES
PROVIDE SCREENS TO SHOWER ENCLOSURES
NOTE : THE DOOR TO A FULLY ENCLOSED SANITARY
COMPARTMENT MUST
A) - OPEN OUTWARDS, OR
B) - SLIDE, OR
C) - BE READILY REMOVEABLE FROM THE OUTSIDE OF THE
COMPARTMENT UNLESS THERE IS A CLEAR SPACE OF AT
LEAST 1200MM BETWEEN THE CLOSEST TOILET PAN AND THE
DOORWAY IN ACCORDANCE WITH NCC CLAUSE 3.8.3.3.

SMOKE ALARMS

SMOKE ALARMS
S.A. = PROVIDE HARD WIRED PHOTO ELECTRIC
SMOKE ALARMS TO NCC Part 3.7.2 and AS3786.
INTERCONNECTED WITH BATTERY BACK UP.
ALL DWELLINGS ARE REQUIRED TO BE WIRED TO
ACCEPT THE NBC CO NETWORK



FLOOR PLAN TYPE A

1 : 100

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ELEVATION 2
1 : 200 ANGEL ROAD

1800MM HIGH BLACK TUBULAR
FENCING (ROAD BOUNDARY)

RENDER TO GROUND LEVEL

FEATURE WALLS RENDER &
PAINT FINISH ,SHALE GREY
MAIN BEDROOM TO STREET
BEDROOM 3 TO DRIVEWAY

FEATURE GABLE, CUSTOM
ORB SHEETING, COLORBOND,
SURFMIST

approx 4500



ELEVATION 4
1 : 200

PRESSED METAL FASCIAS
COLORBOND, WINDSPRAY

ROOF SLOPES 7°



ELEVATION 5
1 : 200

ALL BLOCKWALLS RENDERED
AND PAINTED. (50% MAXIMUM
SOLAR ABSORPTANCE)

RENDER & PAINT FINISH TO ALL
EXTERNAL WALLS (EXCLUDING
FEATURE WALLS),
COLORBOND, DOVER WHITE



ELEVATION 6
1 : 200

CUSTOM ORB COLORBOND
ROOF SHEETING, SURFMIST
(50% MAXIMUM SOLAR ABSORPTANCE)

S.H.W.S. FIXED AS SPECIFIED OVER

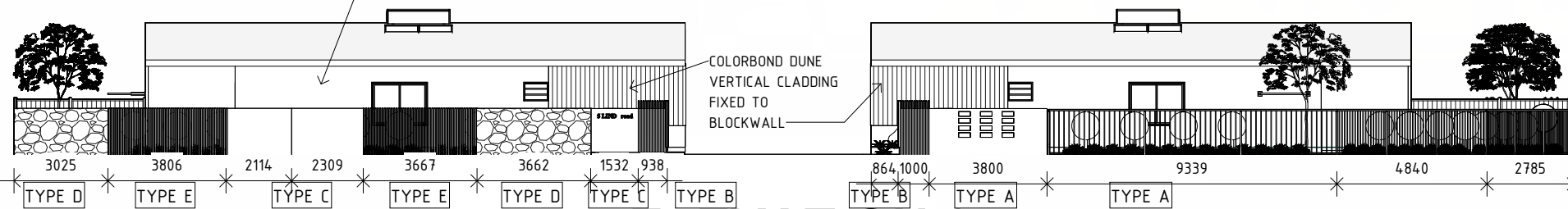


ELEVATION 1
1 : 200

COLORMAX WINDSPRAY FENCES TYPICAL TO ALL UNITS
EXCEPT LIND AND ANGEL ROAD BOUNDARIES

WEATHERPROOFING OF MASONRY
Refer to AS 3700 Masonry structures or AS4773
Masonry for small buildings Parts 1 and 2

COLORBOND DUNE
VERTICAL CLADDING
FIXED TO
BLOCKWALL



ELEVATION 3
1 : 200 LIND ROAD

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ABN: 26243378406

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

CORFIAS

DRAWN ⇨

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BUILDING NOTES

1. - THESE DRAWINGS CONTAIN INFORMATION REQUIRED FOR OBTAINING A BUILDING PERMIT ONLY, AND MUST NOT BE SCALED AND DESIGNER ACCEPTS NO RESPONSIBILITY AS ALL DUE CARE HAS BEEN TAKEN TO PRODUCE THESE DRAWINGS AT MINIMAL COST/TIME FOR THE OWNER/BUILDER. THEY ARE NOT DETAILED SUFFICIENTLY FOR A SPECIFICATION FOR A BINDING CONTRACT WITH A BUILDER. AN ADDITIONAL SPECIFICATION SHOULD BE WRITTEN TO INCLUDE PAINTING (INCLUDING OUTSIDE CORROSION PROTECTION), ELECTRICAL AND PLUMBING FITTINGS, AND SECOND FIXINGS (KITCHENS, ROBES, CUPBOARDS, ETC. AND ANY OTHER SPECIFIC ITEMS INCLUDED IN THE PROJECT.) BUILDER/OWNER MUST ENSURE THESE DRAWINGS HAVE ENGINEERS RED NUMBER AND SIGNATURE COMMA ALSO WITH BUILDING CERTIFIERS PERMIT NUMBER AND SIGNATURE PRESENT ON EACH PAGE OTHERWISE THESE DRAWINGS ARE PRELIMINARY ONLY AND NOT FOR CONSTRUCTION PURPOSES.

2. - ALL MEASUREMENTS, DETAILS AND SPECIFICATIONS ARE TO BE CONFIRMED BY BUILDER AND TRADES PRIOR TO SET OUT AND ORDERING MATERIALS. ANY ERRORS ARE TO BE REFERRED TO DESIGNER AS NO RESPONSIBILITY WILL BE TAKEN AFTER CONSTRUCTION COMMENCES. ON ADDITIONS TO EXISTING BUILDINGS, IT IS ASSUMED THAT THE OWNER HAS NECESSARY APPROVALS AND CERTIFICATES OF OCCUPANCY

3. - TERMITE PROTECTION TO NCC PART 3.4.1, 3.4.2, 3.4.3 AND AS3660.1. IS REQUIRED IF STRUCTURAL TIMBERS ARE USED. CHECK WITH BUILDING CERTIFIER REGARDING BUILDING SERVICES NOTE 19-12/5/97 ON MANDATORY REQUIREMENTS. EXEMPTIONS MAY APPLY IF STEEL ONLY STRUCTURE IS TO BE BUILT. IF ENGINEERED FLOOR SLAB SYSTEM (AS2870) TO BE USED, USE SL82 MESH IN SLAB AND SEAL PENETRATIONS WITH APPROVED COLLARS. HAND SPRAY REQUIRED UNDER MAIN FLOOR SLAB - REFER BUILDING CERTIFIER FOR DETAILED PROCEDURES. A 300 WIDE x 50 DEEP CONCRETE MOWING STRIP IS REQUIRED OUTSIDE ALL CONCRETE FLOOR SLABS COVERING EXTERNAL TREATMENT.

WHERE INSTRUCTED, A REGULAR MAINTENANCE SYSTEM IS TO BE IMPLEMENTED BY THE BUILDING OWNER POST COMPLETION OF THE BUILDING. BUILDING OWNER TO LIAISE WITH A LICENCED PEST CONTROLLER IN REGARD TO THIS SYSTEM. OA DURABLE NOTICE IS TO BE FIXED TO THE BUILDING IN A PROMINENT LOCATION (E.G. METER BOX) IN ACCORDANCE WITH NCC PART 3.4.3

4. - FLOOR WASTES TO BE 250 MIN. ABOVE NATURAL GROUND LEVEL

5. - WALLS AND FLOORS TO WET AREAS TO HAVE SMOOTH FINISH IMPERVIOUS TO MOISTURE (150 SPLASHBACKS TO SINKS, BASINS ETC. 1800 HIGH AT SHOWER RECESS) -COMPLIANCE TO AS3740 AND PART 3.8.1 OF BUILDING CODE OF AUSTRALIA

6. - WINDOWS AND DOORS INCLUDING FRAMES, GLAZING AND FIXINGS ARE TO COMPLY WITH CURRENT EDITIONS OF AS1288 - 1994 (GLAZING AND IMPACT), AS2047, AS2048 AND AS1170 PT 2 (CONSTRUCTION) AND BE DESIGNED & CERTIFIED BY MANUFACTURER'S ENGINEER (INCLUDING FIXING DETAILS).

ALL FLASHINGS AND SEALANTS INCLUDING FIXINGS TO BE COMPATIBLE WITH THEIR INTENDED USE. ALL FRAME SIZES SHOWN ARE NOMINAL & BUILDER SHOULD CHECK THAT FRAME SIZES SUIT CONSTRUCTED OPENINGS, E.G. WIDTH SUITS BLOCK COURSES, LOUVRE DEPTHS TO SUPPLIER'S BROCHURE.

WINDOWS LESS THAN 1500mm FROM BASE OF BATH OR SHOWER SUBSTRATE ARE REQUIRED TO BE SAFETY GLASS IN ACCORDANCE WITH AS1288

7. - CLOTHES DRYING FACILITY TO BE PROVIDED ADJACENT TO LAUNDRY.

8. - EXTERNAL STEEL WALLS AND ROOF TO BE WEATHER PROOF TO PREVENT THE PENETRATION OF WATER THAT COULD CAUSE UNHEALTHY OR DANGEROUS CONDITIONS OR LOSS OF AMENITY FOR OCCUPANTS AND UNDUE DAMPNES OR DETERIORATION TO BUILDING

9. - SLIDING GLASS DOORS TO HAVE SAFETY MOTIFS AT MID HEIGHT. (SAFETY GLASS IS REQUIRED WHERE GLASS PANELS EXCEED 0.5m2)

10. - HARD WIRED SMOKE ALARMS (COMPLYING WITH AS3786) ARE TO BE INSTALLED WHERE SHOWN ON PLAN IN ACCORDANCE WITH B.C.A. PART 3.7.2. PHOTOELECTRIC OR IONISATION TYPES ARE TO BE FITTED IN OR UNDER CEILING (WITH NO DEAD AIR SPACES) AND IN HALLWAY BETWEEN BEDROOMS AND OTHER HABITABLE AREAS (AS APPLICABLE).

11. - SANITARY COMPARTMENTS (TOILETS) - THE DOOR TO A FULLY ENCLOSED SANITARY COMPARTMENT MUST
A) - OPEN OUTWARDS, OR
B) - SLIDE, OR
C) - BE READILY REMOVEABLE FROM THE OUTSIDE OF THE COMPARTMENT UNLESS THERE IS A CLEAR SPACE OF AT LEAST 1200MM BETWEEN THE CLOSEST TOILET PAN AND THE DOORWAY IN ACCORDANCE WITH NCC CLAUSE 3.8.3.3.

12. - PROPRIETARY ITEMS AND NON STRUCTURAL MATERIALS WITH UNSPECIFIED FIXING SHALL BE CONSTRUCTED AS PER MANUFACTURER'S SPECIFICATION FOR THIS REGION.

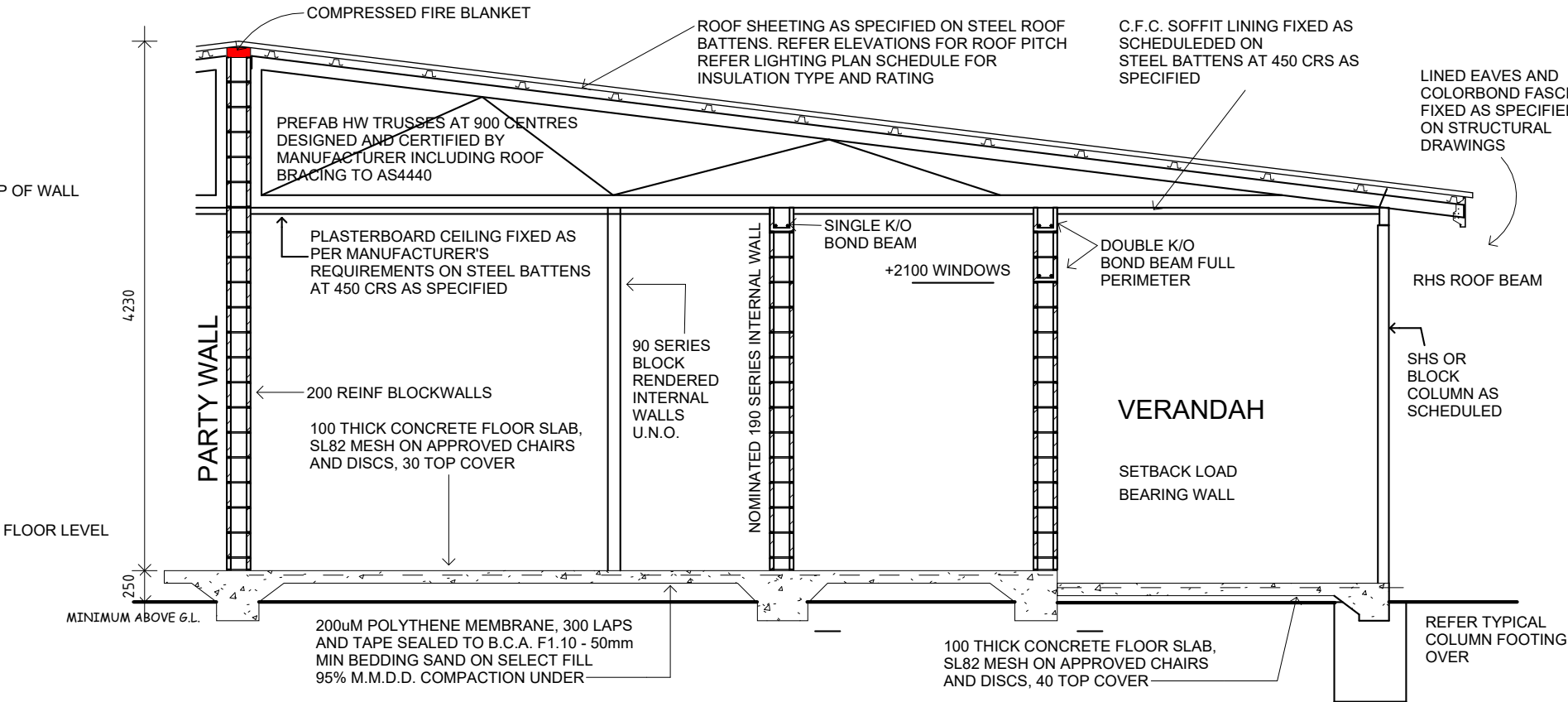
13. BOX GUTTERS TO COMPLY WITH AS 3500.3 GUIDE FOR GUTTER SIZES FOR 1 IN 100 YEAR RETURN PERIOD FOR DARWIN AREA - USE (34000mm2 OF GUTTER FOR EACH 100m2 OF ROOF CATCHMENT AREA. (AS PER BHP REFEREE) ADD 25mm FREEBOARD FOR INTERNAL BOX GUTTERS.

14. MASONRY WALLS

MASONRY WALLS TO BE WEATHERPROOFED IN ACCORDANCE WITH NCC PART 3.3.4. OACCEPTABLE EXTERNAL WATERPROOF FINISHES: -THREE COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR -ONE COMPLETE COAT OF CEMENT-BASED PAINT AND TWO COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR -CLEAR WATER REPELLENT IF WALL IS PROTECTED BY A ROOF OVERHANG. ODPC AND VAPOUR BARRIER OR DAMP-PROOFING MEMBRANE TO BE INSTALLED IN ACCORDANCE WITH NCC PART 3.3.4.

15. DRAINAGE

DRAINAGE TO BUILDING TO COMPLY WITH NCC PART 3.3 OSURFACE WATER TO DRAIN AWAY FROM THE BUILDING AT A SLOPE OF NOT LESS THAN 50MM OVER THE FIRST 1M. THE FINISHED INTERNAL SLAB HEIGHT TO BE MINIMUM 150MM ABOVE EXTERNAL FINISHED SURFACES.



SCHEMATIC SECTION

1 : 50

INDICATIVE SECTION ONLY- WALL SPACING AND ROOF SLOPES MAY VARY FROM THAT SHOWN.

TERMITE TREATMENT

PART A & B TERMITE TREATMENT TO BE INSTALLED TO THIS BUILDING IN ACCORDANCE WITH NCC PART 3.4.1, 3.4.2, 3.4.3 AND AS3660.1.

A REGULAR MAINTENANCE SYSTEM IS TO BE IMPLEMENTED BY THE BUILDING OWNER POST COMPLETION OF THE BUILDING. BUILDING OWNER TO LIAISE WITH A LICENCED PEST CONTROLLER IN REGARD TO THIS SYSTEM. OA DURABLE NOTICE IS TO BE FIXED TO THE BUILDING IN A PROMINENT LOCATION (E.G. METER BOX) IN ACCORDANCE WITH NCC PART 3.4.3

MASONRY WALLS

MASONRY WALLS TO BE WEATHERPROOFED IN ACCORDANCE WITH NCC PART 3.3.4. OACCEPTABLE EXTERNAL WATERPROOF FINISHES: -THREE COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR -ONE COMPLETE COAT OF CEMENT-BASED PAINT AND TWO COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR -CLEAR WATER REPELLENT IF WALL IS PROTECTED BY A ROOF OVERHANG. ODPC AND VAPOUR BARRIER OR DAMP-PROOFING MEMBRANE TO BE INSTALLED IN ACCORDANCE WITH NCC PART 3.3.4.

DRAINAGE

DRAINAGE TO BUILDING TO COMPLY WITH NCC PART 3.3 OSURFACE WATER TO DRAIN AWAY FROM THE BUILDING AT A SLOPE OF NOT LESS THAN 50MM OVER THE FIRST 1M.

THE FINISHED INTERNAL SLAB HEIGHT TO BE MINIMUM 150MM ABOVE EXTERNAL FINISHED SURFACES.

TEAM DESIGN DRAFTING

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ABN: 26243378406

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

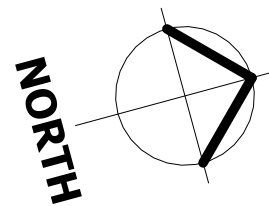
CORFIAS

DRAWN ⇨

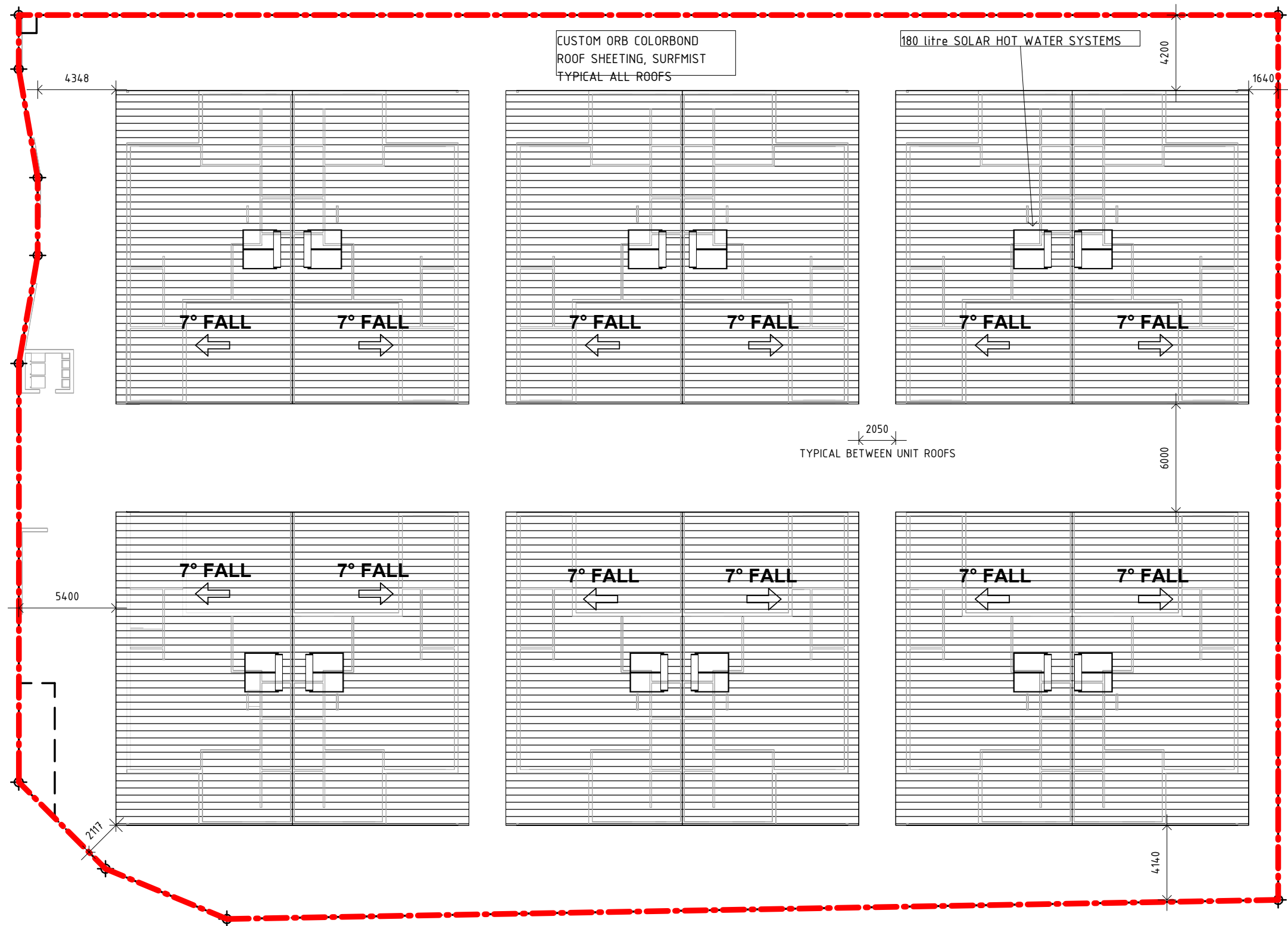
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LIND ROAD



ANGEL ROAD

ROOF SITE PLAN

1 : 250

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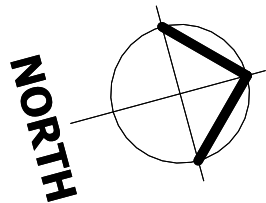
CORFIAS

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REVISION  EASEMENTS ADDED 28/03/2025

LIND ROAD

ELECTRICAL SUPPLY EASEMENT

3.000 m

6.120 m

4.320 m

6.090 m

23.255 m

6.800 m

25.41 m

7.295 m

58.395 m

FOOTPATH

EDGE OF KERB

69.940 m

49.140 m

6000

17400

4200

17400

4200

17400

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17400

4200

LOT 11203

3430m²

UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 7

UNIT 8

UNIT 9

UNIT 10

UNIT 11

UNIT 12

ANGEL ROAD

TYPICAL TO ALL UNITS

ALL EXTENTS OF PRIVATE OPEN SPACE B HAVE NO DIMENSION LESS THAN 4m AND IS PARTLY OPEN TO SKY. MIN 24m²

ALL EXTENTS OF PRIVATE OPEN SPACE A HAVE NO DIMENSION LESS THAN 1.5m AND IS OPEN TO SKY. Actual = 45.2m²

A=45.2m²

B=24m²

AREA B GREATER THAN 24m²
MIN DIMENSION 4000

AREA A GREATER THAN 45m²
MIN DIMENSION 1500
actual = 48.1m²

SITE PLAN - POS

1 : 250

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

CORFIAS

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NORTH

LIND ROAD

21600

6000

parking zone

EDGE OF KERB

FOOTPATH

FOOTPATH

LOT 11203
3430m²

UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 7

UNIT 8

UNIT 9

UNIT 10

UNIT 11

UNIT 12

6m Driveway

6m Driveway

6m Driveway

DENOTES DESIGN
FALLS TO STORM
WATER OUTLET

DENOTES EXISTING
SLOPE OF LAND

FOOTPATH

EDGE OF KERB

ANGEL ROAD

SITE PLAN STORMWATER

1 : 250

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LANDSCAPING LEGEND

HIBISCUS TILIACEUS RUBRA
HEIGHT: 4-7M

TABERNAEMONTANA
"LITTLE EMERALD"
HEIGHT: 1M

HELICONIA "GOLDEN TORCH"
HEIGHT: 2M

SYZYGIUM AUSTRALE "BABY BOOMER"
HEIGHT: 1-1.5M

LANDSCAPED AREA = 975m2
DOES NOT INCLUDE EASEMENTS

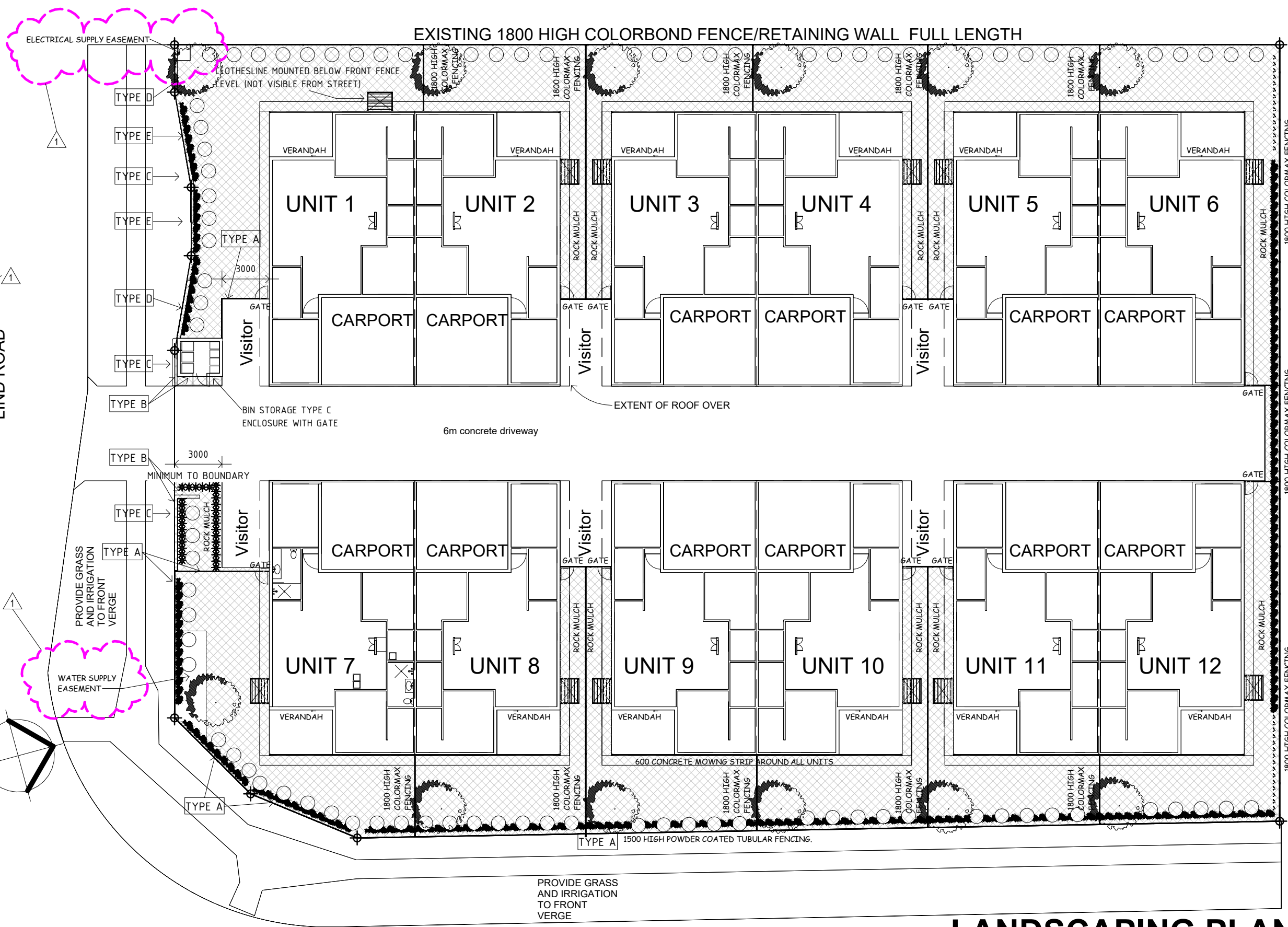
ALL UNITS HAVE 1800 HIGH COLORMAX FENCING (TYPE F) TO PRIVATE YARDS. THE ONES FACING LIND ROAD AND ANGEL ROAD HAVE 1500 HIGH POWDER COATED TUBULAR FENCING.

FENCE TYPES

- TYPE A 1500 HIGH POWDER COATED TUBULAR FENCING.
- TYPE B 1800 HIGH VERTICAL HW SLATS, 75 x19 WITH 50 GAP FIXED TO 200 BLOCKWALL
- TYPE C 1500 HIGH RENDERED AND PAINTED BLOCKWALL
- TYPE D 1500 HIGH RENDERED BLOCKWALL WITH STONE FACING TO STREET
- TYPE E 1500 HIGH VERTICAL HW SLATS 75 x19 WITH 50 GAP ON PC SHS POSTS AND RAILS
- TYPE F 1800 HIGH COLORMAX FENCING

LIND ROAD

NORTH



ANGEL ROAD

LANDSCAPING PLAN

1 : 250

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

CORFIAS

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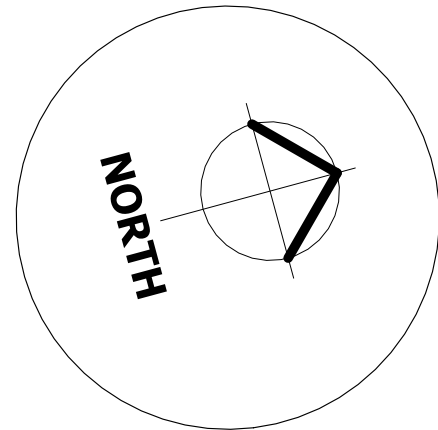
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REVISION 1 EASEMENTS, ADDED, LANDSCAPING AREA ADJUSTED 28/03/2025

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LIND ROAD

parking zone

parking zone

EDGE OF KERB

FOOTPATH

FOOTPATH

SEDIMENT CONTROL FENCE

WASTE
MANAGEMENT
STOCKPILE

SEDIMENT CONTROL FENCE

NOTE: SITE ENTRY TO
HAVE A STABILISED
RUBBLE ENTRY PAD FROM
PROPERTY BOUNDARY TO
ROAD KERB

SEDIMENT FENCE - assume **full perimeter** of boundary unless
denoted otherwise 1000 wide sediment fences to trap coarse sediment at
all points where stormwater leaves the site, before it can wash into
gutters, drains and waterways. Geotextile fabric sediment fences are
generally the most efficient barrier for building sites. Sediment fences
should be installed down slope of the disturbed area, usually along the
lowest site boundary with the ends returning uphill. Sediment fences
should be inspected after storms and any deposited sediment removed.
Stockpile extra sediment fence on site for emergency repairs. Sediment
fences are to be located within property boundaries for safety reasons.

EXISTING 1800 HIGH COLORBOND FENCE/RETAINING WALL FULL LENGTH

SEDIMENT CONTROL FENCE

0.00
DENOTES EXISTING
CONTOUR LEVELS

0.50

1.00

DENOTES EXISTING
SLOPE OF LAND

1.50

2.00

FOOTPATH

EDGE OF KERB

ANGEL ROAD

EROSION/SEDIMENT PLAN

1 : 250

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PROJECT LOT 11203 LIND ROAD
JOHNSTON

CORFIAS

DRAWN ⇌

MARCH 2025

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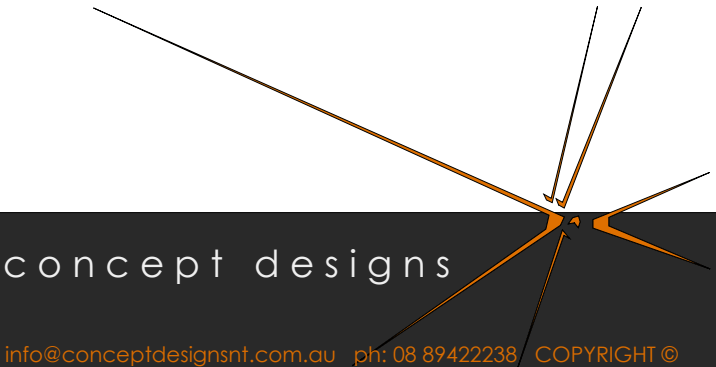




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DESIGN
PROJECT MANAGEMENT
INTERIOR DESIGN
DRAFTING
MASTERPLANNING

SK013 RENDERED PERSPECTIVES
MARCH 2025
25006



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STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



ATTACHMENT A.

CERTIFICATE OF TITLE.

Lot 11203 Town of Palmerston from plan(s) S2012/159A
Area under title is 3430 square metres

Owner:
Jimmy Corfias
of 1 Adelaide Place, Durack NT 0830

Easements:
Water supply Easement to Power and Water Corporation
Electricity supply Easement to Power and Water Corporation

Registered Date	Dealing Number	Description
		Previous title is Volume 775 Folio 955
25/01/2013	789004	Covenant
25/01/2013	789000	Covenant
End of Dealings		



NORTHERN TERRITORY OF AUSTRALIA

Record of Administrative Interests and Information

Record of Administrative Interests and Information

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

Parcel Reference: Lot 11203 Town of Palmerston plan(s) S2012/159A

(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 890 833 (order 1)

Tenure Type

ESTATE IN FEE SIMPLE

Tenure Status

Current

Area Under Title

3430 square metres

Owners

Jimmy Corfias
1 Adelaide Place, Durack NT 0830

Easements

Water supply Easement to Power and Water Corporation
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

14/02/2025 for \$800,000 (Nil GST)

12/04/2013 for \$1,075,000 (\$97,728 GST)

Tenure Comments

(none found)

Historic Titles

CUFT 775 955 (order 1)

CUFT 772 794 (order 1)

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

Custodian - Surveyor General (+61 8 8995 5354)**Address**

5 LIND RD, JOHNSTON

Survey Plan

S2012/159A

Survey Status

Approved

Parcel Status

CURRENT

Parcel Area

3430 square metres

Map Reference

(none found)

Parent Parcels

Lot 10974 Town of Palmerston plan(s) S2010/180B

Parcel Comments

NOTE: ALTERNATE STREET ADDRESS IS 38 ANGEL ROAD, CONTACT THE SURVEYOR-GENERAL IF CHANGE REQUIRED.

Survey Comments

LOTS 11201 TO 11203, SUBDIVISION OF LOT 10974, TOWN OF PALMERSTON. FOR SURVEY SEE PLANS A TO C.

Proposed Easements

(none found)

Local Government Area

PALMERSTON MUNICIPALITY

Region

DARWIN

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

Corfias, Jimmy, 1 ADELAIDE PLACE, DURACK NT 0830



Parcels in Valuation

Lot 11203 Town of Palmerston

Unimproved Capital Value

\$1,275,000 on 01/07/2023

\$1,100,000 on 01/07/2020

\$1,100,000 on 01/07/2017

\$1,370,000 on 01/07/2014

\$1,200,000 on 01/07/2011

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

(none found)

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

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

MR (Medium Density)

Overlays:

(none found)

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

Regional Plans:

- Darwin Regional Land Use Plan

Sub Regional Plans:

- Holtze to Elizabeth River Subregional Land Use Plan

Area Plans:

- None

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications

(none found)

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

(none found)

Visit the website for information on Pastoral land permits.

Custodian - Power and Water Corporation (1800 245 092)**Meters on Parcel**

Power Water - Electricity (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 Industry, Tourism and Trade (+61 8 8999 5263)**Mineral Titles**

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

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

Energy Titles

Title ID	Status	Title Type	Expiry Date	Legislation
GRO1	Granted	Geothermal Reserved from Occupation		Geothermal Energy Act 2009
RB56	Granted	Reservation of Blocks		Petroleum Act 1984
RB167	Granted	Reservation of Blocks		Petroleum Act 1984

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

Land Access Agreements

(none found)

For additional information contact the Land Access Team on +61 8 8999 6442

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



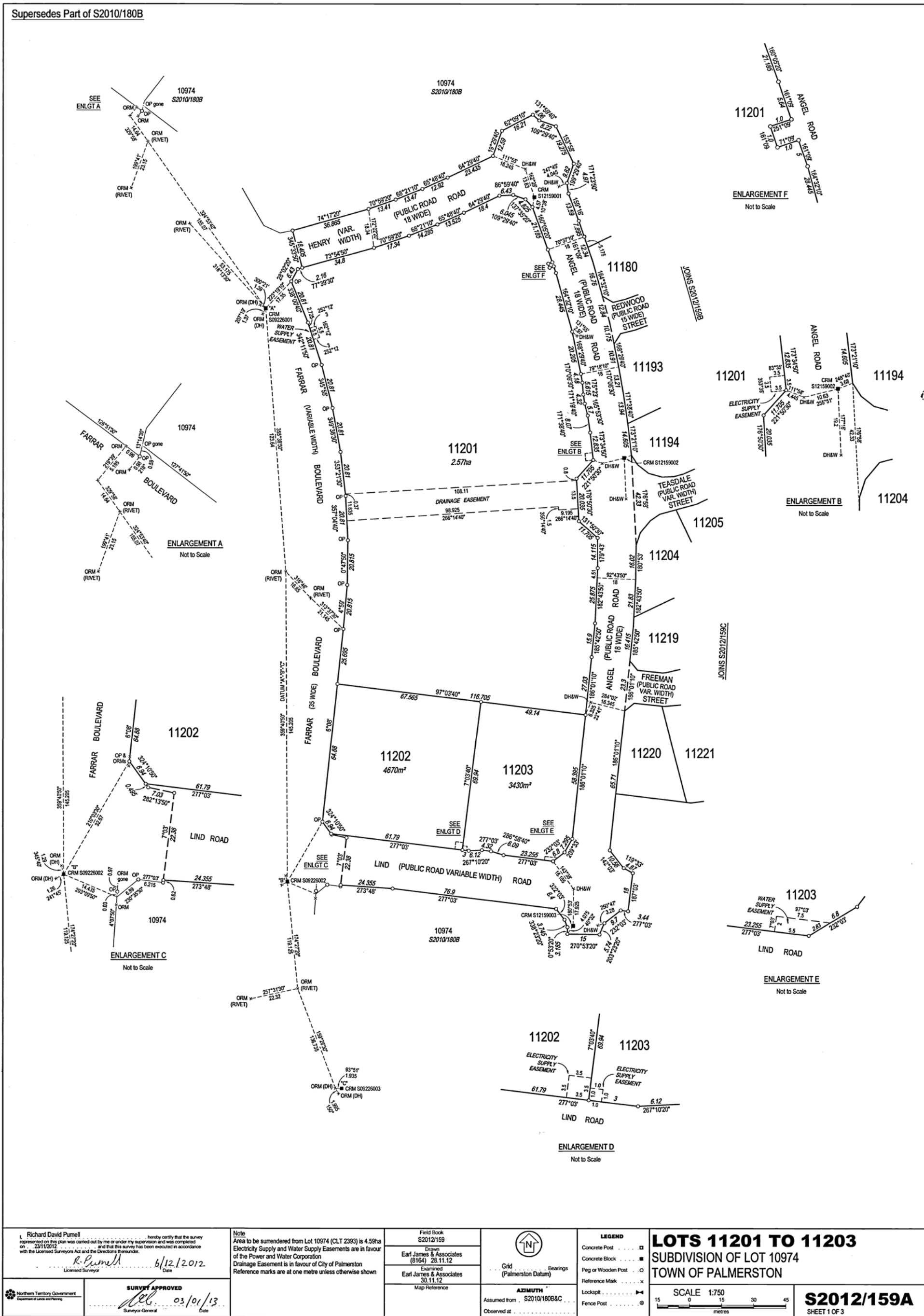
STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



ATTACHMENT B.

SITE SURVEY



STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON

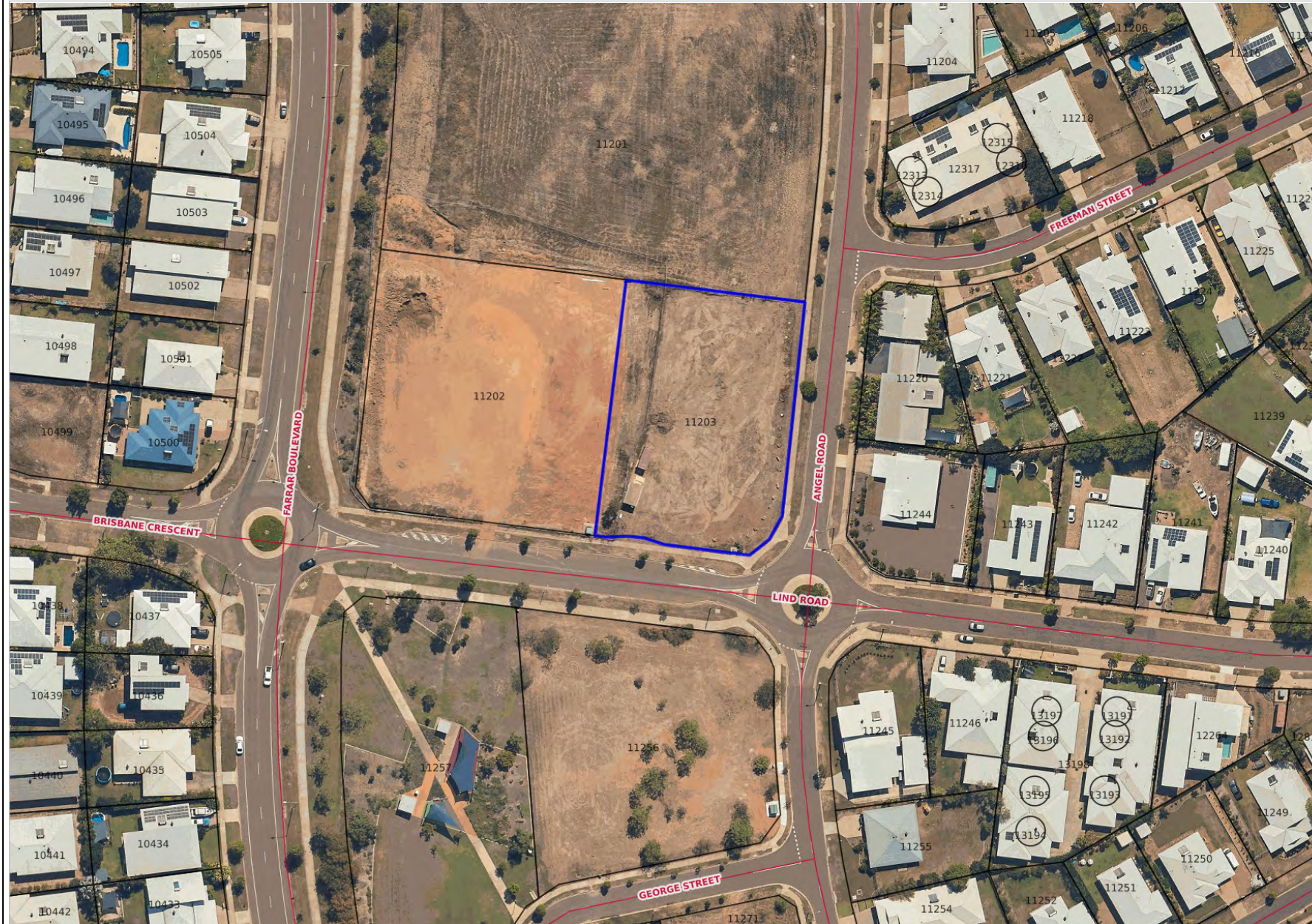


ATTACHMENT C.

SITE AERIAL.

ATTACHMENT C - SITE AERIAL

5 LIND ROAD, JOHNSTON (LOT 11203 TOWN OF PALMERSTON)



LEGEND

SUBJECT SITE



Metres 20 40 60

nrmaps.nt.gov.au

Geospatial Services Unit

Department of Lands,
Planning and Environment
© Northern Territory Government

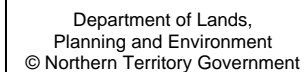
STATEMENT OF EFFECT.

12 x 'DWELLING – GROUP'
5 LIND ROAD, JOHNSTON



ATTACHMENT D.

SITE ZONING.



Technical Assessment PA2025/0106

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

Application No: PA2025/0106
Lot number: Lot 11203, 5 Lind Road, Suburb of Johnston
Town/Hundred: Town of Palmerston
Zone: MR (Medium Density Residential)
Site Area: 3430m²
Proposal: Dwelling-group (12 x 3 bedroom) in six single storey buildings
Plans used for assessment: T8626 - 3 (site plan), T8626 - 4 (floor plan), T8626 - 5 (elevation plan), T8626 - 6 (schematic section plan), T8626 - 7 (roof site plan), T8626 - 8 (site plan - POS), T8626 - 9 (site plan), T8626 - 10 (site plan stormwater) and T8626 - 11 (erosion/sediment plan) - dated 28/03/2025
Date assessment finalised: 28 May 2025

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

Zone MR (Medium Density Residential)				
Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Dwelling-Group	Impact Assessable	No overlays have been identified	5.2.1 General Height control 5.2.4 Car Parking 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.4.1 Residential Density 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation 5.4.18 Fencing

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

Schedule 2 – Definitions

NTPS2020 (Compact Urban Growth Policy definitions)	DAS DLPE comment
Activity Centre - A location where a mix of activities occurs, such as shops, banks, offices, restaurants, cafes etc. (compact urban growth)	Applicable – the subject lot is located adjacent an 'activity centre'.
Higher Density Residential - Usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m ² of site area or less).	Not applicable – residential buildings are all single storeys.

NOTED

Part 1 – Guidance

1.8 When development consent is required

NTPS2020 guidance / requirement	DAS DLPE comment
<p>1. <i>The need for consent and the level of assessment that applies to the use and development of land is set out in the framework below</i></p> <p>(c) <i>Impact Assessable – use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the site and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.</i></p> <p><i>Use and development of land requires consent and is Impact Assessable when any of the following apply:</i></p> <p>i. <i>it is shown as Impact Assessable on the relevant assessment table in Part 4;</i></p>	<p>To be determined by DCA - The primary use/development of the site will be “dwelling-group” which is shown as <i>Impact Assessable</i> in the Zone MR zone (assessment) table.</p>

1.10 Exercise of Discretion by the Consent Authority

NTPS2020 guidance / requirement	DAS DLPE comment
<p>4. <i>In considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:</i></p> <p>(a) <i>any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;</i></p>	<p>Applicable – the proposal has been identified as <i>Impact Assessable</i> under Clause 1.8.</p> <p>Applicable – the following clauses have been discussed under ‘Development Requirements’ below:</p> <ul style="list-style-type: none"> • 5.2.1 General Height Control • 5.2.4.1 Car Parking Spaces • 5.2.4.4 Layout of Car Parking Areas • 5.2.6.1 Landscaping in Zones Other Than Zone CB • 5.4.1 Residential Density • 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

			<ul style="list-style-type: none"> • 5.4.3.2 Distance Between Residential Buildings on One Site • 5.4.6.1 Private Open Space for Dwellings-Single, Dwellings-Independent and Dwellings-Group • 5.4.8.1 Building Design for Dwelling-Group, Rooming Accommodation and Residential Care Facility • 5.4.17 Building Articulation • 5.4.18.1 Fencing in Zones MR and HR
	(b)	any Overlays and associated requirements in Part 3 that apply to the land;	Not Applicable – no overlays are applicable to the subject site or type of development proposed.
	(c)	the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and	Applicable – the site is zoned MR, therefore, the purpose and relevant outcomes of Zone MR are applicable and discussed further below.
	(d)	any component of the Strategic Framework relevant to the land as set out in Part 2.	Applicable – the Darwin Regional Land Use Plan (DRLUP) 2015, and Holtze to Elizabeth River Subregional Land Use Plan (HESLUP) are applicable.
5.	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:		Applicable – the proposal has been found to be non-compliant with the following Clauses: <ul style="list-style-type: none"> • 5.2.4.4 Layout of Car Parking Areas • 5.2.6.1 Landscaping in Zones other than Zone CB • 5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures • 5.4.6.1 Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group • 5.4.18.1 Fencing in Zones MR and HR Discussion against the purpose and administration clauses are provided under the relevant clauses below.
	(a)	the purpose and administration clauses of the requirement; and	
	(b)	the considerations listed under Clause 1.10(3) or 1.10(4).	

NOTED

Part 2 – Strategic Framework

2.2 Components and Operation of the Strategic Framework

NTPS2020 guidance / requirement		DAS DLPE comment
1.	<p>The Strategic Framework guides the interpretation of all Parts of the Planning Scheme.</p> <p>Where there is inconsistency between the components of the Strategic Framework, Area Plans, providing the most detailed level of guidance, prevail over higher-order Land Use Plans and Strategic Planning Policies to the extent of any inconsistencies.</p> <p>Subregional Land Use Plans, Regional Land Use Plans and Strategic Planning Policies will guide interpretation of the Planning Scheme when:</p> <p>(a) there is no applicable Area Plan;</p> <p>(b) the Area Plan does not provide guidance on a particular issue;</p>	<p>Applicable – there are no Area Plans applicable to this application. The Darwin Regional Land Use Plan (DRLUP) and the Holtze to Elizabeth River Subregional Land Use Plan (HESLUP) provide guidance for interpreting the Planning Scheme.</p> <p>It is noted that while the Palmerston eastern suburbs planning principles and area plan shows the lot on the 'Palmerston Eastern Suburbs Area Plan 1 of 3', the lot is not subject to this plan as it is outside the subject area identified on NT Atlas.</p>

	<p>(c) a use or development does not accord with an Area Plan; or</p> <p>(d) a new Area Plan is being created or a change is proposed to an existing Area Plan.</p>	
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Compact Urban Growth Policy

NTPS2020 guidance / requirement	DAS DLPE comment
<p><i>This Policy applies to higher density residential proposals in urban brownfield and greenfield localities throughout the Northern Territory.</i></p>	<p>Not technically applicable – the Compact Urban Growth Policy 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)”.</p>
<p><i>This Policy will be used to assess the appropriateness of delivering higher density residential land uses.</i></p>	<p>The application is for 12 x dwellings-group in 6 x 1 storey buildings. The site area is 3430m² which results in a dwelling density of 1 dwelling per 285.83m² which is a neighbourhood density greater than 1 dwelling per 300m², however, the proposed buildings are 1 storey and therefore the proposed development is not technically considered to be ‘Higher Density Residential’.</p> <p><i>It is noted that if the development was required to be higher density as per the Zone MR zone outcomes then consideration of the ‘Compact Urban Growth Policy’ may be required.</i></p>

Darwin Regional Land Use Plan (DRLUP) 2015

NTPS2020 guidance / requirement	DAS DLPE comment
<p><u>Urban and Peri-Urban Residential</u></p> <p><i>Key Urban and Peri-Urban Residential Objectives</i></p> <ul style="list-style-type: none"> <i>Identify sufficient suitable opportunities for residential development to ensure an ongoing supply of lots to meet market demand.</i> <i>Encourage a diverse range of dwelling types and residential localities to cater for changing demographics (including single person households and an ageing population), to meet increasingly diverse community aspirations and minimise the impacts of development on established localities.</i> <i>Focus future urban development in localities close to established areas to enhance the economic viability of infrastructure extensions.</i> <i>Encourage detailed design that:</i> <ul style="list-style-type: none"> <i>recognises the contribution natural and cultural sites make to urban character</i> <i>provides for appropriate protection and maintenance of natural and conservation areas</i> <i>is climatically appropriate and avoids the creation of heat islands.</i> 	<p>Applicable – the subject site is located within the area identified for Urban/Peri-Urban use in the ‘Land Use Structure’ map.</p> <p>The proposed development is for <i>dwellings-group</i> which is an expected type of development within Urban/Peri-Urban areas.</p> <p>The site is located adjacent an ‘activity centre’ and has potential for higher density development however the application is for single storey buildings which does not fit the definition of ‘Higher Density Residential’ provided by the Compact Urban Growth policy discussed above.</p> <p>Proposed dwelling-group development does not take advantage of potential for the site (zoned MR) to be developed with more (2 - 4 storey) dwellings to make more efficient use of infrastructure and closer compliance with Part 5 NTPS2020 requirements.</p>

<p><u>Development Related Constraints and Opportunities</u></p> <p>Key Development Structure Objectives</p> <ul style="list-style-type: none"> • Recognise the diversity of the community and the consequential range of aspirations in relation to housing type, location and lifestyle. • Enhance the economic viability of infrastructure and services by creating sustainable local communities. • Create more compact development, in particular localities that minimise the development impacts on the majority of established communities. • Encourage consolidated and compact development that facilitates land use and infrastructure efficiencies, increases choice and conserves the regional environment. • Encourage mixed use development, focused in and around activity centres and public transport nodes or high frequency routes. • Encourage the provision of a range of housing options that facilitate housing choice and affordability to meet diverse community needs. • Encourage urban design that takes account of the tropical climate to minimise the creation of heat islands. • Develop activity centres to maximise local employment opportunities, availability of services, walkable neighbourhoods and the use of public transport. <p>More compact residential development, particularly on previously undeveloped sites in established areas and in greenfield developments, creates opportunities for synergies between various land uses such as education and health facilities. It also assists in protecting the landscape and resources. More compact development, which provides mixed uses and greater housing choice while limiting the impact on established areas, can also assist in creating stronger and more active communities.</p> <p>Urban form needs to be managed in a way that:</p> <ul style="list-style-type: none"> • uses land efficiently • minimises transport demands • encourages cost effective provision of infrastructure and services • is consistent with the diversity of the community's economic and environmental values • creates and supports viable activity centres offering a range of services and opportunities for local employment • fosters a sense of local community and identity. The lifestyle and character valued by many residents in established areas is recognised. The focus is on finding the appropriate balance between protecting the aspirations of existing residents while providing for the varying aspirations of others. 	
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Holtze to Elizabeth River Subregional Land Use Plan (HESLUP)

NTPS2020 guidance / requirement	DAS DLPE comment
<i>The HESLUP is informed by the Darwin Regional Land Use Plan but provides more detailed definition of the strategic road, rail and utility corridors, and more informed guidance for future areas of land use. The HESLUP interfaces with the Litchfield Subregional Land Use Plan.</i>	Applicable - the HESLUP guides development outside the subject location and provides guidance around 'strategic road, rail and utility corridors' The proposed development is located outside the 'focus areas' and is not proposed along any existing/planned arterial/sub-arterial roads, or rail or utility corridors.
<i>Within the boundary of this subregional plan, uses and development of land that require impact assessment will need to accord with the relevant concepts and policy in this document; or, if the land is subject to an area plan, accord with that more detailed level of the strategic framework.</i>	

CONSISTENT WITH STRATEGIC FRAMEWORK**Part 3 – Overlay**

No overlays have been identified.

NOT APPLICABLE**Part 4 – Zone****Zone MR (Medium Density Residential)**

NTPS2020 guidance / requirement	DAS DLPE comment
<u>Zone Purpose</u> Provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development.	<u>Aspects of non-compliance</u> <ul style="list-style-type: none"> - all buildings will be single storey (not mid-rise) Zone MR in Palmerston (relevant to the subject site) allows for up to 4 storeys (site/design does not take advantage of height – resulting in greater building footprints and noncompliance with Part 5 requirements) - proposal is a low density development – Compact Urban Growth Policy (page 9) suggests – a “medium density” locality is where densities are approximately 60 dwellings per hectare (ie: one dwelling per 166.66m²) <u>Aspects of compliance:</u> <ul style="list-style-type: none"> - electricity, water, sewerage and telecommunications services are able to be connected to the development works on site the site less than ~400m walking distance to neighbourhood parks, shops and other areas of public open space (eg: footpath network)
<u>Zone Outcomes</u>	
1. Predominantly medium density residential developments generally not exceeding four storeys.	To be determined by the DCA (section 51, 52 and 53 of Planning Act 1999) – the ‘Compact Urban Growth Policy’ identifies ‘medium density’ as “approximately 60 dwellings per hectare” which is equal to 1 dwelling per 166.66m ² and ‘low to medium density’ as “approximately 30

		<p><i> dwellings per hectare</i>” which is equal to 1 dwelling per 333.33m². The applicant proposes 1 dwelling per 285.83m². It unclear if the development would be considered “medium density” residential. If the development is considered ‘low to medium density residential’ then the proposal would be consistent with this zone outcome.</p> <p>It is noted that the proposal meets density requirements under Clause 5.4.1 (Residential Density).</p>
2.	Home based businesses and dwellings-community residence are operated in a manner consistent with residential amenity.	Not applicable – the application does not propose these uses.
3.	Residential care facilities are of a scale and operated in a way that is compatible with the character and amenity associated with medium density residential development.	Not applicable – the application does not propose these uses.
4.	<p>Non-residential activities, such as child care centre and community centre:</p> <p>(a) support the needs of the immediate residential community;</p> <p>(b) are of a scale and intensity compatible with the residential character and amenity of the area;</p> <p>(c) wherever possible, are co-located with other non-residential activities in the locality;</p> <p>(d) wherever possible, are co-located with other non-residential activities in the locality;</p> <p>(e) are managed to minimise unreasonable impacts on the amenity of surrounding residents.</p>	Not applicable – the application does not propose these uses.
5.	Building design, <i>site</i> layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces.	<p>To be determined by the DCA – the building design, site layout and landscaping proposed is consistent with what would be reasonably anticipated within a residential zone, however the plants proposed to screen the private open space along the east boundary grow to a maximum height of 1.5m and the fence proposed along this boundary is visually permeable.</p> <p>It is unclear if the plants chosen will adequately screen the private open space areas.</p>
6.	An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks and with convenient access to open space, community and educational facilities.	Consistent with zone outcome – the lot is connected to reticulated services and is in a location with access to existing transport networks, and is within a short distance of public open space, commercial and community purpose zoned land.

NOT CONSISTENT WITH ZONE PURPOSE/CONSISTENCY WITH ZONE OUTCOMES TO BE DETERMINED

Part 5 – Development Requirements

5.2.1 General Height Control

NTPS2020 guidance / requirement		DAS DLPE comment
<u>Purpose</u>		
Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.		Consistent with purpose – the proposed use complies with height requirements as discussed below.
<u>Administration</u>		
1.	<p>This clause does not apply if:</p> <p>(a) The development is for the purpose of:</p> <p>i. a telecommunications facility;</p> <p>ii. a chimney, flag pole, aerial, antenna or lightning rod; or</p> <p>iii. the housing of equipment relating to the operation of a lift; or</p> <p>(b) an alternative height control is specified in clause 5.9 (Location specific development requirements).</p>	Not applicable – the application is not for any of the listed uses.
2.	The consent authority must not consent to a development in Alice Springs that is not in accordance with sub-clause 5.	Not applicable – the proposed development is not located in Alice Springs.
3.	The consent authority must not consent to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.	Not applicable – the proposed development does not abut land in Zone LR.
4.	<p>Except as set out in sub-clause 3, the consent authority may consent to a development that is not in accordance with sub-clause 6 if it is satisfied the building height is consistent with the intended character and amenity of the area, having regard to:</p> <p>(a) the heights of other buildings in the immediate vicinity; and measures taken to mitigate potential impacts (such as unreasonable overshadowing,</p> <p>(b) or overlooking of dwellings and private open space) on abutting properties.</p>	Not applicable – the proposal complies with sub-clause 6 as discussed below.
<u>Requirements</u>		
5.	The building height of a development in the Municipality of Alice Springs is not to exceed:	Not applicable – proposed development is not located in Alice Springs.

	(a)	the maximum building height for the zone and use as specified in table A to this clause; or											
	(b)	two storeys to a maximum of 8.5m if the zone and use is not included in table A to this clause.											
6.	The building height in all other areas is not to exceed:		Complies – all proposed buildings are single storey, whereas the maximum building height is 4 storeys (no physical height restrictions). Table B to Clause 5.2.1 is provided below.										
	(a)	the maximum building height for the zone and use as specified in table B to this clause; or <table border="1"><caption>Table B to clause 5.2.1: Height control outside Alice Springs</caption><thead><tr><th>Zone</th><th>Use</th><th>Maximum building height above ground level</th></tr></thead><tbody><tr><td rowspan="3">MR</td><td>Development on a site in zone MR abutting a site in Zone LR</td><td>3 storeys</td></tr><tr><td>Development on a site that is:<ul style="list-style-type: none">within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; andhas frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a site in Zone LR.</td><td>3 storeys</td></tr><tr><td>All other uses</td><td>4 storeys</td></tr></tbody></table>		Zone	Use	Maximum building height above ground level	MR	Development on a site in zone MR abutting a site in Zone LR	3 storeys	Development on a site that is: <ul style="list-style-type: none">within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; andhas frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a site in Zone LR.	3 storeys	All other uses	4 storeys
Zone	Use	Maximum building height above ground level											
MR	Development on a site in zone MR abutting a site in Zone LR	3 storeys											
	Development on a site that is: <ul style="list-style-type: none">within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; andhas frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a site in Zone LR.	3 storeys											
	All other uses	4 storeys											
	(b)	two storeys to a maximum of 8.5m if the zone and use is not included in table B to this clause.											

COMPLIES

5.2.4 Car Parking

5.2.4.1 Car Parking Spaces

NTPS2020 guidance / requirement		DAS DLPE comment
Purpose		
Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site .		Consistent with purpose – the application proposes more car parking spaces than what is required.
Administration		
1.	This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).	Not applicable – the proposed development is not in a location where Clause 5.9 is applicable.
2.	The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of car parking spaces is appropriate with regard to:	Not applicable – the proposal complies with sub-clause 4.
(a)	the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;	

	(b)	the provision of car parking spaces in the vicinity of the land;	
	(c)	the availability of public transport in the vicinity of the land; and	
	(d)	the potential impact on the surrounding road network and the amenity of the locality and adjoining property;	
	or if the use or development relates to a heritage place and the Minister responsible for the administration of the <i>Heritage Act 2011</i> supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place .		
3.	The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause.		Not applicable – no ancillary uses are proposed.

Requirements

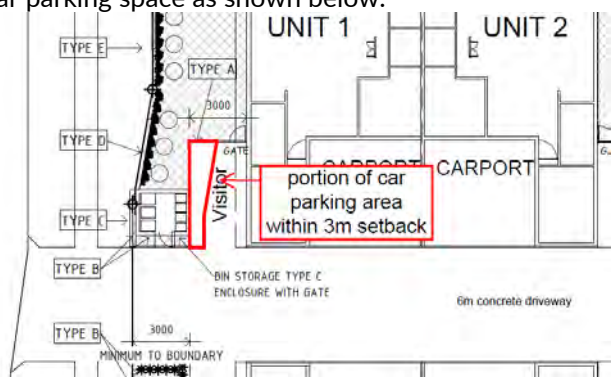
4.	Use and development is to include the minimum number of car parking spaces specified in the table to this clause (rounded up to the next whole number).	Complies – the proposal is for 12 dwellings which requires 24 car parking spaces; the applicant proposes 30 which will result in a surplus of 6 car parking spaces.
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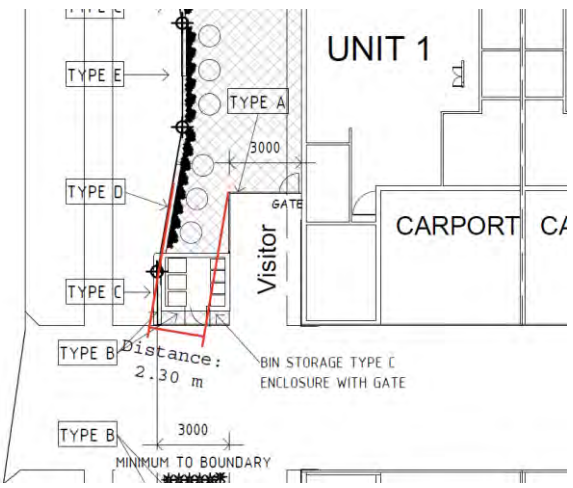
Use or Development	Minimum Number of Car Parking Spaces Required
Club	10 for every 100m ² of net floor area used as a lounge bar or beer garden <u>Plus</u> 20 for every 100m ² of net floor area used as a bar <u>Plus</u> 3 for every 100m ² of net floor area used for dining <u>Plus</u> Otherwise than specified above, 2.5 for every 100m ² of net floor area unless for the use of a club licenced under the <i>Liquor Act 2019</i>
Community centre	5 for every 100m ² of net floor area
Dwelling-caretakers	1
Dwelling-community residence	1 for every 4 beds <u>Plus</u> 4 for every 100m ² of net floor area used for administrative purposes
Dwelling-group	2 per dwelling

COMPLIES

5.2.4.4 Layout of car parking areas


NTPS2020 guidance / requirement	DAS DLPE comment
Purpose	
Ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.	<p><i>“car parking area” means an area set aside or designated for the parking of three or more motor vehicles.</i></p> <p>The proposed development on the site includes a car parking area single driveway access to the site servicing the 26 car parking spaces</p>

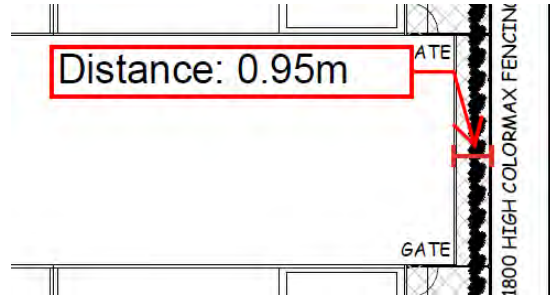
		Consistent with purpose – the proposed car parking area is safe and functional.
Administration		
1.	This clause does not apply to a car parking area where the car parking is required in association with a dwelling-single, dwelling-independent or a home based business .	Applicable - the proposal is not for the listed uses and therefore this clause is applicable.
2.	A car parking area may be used for the purpose of a market if:	Not applicable – the proposal is not for a market.
(a)	a market is Permitted in the zone; and	
(b)	the market operates outside of the operating hours of the use for which the car parking area is established.	
3.	The consent authority may consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.	<p>Applicable – the proposal does not fully comply with sub-clause 6. The non-compliances for a small portion of 1 car parking space as shown below.</p>  <p>The car parking space is reasonably screened from the street and adjacent lots by a bin area and landscaping and is unlikely to impact detrimentally on the amenity of the surrounding locality.</p>
4.	The consent authority may consent to a car parking area that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.	Not applicable – the proposal complies with sub-clauses 7 and 8.
5.	The consent authority may consent to a car parking area that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.	Not applicable – the proposal complies with sub-clause 9.
Requirements		
6.	A car parking area is to:	Does not comply (variation requested) – all car parking spaces are set back 3 or more metres from the boundaries abutting a road with the exception to the visitor car park located next to 'Unit 1' which is set back 2.3m (see below).
(a)	be not less than 3m from any lot boundary abutting a road; and	

	<p>(b) provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the car parking area when viewed from the road.</p>	 <p>The diagram shows a site plan for UNIT 1. It includes a carport labeled 'CARPORT C'. Various parking types are indicated: TYPE A, TYPE B, TYPE C, TYPE D, and TYPE E. Dimensions include a 3000 unit setback, a 2.30 m distance, and a 3000 unit minimum to boundary. A 'Visitor' area is also shown. The text below the diagram states: 'The carparking spaces for the units are located within carports and are well screened from the streets. The visitor car parking spaces towards the primary street boundary include landscaping to the setback areas.'</p>
7.	<p>A car parking area is to be constructed and maintained to be:</p> <p>(a) of a suitable gradient for safe and convenient parking; and</p> <p>(b) sealed and well drained in urban areas, or dust suppressed in non-urban areas.</p>	<p>Complies – the drawings indicate the driveway and parking bays will be reasonably level and is expected to be graded accordingly (existing site conditions are a slight gradient – Angel Road towards Lot 11202), and the landscaping/stormwater plans show the car parking area as being concrete with drainage points.</p>
8.	<p>The layout of a car parking area is to:</p> <p>(a) be functional and provide separate access to every car parking space;</p> <p>(b) allow a vehicle to enter from and exit to a road in a forward gear;</p> <p>(c) be in accordance with the dimensions set out in the diagram to this clause; and</p> <p>(d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.</p>	<p>Complies – each car parking space can be accessed (separately) from the central driveway and the car parking area allows vehicles to enter and exit the site, to a public road in forward gear. Each visitor car parking space is 5.5m deep and at least 3m wide. The carport areas are 5.6m deep 5.8m wide which is a suitable size for 2 car parking spaces.</p>
9.	<p>The number of access points to the road is to be limited, and access points to car parking areas are to:</p> <p>(a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and</p> <p>(b) maximise sight lines for drivers entering or exiting the car parking area.</p>	<p>Complies – the application proposes 1 access point to a public road and 6m wide two-way driveway. Sight lines when entering and exiting the car areas are not unreasonably blocked.</p>

DOES NOT COMPLY – sub-clause 6 (only)**5.2.6 Landscaping****5.2.6.1 Landscaping in Zones other than Zone CB**

NTPS2020 guidance / requirement		DAS DLPE comment
Purpose		
Ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.		Consistent with purpose – the species proposed are considered attractive, mostly waterwise and unlikely to impact on safety.
Administration		
1.	Landscaping may include provision of paved areas and areas for entertainment and recreational activities.	Not applicable – no paved areas are proposed.
2.	The consent authority may consent to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.	Applicable – the proposal does not comply with sub-clauses 5 and 7. The proposal is consistent with the clause purpose as discussed above. The proposal generally meets the landscaping outcome of Zone MR relevant to the below non-compliances. The amount of landscaping proposed is considered an adequate amount in this instance as it is located around the boundary of the lot which will assist in on-site stormwater infiltration and is unlikely to impact on the amenity of the streetscape, locality or adjoining properties. It is noted, however, that the species chosen for the majority of the boundary have maximum heights of 1.5m which is unlikely to provide adequate screening to the private open space areas.
Requirements		
3.	Where landscaping is required by this Scheme it should be designed so that:	Applicable – 3m of landscaping is required within the setback of a <i>car parking area</i> , and at least 30% of the site is required to be landscaped and at least 2m of side and rear setbacks are to include planting to the length of the setback.
(a)	planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered car parking areas ;	Complies – planting is proposed along the entire lot boundary with exception to driveways and bin storage areas. Additionally, no communal open space is proposed, and all car parking areas are either covered or partially covered.
(b)	it maximises efficient use of water and is appropriate to the local climate;	Complies – the application proposes Hibiscus Tiliaceus Rubra, Tebernaemontana, Heliconias and Syzygium Australes. The plant selection is mostly waterwise and the applicant indicates that “ <i>water-wise irrigation will be utilised</i> ”.

(c)	it takes into account the existing streetscape, or any landscape strategy in relation to the area;	<p>Can Comply –</p> <p>The local government council has policies regarding landscaping (generally) and verge works: https://palmerston.nt.gov.au/your-services/your-property/maintaining-your-property-and-verge</p> <p>Council have identified the following matters:</p> <ul style="list-style-type: none"> • <i>If Council owned trees are required to be removed from the verge to accommodate the access, City of Palmerston may require a financial contribution toward the establishment of trees at another location. You are encouraged to contact Council to discuss this matter further.</i> • <i>Irrigation in the Council verge is not supported and reference should be removed from the endorsed drawings.</i>
(d)	significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;	<p>May Comply – the applicant indicates that “there are no existing trees or vegetation on site”.</p> <p>DAS DLPE notes that there is at least one tree on the site (south west corner of site) – this will need to be removed.</p>  <p style="text-align: center;">Lind Road frontage of site</p>
(e)	energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;	<p>Complies – the buildings are one-storey and the applicant proposes Hibiscus Tiliaceus Rubra (grows up to 7m in height) along the east and west boundaries which will assist shading of the buildings in the afternoon.</p> <p>It is noted that no shade trees are proposed along the north boundary however the orientation of the buildings allow passive shading for the majority of the units (not including the north most units).</p>
(f)	the layout and choice of plants permits surveillance of public and communal areas; and	<p>Complies – the fence along the east boundary (facing Angel Road) and portions of the south boundary (facing Lind Road) are visually permeable. The proposed plants along these fence lines include plants that grow to 1m – 1.5m in height and allow surveillance of these public areas.</p>
(g)	it facilitates on-site infiltration of stormwater run-off.	<p>Complies – the proposed development includes permeable landscaping around the majority of the lot boundary and large areas of permeable landscaping</p>

			throughout the development which will facilitate on-site infiltration of stormwater.
4.	The quality and extent of the landscaping consented to must be maintained for the life of the development.		Applicable – ongoing requirement (can be a condition on a Development Permit).
5.	Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.		Does not comply (variation requested) – the lot has a site area of 3430m ² ; 30% of 3430m ² is 1029m ² . The applicant indicates that there is ~975m ² of (28.42% of site area) landscaping proposed.
6.	In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.		Not applicable – proposal is not located within these zones.
7.	In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.		Does not comply – approximately 0.95m (wide) of planting is proposed along the north side boundary at the end of the driveway. 

DOES NOT COMPLY

5.4.1 Residential Density

NTPS2020 guidance / requirement		DAS DLPE comment
Purpose		
Ensure that the development of residential buildings :		As per below.
(a)	is of a density compatible with adjoining or nearby existing development or development reasonably anticipated;	Consistent with purpose - The proposal is reasonably low density for what could potentially be established within Zone MR. The 'Compact Urban Growth Policy' encourages higher density developments closer to activity centres (adjacent lot). As such it is questionable whether the proposed development is compatible with the adjoining commercial development.
(b)	is of a density compatible with the existing or planned provision of reticulated services and community facilities which will service the area; and	Consistent with purpose – The land is within Zone MR and therefore it is expected that higher density developments can be supported by existing reticulated services.
(c)	is consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms	Consistent with purpose – No land constraints have been identified, the site is without significant gradient and is located within Zone MR. The land is considered

	or soil characteristics, heritage constraints or noise from aircraft operations.	capable of supporting higher density development (ie: 2 + storey design / dwellings-multiple).																
<u>Administration</u>																		
1.	The consent authority may consent to a development that is not in accordance with sub-clause 2 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.	Not applicable – the proposal complies with sub-clause 2.																
<u>Requirements</u>																		
2.	<p>The maximum number of dwellings that may be constructed on a site is to be determined in accordance with Table A, B, C or D (as the case requires) to this clause.</p> <table><tr><th colspan="4">Table B to Clause 5.4.1: Dwelling Density for dwelling-group and dwelling-single in Zone MR other than in Alice Springs</th></tr><tr><th>Number of storeys above ground level</th><th>1 or 2 bedrooms</th><th>3 bedrooms</th><th>4 bedrooms</th></tr><tr><td>1</td><td>155m²</td><td>180m²</td><td>215m²</td></tr><tr><td>2</td><td>125m²</td><td>170m²</td><td>210m²</td></tr></table>	Table B to Clause 5.4.1: Dwelling Density for dwelling-group and dwelling-single in Zone MR other than in Alice Springs				Number of storeys above ground level	1 or 2 bedrooms	3 bedrooms	4 bedrooms	1	155m ²	180m ²	215m ²	2	125m ²	170m ²	210m ²	<ul style="list-style-type: none">• A <i>dwelling-group</i> development is proposed.• The site is in Palmerston, and within land in Zone MR.• The proposed dwellings are all single storey with 3 bedrooms. <p>Complies – the maximum number of dwellings-group that may be constructed (1 storey/3 bedrooms) within Zone MR is 1 dwelling per 180m². The application proposes a density of 1 dwelling per 285.83m².</p>
Table B to Clause 5.4.1: Dwelling Density for dwelling-group and dwelling-single in Zone MR other than in Alice Springs																		
Number of storeys above ground level	1 or 2 bedrooms	3 bedrooms	4 bedrooms															
1	155m ²	180m ²	215m ²															
2	125m ²	170m ²	210m ²															

COMPLIES

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

NTPS2020 guidance / requirement		DAS DLPE comment
<u>Purpose</u>		
Ensure that residential buildings and ancillary structures are located in a manner that:		To be determined by the DCA - the surrounding residential lots are zoned LMR and LR. The application proposes similar setbacks to those established in the surrounding area and what would be reasonably anticipated on the neighbouring vacant LMR lot (Lot 11201). Although the proposal provides adequate screening between adjoining properties, the proposal does not appear to provide adequate screening from the streets.
(a)	is compatible with the streetscape and surrounding development including residential buildings on the same site;	
(b)	minimises adverse effects of building massing when viewed from adjoining land and the street;	
(c)	avoids undue overlooking of adjoining properties; and	
(d)	facilitates breeze penetration through and between buildings.	
<u>Administration</u>		
1.	This clause does not apply in Zones CB, C, LI, GI and DV.	Subject site is Zoned MR
2.	In this clause:	See below.

	(a)	an ancillary structure includes an outbuilding (excluding shade sails), balcony, portico and the like, which may or may not include external walls; and	Ancillary structures are included in the design
	(b)	for all developments except dwellings-multiple in Zone MR or HR, where a lot has a boundary with a public street from which vehicular access to the lot is restricted by the controlling Agency or local government council, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the building setback.	<p>Schedule 2 of the NTPS2020 provides the following definition for primary street:</p> <p><i>“primary street means the street or where there is more than one street, the street with the wider carriageway or that which carries the greater volume of traffic but does not include any street where access is restricted by the controlling Agency”</i></p> <ul style="list-style-type: none">• Roads are controlled by the City of Palmerston.• There are no restrictions on access.• Primary Street = Lind Road• Secondary Street = Angel Road
3.	The consent authority may consent to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.		To be determined by Development Consent Authority – (sections 51, 52, 53 of Planning Act 1999).
4.	If a building setback plan in Schedule 9 does not establish a specific setback to a nominated boundary, residential buildings and ancillary structures are to be set back from that boundary in accordance with subclause 6(a) or clause 5.4.3.3 as appropriate.		Not Applicable
5.	Despite sub-clause 6, sheds in Zones other than H, A, RR, RL and R may have a nil setback to the side and rear boundaries provided it is:		None included in development
	(a)	6m or more from the primary street and 2.5m or more from a secondary street when measured to the wall of the shed or where there is no wall, the outer face of any column;	
	(b)	has a cumulative floor area of 15m ² or less;	
	(c)	is 2.5m or less in height;	
	(d)	has no openings in walls that are less than 1.5m from a lot or unit title; and	
	(e)	does not discharge rainwater on an adjacent lot or unit title	
Requirements			
6.	Subject to clause 5.2.7, building setbacks of residential buildings and ancillary structures are to		Clause 5.2.7 is not considered to be relevant to the subject site / proposed development.

	be set back from lot boundaries in accordance with:	<p>Schedule 2 of the NTPS 2020 provides the following definitions for building setback:</p> <p>“building setback means the distance from any lot boundary to a building or structure and shall be measured from all boundaries to:</p> <ul style="list-style-type: none">• the wall of a building or structure;• the outer surface of the railings of a balcony or verandah;• the outer surface of any support column of a ground level verandah; and• the outer surface of any support column for structures without external walls except that the setback of a shade sail is measured to the outer extremity of the fabric. <p>In the event of a site having frontage to more than one street, the building setback through the corner truncation is measured from the intersecting point of the primary street setback and the secondary street setback”</p> <p>Schedule 2 of the NTPS 2020 provides the following definitions for residential building:</p> <p>“residential building means a building or part of a building used or developed or proposed to be developed for a dwelling-community residence, dwelling-caretakers, dwelling-group, dwelling-independent, dwelling-multiple, dwelling-single, hotel/motel, residential care facility, or rooming accommodation”</p>																
(a)	the relevant table to this clause; or <table border="1"><caption>Table B to Clauses 5.4.3: Minimum building setbacks for residential buildings, ancillary structures and balconies in Zones MR and HR</caption><thead><tr><th>Lot Boundary</th><th>Minimum Setback for first four storeys above ground level</th><th>Minimum Setback above first four storeys above ground level</th><th>Minimum setback for roofline</th></tr></thead><tbody><tr><td>Primary street frontage</td><td>6m for residential buildings and ancillary structures 9m for balconies</td><td>9m for residential buildings 6m for balconies</td><td>2.1m - provided that no supporting member is located within 6m of the boundary</td></tr><tr><td>Secondary street frontage</td><td>4.5m for residential buildings and ancillary structures 1.5m for balconies</td><td>7.5m for residential buildings 4.5m for balconies</td><td>2.1m - provided that no supporting member is located within 4.5m of the boundary</td></tr><tr><td>Side and rear lot boundaries</td><td>9m for residential buildings, ancillary structures and balconies</td><td>6m for residential buildings 4.5m for balconies</td><td>2.1m</td></tr></tbody></table>	Lot Boundary	Minimum Setback for first four storeys above ground level	Minimum Setback above first four storeys above ground level	Minimum setback for roofline	Primary street frontage	6m for residential buildings and ancillary structures 9m for balconies	9m for residential buildings 6m for balconies	2.1m - provided that no supporting member is located within 6m of the boundary	Secondary street frontage	4.5m for residential buildings and ancillary structures 1.5m for balconies	7.5m for residential buildings 4.5m for balconies	2.1m - provided that no supporting member is located within 4.5m of the boundary	Side and rear lot boundaries	9m for residential buildings, ancillary structures and balconies	6m for residential buildings 4.5m for balconies	2.1m	The table below addresses building setbacks
Lot Boundary	Minimum Setback for first four storeys above ground level	Minimum Setback above first four storeys above ground level	Minimum setback for roofline															
Primary street frontage	6m for residential buildings and ancillary structures 9m for balconies	9m for residential buildings 6m for balconies	2.1m - provided that no supporting member is located within 6m of the boundary															
Secondary street frontage	4.5m for residential buildings and ancillary structures 1.5m for balconies	7.5m for residential buildings 4.5m for balconies	2.1m - provided that no supporting member is located within 4.5m of the boundary															
Side and rear lot boundaries	9m for residential buildings, ancillary structures and balconies	6m for residential buildings 4.5m for balconies	2.1m															
(b)	any setbacks established in a building setback plan that is included in Schedule 9.	Not Applicable to site / proposed development																
7.	Where a zero or 300mm setback is identified on a building setback plan in Schedule 9, a zero or 300mm setback can only be established to the boundary nominated on the setback plan.	Not Applicable to site / proposed development																
8.	Unless detailed in a table to this clause or within a building setback plan in Schedule 9, no part of the roof structure, including gutters and eaves, is to	The table below addresses roof eave building setbacks																

	encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.	
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The proposed development will comply/not comply with sub-clause 6 as summarised in the table below:

TABLE B to clause 5.4.3 (Minimum Building Setbacks for Residential Buildings, Ancillary Structures and Balconies in Zones MR and HR)

Lot Boundary	Minimum Building Setbacks for first four storeys above ground level	Building Setback(s) Proposed			Complies ?
Primary Street frontage (Lind Road)	6m for residential buildings, and ancillary structures with external walls and 3m for balconies; and 2.1m minimum setback for roofline (provided that no supporting member is located within 6m of the boundary)	Building containing Unit 1	Wall of dwelling	4.948m	No
			Roofline (of dwelling)	4.348m	Yes
			Gutters (of dwelling)		
			Verandah (support column)	4.948m	No
			Roofline (of verandah)	4.348m	Yes
		Building containing Unit 7	Wall of dwelling	6m	Yes
			Roofline (of dwelling)	5.4m	Yes
			Gutters (of dwelling)	5.4m	Yes
Secondary Street (truncation)	4.5m for residential buildings and ancillary structures, and 1.5m for balconies and 2.1m minimum setback for roofline (provided that no supporting member is located within 4.5m of the boundary)	Building containing Unit 7	Verandah (support column) – ancillary structure (not a balcony)	2.541m	No
			Roofline (of verandah) – ancillary structure (not a balcony)	2.117m	No
Secondary Street (Angel Road)	4.5m for residential buildings and ancillary structures, and 1.5m for balconies and 2.1m minimum setback for roofline (provided that no supporting member is located within 4.5m of the boundary)	Building containing Units 7 and 8	Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
			Gutters (of each dwelling)		
			Verandah (support column)	4.140m	No
			Roofline (of verandah)	4.140m	No
		Building Containing Units 9 and 10	Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
			Gutters (of each dwelling)		

			Verandah (support column)	4.140m	No
			Roofline (of verandah)	4.140m	No
		Building Containing Units 11 and 12	Wall of each dwelling	4.140m	No
			Roofline (of each dwelling)	4.140m	Yes
			Gutters (of each dwelling)	4.140m	Yes
			Verandah (support column)	4.140m	No
			Roofline (of verandah)	4.140m	No
Side Boundary (North / Lot 11201)	3m for residential buildings, and ancillary structures with external walls <u>and</u> 3m for balconies; <u>and</u> 2.1m minimum setback for roofline	Building Containing Unit 12	Wall of each dwelling	2.24m	No
			Roofline (of dwelling)	1.64m	No
			Gutters (of dwelling)		
			Verandah (support column)	2.24m	No
			Roofline of verandah	1.64m	No
		Building Containing Unit 6	Wall of each dwelling	2.24m	No
			Roofline (of dwelling)	1.64m	No
			Gutters (of dwelling)	15.6m	Yes
			Verandah (support column)	2.24m	No
			Roofline of verandah	1.64m	No
Side (West / Lot 11202)	3m for residential buildings, and ancillary structures with external walls <u>and</u> 3m for balconies; <u>and</u> 2.1m minimum setback for roofline	Building Containing Units 5 and 6	Wall of each dwelling	4.2m	Yes
			Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes
		Building Containing Units 3 and 4	Wall of each dwelling	4.2m	Yes
			Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes
		Building Containing	Wall of each dwelling	4.2m	Yes

		Units 1 and 2	Roofline (of each dwelling)	4.2m	Yes
			Verandah (support column)	4.2m	Yes
			Roofline of verandah	4.2m	Yes

DOES NOT COMPLY

5.4.3.2 Distance Between Residential Buildings on One Site

NTPS2020 guidance / requirement		DAS DLPE comment						
Purpose								
Ensure residential buildings provide a sympathetic interface with the streetscape and surrounding development, minimise adverse effects of building massing, and avoid undue overlooking of adjoining residential buildings and private open space.		<p>Consistent with purpose – the proposal is for 12 dwellings within 6 x one-storey buildings. The proposal includes varied heights, setbacks and apertures to break up any expanse of blank walls and allows breeze penetration through buildings.</p> <p>It is noted that applicant proposed 1.5m tall landscaping and fencing along street boundaries which is unlikely to adequately screen the private open spaces.</p>						
Administration								
1.	The consent authority may consent to a development that is not in accordance with sub-clauses 2 and 3 only if it is satisfied it is consistent with the purpose of this clause and that the design of the development adequately mitigates the adverse effects of building massing and privacy and overlooking impacts that may arise from non-conformity with sub-clauses 2 and 3.	Not applicable – the proposal complies with sub-clauses 2 and 3.						
Requirements								
2.	<p>Where more than one building comprising one or two storey residential buildings is located on a site the distance between the buildings is to be calculated in accordance with Table A to Clause 5.4.3 as if there was a lot boundary between the buildings.</p> <table border="1"> <caption>Table A to Clause 5.4.3: Minimum building setbacks for residential buildings and ancillary structures in zones other than RR, RL, R, H and A</caption> <thead> <tr> <th>Lot Boundary</th><th>Minimum Setback for 1 or 2 storey buildings</th><th>Minimum Setback for buildings over 2 storeys</th></tr> </thead> <tbody> <tr> <td>Side and rear lot boundaries</td><td> <p>1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall:</p> <ul style="list-style-type: none"> only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; does not extend beyond a maximum height of 3.5m, and does not extend beyond a maximum length of 9m <p>except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback</p> </td><td> <p>3m for residential buildings with</p> <ul style="list-style-type: none"> habitable rooms with windows or doors facing the subject boundary; and verandahs and/ or balconies facing the subject boundary; and shade sails <p>or</p> <p>1.5m for residential buildings where the subject wall only includes:</p> <ul style="list-style-type: none"> non-habitable rooms; habitable rooms without windows and/ or doors facing the boundary; and ancillary structures, whether with or without external walls excluding, verandahs, balconies or shade sails </td></tr> </tbody> </table>	Lot Boundary	Minimum Setback for 1 or 2 storey buildings	Minimum Setback for buildings over 2 storeys	Side and rear lot boundaries	<p>1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall:</p> <ul style="list-style-type: none"> only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; does not extend beyond a maximum height of 3.5m, and does not extend beyond a maximum length of 9m <p>except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback</p>	<p>3m for residential buildings with</p> <ul style="list-style-type: none"> habitable rooms with windows or doors facing the subject boundary; and verandahs and/ or balconies facing the subject boundary; and shade sails <p>or</p> <p>1.5m for residential buildings where the subject wall only includes:</p> <ul style="list-style-type: none"> non-habitable rooms; habitable rooms without windows and/ or doors facing the boundary; and ancillary structures, whether with or without external walls excluding, verandahs, balconies or shade sails 	<p>6 x single storey “residential buildings” are proposed. The minimum building setback distance (requirement) between each of the residential buildings is 3m (walls).</p> <p>Complies –At closest points, the application proposes a minimum distance of 3.25m between all “residential buildings” (table A to Clause 5.4.3 provided below).</p>
Lot Boundary	Minimum Setback for 1 or 2 storey buildings	Minimum Setback for buildings over 2 storeys						
Side and rear lot boundaries	<p>1.5m for residential buildings and ancillary structures or 1m, provided that the subject wall:</p> <ul style="list-style-type: none"> only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; does not extend beyond a maximum height of 3.5m, and does not extend beyond a maximum length of 9m <p>except shade sails which may be setback 0.9m to a maximum height of 2.5m at minimum setback</p>	<p>3m for residential buildings with</p> <ul style="list-style-type: none"> habitable rooms with windows or doors facing the subject boundary; and verandahs and/ or balconies facing the subject boundary; and shade sails <p>or</p> <p>1.5m for residential buildings where the subject wall only includes:</p> <ul style="list-style-type: none"> non-habitable rooms; habitable rooms without windows and/ or doors facing the boundary; and ancillary structures, whether with or without external walls excluding, verandahs, balconies or shade sails 						

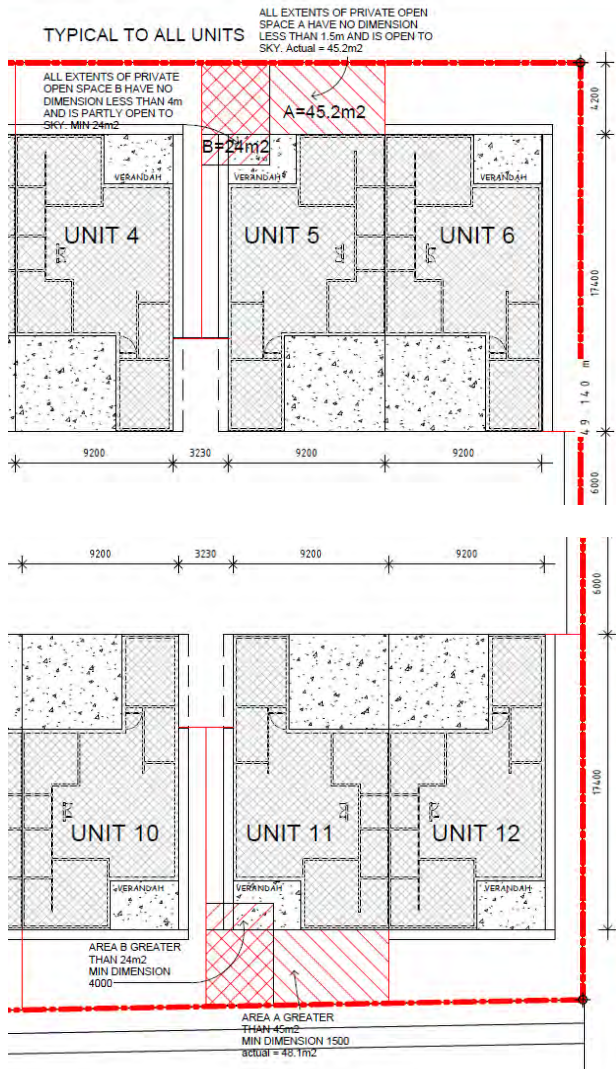
3.	Where more than one building comprising residential buildings that exceeds two storeys in height is located on a site, the distance between buildings is to be a minimum of:		Not Applicable – all buildings are single storey
	(a)	3m for walls to non-habitable rooms and habitable rooms without windows or doors; and	
	(b)	4.5m for walls with windows or doors to habitable rooms or to a verandah or balcony.	
4.	For each storey over four storeys, the distance between buildings referred to in sub-clause 3 is measured from a straight line that is half the average distance between the walls of the buildings.		

COMPLIES

5.4.6 Private Open Space

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

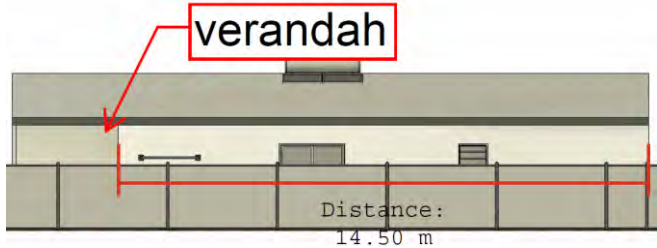
NTPS2020 guidance / requirement		DAS DLPE comment
<u>Purpose</u>		
Extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:		See below
(a)	of an adequate size to provide for domestic purposes;	Consistent with purpose – the private open space area complies with minimum size requirements.
(b)	appropriately sited to provide outlook for the dwelling ;	Consistent with purpose – the private open space area of each dwelling can be viewed from the 'Living' area and 'Bedroom 1' of the related dwelling.
(c)	open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site ; and	Consistent with purpose – private open space of each dwelling complies with 'open to the sky' and permeability requirements.
(d)	inclusive of areas for landscaping and tree planting.	Consistent with purpose – the private open space of each dwelling includes areas for landscaping and tree planting.
<u>Administration</u>		
1.	The consent authority may consent to private open space that is not in accordance with sub-clauses 2 and 3 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.	To be determined – the proposal is consistent with the clause purpose as discussed above however it is unclear if the species chosen to screen the private open spaces adjacent the east boundary will adequately screen the private open space area.
<u>Requirements</u>		
2.	Private open space should:	

(a)	<p>satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;</p> <table><tr><th colspan="2">Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group</th></tr><tr><td colspan="2">For clarity, in this table:</td></tr><tr><td colspan="2">Area A is the minimum area, for each <i>dwelling</i>, that must be open vertically to the sky and have no dimension less than 1.5m.</td></tr><tr><td colspan="2">A least half of Area A must be permeable, and may include the 5m² required for deep soil planting.</td></tr><tr><td colspan="2">Area B is the minimum dimensioned space that extends the function of the <i>dwelling</i> and may be covered or open to the sky.</td></tr><tr><td colspan="2">Any part of Area B that is open to the sky may form part of Area A.</td></tr><tr><th>Type of Dwelling</th><th>Private Open Space Area</th></tr><tr><td>Dwelling-group</td><td>A, 45m², open vertically to the sky, with no dimension less than 1.5m; and</td></tr><tr><td>Dwelling-single on a lot less than 450m²</td><td>B, 24m², all or partly covered, with no dimension less than 4m</td></tr><tr><td>Dwelling-independent in addition to the private open space requirement for the dwelling - single</td><td></td></tr></table>	Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group		For clarity, in this table:		Area A is the minimum area, for each <i>dwelling</i> , that must be open vertically to the sky and have no dimension less than 1.5m.		A least half of Area A must be permeable, and may include the 5m ² required for deep soil planting.		Area B is the minimum dimensioned space that extends the function of the <i>dwelling</i> and may be covered or open to the sky.		Any part of Area B that is open to the sky may form part of Area A .		Type of Dwelling	Private Open Space Area	Dwelling-group	A , 45m ² , open vertically to the sky, with no dimension less than 1.5m; and	Dwelling-single on a lot less than 450m ²	B , 24m ² , all or partly covered, with no dimension less than 4m	Dwelling-independent in addition to the private open space requirement for the dwelling - single		<p>Complies – The applicant demonstrates a compliant amount of private open space area A and area B in the ‘SITE PLAN – POS’ drawing submitted with the application.</p> <p>The applicant provides POS dimensions for units 5 and 11. Unit 5 has the same POS dimensions as units 2 through to 6 (unit 6 provides slightly more POS due to north boundary setback). Unit 11 proposes the least amount of POS out of units 8 through to 12 due to the angle of the boundary and north boundary setback. The POS spaces of each dwelling are located towards the rear of the structures. Units 1 and 7 are along the primary street boundary and include additional private open space along the primary street boundaries. Both units 5 and 11 are shown to have compliant POS areas.</p> 
Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group																						
For clarity, in this table:																						
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Dwelling-independent in addition to the private open space requirement for the dwelling - single																						
(b)	<p>be directly accessible from the <i>dwelling</i> and enable an extension of the function of the <i>dwelling</i>; and</p>	<p>Complies – private open space area B of each unit is directly accessible via the ‘living’ room of each dwelling.</p>																				
(c)	<p>be located to provide views from the <i>dwelling</i> to open space and natural features of the <i>site</i></p>	<p>Complies – private open space is viewable from ‘bedroom 1’ and the ‘living’ area of each dwelling.</p>																				

		or locality, and to reduce overlooking from neighbouring open space and dwelling s;	
	(d)	ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site ;	Complies – the majority of the private open space for each dwelling is permeable.
	(e)	include at least one area of at least 5m ² , with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and	Complies – the 'LANDSCAPING PLAN' submitted with the application indicates there is at least 5m ² of area available for planting along the lot boundaries with no dimensions less than 1.5m
	(f)	allow for landscaping at the property frontage to complement the visual amenity of the streetscape.	Complies – the 'LANDSCAPING PLAN' submitted with the application shows landscaping along the entire lot boundary with the exception to the bin storage area and the mailbox area (located in between 'Unit 7' and the Lind Road boundary).
3.	Where the private open space for a dwelling-group is at ground level, it should be:		Does not comply (variation requested) – the 'LANDSCAPING PLAN' submitted with the application shows 1.8m tall screen fencing between the private open spaces of the units and adjacent lots however only a 1.5m tall tubular fence is proposed between the private open spaces of each unit and the street frontages.
	(a)	screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or	It is noted that the plants proposed to screen the private open space areas grow to a maximum height of 1.5m which may have detrimental impacts to the privacy of the private open space areas.
	(b)	fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.	

DOES NOT COMPLY**5.4.8 Residential Building Design****5.4.8.1 Building Design for Dwelling-group, Rooming Accommodation and Residential Care Facility**

NTPS2020 guidance / requirement	DAS DLPE comment
<u>Purpose</u>	
Promote site-responsive designs for dwelling-group , rooming accommodation and residential care facility , which provide a pleasant living environment for the occupants and a sympathetic interface with adjoining lots, to minimise unreasonable impacts on the privacy and amenity of surrounding residents.	Consistent with purpose – the proposal generally complies with all relevant requirements below and is considered to provide a pleasant living environment for the occupants and good screen fencing between adjoining lots.
<u>Administration</u>	

1.	This clause does not apply when only two dwelling s form the dwelling s-group.	12 x dwelling-sgroup are proposed
2.	The consent authority should take into account how the building design has addressed sub-clauses 3-14.	The assessment has considered sub-clauses 3 through to 14 which are discussed below.
Requirements		
3.	Locate development on the site for correct solar orientation.	Complies – the application proposes 6 x residential buildings (each building containing two dwellings). Each dwelling is orientated so that the shorter facades of the building are facing east and west. The positioning / orientation of the buildings allow all dwellings with the exception to Units 6 and 12 to be shaded from the northern sun.
4.	Minimise expanses of walls by varying building heights , building setbacks and façades.	<p>Complies – the longest length of blank wall proposed is 14.5m (walls facing north and south). The wall includes windows that break up the blank wall.</p> 
5.	Locate air conditioners where they are accessible for servicing.	<p>Complies – the plans do not show the location of the air-conditioning units; the applicant identifies that “air conditioners have been located for easy access for servicing. The Bedroom 2 air-conditioning unit will be on the up high on the back wall of the carport. The main bedroom unit will be on the rear wall & the Bedroom 3 & living room will be on the side, behind the Colorbond® wing fence.”</p> <p>This requirement can be addressed further via a condition on a development permit.</p>
6.	Conceal service ducts, pipes, air conditioners, air conditioning plants etc.	Complies – no service ducts, pipes, air conditioner units, etc have been shown on the plans. A standard condition requiring the screening of services can be included on any permit issued.
7.	Avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites .	<p>Complies – the proposed private open space areas are at ground level and unlikely to allow overlooking of adjacent properties. The development on the adjacent commercial lot is one-storey and unlikely to allow overlooking into the proposed private open spaces areas. The adjacent lot to the north is vacant.</p> <p>It is noted that 1.5m tall fences and landscaping are proposed along the street boundaries and are unlikely to</p>

		prevent overlooking into the private open space areas of units 1 and 7 through to 12.
8.	Locate bedrooms and private open spaces away from noise sources.	Generally Complies – no noise sources other than expected noise sources within an urban area have been identified. Commercial development on Lot 11202 is setback the mandatory 3m from boundary and existing solid metal boundary fence is in place.
9.	Control its own noise sources and minimise the transmission of noise between dwelling s.	Complies – no unreasonable noises above that expected by a dwelling development is anticipated. 200mm reinforced blockwalls are proposed between dwellings.
10.	Where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction.	Complies – no high noise sources relevant to the application have been identified.
11.	Balance the achievement of visual and acoustic privacy with passive climate control features.	Complies – reasonable privacy has been achieved through landscaping and 1.8m tall screening fences between buildings. Verandah areas have been located away from neighbouring verandahs that allow for acoustic privacy.
12.	Allow breeze penetration and circulation.	Complies - a 3m gap between buildings is proposed which allows for breeze penetration and circulation.
13.	Minimise use of reflective surfaces.	Complies – the facades are a mix of rendered walls and vertical cladding which are unlikely to be unreasonably reflective.
14.	Provide internal drainage of balconies and coving on the edge of balconies.	Not applicable – no balconies are proposed.

COMPLIES


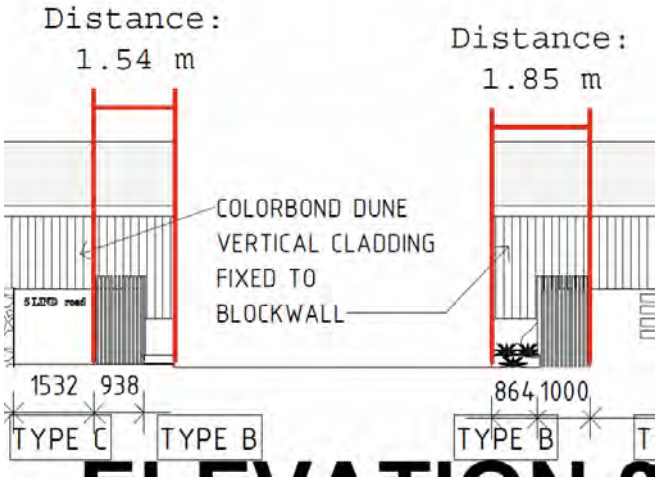
5.4.17 Building Articulation

NTPS2020 guidance / requirement		DAS DLPE comment
Purpose		
Ensure that residential buildings mitigate the perception of building mass and bulking when viewed from adjoining properties and the street, and provide opportunities for cross-ventilation within building design.		Not applicable – no facades exceed 15m.
Administration		
1.	This clause applies to all sides of residential buildings that are longer than 15m, except the ground floor of buildings in Zone CB.	Not applicable – no facades exceed 15m (building lengths are approximately 14.5m).
2.	The consent authority may consent to a development that is not in accordance with sub-clause 4 only if it is satisfied it is consistent with the purpose of this clause.	

3.	The length of the building excludes verandahs, balconies, porches and carports integrated into the residential building design.	
<u>Requirements</u>		
4.	A step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part thereof.	Not applicable – no facades exceed 15m.

NOT APPLICABLE**5.4.18 Fencing****5.4.18.1 Fencing in Zones MR and HR**

NTPS2020 guidance / requirement		DAS DLPE comment
<u>Purpose</u>		
Promote fencing in medium and high density areas that provides a positive interface with the public domain, while allowing necessary privacy for residents and neighbouring properties.		Not consistent with clause purpose – while the proposed fencing complies with the fencing requirements, the proposed fencing between private open spaces and adjacent roads are only 1.5m in height which will not allow for necessary screening for these areas.
<u>Administration</u>		
1.	The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied the fence enhances the streetscape and allows for passive surveillance to the public domain.	Not applicable – proposal complies with relevant requirements.
2.	The consent authority may consent to a use or development that is not in accordance with sub-clause 5 if it is satisfied the fencing provides sufficient sightlines for pedestrian and cyclist safety.	Not applicable – proposal complies with relevant requirements.
3.	The consent authority may consent to a use or development that is not in accordance with sub-clause 6 if it is satisfied the development protects the privacy of adjacent lower density residential development.	Not applicable – proposal complies with relevant requirements.
<u>Requirements</u>		
4.	All fences adjacent to road boundaries or boundaries adjoining public open space are to be constructed so that:	Property adjoins two road boundaries (no public open space) See comments below.
(a)	the maximum height is 2m above ground level measured at the relevant site boundary; and	Complies – proposed fence heights (on street boundaries) do not exceed 1.8m
(b)	the area of materials that is not visually permeable does not exceed an area equivalent	Complies – the site boundary equals 234.25m. The allowed area of visually impermeable material for fences adjacent a road boundary equals 281.1m ² . The applicant

	to the length of the <i>site</i> boundary (excluding driveways) multiplied by 1.2m.	<p>indicates that the proposed amount of visually impermeable material used for fences adjacent a road boundary is approximately 28m². DAS calculates the area as 16.442m length x 1.5m height which equals 24.663m².</p> 
5.	Fencing within 1.5m of driveways, pedestrian entries, and street corners is to be visually permeable above 0.6m (unless there is truncation provided within these areas to the same distance).	<p>Complies - fencing within 1.5m of the driveway is permeable as shown below.</p> 
6.	Where the development abuts land in Zones LR or LMR, development is to provide a solid screen fence to a minimum height of 1.8m to that boundary.	<p>Complies - 1.8m high screen fencing (solid metal) is proposed along the northern boundary that is adjacent zone LMR (Lot 11201).</p>

COMPLIES

Part 6 – Subdivision Requirements

This application does not propose a subdivision.

NOT APPLICABLE

ID: 632771 – NN:ct

24 April 2025

Development Assessment Services
By email: das.ntg@nt.gov.au

Dear Sir/Madam

Development Application PA2025/0106 for a dwelling group (12 x 3 bedroom) in six single storey buildings at 5 Lind Road, Johnston (Lot 11203, Town of Palmerston)

I refer to the above development application sent to the City of Palmerston on 7 April 2025. The following advice and comment are provided pursuant to Section 49 (3) of the *Northern Territory Planning Act 1999* (the Act).

Underutilisation of MR zoned land and loss of housing choice

The development is proposed on a MR zoned parcel of land. MR zoned land is limited to strategic locations in the municipality, close to activity centres, open space and public and active transit networks where apartment style living and increased densities are encouraged.

Development of MR zoned sites should achieve density targets outlined in the Compact Urban Growth Strategy (CUG) in the NT Planning Scheme, and in doing so contribute to the range of housing choice required to meet the needs of the whole community. The CUG outlines a desired density of 60-dwellings-per-hectare for medium density localities, wherein the proposed development has a density of roughly 35-dwellings-per-hectare.

Whilst it is recognised that the consent authority has broad discretion in reaching a decision on these matters, 'cost of construction' as outlined in the application seems an unreasonable planning argument, particularly where there seems to be a territory-wide ambition to provide a range of housing products and densities to meet community needs. A more comprehensive response from the applicant is needed demonstrating why density targets cannot and should not be achieved.

Notwithstanding the above, if the development is approved, City of Palmerston request the following approval conditions and notes be included on the development permit:

Conditions Precedent

1. Prior to the commencement of works the applicant is to submit to City of Palmerston for approval a stormwater management plan prepared by a suitably qualified professional demonstrating how stormwater is to be collected and discharged to the external stormwater network, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection points and provide confirmation that there is capacity in the existing stormwater network.



(08) 8935 9922

palmerston@palmerston.nt.gov.au




Civic Plaza, 1 Chung Wah Terrace, Palmerston NT 0830

PO Box 1, Palmerston NT 0831

ABN 42 050 176 900

PALMERSTON.NT.GOV.AU



- 
2. Prior to the commencement of use, a waste management plan, including bin storage and screening design, in accordance with Council's Waste Management Guideline is required to be submitted, to the requirements of City of Palmerston, to the satisfaction of the consent authority.
 3. Prior to the commencement of works, the applicant is to prepare and submit a driveway plan to be approved by City of Palmerston, to the satisfaction of the consent authority.

Note: If Council owned trees are required to be removed from the verge to accommodate the access, City of Palmerston may require a financial contribution toward the establishment of trees at another location. You are encouraged to contact Council to discuss this matter further.

General Conditions

1. Stormwater is to be collected and discharged into the drainage network in accordance with the approved stormwater plan for the site, to the technical standards of and at no cost to City of Palmerston to the satisfaction of the consent authority.
2. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street, in accordance with the requirements of City of Palmerston, to the satisfaction of the consent authority.
3. The kerb crossovers and driveways to the site are to meet the technical standards of City of Palmerston, to the satisfaction of the consent authority.
4. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston, to the satisfaction of the consent authority.

Notes

- Any reinstatement works required as a result of any damage or alterations caused to City of Palmerston infrastructure or landscaping must be undertaken by the applicant, to the technical standards of and at no cost to City of Palmerston. This includes grassing the verge between the property boundary and the kerb.
- A signage permit will be required for any signage not in accordance with City of Palmerston advertising device code.
- All approved works must be completed to the satisfaction and technical requirements of City of Palmerston and constructed at the developer's expense.
- Any easements or reserves required for the purpose of drainage, roads, access or for any other purpose which the developer intends on vesting in Council, must be provided free of cost to, and with prior agreement by, City of Palmerston.
- Irrigation in the Council verge is not supported and reference should be removed from the endorsed drawings.

Should you wish to discuss the above, please contact Councils Planning and Development team on or phone (08) 8935 9922 or development@palmerston.nt.gov.au.

Yours sincerely



Nadine Nilon
General Manager Infrastructure

Phone 1800 245 092

Web powerwater.com.au

Record No: D2025/147464

Container No: NE590/11203

Your Ref: PA2025/0106

Daniel Herlihy
Development Assessment Services
GPO Box 1680
Darwin NT 0810

Dear Daniel

Re: Lot 11203 (5) Lind Road Johnston Town of Palmerston

In response to your letter of the above proposal for the purpose of dwelling-group (12 x 3 bedroom) in six single storey buildings, Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. This property is provided with limited capacity of power supply of 117KVA, three phase from pillar P100JN on the property.
2. The developer shall engage a licensed electrician to prepare an overall AS-3000 maximum power demand calculation for the proposed dwelling-group and apply for a Negotiated Connection application under the Australian Energy Regulator (AER) compliance process for PWC's assessment on any power supply capacity upgrade requirements.
3. The engaged licensed electrician shall carry out the customer's internal electricity reticulation installation works for the new dwelling-group in accordance with the PWC's current NP018-Service and Installation Rules 2024 and NP010-Meter Manual.
4. There is a 1m x 1m electricity easement for an existing distribution pillar on the property. Inappropriate fencing prevents PWC gaining 24hr front access for operations and maintenance purposes is not permitted.

If you have any further queries, please contact Andrew Venhuizen, Senior Customer Connections Officer on 8924 5700.

Yours sincerely



Caesar Yik
A/Manager Distribution Development

11 April 2025



Container No: LD590/11203

Daniel Herlihy
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Daniel,

RE: PA2025/0106 - Lot 11203 Town of Palmerston - 5 Lind Road Johnston - Dwelling-group (12 x 3 bedroom)

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

1. The developer may need to upgrade the existing water and sewer service and should contact Services Development prior to start of construction.
2. Multi-metering is required for all new multiple residential dwelling developments that are to be unit-titled. Multi-metering is suitable for up to 12 units.
3. The developer must install the backflow prevention device at the water service. The backflow prevention device must be installed in accordance with the requirements of the AS/NZS 3500.1 – Plumbing and Drainage-Water Supply. It must be maintained in accordance with AS/NZS 2845.1 Water Supply. Contact BackflowPrevention.PWC@powerwater.com.au for all backflow prevention enquiries.
4. The existing water easement within Lot 11203 is still required. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists such as within a road reserve without obtaining the prior written approval of Power and Water.
5. The development application, on drawing No/s. T8626-9, indicates there is a proposed shrubs/trees over the easement. Please refer to the Power and Water [Allowable planting on water and sewer easements guidelines](#)
6. All required works mentioned above must all be at according to Power and Water's Connection Code and at the developer's expense. A letter has been sent to the applicant outlining the fees and charges applicable for this development. All standard and quoted charges, as well as contribution charges will be valid for a period of 6 months from date of letter issue. As required, Power and Water will reassess the charges for the development.
7. Power and Water advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior to construction works commencing.

If you have any further queries, please email waterdevelopment@powerwater.com.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Hemopo', with a stylized flourish at the end.

Sarah Hemopo

Services Development

30th May 2025

cc: Cat Tatam – Tatam Planning Co.

email: cat@tatamplanningco.com.au

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