

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 41

REASONS FOR DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2025/0296

The decision to grant an Exceptional Development Permit for Lot 2850 (2) Scott Street, Fannie Bay, Town of Darwin for the purpose of a subdivision to create two lots was made pursuant to section 40(2)(a) of the *Planning Act 1999* for the following reasons:

1. Pursuant to section 40(1) of the *Planning Act 1999*, it is considered preferable to grant consent to an Exceptional Development Permit than to amend the NT Planning Scheme 2020 (NTPS2020). An amendment to the NTPS2020 to rezone the site to Zone LMR (Low Medium Density Residential), which would facilitate the proposed subdivision, is not considered preferable as the site is not identified as an area for change as part of the Darwin Inner Suburbs Area Plan 2016. In addition, due to the overall size of the site, a five lot subdivision would be permissible in Zone LMR, which is substantially smaller than surrounding lots. An EDP is preferable as it provides a degree of certainty for adjoining residents on the potential future built form, as it would not change the existing LR (Low Density Residential) zoning and any future development would be considered against the relevant NTPS2020 requirements.
2. The decision to grant an Exceptional Development Permit was based on consideration of the matters listed in section 42 of the *Planning Act 1999*, including the following pertinent factors:
 - The subdivision is consistent with the broader purpose of Zone LR (Low Density Residential) of the NTPS2020 which is *Provide predominantly for low rise urban residential development comprising individual houses and uses compatible with residential amenity, in locations where full reticulated services are available*. The proposed lot is not inconsistent with the pattern of the established development in Fannie Bay, noting that Scott Street is already developed for a variety of dwelling types.
 - Building envelopes plans submitted demonstrate sufficient area to accommodate a dwelling-single with compliant setbacks, car parking and private open space consistent with that required by the NTPS2020 and with the purpose and outcomes of Zone LR.
 - The proposed Lot B is already developed with a large shed, extensive hardstand areas, and an existing crossover to Scott Street. In this context, the proposal is not expected to result in any unreasonable amenity impacts, including in relation to the loss of landscaping or the visual impact of building bulk and scale, beyond what currently exists on the site.

- The land is reasonably considered capable of supporting the proposed subdivision noting that the subject lot is connected to reticulated power, water and sewerage and existing stormwater drainage is considered capable of accommodating an additional lot.



JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

25 / 12 / 2026

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

**NOTICE OF DECISION
EXCEPTIONAL DEVELOPMENT PERMIT
EDP2025/0296**

I, JOSHUA ROLAND BURGOYNE, the Minister for Lands, Planning and Environment, 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 2850 (2) Scott Street, Fannie Bay, Town of Darwin;
- (b) The Exceptional Development Permit has been granted for the purpose of a subdivision to create two lots;
- (c) The land is within Zone LR (Low Density Residential) of the NT Planning Scheme 2020, and the creation of a lot less than 760 m² in this zone 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>.



JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

25 / 10 / 2026