

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 41

REASONS FOR DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2024/0161

The decision to grant an Exceptional Development Permit for Lot 31, Hundred of Bagot (1 De Caen Close, Virginia) for the purpose of vehicle sales and hire addition to an existing rural service centre 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 as the existing zone applies to a wider area which includes buildings that are not part of this application. Rezoning of the land or amendments to the Specific Use Zone would then apply to areas where the vehicle sales and hire use is not currently proposed. Such an amendment would therefore be unnecessary at this time and would also result in a broader range of land uses being permissible for the site, which may not be appropriate in the locality. Furthermore, issuing an EDP can regulate and manage the operation of the specific land use activity via conditions of approval.
2. The decision to grant an Exceptional Development Permit was based on cumulative consideration of the reports referred to in section 24 and section 42 of the *Planning Act 1999*, including the following pertinent factors:
 - The vehicle sales and hire use at this site is existing, and is currently being undertaken by NT Powersports, a local business. The site is conveniently located close to the Stuart Highway, with suitable access, ample existing hard standing / car parking space and internal facilities which make it suitable for this use. There are no alterations proposed to the existing buildings / structures on the site.
 - The use has been operating at this site without detriment to the amenity of 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.
 - It is considered that the vehicle sales and hire use is compatible with the adjacent showroom / storage uses at the site and the light industrial uses being undertaken on the adjoining land to the west. The vehicle sales and hire use is also currently being undertaken without detriment to the Rural Living zoned land in the wider Virginia locality.

- The vehicles sales and hire use is also compatible with the potential future development of the land opposite (currently vacant and zoned Rural Living in the Northern Territory Planning Scheme 2020), identified in the Holtze to Elizabeth River Subregional Land Use Plan 2022 as being a potential area for change for Service Commercial land use development.
- Conditions of approval have been placed on the permit requiring the land use to comply with the requirements of the service authorities, relating to stormwater management, access to the Stuart Highway, signage, and easements.



LEAH CLIFFORD
Delegate of the Minister
for Lands, Planning and Environment

4 / 09 / 2025

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999

NOTICE OF DECISION EXCEPTIONAL DEVELOPMENT PERMIT EDP2024/0161

I, LEAH CLIFFORD, Delegate of 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 31, Hundred of Bagot (1 De Caen Close, Virginia);
- (b) The Exceptional Development Permit has been granted for the purpose of vehicle sales and hire addition to an existing rural service centre;
- (c) The land is within Specific Use Zone SL12 of the NT Planning Scheme 2007, and the development proposes vehicle sales and hire land use 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>.



LEAH CLIFFORD
Delegate of the Minister
for Lands, Planning and Environment

4 / 09 /2025