NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 – section 41

REASONS FOR DECISION
EXCEPTIONAL DEVELOPMENT PERMIT
EDP2026/0152

The decision to grant an Exceptional Development Permit for NT Portion 3898 (2114) Batten Road, Mcarthur for the purpose of a telecommunications facility with a 53.4m high monopole/lattice mast and associated antennas and equipment shelters 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 (NTPS). An amendment to the NTPS to allow a telecommunications facility to be processed through other means, such as the regular development permit process, is not advisable as the proposal is specific and unique.

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 relevant parts of Section 51(1) of the *Planning Act 1999*– (d), (h), (j), (k), (m), (n), (p), (pa), (r), (s) and (t) of the Act.

    - In accordance with Section 52(1) (h) of the *Planning Act 1999*, the application will allow required telecommunications coverage for a remote area, ensuring modern services that provides health and safety benefits, as well as allowing for growth. This has important implications for residents and visitors.

    - In accordance with Section 52(1) (j) of the *Planning Act 1999*, the land is capable of accommodating the proposal, factoring in matters such as the topography of the land, the lack of existing vegetation in the location, visual impact on the surrounding area, and location outside of the 1%AEP storm surge flood extent. Land Resources Division (DLPE) did not identify or raise any issues of concern in relation to land capability.

    - In accordance with Section 52(1) (m) of the *Planning Act 1999*, Council and service authorities reviewed the application, with no objections received. Standard conditions and notes can address requirements.

- In accordance with Section 52(1) (n) of the *Planning Act 1999*, the proposal is considered to provide a significant net benefit to the locality through provision of telecommunication coverage. The site was chosen by the landowner to provide optimal telecommunications coverage, and minimise amenity impacts to those living in or visiting the village and the surrounding area. The telecommunications facility is it located away from houses and other structures in the village, whilst providing telecommunications coverage. There are existing shrubs and trees located to the north and south of the facility, which will provide some screening from surrounding locations.

JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

6 /11 /2026

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF DECISION
EXCEPTIONAL DEVELOPMENT PERMIT
EDP2026/0152

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 NT Portion 3898 (2114 Batten Road, Mcarthur);

(b) The Exceptional Development Permit has been granted for the purpose of a telecommunications facility with a 53.4m high monopole/lattice mast and associated antennas and equipment shelters;

(c) The land is within Zone SKA (Specific Use-King Ash Bay) of the NT Planning Scheme 2020, and the development proposes Telecommunications towers, 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.

JOSHUA ROLAND BURGOYNE
Minister for Lands, Planning and Environment

6 / 11 /2026