

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP23/0004

I, Louise McCormick, delegate of the Minister for Infrastructure, Planning and Logistics, in pursuance of section 40(6) of the *Planning Act 1999*, give notice that –

- (a) I have, in pursuance of section 40(2)(a), granted an Exceptional Development Permit for Lot 38 (7) Bray Street, Town of Elliott;
- (b) The Exceptional Development Permit has been granted for the purpose of change of use to office and ancillary rooming accommodation;
- (c) The land is within Zone LMR (Low-Medium Density Residential) of the NT Planning Scheme 2020, and the development proposes office and rooming accommodation, which would otherwise be prohibited;
- (d) Copies of the Exceptional Development Permit and the Reasons for the Decision are available online at <https://nt.gov.au/property/land-planning-and-development/our-planning-system/exceptional-development-permit-decisions>.



LOUISE MCCORMICK

Delegate of the Minister for Infrastructure, Planning and Logistics

6 / 7 / 2023

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 – section 41

REASONS FOR DECISION IN RELATION TO PROPOSED EXCEPTIONAL DEVELOPMENT PERMIT

The decision to grant an Exceptional Development Permit for Lot 38 (7) Bray Street, Town of Elliott for the purpose of change of use to office and ancillary rooming accommodation was made pursuant to section 40(2)(a) of the *Planning Act 1999* for the following reasons:

1. The decision to grant an Exceptional Development Permit was based on consideration of the reports referred to in section 24 of the *Planning Act 1999* as well as the matters listed in section 42 of the *Planning Act 1999*, including that;
 - no public submissions were received during the exhibition.
 - service authorities and the local authority raised no objection to the proposal.
 - the size of Lot 38 is capable of supporting the Office and Rooming Accommodation.
 - staff accommodation is urgently required within Elliott so that government employees can provide adequate service provision to the community.
2. Pursuant to section 40(1) of the Act, it is preferable to issue an Exceptional Development Permit than to amend the NT Planning Scheme 2020. A scheme amendment to enable a rezoning of the site to a commercial zone would be inconsistent with the Elliott Area Plan, zoning pattern and land uses in the locality. A wider review of the NTPS2020 to allow office as a discretionary/permitted primary land use within Zone LMR is not considered preferable as:
 - it will have implications to the whole of the Northern Territory and is inconsistent with the zone purpose and outcome statements; and
 - the EDP application relates to a unique set of circumstances for a specific site.



LOUISE MCCORMICK

Delegate of the Minister for Infrastructure, Planning and Logistics

6 / 7 / 2023