

# Lodgement Guide: Exceptional Development Permit Application

This guide provides detail about how to use the [Development Applications Online](#)<sup>1</sup> (DAO) form to lodge your application for an exceptional development permit under section 38(1) of the *Planning Act 1999*.

Depending upon the complexity of the proposal, or if you are having difficulty understanding these requirements, it may be in your best interests to engage a professional planner to assist you in the preparation of your application or to prepare it on your behalf.

For information about the overall process, read how to apply for an exceptional development permit on the [NT Government website](#)<sup>2</sup>.

Once you have created an account and logged in, select the 'create new' arrow and the type of application as 'Exceptional Development Permit – New EDP'.

## File types

All files should be saved and uploaded to DAO as either:

- PDF for reports and plans or
- PNG or JPEG for the image of the proposed development

Each file should be named in a way that clearly describes the content of the file.

Please note: files greater than 10MB in size may be slow to upload depending on the capabilities of your server, your connection to the internet and current conditions of the network.

## 1. Overview

### Friendly name

A friendly name is used to identify your application in DAO. The friendly name is not published, but may be used in correspondence to you.

You can enter anything that helps you identify your application, for example, 'Bob's subdivision' or 'Motor Repair Station Smith Street'.

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<sup>1</sup> <https://www.ntlis.nt.gov.au/planning>

<sup>2</sup> <https://nt.gov.au/property/land-planning-and-development/planning-applications-and-processes/exceptional-development-permits>

## 2. Land information

### Location of proposed development

Search for your property and add it to the application using “add location” button.

You can add more than one property if your proposal involves multiple parcels.

### Land owner information

Any person may apply to the Minister for an exceptional development permit. If you are not the owner of the land it is strongly recommended that you provide written authorisation from the owner/s to lodge the application.

### Owner’s authorisation

Owner’s authorisation is required in writing if the applicant is not the owner or the sole property owner.

If the land is owned by a company or body corporate, authorisation must be obtained from the company director/s (on company letterhead or under company seal) or from the body corporate.

If the land is owned by more than one person or company, authorisation must be obtained from each person or company named on the title.

## 3. Applicant information

### Contact

You must nominate one person as the contact for your application.

All correspondence for your application will go to the nominated contact.

### Applicant

The applicant name will appear on any advertising and reports that may be required during the application process.

The applicant may be the same person as the contact.

### Add additional applicant

More than one applicant may be added using the “Add Additional Applicant” button.

### Development Assessment Services office

You should select the Development Assessment Services office closest to where your proposal is located.

## 4. Proposal Details

### Development / Proposal

#### Brief Description of Existing Land Use

Briefly describe the current use of the land. This could be as simple as 'single dwelling' or 'warehouse' for example.

#### Brief Description of Development / Proposal

The description of your development / proposal should specify the defined use(s) you are proposing.

Defined uses are found under [Schedule 2 \(Definitions\)](#)<sup>3</sup> of the [NT Planning Scheme 2020](#).

### Details of Proposal / Statement of Effect

You must provide a statement of effect that describes the effect of the proposed development or of the proposal.

The statement should be detailed and should address, but not be limited to, those matters required to be considered by the consent authority under section 51 of the *Planning Act 1999* and listed below. These are the matters that, under section 42 of the Act, the Minister must take into account when determining whether to grant an EDP.

Applicants should be aware that under section 40(1) of the Act, the Minister must not grant an EDP unless they are satisfied that is preferable to issue a permit in relation to the proposal in the application, than to amend the planning scheme.

Brief summaries of the section 51 requirements are listed here for guidance. Note that 'development' below is used in the wider context of its definition in terms of the Act.

SECTION OF THE PLANNING ACT 1999	MATTERS TO BE ADDRESSED IN APPLICATION
51(d)	An environment protection objective within the meaning of the <i>Waste Management and Pollution Control Act 1998</i> that is relevant to the land to which the application relates;
51(h)	The merits of the proposed development as demonstrated in the application;
51(j)	A description of the physical characteristics of the land and a detailed assessment demonstrating: <ol style="list-style-type: none"> <li>i. the land's suitability for the purposes of the proposal; and</li> <li>ii. the effect of the proposal on that land and other land;</li> </ol>

<sup>3</sup> [https://nt.gov.au/data/assets/pdf\\_file/0008/914930/nt-planning-scheme-schedule-two-definitions.pdf](https://nt.gov.au/data/assets/pdf_file/0008/914930/nt-planning-scheme-schedule-two-definitions.pdf)

SECTION OF THE PLANNING ACT 1999	MATTERS TO BE ADDRESSED IN APPLICATION
51(k)	A statement specifying: <ol style="list-style-type: none"> <li>i. the public facilities or public open space available in the area in which the land is situated; and</li> <li>ii. whether land for public facilities or public open space is to be provided by the applicant/developer; and</li> <li>iii. whether it is proposed that facilities or open space be developed by the applicant/developer;</li> </ol>
51(m)	A statement specifying: <ol style="list-style-type: none"> <li>i. the public utilities or infrastructure provided in the area in which the land is situated; and</li> <li>ii. any requirement for public facilities and services to be connected to the land; and</li> <li>iii. whether public facilities or infrastructure are to be provided by the applicant/developer; and</li> <li>iv. whether land is to be provided by the applicant/developer for the provision of public utilities or infrastructure;</li> </ol>
51(n)	An assessment of the potential impact on the existing and future amenity of the area in which the land situated;
51(p)	An assessment of the benefit or detriment to the public interest of the development, including (if relevant), how the following matters are provided for in the application: <ol style="list-style-type: none"> <li>i. community safety through crime prevention principles in design;</li> <li>ii. water safety;</li> <li>iii. access for persons with disabilities;</li> </ol>
51(r)	An assessment of any potential impact on natural, social, cultural or heritage values, including for example, the heritage significance of a heritage place or object under the <i>Heritage Act 2011</i> ;
51(s)	Any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the <i>Water Act 1992</i> ;
51(t)	Any other matters

## Dimensioned Plans

Depending on the nature, scale and complexity of your application, you may need to provide one or a combination of the following:

- Site plan
- Floor layout plans
- Elevations and sections

All plans should be to scale and legible if printed at an A3 size.

A planner will contact you if further information is required to assess the application.

The tables below provide further guidance on the dimensioned plans that you should provide for different application types.

## For development and building works

Site plans at a legible scale, not less than 1:500, showing the following information:	
1	The north point, area of the existing parcel and boundary dimensions
2	Existing and proposed buildings and their distance from lot boundaries
3	Any existing and proposed easements, substations and services
4	Vehicle access points
5	Proposed surfacing of parking areas, driveways, vehicle turning areas and loading areas (locations and dimensions)
6	Landscape and open space areas including types of planting, details of screening and/or fencing (locations and descriptions)
7	The proximity of adjoining buildings and their uses
8	The location of any bores on the subject property and adjoining land
9	The location of any proposed and/or existing effluent disposal systems on the site
10	The location of water meter arrangements and sewer access points for multiple dwellings, commercial and industrial developments.
Floor layout plans at a scale not less than 1:200, showing:	
1	Dimensioned floor plans of existing and proposed buildings showing layout, partitioning, room sizes, uses
2	A schedule stating the total area of each component use in the building, the total floor area and percentage of site cover
Elevations and sections at a scale not less than 1:200, showing:	
1	All elevations of buildings, indicating finished floor levels, existing and finished ground levels and external finishes
2	Sufficient cross-sections and longitudinal sections to show the relationship between structures and their respective heights

## Supporting documents

In addition to the statement of effect, you may upload other supporting documents that you wish to provide (eg traffic impact assessment, land suitability assessment) within this section of the electronic form.

## Image of Proposed Development

You must provide an indicative image of your proposal.

Should the Minister determine to continue consideration of your proposal by placing it on public exhibition, this image will be displayed on your yellow sign and alongside the application details on the online planning notices.

The image should be reflective of the proposed development and could include a perspective, elevation or a site plan.

The resolution of the image should be sufficient to be legible if printed at an A4 size.

The image is to be in landscape orientation and the file type should be PNG or JPEG.

Please do not upload more than one image in this section. Additional concepts and images can be added as 'Additional Supporting Documents'.

## 5. Review and lodge

Once completed, you should review your application before lodgement.

The Review and Lodge screen will highlight any sections that do not have a required input.

A planner will check your submitted application to ensure that all requirements have been addressed and that your application is complete. If your application is incomplete or clarification is required, you will receive an email requesting you to provide further information.

When your application is considered complete, it will be accepted for lodgement. You will receive an email requesting you to make payment. Following payment, processing of your application will commence.