

NT PLANNING COMMISSION HEARING

**EXCEPTIONAL DEVELOPMENT PERMIT APPLICATION
PA2025/0296**

Lot 2850 (2) Scott Street, Fannie Bay, Town of Darwin
Subdivision to create two lots

Agenda Item Number: 1

Meeting Date: 14 November 2025

**Attachment A : Locality Plan &
Exhibition Material**

Attachment B : Submissions Received



.....
Kaleb Thomas
Senior Planner
Development Assessment Services

Report to the Planning Commission

This report is prepared under section 22 of the *Planning Act 1999*, and considers the submissions made in relation to the proposal.

1. GENERAL INFORMATION

ADDRESS:	Lot 2850 (2) Scott Street, Fannie Bay, Town of Darwin
AREA:	1550 m ²
CURRENT ZONE:	Zone LR (Low Density Residential)
PROPOSED LAND USE:	Subdivision to create 2 lots
APPLICANT:	Kevin Dodd of Earl James and Associates
LAND OWNER:	Nicholas Boris Scaturchio and Susannah Grant Scaturchio

2. LEGISLATIVE REQUIREMENTS

The Minister for Lands, Planning and Environment is responsible for determining proposals to grant an Exceptional Development Permit (EDP). The *Planning Act 1999* (the Act) establishes requirements relating to the exhibition, consultation and reporting on proposed Exceptional Development Permits.

Under section 22(6) of the Act, the Planning Commission must hold a hearing if submissions are received during the exhibition period, and the Chairperson is satisfied that a hearing would provide further useful information.

Under section 24 of the Act, the Planning Commission must provide to the Minister for Lands, Planning and Environment, a written report that addresses the issues raised in the submissions; the issues raised at the hearing and during any consultation; and any other matters the Commission considers the Minister should take into account when considering the proposal.

3. PROPOSAL

On 27 August 2025, Mr Kevin Dodd (Earl James and Associates) lodged an EDP application seeking approval for subdivision to create 2 lots at Lot 2850 (2) Scott Street, Fannie Bay, Town of Darwin (the site).

The proposal seeks consent to subdivide the site into 2 parcels of land. Lot A is proposed to be 1205 m² in area, with a 34.18 metre frontage to East Point Road and a 32.84 m frontage to Scott Street. The existing dwelling-single is contained within Lot A. Lot B is proposed to be 350 m², with a 16.47 m frontage to Scott Street and currently contains an existing outbuilding (shed).

Lot B is non-compliant with the Northern Territory Planning Scheme (NTPS2020) minimum lot size requirements, which require that a proposed lot in Zone LR (Low Density Residential) have a minimum site area of 760 m², where Lot B is shown to be 350 m². The proposal cannot be considered through a normal development application as the relevant Part 6 requirement of the NTPS2020 prohibits the Development Consent Authority from consenting to a proposed subdivision that does not comply with the minimum lot size requirements.

A copy of the locality plan, and exhibition material, including the application is at **Attachment A**.

4. SITE AND LOCALITY CONTEXT

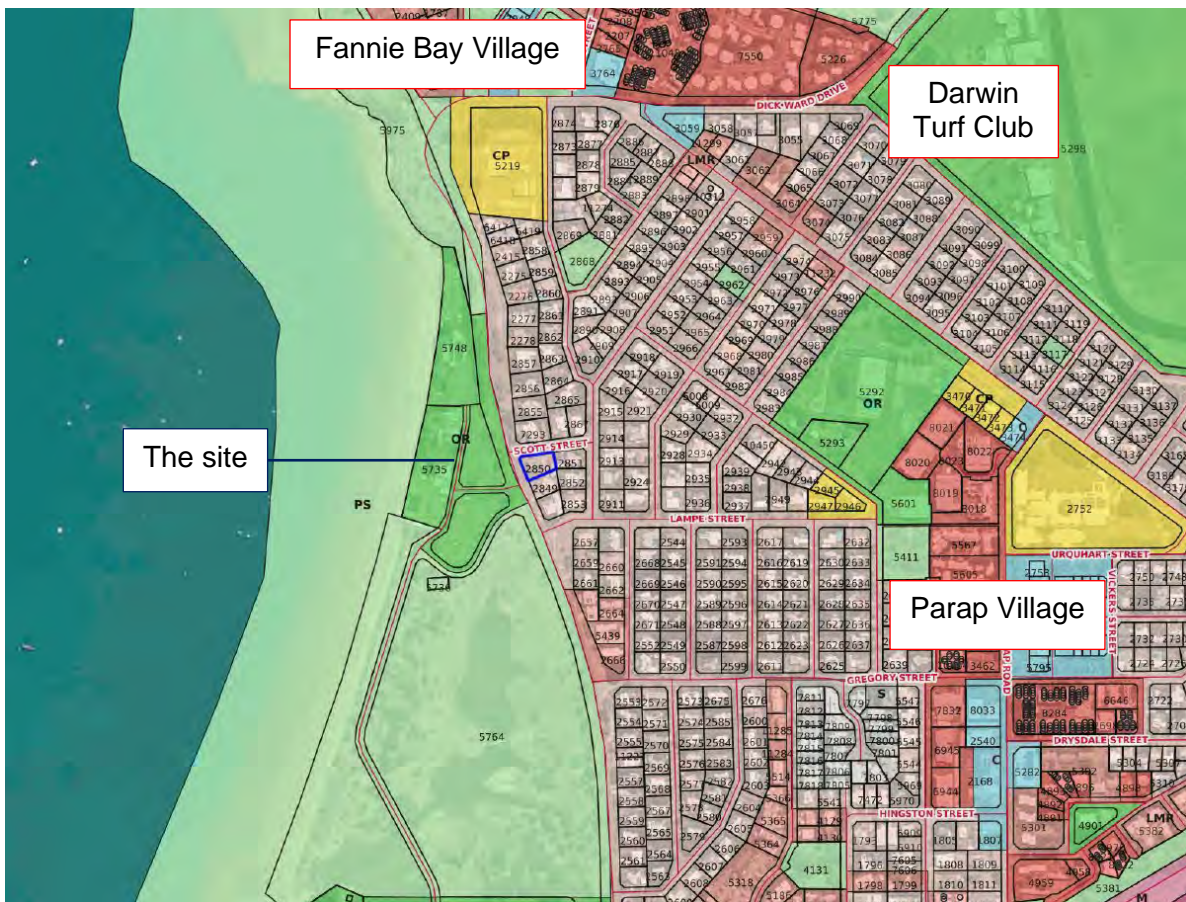
The site is a 1550 m² freehold parcel zoned LR (Low Density Residential) under the NTPS2020. The site has a 54.85 m frontage to Scott Street (including a 5.54 m long truncated corner), and 34.18 m long frontage to East Point Road. The site is generally flat and slopes down towards the south-west. The site comprises an existing double storey dwelling-single with a single storey outbuilding (shed), contains areas of grass and hardstand and some trees. No changes to existing structures are proposed as part of this application.

Surrounding land to the north, east and south is predominantly zoned LR, with land to the west, on the opposite side of East Point Road, zoned PS (Public Open Space) in the vicinity of the Bundilla Beach Reserve, and OR (Organised Recreation) in the vicinity of the Darwin Sailing Club and Darwin Trailer Boat Club.

In the wider context, the site is located approximately 600 m from the Fannie Bay Village (secondary activity centre), 900 m from the Parap Village (secondary activity centre) and Parap Primary School, 400 m from Bundilla Beach, and 1.2 km from the Darwin Middle School and/High School precinct. In addition, the site is adjacent to the sub-arterial East Point Road, and 200 m from a public bus route that goes to Darwin City.

No overlays affect the site. In addition, Darwin Regional Land Use Plan identifies the site for urban land uses and Darwin Inner Suburbs Area Plan identifies the site for low density residential purposes.

Map 1: Excerpt of Location Plan (refer Attachment A1 for full plan)



5. EXHIBITION OF PROPOSAL

On 11 September 2025, a delegate of the Minister for Lands, Planning and Environment determined under section 39(1)(a) of the *Planning Act 1999* to continue consideration of the proposed amendment by placing it on exhibition.

The proposal was on public exhibition for a period of 28 days and was notified in accordance with the requirements of the Act. The exhibition closing date was 17 October 2025.

6. SUBMISSIONS

Below is a summary of the matters raised in submissions.

Public Submissions (Attachments B1 – B5)

Five submissions were received from the public regarding this proposal. A summary of the submissions is below.

Submitter	Discussion Points
Ray Hall Attachment B1	<ul style="list-style-type: none"> • Objects to the proposal. • Lack of on-street car parking in the area to cater for an additional dwelling. • The small block size will result in any new development dominating the site, airflow being blocked and air conditioners expelling hot air into neighbouring properties. • Lot B lot size is out of character with the locality. • Approval of EDP will set a precedent.
Paul Nicholls Attachment B2	<ul style="list-style-type: none"> • Objects to the proposal. • Application doesn't make the case for special circumstances that warrant not complying with the NTPS2020. • Scott Street is not adequately designed to cater for additional dwellings, with on-street parking already at capacity. This will create a safety hazard. • Lot B lot size is out of character with the locality. • Approval of EDP will set a precedent.
Thomas Forgan Attachment B3	<ul style="list-style-type: none"> • Objects to the proposal. • Application undercuts the 760 m² minimum lot safeguard that exists to protect neighbourhood character and liveability. Raises concerns that arguing the application is 'preferable to rezoning' is misleading and should not be accepted as justification for bypassing planning protections. • Less about improving neighbourhood amenity and more about financial return. • Lot B lot size is out of character with the locality. • Increased reliance on on-street car parking. • Traffic impacts due to congested on-street parking.

Submitter	Discussion Points
Brendan Dally Attachment B4	<ul style="list-style-type: none"> • Objects to the proposal. • Lot B lot size is out of character with the locality. • Lack of on-street car parking in the area to cater for an additional dwelling, noting the existing unit development and proximity to local clubs (Sailing, Trailer Boat & Ski Clubs) and Mindil Beach markets • Adverse amenity impacts in relation to increased traffic, residents and noise. • Impact on the nature of existing surrounding housing and land values. • Application will reduce the exclusivity of Fannie Bay and undermine the NT Government's 'Restoring Our Territory Lifestyle' intention. • Approval of EDP will set a precedent.
Jack Benson Attachment B5	<ul style="list-style-type: none"> • Objects to the proposal. • Lot B lot size is out of character with the locality. • Future development would result in overlooking of neighbouring private open spaces. • Additional occupancy or commercial activity could create noise and traffic inconsistent in a residential area. • Increased traffic volume and pressure on street parking poses safety concerns. • Approval of EDP will set a precedent.

Service Authority Comments (Attachments D1 – D4)

Comments received from Service Authorities are summarised in the table below.

Service Authority	Comments
Power and Water Corporation (PWC) Power Services Attachment B6	<ul style="list-style-type: none"> • Does not object to the application. • New lots will need to be provided with underground electricity supply. The proponent will be responsible for the design and installation of these services and will need to use an approved provider. This will need to be to the requirements of PWC Power Services. • An electrical supply easement will need to be created and registered on the proposed lots to accommodate a low voltage distribution pillar.
PWC Water Services Attachment B7	<ul style="list-style-type: none"> • Does not object to the application. • Only a single water and sewerage service will be permitted for each propose lot. These will need to be installed by and at the expense of the developer. • Water Services should be contacted prior to works commencing to confirm servicing requirements. Water

	<p>Services should be contacted a minimum of 1 month prior to works commencing.</p> <ul style="list-style-type: none"> • The developer should engage a hydraulic consultant to confirm servicing requirements. • New services will need to connect with existing infrastructure, with easements registered over the location of these services. • Backflow prevention must be installed.
<p>Transport and Civil Infrastructure (TCI) of the Department of Logistics and Infrastructure (DLI)</p> <p>Attachment B8</p>	<ul style="list-style-type: none"> • Does not object to the application. • No concerns for matters under its responsibility.
<p>NT Fire and Emergency Services</p> <p>Attachment B9</p>	<ul style="list-style-type: none"> • Does not object to the application. • No concerns for matters under its responsibility.

The application was circulated to Land Resources Division of the Department of Lands, Planning and Environment (DLPE) and Survey Land Records, DLPE, and no comments were received.

Local Authority Submission (Attachment D5)

The relevant 'local government council' is the City of Darwin (Council). Pursuant to section 19 of the Act, Council were notified of the application on 19 September 2025. This allowed Council until 17 October 2025 to provide comments for this application. However, as Council did not provide a comment until 31 October 2025, where section 22(2) of the Act states *The submission must be in writing and lodged with the Commission within the exhibition period*, these comments are not considered to be a submission for the purpose of section 22(2) of the Act.

Notwithstanding, as the Minister must have regard to section 51(1)(t) of the Act, which states *other matters it thinks fit*, these comments are considered relevant to this application. For ease of assessment, the Council comments have been included below.

City of Darwin (Attachment B10)	
	<ul style="list-style-type: none"> • Objects to the application. • Application conflicts with Council's community driven approach to place and liveability, which aims to strengthen community participation and belonging, and enhance character and sense of place. • The proposed smaller lot is inconsistent with the purpose of Clause 6.2.11 (Lot Size and Configuration for Subdivision in Zone LR) due to the scale and configuration of the lot being inconsistent with the pattern of the established development in Scott Street and the surrounding area, where there has been no increase in residential development that has resulted in the creation of new lot with areas less than those permitted in Zone LR. • Despite the proposed residential development on the site being inconsistent with the established pattern of development in the area, the land will remain in Zone LR.

- The proposal is inconsistent with the NT Compact Urban Growth Policy (CUGP) for the following reasons:
 - The proposal will not transition density appropriately with surrounding lower density neighbourhood character, it conflicts with Clause: 4.2 Neighbourhood Character – Key Performance Indicator 3.
 - As there is no reticulated stormwater system in the area and the application does not consider stormwater impact, there may be inadequate infrastructure capacity to support increased density from smaller lot development, which conflicts with Clause: 4.4 Service Infrastructure – Key Performance Indicator 1.
 - As the proposal will result in a smaller single dwelling than those in the adjacent area, the proposal is inconsistent with Clause: 4.2 Neighbourhood Character – Key Performance Indicator 1(a).
 - As the Darwin Inner Suburbs Area Plan (DISAP) identifies the site and surrounds for ‘Residential – low density’ and does not identify it as being in a ‘Potential area for change’, the proposal is inconsistent Clause: 4.2 Neighbourhood Character – Key Performance Indicator 2.
 - As the proposal fails to demonstrate compliance with CUGP performance indicators, it is inconsistent with Clause: 3.2 Use of Policy Performance Criteria.
- The proposal is inconsistent with the Darwin Regional Land Use Plan 2015 (DRLUP) for the following reasons:
 - The application has not provided sufficient information to demonstrate that the smaller lot is compatible with land capability and drainage constraint.
 - The increased density is not aligned with sequencing priorities for infrastructure delivery.
- The application does not clearly demonstrate any benefits to the broader community or improved amenity to justify a departure from the NTPS and the Darwin Inner Suburbs Area Plan (DISAP), which undermines the Act’s objective to promote the good design of buildings and other works that respects the amenity of the locality.
- The application does not contain sufficient information to fully consider the requirements of the CUGP, DRLUP or DISAP, which means through this process that residents in the area were not provided the opportunity to consider the proposal against the planning scheme’s Strategic Framework or strategic intent of the Darwin Inner Suburbs Area Plan (DISAP). This weakness in the EDP application undermines the effectiveness of the DISAP and conflicts with the Act’s objectives to a) ensure strategic planning reflects the wishes and needs of the community; and b) respect and encourage fair and open decision making and public access to processes for review of planning related decisions.
- If approved, the EDP would likely set an undesirable precedent of undersized lots in Zone LR, which may increase the potential for future development in the area to bypass existing planning controls. This could result in increasing densities without increasing infrastructure plans or capacity and would erode the character of the area with development that is more suited to a well-planned higher density zone, which undermines the Act’s objectives to a) to assist the provision of public utilities, infrastructure and facilities for the benefit of the community; b) promote the good design of buildings and other works that respects the amenity of the locality; and c) respect and encourage fair and open decision making and public access to processes for review of planning related decisions.
- City of Darwin advises that increased densities in areas of Darwin with inadequate infrastructure should be strategically planned to ensure they reflect the wishes and needs of the community through a review of applicable land use plans. They should

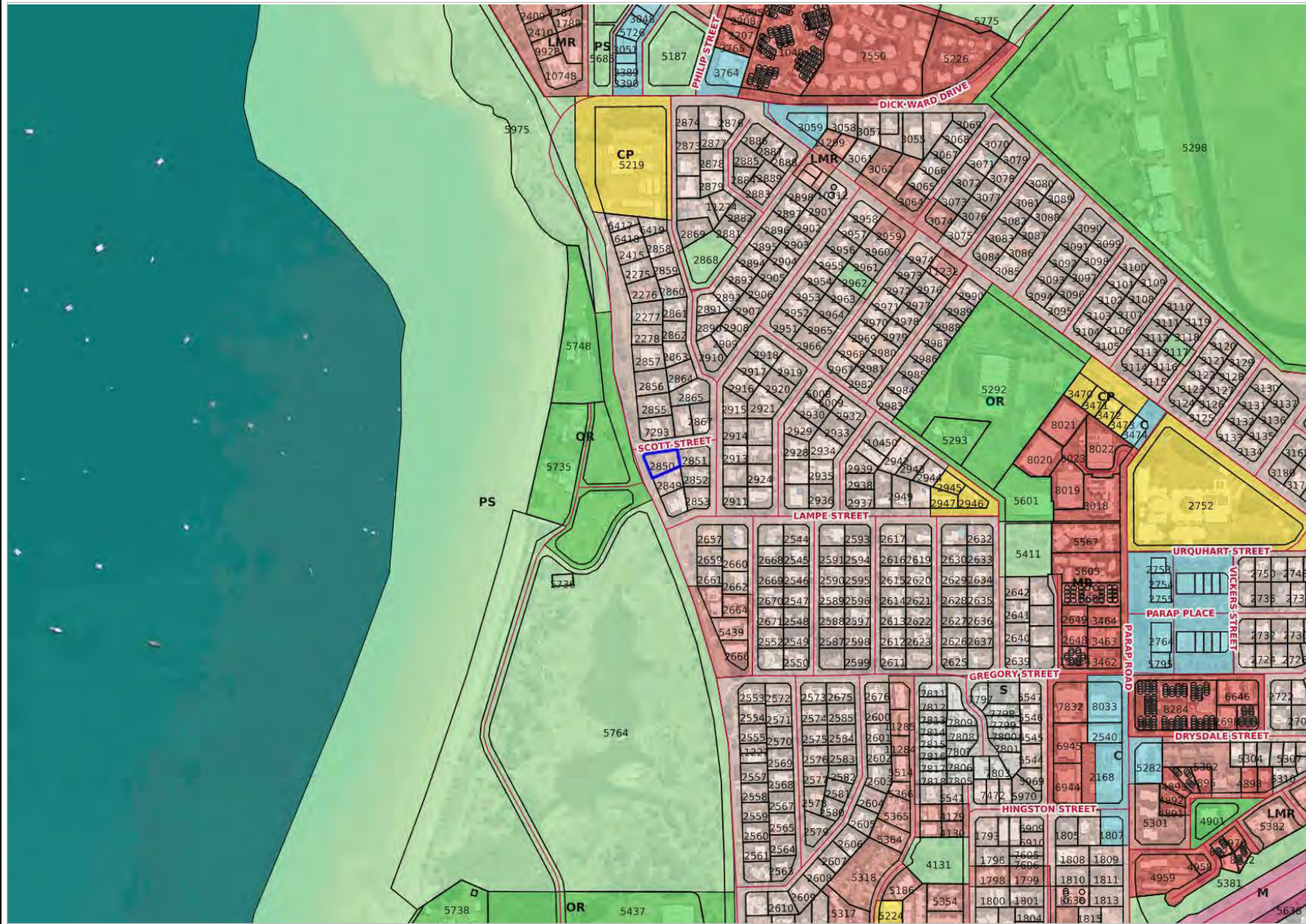
also be aligned with local housing targets, infrastructure pipelines, funding programs and developer contributions. This will empower City of Darwin to plan for and support Darwin's growth, better prioritise infrastructure investment, optimise budgets and deliver more effective and timely services.

7. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Lands, Planning and Environment on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.

NR MAPS

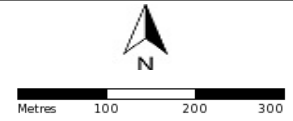
PA2025/0296



Legend

TOWN_PLANNING_ZONES

- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community Purpose
- CN - Conservation
- DV - Development
- RR - Rural Residential
- GI - General Industry
- HT - Heritage
- HR - High Density Residential
- H - Horticulture
- LI - Light Industry
- M - Main Road
- MR - Medium Density Residential
- CA - No Planning Scheme Control
- OR - Organised Recreation
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- LR - Low Density Residential
- S - Specific Use



nrmaps.nt.gov.au
 Geospatial Services Unit

Creative Commons Attribution 4.0
 International Public License
<https://creativecommons.org/licenses/by/4.0/legalcode>
 Department of Lands,
 Planning and Environment
 © Northern Territory Government

Scott Street yellow sign.



Scott Street yellow sign looking south.



View of proposed Lot B looking south from Scott Street.



View of proposed Lot A looking south-west from Scott Street.



View of neighbouring property.



View of neighbouring property from proposed Lot B.



View of proposed Lot B.



View of neighbouring property from proposed Lot B.





View of East Point Road yellow sign.



View of East Point Road looking to the south.



View of East Point Road looking to the north.



View of East Point Road/Scott Street intersection.



View of East Point Road/Scott Street intersection.



View of East Point Road/Scott Street intersection. Note the pram ramps.



Scott Street looking east.



Scott Street looking east.



View looking down Scott Street towards the west.



View of Scott Street looking towards the East Point Road.



View of Conigrave Street at the Scott Street intersection looking towards the south.



View of Conigrave Street at the Scott Street intersection looking towards the north.



View of the 60 East Point Road development.



60 East Point Road car parking area.



Lot 2850, Town of Darwin – 2 Scott Street, Fannie Bay
Exceptional Development Permit Application

INTRODUCTION

Lot 2850, Town of Darwin is located at 2 Scott Street, Fannie Bay (corner of Scott Street and East Point Road) and is owned by Darwin residents, Nicholas and Susannah.

The property comprises an expansive two storey residence that is currently undergoing major renovations and a shed with two roller doors.

The area of Lot 2850 is in 1,555m² and is therefore large enough to facilitate a two-lot subdivision resulting in lots with areas greater than 760m² (lot area permitted by Clause 6.2.1(1) of the NT Planning Scheme).

The creation of an additional allotment in this prime location would be desirable and for this reason the owners are considering subdivision.

Whilst a subdivision to create an additional allotment is certainly desirable, a subdivision creating two lots with equal areas would require the demolition of the existing residence and this would be extremely unfortunate.

As an alternative, and to support the retention of the impressive residence, a revised two-lot subdivision is now proposed. The existing residence would be retained on a new, 1,205m² lot and a balance lot of 350m² would be created.

Consideration was given to rezoning the land to permit multiple dwellings however it was considered that the introduction of an MD zone was not in keeping with the zone in this locality and could potentially open the opportunity for the development of 3-4 dwellings on the subject land.

As the subdivision will result in one of the lots having an area less than 760m², an application to subdivide requires the approval of the Minister.

Consequently, this application is seeking the grant of an Exceptional Development Permit (EDP) for a subdivision of Lot 2850 in accordance with attached plan

An application for an EDP was considered preferable to a request for a change in zoning as an LMR (Low-Medium Density Residential) zoning could potentially provide an opportunity for up to 5 dwellings on the subject land. The maximum dwelling yield from the current EDP application will be two.

The merits of the proposal will be outlined in more detail in this report, but it will create one new living opportunity in this much sought after area without disrupting the character of the suburb.

SITE DETAILS

Landowner:

Lot 2850, Town of Darwin

Joint Owners:

Nich

Nicholas Boris Scaturchio

Susannah Grant Scaturchio

Address: 11 Hickey Court, Larrakeyah NT 0820

Phone: c/o 08 89812494

Property details:

Lot 2850, Town of Darwin

Title details: Volume 864 Folio 474

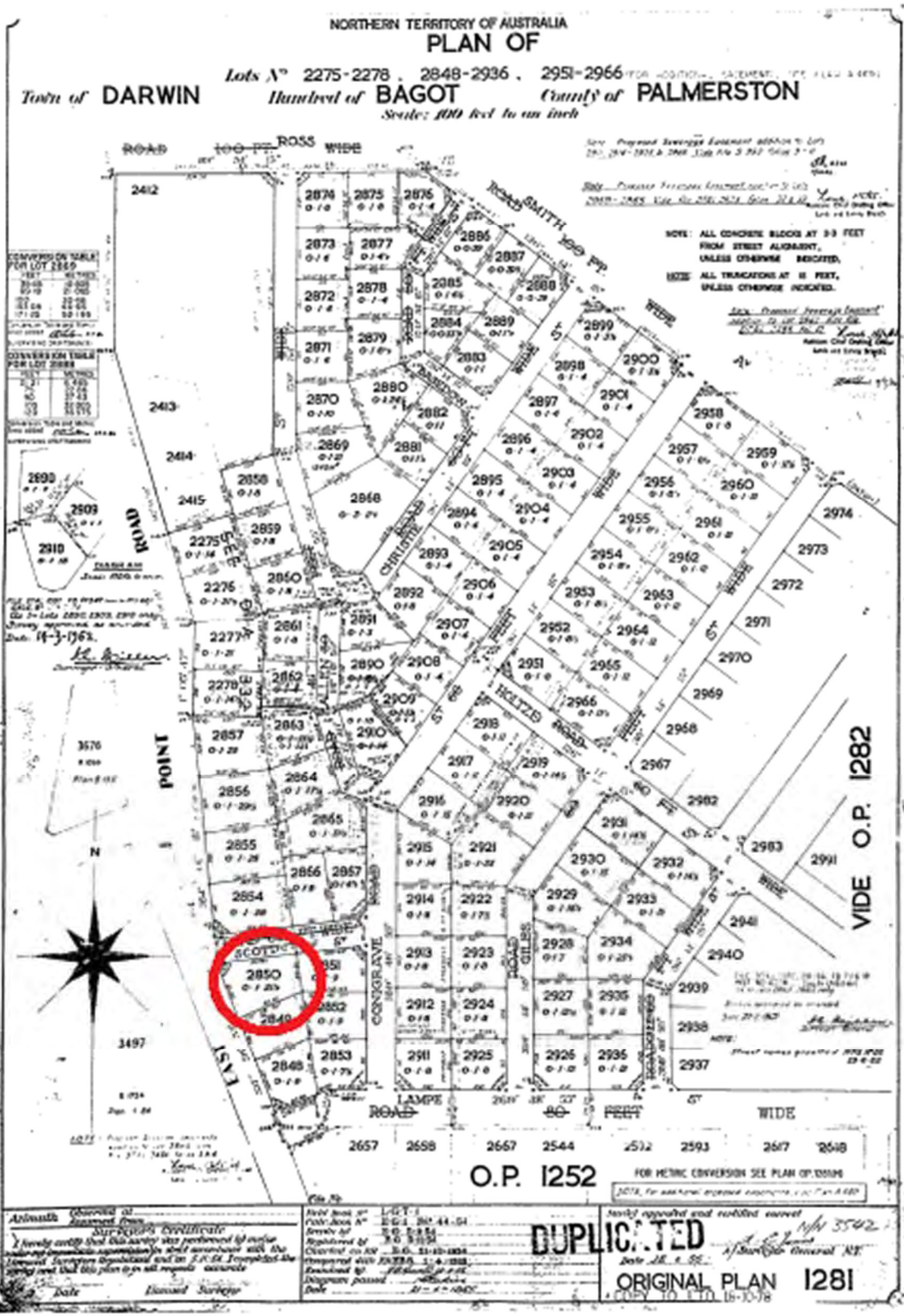
Survey Plan: OP1281

Address: 2 Scott Street, Fannie Bay

Easements: nil

Lot Area: 1,555 square metres





Survey Plan OP1281



MATTERS TO BE TAKEN INTO ACCOUNT

Clauses 51(1)(d), (h), (j), (k), (m), (n), (p), (pa), (r), (s) and (t) and the Planning Act

(d) an environment protection objective as defined in section 4(1) of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates;

Not applicable

(h) the merits of the proposed development as demonstrated in the application;

As previously mentioned, a subdivision to create two lots would be possible under the current zoning and the only reason why this is an EDP application is that one of the proposed Lots will have an area less than the 760m² that could be approved by the Development Consent Authority (DCA). The smaller lot is justified as it facilitates the existing residence being retained and the under-utilised component of Lot 2850m to be made available for a new living option

There are a variety of zonings and uses in the vicinity of the subject land.

Directly opposite on the corner of Scott Street and East Point Road is a unit complex that in a 'previous life' was the Seabreeze Hotel and restaurant. The hotel was converted into residential units in 2000.



The unit complex directly opposite the subject land on Scott Street

Whilst the area of proposed Lot B may be less than other parcels in the immediate area, the living option is considerably larger than the units in the converted Seabreeze.

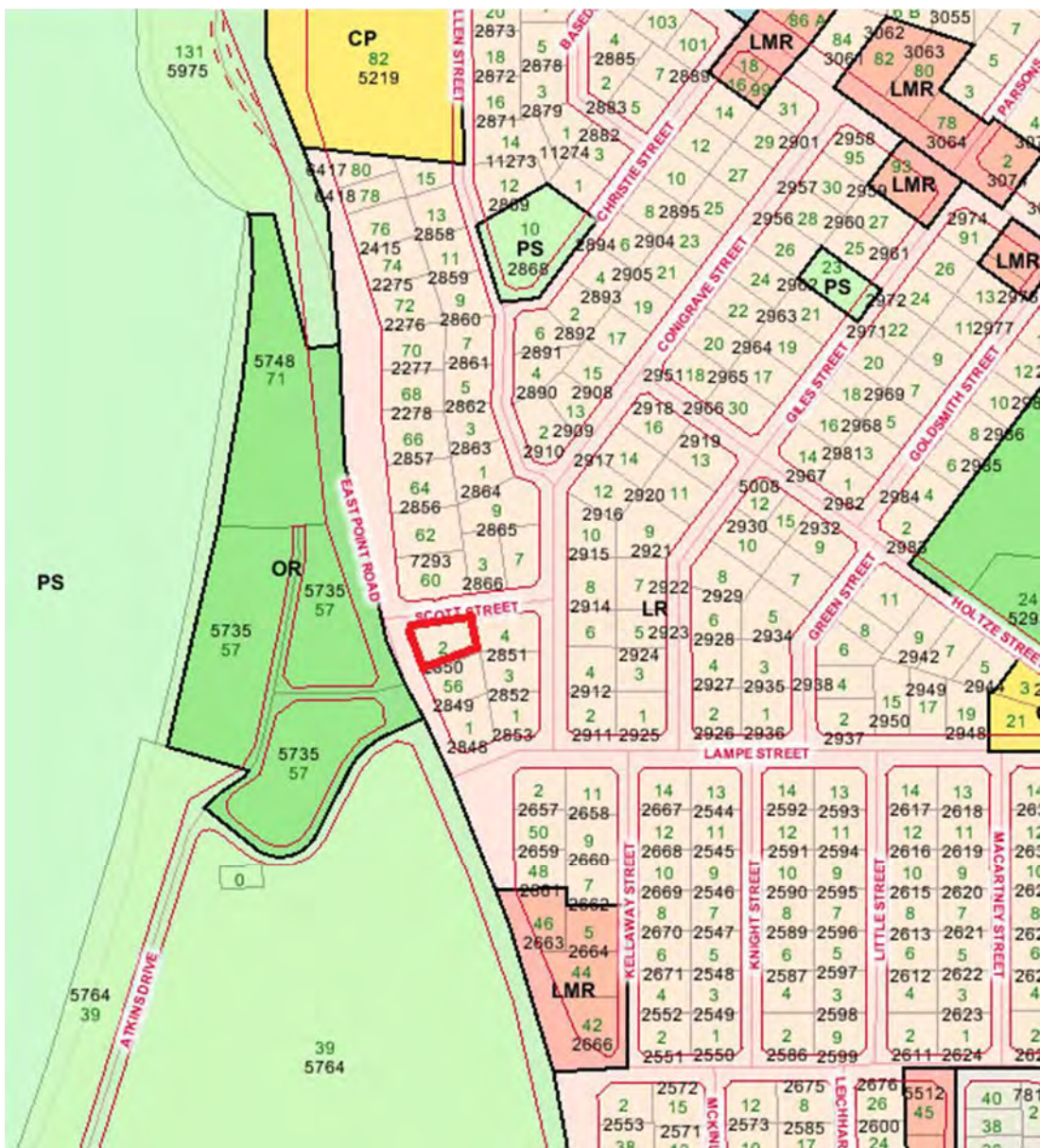
There are land parcels to the south along East Point Road that zoned for low-medium density residential (LMR) and there are other LMR sites in Fannie Bay and Parap that comprise units.

The subdivision being proposed for Lot 2850 should not be seen as *setting a precedent*.

This application is dealing with a corner allotment, the lot is not in a cul-de-sac, the land has no physical constraints and the subdivision is not likely to result in increased road traffic in the surrounding road network

Proposed Lot B has been designed to ensure that it can meet the minimum building envelope and road frontage required by the NT Planning Scheme (see attached plan 25/13358/2).

The Lot will allow for the construction of a compliant single that can be designed to take advantage of prevailing breezes.



The range of existing zones in the vicinity of the subject land

(j) 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 area under title is approximately 1,555m².

The land is relatively flat and the fact the land has been used for urban living for many years demonstrates that it is suitable for the intended use which is for a second dwelling, on a separate parcel.

Living and building areas will not be limited by easements as there are no easements registered on the title to Lot 2850.

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer;

The proposed lots are ideally situated to take advantage of some of Darwin's prime open space areas and public facilities.

Directly across East Point Road are the public grounds and water feature adjacent to Bundilla Beach (including the recent upgrades comprising s skate loop, exercise nodes, BBQ and toilet facilities) and the beach area itself provides yet another recreational opportunity. A walking path network leads south past Mindil Beach and into the Darwin CBD whilst going north the paths lead out past Fannie Bay to East Point.



Part of the new recreation facilities at Bundilla Beach



Kinetic sculpture, Coriolis, and landscaping at Bundilla Beach

Parapool is within walking distance as are the public tennis courts next door to the pool.

The residents of both lots will be able to utilise the nearby clubs (Darwin Bowling Club, Sailing Club, Ski Club and Trailer Boat Club) and the museum and restaurant are a short walk away.



The Darwin sailing Club is less than 100 metres from the subject land

The property is within walking distance to Darwin High School and Parap Primary School

Commercial and community facilities are located at Fannie Bay and Parap shopping centres and it is only a few minutes drive into the Darwin CBD.

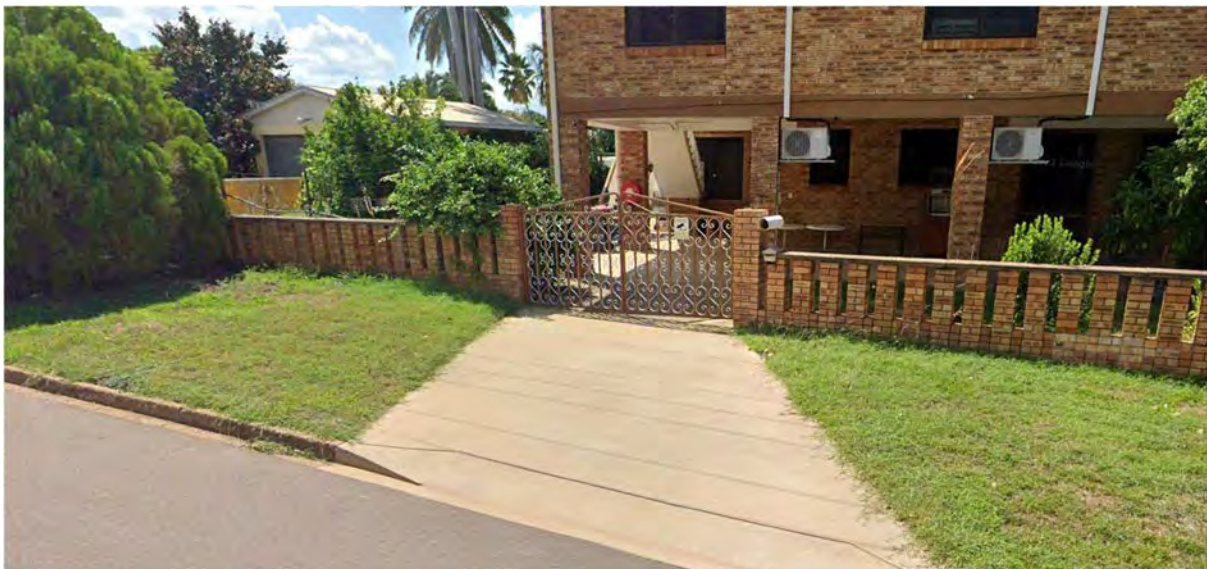
East Point Road is part of a public bus route so this transport option is also available to the existing and future residents. Gregory Street is also a public bus route.

(m) 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 subject land is serviced by reticulated water, sewerage, power and telecommunications. The applicant appreciates that the proposed lots will have to be serviced in accordance with Power and Water Corporation standards.

The current connections to Lot 2850 will likely be utilised by proposed Lot B and certified engineering consultants will be engaged to design and manage the constructed of new connections for the Lot A.

There are already existing kerb crossovers to provide access to each of the lots and the lots front onto a public road network.



Existing access into proposed Lot A off Scott Street



Existing access into proposed Lot B off Scott Street

(n) the potential impact on the existing and future amenity of the area in which the land is situated;

The subdivision itself will have little if any impact on the amenity of the surrounding area as it only introduces a single, additional dwelling that will utilise an existing driveway off Scott Street and that will only generate minimal, if any, increase in traffic

The NTPS setback requirements will ensure that there is negligible impact on the adjacent properties.

(pa) for a proposed subdivision or consolidation of land in a Restricted Water Extraction Area – whether the subdivision or consolidation complies with the restrictions of sections 14A and 14B of the Water Act 1992 and the requirements of section 14C(1) of that Act;

Not applicable.

(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011;

The proposal will not have any impact on the natural, social, cultural or heritage values of the area.

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under the Water Act 1992;

Not applicable

(t) other matters it thinks fit.

The proposed subdivision will make good use of land that is currently under-utilised.

The subdivision is preferable to a rezoning as that would promote development that is incompatible with what would be reasonably expected in this locality.

The land is serviced by reticulated services, has access to an integrated public road network, is on a public transport route and is close to community, commercial and recreational facilities.

As outlined in this report, the proposed subdivision to create two lots is consistent with a number of the key principles of the Compact Urban Growth Policy 2015

If a proposal relating to the development or use of land is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the Minister must not make a decision under section 40 in relation to the proposal unless:

- (a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or***
- (b) if the NT EPA has determined that an environmental impact assessment is required – an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or***
- (c) the Environment Protection Act 2019 otherwise permits the making of the decision.***

There is no requirement for the proposed development to be referred to the NT EPA under Part 4, Division 3 of the Environment protection Act 2019.

Land owner/s authorisation to lodge a development application

The Planning Act 1999

Before you fill in the form

Signatures from ALL landowners registered on the land title must be provided.

The authorisation must be dated within six months of the submission of the application.

Fields marked with an asterisk (*) are required. Fields marked with a caret (^) are required if applicable.			
<i>Applicant</i> <small>In this section you must provide the name of the applicant, the address of the applicant, the phone number and the email address of the applicant.</small>			
Name of Applicant/Consultant or Acting agent		Earl James and Associates	
Address		GPO Box 884, Darwin NT 0801	
Phone	89812494	Email	kdodd@eja.com.au
<i>Persons on whose behalf the application is made</i>			
Person/s on whose behalf the application is made:		Nicholas and Susannah Scaturchio	
Address		11 Hickey Court, Larrakeyah NT 0820	
Phone	89812494	Email	kdodd@eja.com.au
<i>The applicant is hereby authorised to lodge a development application over the subject land described as:</i>			
*Lot/NT portion	Lot 2850		
*Location/town	Town of Darwin		
*Street address	2 Scott Street, Fannie Bay		

Land owner/s authorisation to lodge a development application

<i>This application is the address of:</i>	
Proposed development <i>Brief description of proposed development</i>	Subdivision to create two lots
<i>Landowner/s signature</i> <small>and contact details of the owner of the land.</small>	
*Full name	Nicholas Boris Scaturchio
^Company name	
^Title <i>(e.g. director authorised representative)</i>	

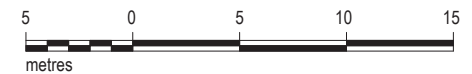


LOCATION DIAGRAM

Not to Scale

Note

Easements should be confirmed with the current Certificate of Title Areas and dimensions (including easements) are subject to survey Aerial image obtained from Nearmap, dated 30/09/2024 Aerial image is shown for background information only and is not rectified or accurately positioned



SURVEY & PLANNING CONSULTANTS

10 HARVEY STREET
DARWIN NT 0801

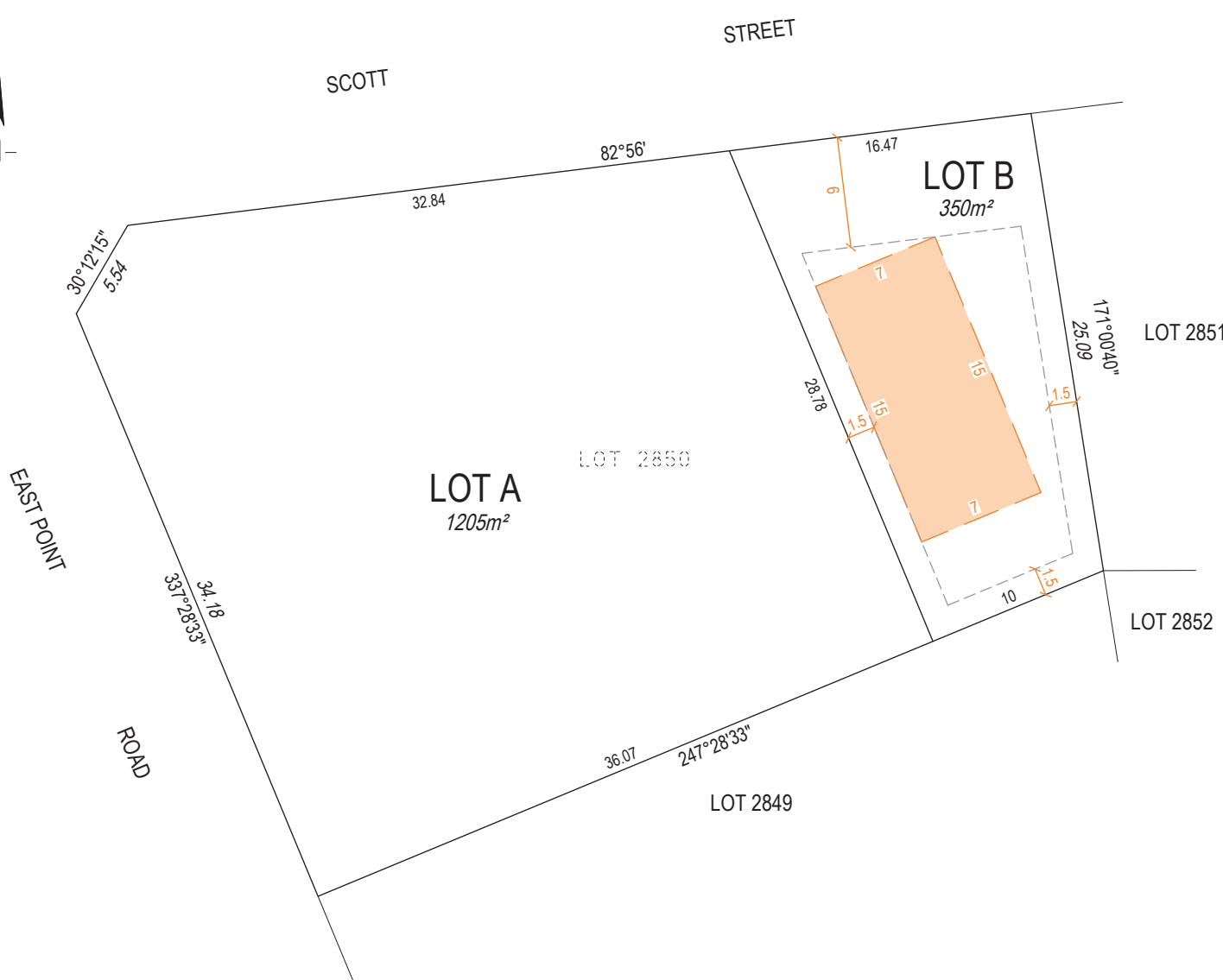
PH. (08) 8981 2494
FAX. (08) 8981 5205
darwin@eja.com.au
www.eja.com.au

**LOT 2850, TOWN OF DARWIN
2 SCOTT STREET, FANNIE BAY**

CONCEPT SUBDIVISION

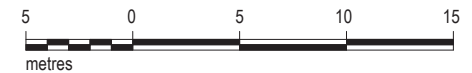
Client: **NICK SCATURCHIO**

Scale: 250 (A3)
Licensed Surveyor:
Date:
Drawn by: LC
Date: 31/07/2025
Cad File: 13358-01.DWG
Datum:
Drawing No: 25/13358/01



LOCATION DIAGRAM
Not to Scale

Note
Easements should be confirmed with the current Certificate of Title
Areas and dimensions (including easements) are subject to survey
--- denotes Building Envelope



eja
earl james & associates

SURVEY & PLANNING CONSULTANTS
10 HARVEY STREET
DARWIN NT 0801
PH. (08) 8981 2494
FAX. (08) 8981 5205
darwin@eja.com.au
www.eja.com.au

LOT 2850, TOWN OF DARWIN
2 SCOTT STREET, FANNIE BAY

BUILDING ENVELOPE
Client: **NICK SCATURCHIO**

Scale: 250 (A3)
Licensed Surveyor:
Date:

Drawn by: LC
Date: 31/07/2025
Cad File: 13358-02.DWG

Datum:
Drawing No:
25/13358/02

To Whom It May Concern,

Tom Mitchell-Weir, owner(s) of 56 East Point Road, Fannie bay, am writing to express my support for the proposed subdivision of the property at 2 Scott Street, Fannie Bay. I have reviewed the plan below and I have no objections to the project and support its approval.

Sincerely,

Signed 

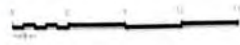
Name Tom Mitchell-Weir

Date 03/04/2025



LOCATION DIAGRAM
Not to Scale

Note:
Easements should be considered with the current certificate of title.
Areas and dimensions including easements are subject to survey.
Aerial image obtained from GeoImage, dated 03/04/2024.
Aerial image is shown for background information only
and a not relied on if a title is provided.



Submission regarding;

PA2025/0296 , Lot 2850 Town of Darwin , 2 Scott St Fannie Bay.

As a close neighbour and daily user of Scott Street, I strongly oppose this proposal for two key reasons:

1. Parking

The SeaBreeze apartments were originally approved without adequate parking for residents, which has already resulted in Scott Street being consistently congested with parked vehicles. The recently renovated house on the site is large enough to accommodate numerous residents, yet it also lacks sufficient off-street parking. Even before these renovations, and proposed subdivision, there were regularly five vehicles associated with this property, all of which were parked on the street.

Subdividing the block into a smaller lot will almost certainly exacerbate the issue, as a new dwelling on a tiny 360m² block is unlikely to provide enough off-street parking.

2. Amenity

The character and liveability of this area are defined by large blocks that allow for natural airflow, mature trees, and a more climate-responsive environment. A 360m² block will inevitably result in a house dominating the site — with air conditioners expelling hot air into neighbouring properties, airflow being blocked, and the overall amenity and value of surrounding homes diminished.

The Northern Territory Government frequently states its commitment to maintaining and improving the liveability and lifestyle of our communities as a way to attract and retain people and grow the economy. This proposal would undermine those goals by negatively impacting the quality of life in this neighbourhood and contributing to the gradual erosion — the “death by a thousand cuts” — of the social, economic, and lifestyle values that make this part of Fannie Bay so desirable.

It is the responsibility of the Planning Commission to uphold these principles and reject this proposal. Allowing a single 360m² block in an area characterised by lots over 1,000m² would set a damaging precedent and irreversibly change the nature of the neighbourhood.



Ray Hall

7 Conigrave St Fannie Bay

1 Giles Street
Fannie Bay, Darwin NT 0820

15 October 2025

Development Assessment
City of Darwin
PO Box 84
DARWIN NT 0801

Subject: Objection to Application 2025/0296 – Exceptional Development Permit,
2 Scott Street, Fannie Bay

Dear Sir/Madam,

I write as a resident of Fannie Bay to formally object to the above application for an exceptional development permit at 2 Scott Street. This proposal fails to comply with the Northern Territory Planning Scheme, undermines local amenity, and sets an undesirable precedent for this established neighbourhood.

1. Non-Compliance with the NT Planning Scheme

- The minimum lot size under the current scheme for Fannie Bay is 1,000 m². The application seeks approval for a 350 m² subdivision—far below the prescribed standard—without any demonstrated public benefit or valid planning justification.
- An exceptional permit must satisfy strict criteria demonstrating “special circumstances” and “no detrimental impact.” This submission presents neither.

2. Traffic Safety and Parking Stress

- Scott Street is narrow, with existing on-street parking already at capacity due to the Motel directionally opposite.
- Increased density will intensify traffic movements onto East Point Road, where sight-lines are poor and vehicle speeds high, exacerbating a known safety hazard.

3. Undermining Neighbourhood Character

- Fannie Bay’s defining feature is its spacious, family-oriented blocks. The average lot size exceeds 1,100 m²; subdividing into 350 m² parcels erodes the low-density character that drew residents here.
- Allowing this out-of-scale development would encourage copy-cat applications, irrevocably changing the suburb’s ambience and reducing property values.

4. Subdivision Plan Contradicts Local Context

- The applicant’s own plan (page 5 of the EJA submission) highlights that no neighbouring lots have pursued or achieved a similar subdivision.

- This isolation of one applicant does not constitute “infill” or “compatible development” as required by the scheme.

For these reasons, I urge the relevant authority to reject Application 2025/0296 in its entirety. Approving it would conflict with statutory planning controls, compromise public safety, and dismantle Fannie Bay’s valued character.

Thank you for your consideration. I trust that the City of Darwin will uphold the integrity of the NT Planning Scheme and the interests of its long-term residents.

Yours faithfully,

Paul Nicholls

A handwritten signature in black ink that reads "Paul Nicholls". The signature is written in a cursive, flowing style with a large initial 'P' and a long, sweeping tail.

Submission regarding:

PA2025/0296 – Lot 2850 Town of Darwin, 2 Scott Street, Fannie Bay

As a neighbour who lives on Scott Street, I strongly oppose the proposed subdivision of Lot 2850 for the following reasons:

1. Misuse of Planning Justifications

The application argues that an Exceptional Development Permit (EDP) is “preferable to rezoning” since rezoning could allow more dwellings (EJA 13358 Proposal). This is misleading.

- The issue is not rezoning, the issue is that this subdivision directly undercuts the 760m² minimum lot size safeguard in the NT Planning Scheme.
- That safeguard exists specifically to protect neighbourhood character and liveability, which this proposal undermines by introducing a 350m² block into an area characterised by much larger lots.
- Presenting this subdivision as a “lesser evil” is a tactical ploy designed to make approval seem reasonable. It should not be accepted as justification for bypassing planning protections.

2. Developer Intentions

The proposal presents the subdivision to “retain the impressive residence” and “make good use” of the land (EJA 13358 Proposal). However, there is significant community concern that this is less about improving neighbourhood amenity and more about financial return.

- Residents are worried that once renovations are complete, the property may be sold rather than occupied by the owners, and that the smaller subdivided block will also be put to market.
- If this occurs, the outcome would be two profit-driven sales rather than long-term investment in the neighbourhood.
- The language of “under-utilised land” used in the proposal suggests the property is being treated primarily as an asset to carve up, rather than as part of a suburb prized for its block sizes, green space, and liveability.

3. Traffic and Parking Impacts

The application claims the subdivision “is not likely to result in increased road traffic” and will generate “minimal, if any, increase in traffic” (EJA 13358 Proposal). This does not reflect reality.

Scott Street is already under pressure from existing developments like the SeaBreeze apartments, which provide inadequate parking. A new dwelling on a 350m² block will almost certainly bring extra vehicles that cannot be contained on-site.

More importantly, congested on-street parking reduces visibility for cars turning off Conigrave Street or East Point Road, a real risk as more young families move to Fannie Bay for its block

sizes and lifestyle. This impact has already been felt: contractors renovating Lot 2850 have filled Scott Street with vehicles, and even prior to works, tenants often parked their two cars on the street rather than using the driveways provided.

Even one additional household adds to this cumulative burden — the impacts cannot be dismissed as “negligible.”

Conclusion

The proposal underestimates serious traffic and parking impacts, introduces avoidable risks for young families, and undermines the character of Fannie Bay. It raises concerns that the subdivision is financially motivated rather than community-focused and relies on misleading justifications that erode the intent of the NT Planning Scheme.

For these reasons, I respectfully request that the Planning Commission reject this proposal.

A handwritten signature in black ink, appearing to read 'Thomas Forgan', with a long, sweeping horizontal stroke at the end.

Thomas Forgan

3 Scott Street, Fannie Bay.

Brendon J Dally
PO Box 847
Parap NT 0804
E: dallyco@bigpond.com

6 October 2025

Re: PA2025/0296, Lot 2850 Town of Darwin , 2 Scott St Fannie Bay.

My family have lived in Conigrave Street for almost 50 years and our residence looks down Scott Street which we access daily. I oppose this proposal in the strongest possible terms on the following grounds:-

1. Scott and Conigrave Streets have historically been single dwelling, low level properties on an allotment of on average 1200m². These properties provide established gardens, minimal traffic, natural airflow and a green environment. The pending application seeks to diminish the existing minimum lot size to 360m² – less than a third of the surrounding lot sizes - which is entire outside existing planning regulations.
2. Scott Street is a short street which already accommodates a unit development (previously designated as a hotel). Minimum parking has been allocated on the town plan for this development due to the former land use as a hotel. This already creates a large and ongoing parking issue for the small, suburban street given the current use by permanent residents.
3. Due to its proximity to the local clubs (Sailing, Trailer Boat, & Ski Clubs) and Mindil Beach markets, Scott Street regularly accommodates overflow parking for community events in the area. This exacerbates parking issues in the area which would only be compounded by an additional residence in the street.
4. In the event that this application is approved a potentially multi-level residence could be constructed, despite the small lot size, which will entirely change the nature of surrounding housing and diminish land values.
5. The amenity of surrounding neighbours will be impeded by the increase in traffic, residents and noise in the area due to a formerly single dwelling residence being approved for subdivision.

The current NT government espouses 3 pillars towards a stronger community, one of which is “Restoring Our Territory Lifestyle.” To approve this application would undermine the essence of what makes Fannie Bay exclusive in terms of large blocks and community amenity.

It is the responsibility of the Planning Commission to uphold these principles and reject this proposal. Allowing a single 360m² block in an area characterised by lots over 1,000m² would set a damaging precedent and irreversibly change the nature of the neighbourhood.

Yours sincerely,



Brendon Dally

Submission regarding;

PA2025/0296 ,Lot 2850 Town of Darwin , 2 Scott St Fannie Bay.

As a close neighbour and daily user of Scott Street, I strongly oppose this proposal for two key reasons:

1. Incompatibility with Local Character

The proposed development is inconsistent with the existing residential character of Fannie Bay, which is defined by low-density, single-dwelling homes, generous setbacks, and landscaped streetscapes. An exceptional development of greater bulk, scale, or density would significantly disrupt the established aesthetic and lifestyle enjoyed by residents.

2. Negative Impact on Amenity

The proposed development is likely to have a detrimental effect on the amenity of neighbouring properties, particularly in relation to:

- **Privacy:** The scale and height of the development could result in overlooking of adjacent private dwellings and outdoor areas.
- **Noise and Traffic:** An increase in occupancy or commercial activity could generate noise and traffic levels inconsistent with a quiet residential area.

3. Traffic and Parking Concerns

Scott Street is a narrow, low-traffic residential street. The proposed development is expected to increase traffic volume and pressure on street parking. This poses safety concerns, particularly near driveways and intersections and could restrict access for emergency vehicles.

4. Precedent for Future Overdevelopment

Approval of this application as an **exception** to current planning controls risks setting a precedent that could lead to the gradual erosion of planning regulations in Fannie Bay. This could encourage further speculative or inappropriate development applications that threaten the integrity of the suburb's planning framework. This is not an application for a redevelopment of a complete block, but a money grab from a developer who will have no intention of living on these blocks and just wishes to increase their portfolio.

If this is approved then 4 Scott St will do the same in the near future.



Jack Benson

6 Conigrave St Fannie Bay

Phone 1800 245 092

Web powerwater.com.au

Record No: D2025/354960

Container No: NE200/2850

Your Ref: PA2025/0296

Kaleb Thomas
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb

Re: Lot 2850 (2) Scott Street Fannie Bay Town of Darwin

In response to your letter of the above proposal for the purpose of subdivision to create two lots, Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. All newly created lots in any subdivision process in urban areas shall be provided with underground electricity supply services. The Proponent shall design and install sufficient network capacity and adequate underground electricity reticulation to each newly created lot (Zoned LR, Low Density Residential) in accordance with PWC's NP020 - Guidelines for Developers of Subdivisions and Electricity Infrastructure.
2. Low voltage distribution cable extension and establishment of a new low voltage distribution pillar on the common boundary of proposed Lot A and Lot B, with a 0.5m x 1.0m electricity easement on each lot for power services to proposed Lot A and Lot B would be required.
3. The Proponent shall engage accredited electrical consultant and contractor (from the attached accreditation list) to design and construct the low voltage underground electricity network extension as required in consultation with PWC.
4. The engaged electrical consultant shall need to submit a Negotiated Connection application under Australian Energy Regulator (AER) compliance process for PWC's assessment on the required load request.
5. PWC shall check and approve the consultant's electrical design drawings for construction and carry out final connection works at applicable cost under the AER assessment process.
6. Appropriate electricity easement for new distribution pillar shall be surveyed and registered to Land Titles Office by the Proponent at no cost to PWC.

If you have any further queries, please contact the undersigned on 8924 5729 or email:

PowerDevelopment@powerwater.com.au

Yours sincerely



Thanh Tang
Manager Distribution Development

23 September 2025



POWER AND WATER CORPORATION (NT) - POWER SERVICES

DEVELOPER WORKS - GIFTED ASSETS

LIST OF OVERHEAD ACCREDITED ELECTRICAL CONTRACTORS

	Company Name	Contact Person	Contact Phone No.	Contact Email
1	AA ELECTRICAL SERVICES (NT)	SHELLEY GRAY	0448 298 158	accounts@aaelectrical.com.au
2	COPLINK (NT)	GRAHAM COPLEY	0409 842 598	coplink@bigpond.net.au
3	COWELL ELECTRIC SUPPLY (SA)	AARON JONES	(08) 8629 2136	admin@cowellelectric.com.au
4	DEC INSTALLATIONS (NT)	ROBERT GRAHL	(08) 8947 7650	robert.grahl@dec.net.au
5	ENERVEN (SA) - COMPANY OF SA POWER NETWORKS	ROD MITCHELL	0427 580 219	rod.mitchell@enerven.com.au
6	ESPEC (NT)	PETER BADKIN	0491 148 543	info@espec.com.au
7	DUITS ELECTRICAL (NT)	DENHAM HUSSIES	0447 187 032	duits.electrical@outlook.com
8	MECNT ELECTRICAL CONTRACTORS (NT)	SAM MOLLOY	0427 055 165	sam@mecnt.com.au
9	MG ELECTRICAL SERVICES (NT)	EUAN BUNTINE	0427 271 424	euan.buntine@mgelectrical.com.au
10	NIGHTCLIFF ELECTRICAL (NT)	RICHARD JOHNSTON	0457 733 456	admin@nightcliffelectrical.com.au
11	NORGROUP (NT)	DAMIEN RIDLEY	0427 040 078	damian@norgroup.com.au
12	NORTHERN POWER SERVICES (NT)	GORDON JABOUR	(08) 8983 3388	admin@nps1.com.au
13	NT ELECTRICAL GROUP (NT)	BRAD FULLWOOD	(08) 8947 5500	admin@nteg.com.au
14	NT POWER LINES AND ELECTRICAL (NT)	ROBERT TIMMS	0429 780 388	manager@ntpowerlines.com.au
15	AUS PROJECTS (NT) - previous Power Project	ANDREW HARVEY	(08) 8972 2211	andrew@auspnt.com.au

LIST OF UNDERGROUND ACCREDITED ELECTRICAL CONTRACTORS

	Company Name	Contact Person	Contact Phone No.	Contact Email
1	AA ELECTRICAL SERVICES (NT)	SHELLEY GRAY	0448 298 158	accounts@aaelectrical.com.au
2	ABR GROUP (NT)	ADAM RYKERS	0414 863 874	adam.rykers@abrgroupnt.com.au
3	ALENCO (NT)	NATHAN DRUMMOND	0423 681 753	nathan@alencont.com.au
4	AMPCONTROL NT	GARETH KRUGER	08 8947 5702	NTadmin@ampcontrolgroup.com
5	CENTRE ELECTRICAL SERVICES (NT)	STEVE BASKERVILLE	0427 976 952	centreelectrical@bigpond.com
6	CoMATE (NT)	MARK DUFFY	0439 217 084	mark.duffy@comate.com.au
7	COMBINED ELECTRICAL (NT)	JEFF REES	(08) 8924 9700	administration@combinedelectricalnt.com.au
8	COPLINK (NT)	GRAHAM COPLEY	0409 842 598	coplink@bigpond.net.au
9	COWELL ELECTRIC SUPPLY (SA)	AARON JONES	(08) 8629 2136	admin@cowellelectric.com.au
10	DEC INSTALLATIONS (NT)	ROBERT GRAHL	(08) 8947 7650	robert.grahl@dec.net.au
11	DELTA ELECTRICS (NT)	ANDREW BOLLER	(08) 8984 4033	reception@deltaelectrics.com.au
12	DICE (AUST) NT	TERRY DENT	(08) 8932 1109	info@diceaust.com.au
13	DUITS ELECTRICAL (NT)	DENHAM HUSSIES	0447 187 032	duits.electrical@outlook.com
14	ENERVEN (SA) - COMPANY OF SA POWER NETWORKS	ROD MITCHELL	0427 580 219	rod.mitchell@enerven.com.au
15	ESPEC (NT)	PETER BADKIN	0491 148 543	info@espec.com.au
16	KELLYCO ELECTRICAL SERVICES (NT)	DON KELLY	0429 897 630	don@kellyco.net.au
17	KENNELLY CONSTRUCTIONS (NT)	SHANE KENNELLY	0409 411 658	shane.kennelly@kennelly.com.au
18	MECNT ELECTRICAL CONTRACTORS (NT)	SAM MOLLOY	0427 055 165	sam@mecnt.com.au
19	MG ELECTRICAL SERVICES (NT)	EUAN BUNTINE	0427 271 424	euan.buntine@mgelectrical.com.au
20	NIGHTCLIFF ELECTRICAL (NT)	RICHARD JOHNSTON	0457 733 456	admin@nightcliffelectrical.com.au
21	NILSEN (NT)	BRENNAN PLOUGHMAN	(08) 8947 1134	brennanploughman@nilsen.com.au
22	NORGROUP (NT)	DAMIEN RIDLEY	0427 040 078	damian@norgroup.com.au
23	NORTHERN POWER SERVICES (NT)	GORDON JABOUR	(08) 8983 3388	admin@nps1.com.au
24	NRG SERVICES (QLD)	TIM O'NEILL	0498 989 048	tim.oneill@nrgservicesqld.com.au
25	NT ELECTRICAL GROUP (NT)	BRAD FULLWOOD	(08) 8947 5500	admin@nteg.com.au
26	NT POWER LINES AND ELECTRICAL (NT)	ROBERT TIMMS	0429 780 388	manager@ntpowerlines.com.au
27	AUS PROJECTS (NT) - previous Power Project	ANDREW HARVEY	(08) 8972 2211	andrew@auspnt.com.au
28	THE ELECTRICAL MOB (NT)	LEONARD EICHMANN	0402 519 851	admin@theelectricalmob.com.au
29	TOP END RACE (NT)	JASON KLEEFMAN	(08) 8946 5400	admin@topendrace.com.au

DISCLAIMER:

Power and Water disclaims all liability for any damage or financial loss arising from the use or reliance upon the above consultant and contractor credentials.

The Developer must carry out actual project checks from contractors' competency claims of specific fields of expertise prior to making appropriate decision for engagements.

Specific fields of construction expertise are: Overhead Reticulation Construction (up to 22kV), Underground Reticulation Construction (up to 22kV),

11kV/22kV Indoor Ground Level Substation Construction, 11kV/22kV Indoor Upper Level Substation Construction, Street Lighting Construction.



POWER AND WATER CORPORATION (NT) - POWER SERVICES

DEVELOPER WORKS - GIFTED ASSETS

LIST OF ACCREDITED ELECTRICAL DESIGN CONSULTANTS

	Company Name	Contact Person	Contact Phone No.	Contact Email
1	AECOM AUSTRALIA (NT)	JAMES JENTZ	0409 665 088	james.jentz@aecom.com
2	AGA CONSULTING ENGINEERS (NT)	ALEK GANGUR	0411 262 714	alekg@agaeng.com.au
3	APD ENGINEERING (NT)	DUMINDA BOWATA	(08) 8995 5805	admin.nt@apdeng.com.au
4	ASHBURNER FRANCIS (NT)	GRAHAM HEASLIP	(08) 8942 0585	GrahamH@ashburnerfrancis.com.au
5	AURECON AUSTRALIA (NT)	CLINT TEVLIN	0408 653 469	clint.tevlin@aurecongroup.com
6	BCA ENGINEERS (NT)	KELVIN LOI	(08) 8132 1700	kelvinloi@bcaengineers.com
7	BESTEC (SA)	CLAIRE BARBER	(08) 8629 2136	cbarber@bestec.com.au
8	CELL ENGINEERING (NT)	NATHAN TING	0428 110 999	nathan.ting@celleng.com.au
9	CLARENCE CONSULTANTS (NSW)	MATTHEW KARPIK	(02) 6642 7239	matt@clarenceconsultants.com.au
10	ENERVEN (SA) (PART OF SA POWER NETWORKS)	ROD MITCHELL	0427 580 219	rod.mitchell@enerven.com.au
11	ERDS (QLD)	SHAY QUINN	(07) 3518 3100	admin@erds.com.au
12	GHD (NT)	ANDREW SAXELBY	(08) 8982 0150	andrew.saxelby@ghd.com
13	GPA Engineering (NT)	HANNAH FARROW	(08) 8299 8300	Hannah.Farrow@gpaeng.com.au
14	HK SOLUTIONS (NT)	RICHARD OPPUSUNGGU	0431 662 275	richard.oppusunggu@hksolutions.com.au
15	JACOBS GROUP AUSTRALIA (NT)	RYAN KRATE	(08) 8982 4800	ryan.krate@jacobs.com
16	JDSi CONSULTING ENGINEERS (WA)	NORMAN MCKENDRY	0438 638 222	norman.mckendry@jdsi.com.au
17	PERACON GROUP (QLD) - previously LECTEL	CHARLIE VELLA	0412 021 651	cvella@peracon.com.au
18	LUCID (NT)	CIARAN FARRELL	(08) 8947 6824	ciaran.farrell@lucidconsulting.com.au
19	MDA CONSULTING (QLD)	MAURICE DUFFILL	(07) 3252 9560	info@mdaengineers.com.au
20	NTBS CONSULTING ENGINEERS (NT)	WILL PURTILL	(08) 8981 9888	will@ntbsconsulting.com
21	PCE (POWER CONTROL ENGINEERS) (NSW)	BYRCE PARKER	0448 281 754	byrce.parker@pceng.com.au
22	SMEC (QLD)	TERRY McCAULEY	0457 821 034	Terry.McCauley@smec.com
23	TRINAMIC CONSULTANTS (SA)	DAVID WILSON	(08) 8232 3737	davidw@trinamic.com.au
24	Wallbridge Gilbert Aztec, WGA (NT)	ANDREW McLEOD	(08) 8941 1678	AMcLeod@wga.com.au
25	WSP (NT)	FIROUZEH AMANPOOR	(08) 8980 5900	Firouzeh.Amanpoor@wsp.com

DISCLAIMER:

Power and Water disclaims all liability for any damage or financial loss arising from the use or reliance upon the above consultant credentials.

The Developer must carry out actual project checks from consultants' competency claims of specific fields of expertise prior to making appropriate decision for engagements.

Specific fields of expertise are: Overhead 11kV/22kV Subdivision Design, Underground 11kV/22kV Subdivision Design, Overhead 11kV/22kV Servicing Development Design,

Underground 11kV/22kV Servicing Development Design, 11kV/22kV Indoor Ground Level Substation Design, 11kV/22kV Indoor Upper Level Substation Design,

Overhead 66kV and above Transmission Lines Design, Underground 66kV and above Transmission Lines Design.



Container No: LD200/2850

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb Thomas

RE: PA2025/0296 - Lot 02850 Town of Darwin - 2 Scott St, Fannie Bay NT - Subdivision to create two lots

In response to your letter of the above proposal for development application purpose, Power and Water Corporation (Water Services) advises the following with reference to water and sewer enquiries:

1. Only a single water and sewer service is permitted for each proposed individual lot. All new services are constructed by the developer, at no cost to Power and Water.
2. The developer will need to upgrade the existing water and sewer service and is advised to contact Services Development prior to start of construction. Water supply to the lot shall be provided by the land developer of a size adequate to cater for the ultimate future water demand of the lot.
3. The developer is advised to engage a suitably qualified hydraulic consultant to confirm water and sewer servicing requirements.
4. The developer will be required to provide the following for the proposed subdivision:
Lot A – provide a new dedicated water connection from the existing DN100 CICL water main in Scott Street. The sewer connection for the existing residence can remain. Connection via a maintenance shaft/Access Chamber and creation of an easement will be required to retain this service.
Lot B – the existing water connection can be retained at this time, or the developer can ensure that proposed Lot B is water serviced to ultimate. A new sewer connection is required from MH 3/1 with a registered easement as per proposed Lot A. An alternative sewer servicing option is via MH 20/1/1C.
5. The developer must ensure that;
 - a) Backflow prevention is installed at the water service in accordance with AS/NZS 3500.1 – Plumbing and Drainage - Water Services
 - b) Where applicable, the device is tested annually in accordance with AS/NZS 2845.3 Field testing & maintenance of testable devices.Visit <https://www.powerwater.com.au/developers/water-development/backflow-prevention> or contact BackflowPrevention.PWC@powerwater.com.au for all backflow prevention enquires.
6. A sewer easement shall be created over proposed Lots A & B. In design stage, the developer should be aware that structures must not be located on or over a water supply or sewerage easement.
7. Power and Water advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior to construction works commencing.

If you have any further queries, please contact the undersigned on 899 55882, or email waterdevelopment@powerwater.com.au

Yours sincerely

A handwritten signature in black ink that reads "S Hemopo". The signature is written in a cursive style.

Sarah Hemopo
Senior Development Services Officer

9th October 2025

cc: Kevin Dodd
email: kdodd@eja.com.au

From: [Michael Howard](#) on behalf of [DevRoads NTG](#)
To: [Planning NTG](#); [DevRoads NTG](#)
Subject: RE: "PA2025/0296 Lot 02850 Town of Darwin" - New Application Submitted
Date: Friday, 19 September 2025 2:29:26 PM

Hi DAS,

I am pleased to advise that Transport and Civil Infrastructure (TCI), Department of Logistics and Infrastructure (DLI) has no objection/comments in principle to the above mentioned subdivision, as the development is not adjoining the Northern Territory Government (NTG) controlled road.

Cheers

Michael Howard

Technical Assessment Officer
Corridor Management and Design, Transport & Civil Infrastructure
Department of Logistics & Infrastructure

Level 3, Highway House, Palmerston Circuit, Palmerston
PO Box 61, Palmerston NT 0831

t. (08) 89247252

e. DevRoads.NTG@nt.gov.au



Use or transmittal of the information in this email other than for authorised NT Government business purposes may constitute misconduct under the NT Public Sector Code of Conduct and could potentially be an offence under the NT Criminal Code. If you are not the intended recipient, any use, disclosure or copying of this message or any attachments is unauthorised. If you have received this document in error, please advise the sender. No representation is given that attached files are free from viruses or other defects. Scanning for viruses is recommended.

The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

From: Planning NTG <Planning.NTG@nt.gov.au>
Sent: Friday, 19 September 2025 5:11 AM
To: DevRoads NTG <DevRoads.NTG@nt.gov.au>
Subject: 'PA2025/0296 Lot 02850 Town of Darwin' - New Application Submitted

Dear Transport and Civil Infrastructure - DLI,

A proposed exceptional development permit to Subdivision to create two lots at 2 Scott St , Fannie Bay NT is to be subject to a 28 day public exhibition period, commencing 19/09/2025 and closing on 17/10/2025.

This application can be [viewed](#) and comments can be made through [ILIS](#) until 17/10/2025.

If you have an enquiries, please feel free to contact Development Assessment Services Darwin, 8999 6046.

Kind Regards,
Development Assessment Services

Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
Darwin NT 0801

Our reference
04-SF25-1646

Dear Development Assessment Services

Re: PA2025/0296 Lot 02850 Town of Darwin - 2 Scott St , Fannie Bay NT

The Northern Territory Fire and Emergency Services has assessed the information contained in the proposed planning scheme amendment and advises there are no objections to the proposal.

If you have any questions or require further information, please contact the Fire Safety Command, NT Fire and Rescue Service via email: fire.safety@pfes.nt.gov.au.

Yours sincerely



Krystal Harvey
Director Strategic Services
Northern Territory Fire and Emergency Services

23 September 2025

Manager Urban Planning
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2025/0296

Dear Sir/Madam

**Parcel Description: Lot 2850 Town of Darwin
 2 Scott Street, Fannie Bay**

Proposed Development: Exceptional Development - Subdivision to create two lots

Thank you for the development application referred to this office on 3 October 2025 concerning the above. This submission to application PA2025/0296 was endorsed by Council at its meeting on 28 October 2025.

The application (conflicts with City of Darwin's community-driven approach to place and liveability, which aims to:

- strengthen community participation and belonging, and
- enhance character and sense of place

The application is for an Exceptional Development Permit (EDP) to subdivide one lot into two lots in zone Low Density Residential (LR). In zone LR, the minimum lot size for this particular property is 800m².

The subdivision proposal would result in one lot of 1,205m² (containing existing single dwelling) with a balance lot of 350m² (containing an existing garage). The smaller lot is 450m² less than would normally be permitted in the zone.

The site in Fannie Bay, sits in context with surrounding large lot of Zone LR. The existing pattern of residential development in the area is characterised as being low density with predominantly large single dwellings on lot sizes ranging from around 1,800m² to 1,200m². These residential properties are heavily vegetated, which provides urban cooling, stormwater management and a high level of amenity.

The only anomaly in the vicinity of the site is a unit development, directly opposite and to the north of 2 Scott Street (at 60 East Point Road), which is a legacy of a much earlier planning scheme that applied a different type of zone. This unit development would not be approved in Zone LR today.



Pursuant to Section 22 (1) of the NT Planning Act 1999 (the Act), City of Darwin submits that this application should be refused for the following reasons:

1. The proposed smaller lot is inconsistent with the purpose of Clause 6.2.11 (Lot Size and Configuration for Subdivision in Zone LR) due to the scale and configuration of the lot being inconsistent with the pattern of the established development in Scott Street and the surrounding area, where there has been no increase in residential development that has resulted in the creation of new lot with areas less than those permitted in Zone LR.
2. Despite the proposed residential development on the site being inconsistent with the established pattern of development in the area, the land will remain in Zone LR.
3. The proposal is inconsistent with the NT Compact Urban Growth Policy (CUGP) for the following reasons:
 - a. As the proposal will not transition density appropriately with surrounding lower density neighbourhood character, it conflicts with Clause: 4.2 Neighbourhood Character – Key Performance Indicator 3.
 - b. As there is no reticulated stormwater system in the area and the application does not consider stormwater impact, there may be inadequate infrastructure capacity to support increased density from smaller lot development, which conflicts with Clause: 4.4 Service Infrastructure – Key Performance Indicator 1.
 - c. As the proposal will result in a smaller single dwelling than those in the adjacent area, the proposal is inconsistent with Clause: 4.2 Neighbourhood Character – Key Performance Indicator 1(a).
 - d. As the Darwin Inner Suburbs Area Plan (DISAP) identifies the site and surrounds for 'Residential – low density' and does not identify it as being in a 'Potential area for change', the proposal is inconsistent Clause: 4.2 Neighbourhood Character – Key Performance Indicator 2.
 - e. As the proposal fails to demonstrate compliance with CUGP performance indicators, it is inconsistent with Clause: 3.2 Use of Policy Performance Criteria.
4. The proposal is inconsistent with the Darwin Regional Land Use Plan 2015 (DRLUP) for the following reasons:
 - a. The application has not provided sufficient information to demonstrate that the smaller lot is compatible with land capability and drainage constraint.
 - b. The increased density is not aligned with sequencing priorities for infrastructure delivery.



5. The application does not clearly demonstrate any benefits to the broader community or improved amenity to justify a departure from the NTPS and the Darwin Inner Suburbs Area Plan (DISAP), which undermines the Act's objective to promote the good design of buildings and other works that respects the amenity of the locality.
6. The application does not contain sufficient information to fully consider the requirements of the CUGP, DRLUP or DISAP, which means through this process that residents in the area were not provided the opportunity to consider the proposal against the planning scheme's Strategic Framework or strategic intent of the Darwin Inner Suburbs Area Plan (DISAP). This weakness in the EDP application undermines the effectiveness of the DISAP and conflicts with the Act's objectives to:
 - a. ensure strategic planning reflects the wishes and needs of the community.
 - b. respect and encourage fair and open decision making and public access to processes for review of planning related decisions.
7. If approved, the EDP would likely set an undesirable precedent of undersized lots in Zone LR, which may increase the potential for future development in the area to bypass existing planning controls. This could result in increasing densities without increasing infrastructure plans or capacity and would erode the character of the area with development that is more suited to a well-planned higher density zone, which undermines the Act's objectives to:
 - a. to assist the provision of public utilities, infrastructure and facilities for the benefit of the community.
 - b. promote the good design of buildings and other works that respects the amenity of the locality.
 - c. respect and encourage fair and open decision making and public access to processes for review of planning related decisions.

City of Darwin advises that increased densities in areas of Darwin with inadequate infrastructure should be strategically planned to ensure they reflect the wishes and needs of the community through a review of applicable land use plans. They should also be aligned with local housing targets, infrastructure pipelines, funding programs and developer contributions. This will empower City of Darwin to plan for and support Darwin's growth, better prioritise infrastructure investment, optimise budgets and deliver more effective and timely services.

If you require any further information in relation to this application, please feel free to contact City of Darwin's Innovation Team on 8930 0300 or darwin@darwin.nt.gov.au

Yours sincerely

Signed by:

23F58014766D3F02

ALICE PERCY
GENERAL MANAGER INNOVATION

