

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - section 53C

NOTICE OF REFUSAL

NR14/0006

DESCRIPTION OF LAND THE SUBJECT OF THE NOTICE

Lot 05182
Town of Darwin
213 DICK WARD DR, LUDMILLA

DETERMINATION

The Development Consent Authority has determined under section 53(c) to refuse to consent to the proposed development of the land for the purpose of subdivision to create 6 lots, for the following reasons.

REASONS FOR THE DETERMINATION

1. The proposed application is inconsistent with clause 10 of Zone SD37 (Specific Use No.37), which is given in Schedule 1 of the NT Planning Scheme as "A master plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged in Areas A and B. This master plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed master plan" Development is defined in the Planning Act as being "development, in relation to land, means an activity that involves: (b) subdivision or consolidation of the land". The proposed application for the subdivision into 6 portion is considered to be a development application and does not comply with the requirements under clause 10.
2. Pursuant to section 51(a) of the Planning Act, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

RIGHT OF APPEAL

Applicants are advised that a right of appeal to the Appeals Tribunal exists under Part 9 of the Planning Act. An appeal under section 111 against a refusal to issue a development permit must be made within 28 days of the service of this notice. The Registrar of the Appeals Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: The Registrar, Appeals Tribunal, GPO Box 1281, DARWIN NT 0801 or Level 3, Office of the Coroner, Nichols Place, Cnr Bennett and Cavenagh Streets, DARWIN (Telephone: 08 8999 5001 or Facsimile 08 8999 5005).



LINDA HENNING

Delegate
Development Consent Authority

21/03/2014