

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - Section 41

REASONS FOR DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2022/0418

The decision to grant an Exceptional Development Permit for Section 5122 (845) Stuart Highway, Holtze, Hundred of Bagot for the purpose of showroom sales (landscaping supplies) with a single storey building 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*, the Minister must not grant an Exceptional Development Permit unless satisfied it is preferable to issue the permit than to amend the Planning Scheme (either by rezoning the land or by amending provisions in the Planning Scheme that prevent the proposal from being considered through the regular development permit process).

An amendment to the Planning Scheme is not considered preferable in this instance as rezoning the land for commercial or industrial purposes could allow a wider range of land uses to become permissible, which may undermine the future strategic planning intentions of any area plan developed for the immediate locality. The operating business of Finlay's Stone primarily involves the use of the land with only limited demountable built form, representing a compatible interim development that can be readily relocated once the long-term strategic direction for the site is determined. In contrast, a more substantial and permanent built form could compromise future land use and development outcomes when the intended planning direction for the locality is established. Additionally, issuing an Exceptional Development Permit provides a mechanism to regulate and manage the specific land use activities through enforceable conditions of approval.

The land uses have been operating at this site without detriment to the locality, as demonstrated by the lack of public submissions to the proposal during the consultation period. In addition, there have been no objections raised by service authorities which cannot be addressed via approval conditions on an Exceptional Development Permit.

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 proposal will provide for a light industry activity which is compatible with the established character and amenity of the immediate Holtze commercial locality, based on the location, nature, scale and intensity of the development. The development will be provided with an appropriate level of services and infrastructure, and the manner in which it is operated minimises impacts on sensitive environments and does not impose unsustainable demands on surface water and groundwater.

The site is conveniently located close to the Stuart Highway, with suitable access (subject to upgrading), ample existing hard stand / car parking space and building facilities appropriate for the nature of the showroom sales land use.



JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

25 / 2 / 2026

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2022/0418

I, JOSHUA ROLAND BURGOYNE, 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 Section 5122 (845) Stuart Highway, Holtze, Hundred of Bagot;
- (b) The Exceptional Development Permit has been granted for the purpose of showroom sales (landscaping supplies) with a single storey building;
- (c) The land is within Zone FD (Future Development) of the Northern Territory Planning Scheme 2020, and the development proposes a showroom sales land uses which would otherwise be prohibited; and
- (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 / 2 / 2026