

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 40

EXCEPTIONAL DEVELOPMENT PERMIT

EDP2026/0024

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Section 03942
Hundred of Bagot
430 STUART HWY, WINNELLIE

APPROVED PURPOSE

To use and develop the land for the purpose of a dwelling multiple (72 x 1 bedroom and 8 x 2 bedroom serviced apartments), in 1 x 5 storey building and basement car parking, in accordance with the attached schedule of conditions and the endorsed plans.

BASE PERIOD OF THE PERMIT

This permit will expire if one of the following circumstances applies:

- (a) the development is not started within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if an application is made in the approved form before the permit expires.

RIGHT OF APPEAL

There is no right of appeal against a determination by the Minister in relation to the grant or variation of an Exceptional Development Permit.



JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

19 / 10 / 2026

EXCEPTIONAL DEVELOPMENT PERMIT

EDP2026/0024

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, amended plans, to the satisfaction of the Minister, must be submitted to and approved by Development Assessment Services of the Department of Lands, Planning and Environment. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
 - a) windows/openings in the gym that enable passive surveillance of the outdoor communal open space area; and
 - b) provision of waste bins in proximity to the outdoor BBQ recreation area.
2. Prior to the endorsement of plans and prior to the commencement of works, the applicant is to provide correspondence from the Department of Defence NT and the Airport Development Group, confirming approval is granted for the height of all buildings and structures (including cranes and other structures used during construction).
3. Prior to the endorsement of plans and prior to the commencement of works, a landscape plan, to the satisfaction of the Minister, must be submitted to, and approved by, Development Assessment Services of the Department of Lands, Planning and Environment. When approved, the plan will be endorsed and will then form part of this approval. The plan must be drawn to scale with dimensions provided. The landscaping plan must be generally in accordance with the Site Area Landscaping Plan submitted with the application, and show the following:
 - (a) details of surface finishes of pathways and driveways;
 - (b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (c) landscaping and planting locations within all open areas of the site;
 - (d) canopy trees (minimum two metres tall when planted) where possible, to soften the visual appearance of the development and/or enhance natural shading; and
 - (e) provision of an in-ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the Minister

4. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure stormwater drainage system, shall be submitted to and approved by the Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure, to the satisfaction of the Minister. The plan shall include details of site levels and stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected to the local underground stormwater system.

GENERAL CONDITIONS

5. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. The use and/or development as shown on endorsed plans, must not be altered without the further consent of the Minister.
7. The building is to be designed and constructed to achieve compliance with AS/NZ2107:2000 Acoustics- Recommended Design Sound Levels for Building Interiors, as recommended by a suitably qualified acoustic engineer, upon having regard to:
 - a) existing and predicted road traffic noise on the Stuart Highway; and
 - b) aircraft Noise Intrusion, noting under the National Airports Safeguarding Framework, the site lies within the 10-20 events contour of the 2043 civil night N60chart, indicating the site will be subject to between 10 and 20 events above 60dB(A) on an average night, between 11pm and 6am in 2043; and
 - c) Intrusive noise sources from adjoining and nearby industrial land uses.
8. Before the use or occupation of the development starts, a statement is to be provided from a suitably qualified structural/acoustic engineer confirming works required by condition 7 have been completed to the requirements of a suitably qualified structural/acoustic engineer.
9. 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 plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations for further information.
10. 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 Minister.
11. 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.
12. Prior to commencement of use, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Minister.
13. Landscaping shown on endorsed plans must be maintained to the satisfaction of the Minister, including that any dead, diseased or damaged plants are to be replaced.
14. External lights must be designed, baffled and located to the satisfaction of the Minister, to prevent any adverse effect on adjoining land, roads, and on the operation of the RAAF Base Darwin and Darwin International Airport.
15. Any lighting, floodlighting or security lighting provided on site, is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.
16. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - a) so as not to create sun or headlight reflection to motorists; and
 - b) be located entirely (including foundations and aerially) within the subject lot.Advertising signage, either permanent or temporary, e.g. 'A' frame, vehicle or trailer mounted, shall not be erected or located within the Stuart Highway road reserve.

17. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Minister.
18. All waste storage receptacles must be fully enclosed and vermin proof and maintained at all times to the satisfaction of the Minister, so as not to attract birds that could create a hazard for aircraft operations.
19. The kerb crossovers and driveways to the site approved under this permit are to meet the technical standards of Transport and Civil Services Division of the Department of Logistics and Infrastructure, to the satisfaction of the Minister.
20. Car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the development's occupants, patrons and staff.
21. The loading and unloading of goods and materials from vehicles must only be carried out on the land, within the designated loading bay, and must not disrupt the circulation and parking of vehicles on the land.
22. Prior to the commencement of use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather-seal coat;
 - d) drained;
 - e) line marked to indicate each car space and all access lanes; and
 - f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the Minister.

Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.

23. Any works (including the provision or connection of services) within, or impacting upon the Stuart Highway road reserve, is subject to Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure, approval.
24. All proposed works impacting on the Stuart Highway Road reserve are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Transport and Civil Services Division of the Department of Logistics and Infrastructure. Drawings must be submitted to Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure, for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
25. Upon completion of any works within or impacting upon the Stuart Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of the Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure.
26. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Transport and Civil Infrastructure Division of the Department of Logistics and Infrastructure, to the satisfaction of the Minister.

27. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site, to the satisfaction of the Minister.
28. 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 along the Stuart Highway and condensate disposed of to ground level in a controlled manner to the satisfaction of the Minister. The use of angled louvered slats for screening purposes is acceptable however, the slat screening must be designed with a panel to gap ratio, such that the condenser units are not readily visible from any angle.
29. All roof top plant equipment, equipment relating to the operation of the lift and any other equipment (such as any vents and ducting associated with requirements for stairwell pressurisation or other such ventilation purposes or similar) that will be placed on the rooftop of the development shall be appropriately screened, or designed to soften the visual impact of such equipment, as viewed from the Stuart Highway, to the satisfaction of the Minister.
30. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Minister.
31. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.
32. 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
33. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the Minister, in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.

Notes

1. This approval for Dwelling Multiple (80 Serviced Apartments) shall be used exclusively for providing short-term, self-contained accommodation to tourists, travellers, visitors and/or transient persons.
2. 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.

3. Lighting is encouraged to comply with Regulation 94 (Dangerous Lights) of the Civil Aviation Regulations 1988.
4. 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.
5. Power and Water's Trade Waste Department (TradeWasteDept.PWC@power.water.com.au) should be contacted to discuss trade waste requirements for the development.
6. 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
7. 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>
8. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004*.
9. Darwin International Airport advises that separate requests for assessment and approval must be submitted to Darwin International Airport and the Department of Defence for any cranes used during construction that will infringe on either the Obstacle Limitation Surfaces (OLS) or Procedures for Air Navigation Services – Operations (PANS-OPS) surfaces for Darwin Airport.
10. The site is subject to the 'Defence Areas Control Regulations (DACR)'. All structures, including temporary structures, higher than 15m above ground level, including, but not limited to, additional buildings, light poles, cranes used during construction, vegetation etc., require approval from the Department of Defence.
11. The applicant is advised that the provision of lighting at the site is required to be consistent with the CASA Manual of Standards (MOS-139) Aerodromes to minimise the potential for conflict with aircraft operations. The design of lighting is a developer responsibility and if it is later found that lights or glare endangers the safety of aircraft operations, the Department of Defence or the Civil Aviation Safety Authority may require the lighting to be extinguished or suitably modified.
12. Darwin International Airport and Department of Defence advises that there must be no site activity which would attract birds and create a hazard for aircraft operations.

13. 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.
14. Transport and Civil Services (TCI) Division of the Department of Logistics and Infrastructure (DLI) advises:
- a) Access to the site off Stuart Highway shall be via a left-in only driveway and a left-out only driveway located as detailed on SK10 submitted with the application. The accesses shall be provided in accordance with standard drawing CS-3301 "urban single & double property accesses" to this Department's approval.
 - b) The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the developer will be obliged to sweep and clean material off the road.
 - c) All landscaping and setback requirements under the Northern Territory Planning Scheme shall be contained within the Lot boundaries. Any landscaping proposed by the developer additional to planning requirements and within the Stuart Highway road reserve shall be to the standards and approval of TCI, DLI.
 - d) Any proposals for the upgrading/ resurfacing of the Stuart Highway footpath/ verge fronting the development shall require the approval of TCI, DLI.