

Level 1 Energy House
18-20 Cavenagh Street
DARWIN NT 0801

Postal Address
GPO Box 1680
DARWIN NT 0801

T 08 8999 64046

E das.ntg@nt.gov.au

File Ref
PA2019/0210-0006

Ms Primrose Sapo
Department of Infrastructure, Planning and Logistics
GPO Box 61
Palmerston NT 0831

Via email: primrose.sapo@nt.gov.au

Dear Ms Sapo

**Re: Notice of Consent (Section 30Y of the Planning Act 1999) Part NT Portion 1646
Townsite of Numbulwar**

Pursuant to section 30D(6)(b) of the *Planning Act 1999*, as appointed by the Minister, I have determined in accordance with section 30W(a) of the *Planning Act 1999*, to grant consent to the proposal to use and develop the land for a subdivision to create one lot for the purpose of a lease in excess of 12 years, subject to the conditions specified on the attached Development Permit DP20/0082.

Reasons for the Determination

1. Pursuant to sections 30P(2)(a) and (b) of the *Planning Act 1999*, the consent authority must take into account any planning scheme that applies to the land to which the application relates and the amendment proposal contained within the application.

The Northern Territory Planning Scheme applies to the land to which the application relates. The application was assessed against clauses 11.1.1 (Minimum Lot Sizes and Requirements), Clause 11.2.1 (Site Characteristics in Residential Subdivision) and Clause 11.2.2 (Infrastructure and Community Facilities in Residential Subdivisions) and complies.

The purpose of Clause 11.1.1 is to ensure that lots in Zone MD will be of a size capable of accommodating potential future uses. Table A to the clause specifies a minimum lot size of 300m² in Zone MD.

The application proposes one lot of 804m² exceeding the requirements of this clause and is considered capable of accommodating the potential future development of multiple dwellings.

The location of the proposed lot allows vehicular and pedestrian access to the existing internal road network and can be connected to reticulated power, water and sewer services.

The proposed lot will form part of the existing overall residential housing area in Numbulwar and will facilitate development of an additional housing site in the community.

2. Pursuant to Section 30P(2)(j) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the land to support the development proposal and the effect of the proposal on the land, and on other land, the physical characteristics of which may be affected by the proposal.

A map of flooding constraints indicates that the drainage swale at the rear of the land is subject to storm surge inundation. Noted as a precautionary measure, the site will be levelled and fill placed on site however the property boundaries of the new allotment are outside the area of inundation.

The Department of Environment and Natural Resources (DENR) has not raised any issues or concerns in relation to land constraints or land capability. Service authority comments are supportive of the subdivision and no public submissions were received.

3. Pursuant to Section 30P(2)(l) of the *Planning Act 1999*, the consent authority must take into consideration the capability of the public utilities or infrastructure provided in the area in which the land is situated and any requirement for public facilities and services to be connected to the land; and facilities, infrastructure or land to be provided by the applicant.

The land can be appropriately serviced with reticulated power, water and sewerage services and access to the existing internal road network. The permit is conditional on the proponent entering into agreements for the servicing of the new lot and access/driveway crossover design with the relevant authorities.

Right of Appeal

Applicants are advised pursuant to section 30Y of the *Planning Act 1999*, that a right of appeal to the Appeals Tribunal exists under Part 9 of the Act. An appeal under section 114 against a determination of a development application must be made within 28 days of the service of this notice. The Northern Territory Civil and Administrative Tribunal can provide information regarding the Notice of Appeal form and fees payable.

The address for lodgement of a Notice of Appeal is: Northern Territory Civil and Administrative Tribunal, PO Box 41860 CASUARINA NT 0810 or Level 1, The Met Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8944 8720 or Facsimile 08 8922 7210 or email AGD.ntcat@nt.gov.au)

There is no right of appeal by a third party under section 117 of the *Planning Act 1999* in respect of this determination as section 117(4) of the Act and regulation 14 of the Planning Regulations 2000 apply to the application.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6046.

Kind Regards



Leah Clifford
Consent Authority

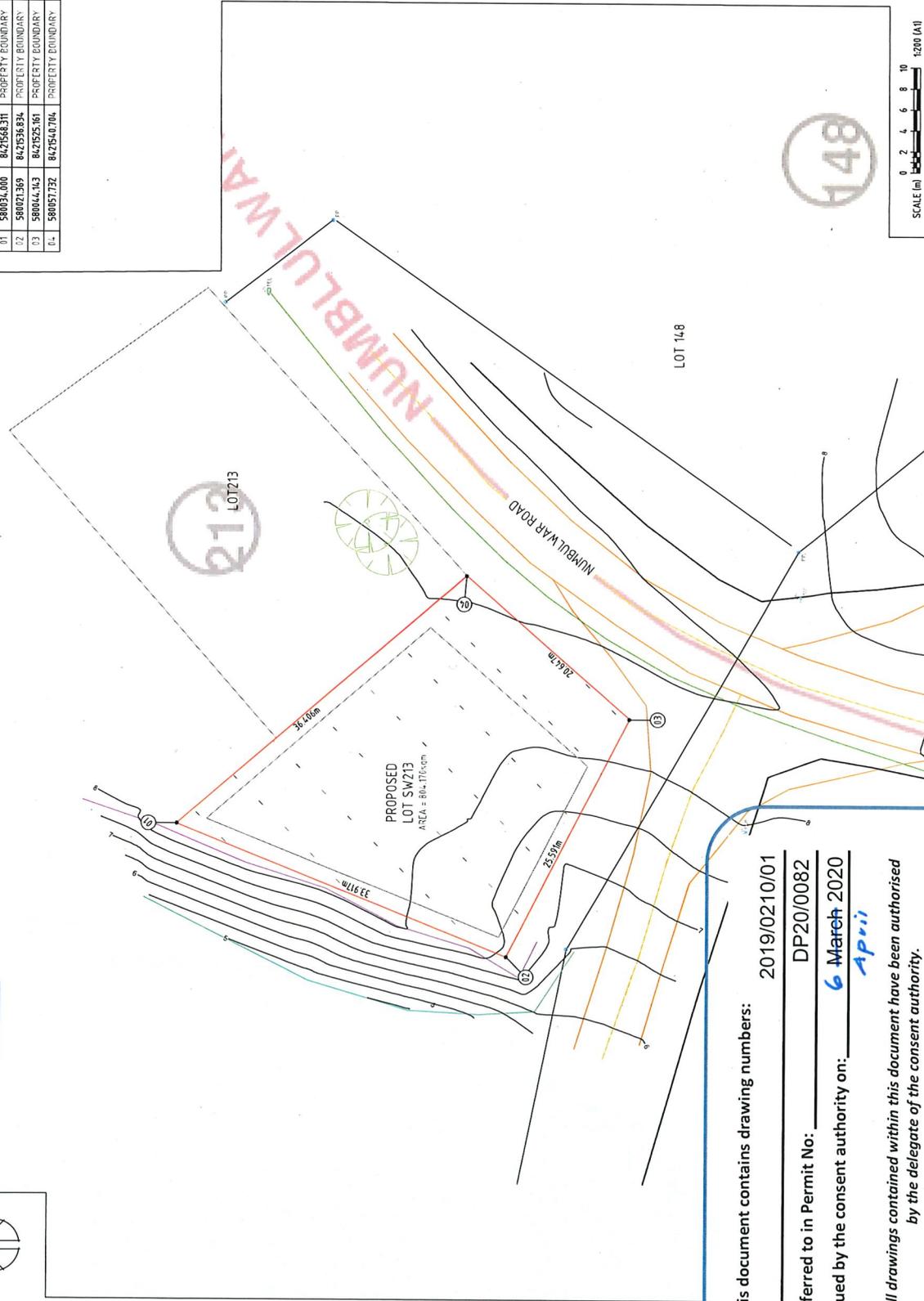
6 April
6 March 2020

Drawing number 2019/0210/01
 Referred to in Permit No: DP20/0082

LEGEND

- EXISTING
- EXISTING BOUNDARY
- EXISTING FENCE
- EDGE OF BITUMEN
- PROPOSED
- PROPOSED BOUNDARY

SETOUT TABLE - LOT SW213	
No.	DESCRIPTION
01	EASTERN BOUNDARY
02	NORTHERN BOUNDARY
03	PROPOSED BOUNDARY
04	PROPERTY BOUNDARY
05	PROPERTY BOUNDARY
06	PROPERTY BOUNDARY



This document contains drawing numbers: 2019/0210/01
 Referred to in Permit No: DP20/0082
 Issued by the consent authority on: 6 March 2020
April

All drawings contained within this document have been authorised by the delegate of the consent authority.

Calvin

Delegate

No.	ISSUED FOR INFORMATION	DATE	INT.	DEPT/COMPANY
A				

DRAWN	DATE	DESIGNED	DATE	CHECKED	DATE
PS	04/22/19	PS	04/22/19	PS	04/22/19

Northern Territory Government
 DEPARTMENT OF INFRASTRUCTURE PLANNING AND LOGISTICS
 Client / Asset Owner

EAST ARNHEM REGION
 NUMBULWAR DIMENSIONED PLAN
 PROPOSED LOT SW213
 NTO PROJECT No. HOX00800
 NTO ASSET No. HOX00800
 SHEET No. A1
 AMENDMENT A

NOT FOR CONSTRUCTION

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP20/0082

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Part NT Portion 1646
Townsite of Numbulwar

APPROVED PURPOSE

To use and develop the land for a subdivision to create one lot for the purpose of a lease in excess of 12 years, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Nil.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.



LEAH CLIFFORD
Consent Authority

6 April
March 2020

DEVELOPMENT PERMIT

DP20/0082

SCHEDULE OF CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing number 2019/0210/01 endorsed as forming part of this permit.
2. 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 on the plan of subdivision submitted for approval by the Surveyor General.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, drainage, electricity and telecommunication facilities, to the development shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
4. Engineering design and specifications for the proposed and affected roads, stormwater drainage, site earthworks, vehicular access, street lighting, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of Roper Gulf Regional Council, to the satisfaction of the consent authority, and all approved works constructed at the owner's expense.

Notes

1. The Power and Water Corporation advise that the Regions and Remote Operations, Remote Development team, remotedevelopment@powerwater.com.au should be contacted via email a minimum 2 to 3 months prior to expected construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure. The information provided from the developer will determine whether or not a Site Servicing Plan (SSP) will be required to be developed.
2. An Application for Reticulation for telecommunication servicing can be made through the Telstra website <https://www.telstra.com.au/smart-community>.
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>

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF AMENDMENT DECISION

I, EVA DINA LAWLER, Minister for Infrastructure, Planning and Logistics, under section 30U(1) of the *Planning Act 1999*, give notice that –

AMENDMENT DECISION

I have, under section 30R(2)(a)(i) of the Act, made an amendment decision to approve the proposal to rezone part NT Portion 1646 Townsite of Numbulwar from Zone PS (Public Open Space) to Zone MD (Multiple Dwelling Residential), and approve the subsequent amendment to the Numbulwar Area Plan, as shown in the attached map.

REASONS FOR DECISION

The rezoning proposal and subsequent amendment to the Numbulwar Area Plan is suitable because:

- it will contribute to the availability of residential living lots in the township of Numbulwar;
- it is consistent with the character of the neighbourhood, as the adjoining and nearby properties are within Zone MD (Multiple Dwelling Residential);
- there will continue to be a sufficient amount of public open space available within proximity of the site and within the township; and
- the land is outside of the area which is subject to storm surge flooding.

The amendment decision does not determine the concurrent application;

and

The amendment decision will take effect:

- (i) **only** if the consent authority consents to the development proposal under section 30W(1)(a) or (b) and, after the determination of any appeals under Part 9, issues a development permit under section 54 for the proposal; and
- (ii) if a development permit is issued, on the date on which it is issued.



Minister for Infrastructure, Planning and Logistics

11 / 3 / 2020