

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 – section 41

REASONS FOR DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2026/0065

The decision to grant an Exceptional Development Permit for Lot 2335 (25) Cavenagh Street, Darwin City, Town of Darwin for the purpose of a part change of use from office to warehouse (self-storage facility) and associated carrying out of works in two stages 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 (EDP) than to amend the NT Planning Scheme 2020 (NTPS). A scheme amendment to include *warehouse* as a discretionary use in Zone CB (Central Business) is not considered preferable as a warehouse generally takes a built form which is contrary to the purpose of the zone, and may lead to unintended consequences for development in Zone CB. In addition, the Central Darwin Area Plan 2019 identifies the site as within the city centre – core focus area, with one of the applicable objectives as 8.1, which intends for *Maintain and enhance the concentration of established retail and commercial uses*, and can be achieved through *Encourage a diversity of activities in street front development* and *Encourage land uses and developments that employ and attract high numbers of people, and have the potential to activate the city centre by day and night*. It is not considered that an alternative zone within the NTPS where warehouse is discretionary land use could also achieve this planning principle. An EDP is preferable as relevant development specific conditions of consent can be applied as an appropriate mechanism to manage the development in its specific context.
2. Pursuant to sections 42(1) and 51(j) of the *Planning Act 1999*, the Minister must take into account the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The site has been identified for central business purposes and the proposal is for a change of use within an existing commercial building with minor associated works. No land capability concerns have been identified and the site is considered capable of supporting the proposed development. In addition, the Development Coordination Branch of the Department of Lands, Planning and Environment (DLPE) (who coordinate responses from various DLPE entities) did not identify or raise any issues of concern in relation to land capability.

3. Pursuant to sections 42(1) and 51(n) of the *Planning Act 1999*, the Minister must take into account the potential impact on the existing and future amenity of the area in which the land is situated.

Amenity is defined in the Planning Act 1999 as in relation to a locality or building, any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable.

The proposed development is considered unlikely to significantly impact on the existing and future amenity of the locality particularly for the following reasons:

- The proposed development is for a change of use within the first floor of an existing commercial building on the site, and will have no perceivable visual impact when viewed from the streetscape and adjoining properties. There is no change to the existing extent of active street frontage provided at the ground level.
 - The proposed development includes re-configuration of the ground floor pedestrian entrance to accommodate DDA compliant access whilst also providing clear and separate pedestrian access to the existing education establishment at the ground floor, and the proposed self-storage facility at the first floor.
 - The proposed change of use will not unreasonably prejudice the future development potential of the land for Zone CB purposes.
4. Pursuant to sections 42(1) and 51(1)(m) of the *Planning Act 1999*, the Minister must take into account the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

The application was circulated relevant service authorities and the local government council (City of Darwin). All comments received have been addressed by application of standard conditions and notations on the permit where required, with the exception of City of Darwin's request for a monetary contribution to be paid to the City of Darwin in accordance with its Car Parking Contribution Plan, in lieu of the on-site car parking shortfall as a result of this development, if the proposed number of bays is considered insufficient.

The extent of car parking spaces for the proposed development, which does not provide any on-site car parking spaces, is considered to be sufficient noting:

- The area of the site comprising the proposed warehouse (self-storage facility) is currently an office which is prescribed the same car parking rate of '2 for every 100m² of net floor area', and therefore, there will be no increased car parking demand generated by the proposed development.
- The site is located within the Darwin CBD, and is in close proximity to existing public off-street car parking and high frequency public transport options.

5. In this context, the application of condition on the permit requiring a car parking contribution condition is not warranted.



WILLIAM CARL YAN

Treasurer

Acting on behalf of Minister for Lands, Planning and Environment

19 / 7 / 2026

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2026/0065

I, WILLIAM CARL YAN, Acting on behalf of 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 2335 (25) Cavenagh Street, Darwin City, Town of Darwin;
- (b) The Exceptional Development Permit has been granted for the purpose of a part change of use from office to warehouse (self-storage facility) and associated carrying out of works in two stages;
- (c) The land is within Zone CB (Central Business) of the NT Planning Scheme 2020, and the development of the site for a 'warehouse' 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>.



WILLIAM CARL YAN
Treasurer

Acting on behalf of Minister for Lands, Planning and Environment

23 JUL 2026