

**DEVELOPMENT CONSENT AUTHORITY
TENNANT CREEK DIVISION**

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: **1** **MEETING DATE:** 15/06/2026 **FILE:** PA2026/0013

APPLICATION PURPOSE: Shop and food premises-fast food outlet with reduced car parking

SUBJECT SITE: Lot 48, 49 and 382 (128, 136 and 146 Paterson Street, Tennant Creek) Town of Tennant Creek

ZONE: C (Commercial)

SITE AREA: 1000m²

APPLICANT Masterplan NT - Mr George Dakis

PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE APC Manufacturing and Logistics.
Mr Paul Pizzolato.

LANDOWNER Framar Nominees Pty Ltd.
Director – Mr Frank Martino.

ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND None.

1. PROPOSAL

The application seeks consent to establish a shop and food premises-fast food outlet with reduced car parking. The proposed development primarily consists of a prefabricated container design with a zincalume roof. The building frontage includes 4 roller/server windows and a cool room for sales. The internal floor area of the main building consists of cool rooms and a kitchen layout.

The proposal includes 8 on site car parking spaces, 3 temporary parking spaces, one loading bay and an ingress/ egress driveway with landscaping proposed along the boundary.

The proposal appears to incorporate the existing rock/masonry wall as part of the development.

Additionally, the proposal encroached into the adjoining lots and therefore an access easement is proposed to be registered where the proposal is supported. Lot 48, 49 and 382 (128, 136 and 146 Paterson Street, Tennant Creek) Town of Tennant Creek are all owner by the same landowner.

Locality images are at **Bookmark A** and a copy of the application is at **Bookmark B**.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

The application is *Impact Assessable* under Clause 1.8(1)(c)(i) of the Northern Territory Planning Scheme 2020 (NTPS2020)

Zoning and Level of Assessment on Assessment Table	Part 3 Overlay	Part 5 – General and Specific Development Requirements	Level of Assessment
C (Commercial) Shop is permitted use Food premises-fast food outlet is Impact assessable	Nil	<ul style="list-style-type: none"> - 5.2.1 General Height Control - 5.2.4.1 Car Parking Spaces - 5.2.4.4 Layout of Car Parking Area - 5.2.5 Loading Bay - 5.2.6.1 Landscaping in Zones other than Zone CB. - 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR and HR) - 5.5.2 Commercial Plot Ratio - 5.5.11 Food Premises - 5.5.15 Design in Commercial and Mixed-Use Areas - 5.5.17 Building Frontage in Commercial and Mixed-Use Areas 	Impact assessable

The exercise of discretion by the consent authority that applies is clause 1.10(4).

3. ASSESSMENT SYNOPSIS

This report recommend that the Authority should vary the requirements of Clause 5.2.4.1 (Car Parking Spaces) Clause 5.2.5 (Loading Bay), Clause 5.5.15 (Design in Commercial and Mixed Use Areas) of the NT Planning Scheme 2020 and approve the application subject to conditions on the development permit.

4. BACKGROUND

The Northern Territory Planning Authority previously issued DV/2831 on 5 October 1987 for the purpose of redevelopment of the Tennant Creek Hotel. It is not clear if the development was completed in accordance with the approval. **Bookmark C.**

5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks. No public submissions were received under section 49(1) of the *Planning Act 1999*.

6. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT 1999)

Pursuant to Section 51(1) of the *Planning Act 1999*, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

(a) any planning scheme that applies to the land to which the application relates

In considering an application for a use or development identified as Impact Assessable the consent authority must take into account all of the following:

(a) any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;

- (b) any Overlays and associated requirements in Part 3 that apply to the land;*
- (c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and*
- (d) any component of the Strategic Framework relevant to the land as set out in Part 2.*

Technical Assessment is at **Bookmark D**.

Tennant Creek Land Use Plan (TCLUP)

With consideration of the Strategic framework, this development is purely commercial and retail. The key objectives outlined within the TCLUP emphasise the importance of retaining the primacy of Paterson Street as the retail hub but also supporting redevelopment of underutilised or vacant parcels for commercial and retail purposes.

Clause 4.11 Zone C (Commercial)

The purpose of Clause 4.11 is to *provide a mix of activities and services well connected to a surrounding community at varying scales including:*

- (a) mixed use centres providing a wide range of retail, entertainment, community and business activities that serve the broader community;*
- (b) smaller centres that cater for convenience needs of immediately surrounding communities;*
- (c) small local centres predominantly focused on convenience retailing; and*
- (d) residential development commensurate to the scale of the commercial precinct.*

Zone outcome 1 seeks a *diversity of commercial activities that provide for a range of needs of the surrounding area at an appropriate scale for their location, including:*

- (a) a mix of retail and business activities including shop, food premises-café/take away, food premises-restaurant, bar-small and bar-public, sex services-commercial premises, medical clinic, office, and leisure and recreation; and*
- (b) child care centre, club, residential care facility, and other community activities and support services.*

It is considered that the use and development of a shop and food premises is a form of development anticipated within Zone C noting that the location sits within the primacy of Paterson Street.

Zone outcome 2 directs all development to;

- (a) avoid adverse impacts on the local road network;*
- (b) be managed to minimise unreasonable impacts to the amenity of surrounding residents;*
- (c) be of a scale, intensity and nature that reflects the mixed use character of the zone;*
- (d) provide variety and interest at street level;*
- (e) allow passive surveillance of public spaces; and*
- (f) have a scale and character appropriate to the commercial function of the locality.*

The controlling road authority in this instance is the NT Government (Transport and Civil Services) who have provided comment in relation to the development. Road access is arranged via an ingress egress formation that allows for vehicles to enter and exit in a forward gear, noting that the proposal includes the creation of two crossovers to support the development. The development proposes the sale of food and alcohol which is the historical use of the locality. The development can support passive surveillance measures through establishing a built form that is well below the plot ratio requirements permitted within Commercial zoning.

Zone outcome 5 seeks *innovative building design, site layout and landscaping that:*

- (a) responds to microclimates, including breeze flow;*

- (b) minimises privacy and overlooking impacts;*
- (c) reduces the appearance of building mass relative to its surroundings; and*
- (d) creates attractive outdoor spaces and enhances the streetscape.*

The built form is entirely prefabricated materials which is not an ideal design for achieving the outcomes above such as enhancing the streetscape and facilitating breeze flow. However, it is not considered that the scale of development proposed will create building mass when viewed from the street, and efforts can be undertaken to assist the amenity of the streetscape.

Clause 5.2.4.1 Car Parking Spaces

The purpose of Clause 5.2.4.1 is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site.

Sub clause 5 of Clause 5.2.4.1 states that use and development is to include the minimum number of car parking spaces within the development site, as specified in the relevant table to this clause (rounded up to the next whole number).

The development does not comply with Clause 5.2.4.1 in that 8 car parking bays and 6 temporary drive-thru bays are proposed instead of 14 car spaces and 10 drive-thru bays. As such, a variation is required for the shortfall of car parking spaces. However, the extent of the car parking shortfall depends on what the development allocates as the drive through development because the driveway can accommodate more than 10 drive-thru bays as identified in the Traffic Impact Assessment.

Given that the proposal is intended for pizza shop and bottle shop drive-thru, it is considered that the ingress/egress driveway can allow for a compliance number of vehicles to wait within the site without idling in the road reserve or primary street.

Clause 5.2.5 Loading Bay

The purpose of Clause 5.2.5 is to provide for the loading and unloading of vehicles associated with the use of land.

Table to Clause 5.2.5 lists the following;

Table to Clause 5.2.5	DAS/DLPE Comment	Compliance
<i>Food premises fast food outlet 1 loading bay for every 2000m2 of the total net floor area, or part thereof</i>	1 Loading Bay required	1 loading bay provided.
<i>Shop 1 loading bay for every 2000m2 of the total net floor area, or part thereof</i>	1 Loading Bay required	No loading bay provided.

The development does not comply because the proposal is required to provide 2 loading bays (only 1 loading bay required).

Sub clause 1 of Clause 5.2.5 states that the consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:

- (a) the scale of the use and development on the site;*
- (b) any potential adverse impacts on the local road network; and*
- (c) any agreements for off-site loading and unloading of vehicles, such shared loading areas or approval to carry out loading activities in a laneway or secondary street.*

A variation to Clause 5.2.5 is supported for the following reasons;

- The floor area proposed as part of the development forms both defined uses. Therefore, it is considered that one loading bay located within the site can support the development.
- The location of the loading bay is at the rear of the site adjoining the boundary that meets the rear laneway. The drawings indicate the adaption of new 2.1m high fencing along the rear which assumes that access via the rear laneway for vehicles will form part of the development.
- No impacts with the local road network are anticipated.
- The dimensions of the loading bay exceed the measurement (3.5m x 7.5m) requirements listed within sub clause 4 of Clause 5.2.5.

Clause 5.5.15 Design in Commercial and Mixed-Use Areas

The purpose of Clause 5.5.15 is to *encourage a diverse mix of commercial and mixed use developments that are safe, contribute to the activity and amenity of commercial centres, are appropriately designed for the local climate, and minimise conflicts between different land uses within and surrounding the commercial centre.*

Sub clause 17 requires development unless advised otherwise by the relevant local government council or controlling agency for roads (whichever is applicable), development is to provide an awning or verandah to all street frontages that adjoin a footpath, which:

- (a) extends along the full length of the site boundary to provide continuous coverage for pedestrians.*
- (b) covers the full width of the footpath or has a minimum width of 3m; and*
- (c) allows for the growth of existing trees and the planting and growth of reasonably anticipated trees within the road reserve.*

The development does not comply with sub clause 17 as no awning or verandah is proposed to support the development.

Sub clause 5 of Clause 5.5.15 states that the consent authority may consent to a development that is not in accordance with sub-clause 17 if it is satisfied that:

- (a) the development provides a considered response to the established character of the streetscape; and*
- (b) the development provides an alternative response for shading.*

The revised plans requested during the deferral now show the proposed retention of two shrubs within the front boundary. A condition precedent is recommended to include the planting of two native trees that can provide decent canopy at mature growth.

Clause 5.5.17 Building Frontage in Commercial and Mixed Use Areas

The purpose of Clause 5.5.17 is to *encourage primary frontages of commercial buildings to contribute to a pleasant pedestrian environment and provide visual connectivity with their surroundings.*

Sub clause 6 of Clause 5.5.17 requires that *buildings are to provide awnings for the length of the primary building frontage to a minimum of 3m wide.*

The development does not comply with this requirement as no awning or shade structure is proposed within the primary street/ building frontage. It is noted that existing buildings along Paterson Street pertain verandahs and awnings.

Sub clause 3 of Clause 5.5.17 states that *the consent authority may consent to a development that is not in accordance with sub clause 6 if the development provides appropriate shading for pedestrians adjacent to the primary frontage.*

A variation can be supported to Clause 5.5.17 if the development can be amended to include two native trees that can provide canopy when at a mature age. Nevertheless, it is noted that the development intends to retain the existing stone masonry wall which may limit support/growth of trees/landscaping.

A condition precedent requesting amended plans can be included on a development permit issued for consent, it is recommended that the Authority consider all design options that can provide appropriate shading for pedestrians adjacent to the primary frontage.

- (b) any proposed amendments to such a planning scheme:**
- (i) that have been or are on exhibition under Part 2, Division 3;**
 - (ii) in respect of which a decision has not been made under Part 2, Division 5; and**
 - (iii) that are relevant to the development proposed in the development application**

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect this proposal.

- (c) an interim development control order, if any, in respect of the land to which the application relates**

There are no interim development control orders relevant to the site.

- (d) an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates**

There are no environmental protection objectives relevant to the land.

- (e) any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application**

No public submissions were received during the exhibition period under Section 49 of the Planning Act 1999 with respect to the proposal.

- (f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally**

The Minister has made no direction in relation to the application.

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

The application submits that the proposal has the following merits:

- A Pizza Takeaway service for the Tennant Creek Township.
- A Bottle Shop service for the Tennant Creek Township.
- Both services will be accessible from Paterson Street for customers using vehicles or walking in from the surrounding locality, providing versatile and efficient food and beverage sales.
- Temporary employment for local construction companies and workers, during development phase of the Site.
- Both commercial uses will provide variety and interest at the street level along Paterson Street.

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- Proposal will subsequently contribute to the activation of the Site and the commercial precinct area, as the Site is currently vacant. This will influence a positive atmosphere, for personal health and wellbeing.
- Both businesses will provide passive surveillance to streetscape's surrounding the Site.
- The proposal will create diverse food and beverage consumer services in Tennant Creek.
- This proposal will further contribute to creating employment opportunities for residents and external people seeking new employment opportunities. This will bolster the economic base of Tennant Creek.

(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 land is not currently connected to power and servicing upgrades to the water and sewerage connection would be required to support the development. The land parcel is currently empty and includes a rear laneway. The adjoining parcels (Lot 48 and 382) are freehold to the same landowner who intends to register a right of way easement to formalise the ingress and egress driveway layouts. The historical land use has supported commercial activity which is not impacted by land constraints such as flooding.

(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

It is not a requirement that this development provides additional facilities or open space for public use.

(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 proposal was circulated to the following authorities for comment:

Local Authority:

Barkly Regional Council

The local authority did not provide comment in relation to the development, but it is recommended that the development be directed for any access or stormwater matters related to the rear laneway.

Service Authority:

Transport and Civil Services (TCS) of Department of Logistics and Infrastructure – Bookmark E.1

The controlling road authority has no objections in principle noting that any works impacting the road reserve are to be to the specifications and requirements of TCS. A Permit to work in a road reserve would be required as a result of this development. Standard conditions can be applied to a permit upon approval which can safeguard TLI requirements.

Power and Water Corporation (Power Distribution) – Bookmark E.2

The site is not connected to power; the site connection is required to be provided from the overhead connection.

Power and Water Corporation (Water and Sewerage) – Bookmark E.3

Existing water and sewerage connection is existing that would need to be upgraded to support the development.

Aboriginal Areas Protection Authority (AAPA) – Bookmark E.4

AAPA comments recommends that the applicant apply for an Authority Certificate in accordance with section 19B of the Northern Territory Aboriginal Sacred Sites Act 1989 (the Sacred Sites Act) prior to undertaking any development activity or other work.

Land Resource Division – Department of Lands, Planning and Environment – Bookmark E.5

The Heritage Branch noted no recorded archaeological places on site and most unlikely to be found.

DAS/DLPE Comment

All comments and conditions received can be safeguarded through condition and notation upon approval.

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

No impacts on amenity are anticipated. The development is noted as being prefabricated which is not ideal with consideration of the specific development requirements within Part 5 of the NTPS 2020. Nevertheless, it is noted that that buildings will be designed and appear as consistent with established development on Paterson Street and the development is to include native trees along the Paterson Street boundary. The provision of native trees can assist with canopy into the future and support amenity of the site.

(p) the public interest, including (if relevant) how the following matters are provided for in the application:

(i) community safety through crime prevention principles in design;

consideration of the Community Safety Design Guide, notes that the development may support overall passive surveillance for the street.

(ii) water safety;

No pool or spa is proposed as part of the development.

(iii) access for persons with disabilities

NCC requirements may apply

(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 to this development.

- (q) *for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)*

Not applicable to this application.

- (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*

There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

- (s) *any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992*

There is no declared beneficial use relevant to the subject site.

It is the responsibility of the developer and land owner to ensure that land use does not result in a contravention of the *Water Act 1992*.

- (t) *other matters it thinks fit*

No other matters are raised for consideration by the consent authority.

Section 51(2) of the Planning Act 1999

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for 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.*

The Northern Territory Environment Protection Authority determined that an environmental impact assessment is not required under *Environment Protection Act 2019*.

7. RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clause 5.2.5 (Loading Bay), Clause 5.2.4.1 (Car Parking Spaces), Clause 5.5.15 (Design in Commercial and Mixed Use Areas) and Clause 5.5.17 (Building Frontage in Commercial and Mixed Use Areas) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Lot 49 (136) Paterson Street, Town of Tennant Creek for the purpose of shop and Food premises-Fast Food outlet with reduced car parking, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works, amended plans to the satisfaction of the consent authority must be submitted to and approved by the

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consent authority; When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

- (a) The addition of two trees within the lot frontage, suitable to Arid Barkly climate, that can provide shade when at mature growth or;
 - (b) Any design feature that provides an alternative response for shading.
2. Prior to the commencement of works, confirmation is to be provided to the consent authority that a right of way or access easement has been created and registered with the Surveyor General over lots 48 and 382 (128 and 146 Paterson Street, Tennant Creek) Town of Tennant Creek. The creation and registration of the easement is required within the first two years of the base period of the permit being issued.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Barkly Regional Council (Rear Laneway) and Transport and Civil Services Division of the Department of Logistics and Infrastructure (Paterson Street) to the satisfaction of the consent authority.
5. All proposed works impacting on Paterson Street are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of Transport and Civil Services Division of the Department of Logistics and Infrastructure), Drawings must be submitted to the (Council or Transport and Civil Services Division of the Department of Logistics and Infrastructure), for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
6. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Transport and Civil Services Division of the Department of Logistics and Infrastructure), to the satisfaction of the consent authority.
7. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
8. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
9. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land).
10. Before the occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

12. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the consent authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.

13. The owner shall:
 - (a) remove disused vehicle crossovers;
 - (b) provide footpaths
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;
all to the technical requirements of and at no cost to Transport and Civil Services Division of the Department of Logistics and Infrastructure), to the satisfaction of the consent authority.

14. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notations 2 for further information.

Notes

1. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory Building Act 1993 before commencing any demolition or construction works.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act 2005 must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 8936 4070 to determine if the proposed works are subject to the Act.

4. A "Permit to Work Within a Road Reserve" is required from Transport and Civil Services Division of the Department of Logistics and Infrastructure, before commencement of any work within the road reserve.

5. The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the Northern Territory Aboriginal Sacred Sites Act 1989. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

8. REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The application seeks development permit for a shop and food premises-fast food outlet with reduced car parking. The proposed development primarily consists of a prefabricated containers design with 4 roller/server windows and a cool room for sales. The internal floor area of the main building consists of approx. 236m² with cool rooms and a kitchen layout. The proposal includes 8 on site car parking spaces, temporary parking spaces, one loading bay and an ingress/ egress driveway with landscaping proposed along the boundary.

The proposed driveway encroached into the adjoining lots and therefore an access easement conditioned to be registered over part of Lot 48, and 382 (128 and 146 Paterson Street, Tennant Creek) Town of Tennant Creek prior to the commencement of works.

The NT Planning Scheme 2020 applies to the land and shop and food premises – fast food outlet requires consent under Clause 1.8 (When development consent is required). It is identified as *Impact Assessable* under Clause 1.8(1)(c)(i), therefore, the following provisions of the Planning Scheme need to be considered.

- Tennant Creek Land Use Plan
- Clause 4.11 Zone C (Commercial)
- Clause 5.2.1 (General Height Control)
- Clause 5.2.4.1 (Car Parking Spaces)
- Clause 5.2.4.4 (Layout of Car Parking Areas)
- Clause 5.2.5 (Loading Bay)
- Clause 5.2.6.1 (Landscaping in Zones other than Zone CB)
- Clause 5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR and HR)
- Clause 5.5.2 (Commercial Plot Ratio)
- Clause 5.5.11 (Food Premises)
- Clause 5.5.15 (Design in Commercial and Mixed Use Areas)
- Clause 5.5.17 (Building Frontage in Commercial and Mixed Use Areas)

These clauses have been considered, and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clauses

- Clause 5.2.4.1 Car Parking Spaces
- Clause 5.2.5 Loading Bay
- Clause 5.5.15 Design in Commercial and Mixed Use Areas
- Clause 5.5.17 Building Frontage in Commercial and Mixed Use Areas

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), subclause 5 of the NT Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
 - (a) The purpose and administration clauses of the requirement; and
 - (b) The considerations listed under Clause 1.10(3) or 1.10(4).

Clause 5.2.4.1 Car Parking Spaces

The development does not comply with sub-clause 5 of Clause 5.2.4.1 in that 8 car parking bays and 6 temporary drive-thru bays are proposed instead of 14 car spaces and 10 drive-thru bays.

Administratively, the consent authority may consent to use or development that is not in accordance with sub-clause 5 if it is satisfied a reduction in the number of car parking spaces is appropriate with regard to:

- a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land.
- b) the provision of car parking spaces in the vicinity of the land.
- c) the availability of public transport in the vicinity of the land.
- d) the potential impact on the surrounding road network and the amenity of the locality and adjoining property; and
- e) if the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act 2011 supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.

The purpose of Clause 5.2.4.1 is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site.

The proposal is consistent with the purpose of Clause 5.2.4.1 in that the proposal provides sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site. Additionally, the extent of the car parking shortfall depends on what the development allocates as the drive through development because the driveway can accommodate more than 10 drive-thru bays as identified in the Traffic Impact Assessment.

A variation is supported in this instance because development is intended for pizza shop and bottle shop drive-thru. The ingress/egress driveway can allow for more than 10 vehicles to wait within the site without idling in the road reserve or primary street. Furthermore, the both a pizza shop and drive-thru bottle shop do not demand long term car parking spaces.

Clause 5.2.5 Loading Bay

The development does not comply with subclause 3 of Clause 5.2.5 in that 2 loading bays are required but only 1 loading bay is provided onsite.

Administratively, the consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:

- a) the scale of the use and development on the site;
- b) any potential adverse impacts on the local road network; and
- c) any agreements for off-site loading and unloading of vehicles, such as shared loading areas or approval to carry out loading activities in a laneway or secondary street.

The purpose of Clause 5.2.5 is to provide for the loading and unloading of vehicles associated with the use of land.

A variation to Clause 5.2.5 is supported for the following reasons;

- The floor area proposed as part of the development forms both defined uses. Therefore, it is considered that one loading bay located within the site can support the development.
- The location of the loading bay is at the rear of the site adjoining the boundary that meets the rear laneway. The drawings indicate the adaptation of new 2.1m high

fencing along the rear which assumes that access via the rear laneway for vehicles will form part of the development.

- No impacts with the local road network are anticipated.
- The dimensions of the loading bay exceed the measurement (3.5m x 7.5m) requirements listed within sub clause 4 of Clause 5.2.5.

Clause 5.5.15 Design in Commercial and Mixed-Use Areas

The development does not comply with sub clause 17 as no awning or verandah is proposed to support the development.

Sub clause 5 of Clause 5.5.15 states that *the consent authority may consent to a development that is not in accordance with sub-clause 17 if it is satisfied that:*

- a) the development provides a considered response to the established character of the streetscape; and*
- b) the development provides an alternative response for shading.*

The purpose of Clause 5.5.15 is to encourage a diverse mix of commercial and mixed use developments that are safe, contribute to the activity and amenity of commercial centres, are appropriately designed for the local climate, and minimise conflicts between different land uses within and surrounding the commercial centre.

A variation is supported in this instance because the revised plans requested during the deferral now show the proposed retention of two shrubs within the front boundary. A condition precedent is recommended to include the planting of two native trees that can provide decent canopy at mature growth and improve amenity appearance of the site.

Clause 5.5.17 Building Frontage in Commercial and Mixed Use Areas

The development does not comply with sub-clause 6 of Clause 5.5.17 in that no awning or shade structure is proposed within the primary street/ building frontage. It is noted that existing buildings along Paterson Street pertain verandahs and awnings.

Sub clause 3 of Clause 5.5.17 states that *the consent authority may consent to a development that is not in accordance with sub clause 6 if the development provides appropriate shading for pedestrians adjacent to the primary frontage.*

The purpose of Clause 5.5.17 is to encourage primary frontages of commercial buildings to contribute to a pleasant pedestrian environment and provide visual connectivity with their surroundings.

A variation is supported in this instance because the development can be amended to include two native trees that can provide canopy when at a mature growth. Additionally, it is noted that the development intends to retain the existing stone masonry wall which may retain the character of the site but may also limit the growth of trees/landscaping.

A condition precedent requesting amended plans is included on a development permit recommending that the Authority consider all design options that can provide appropriate shading for pedestrians adjacent to the primary frontage.

3. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration 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.

Item 1

The land is not currently connected to power and servicing upgrades to the water and sewerage connection would be required to support the development. The land parcel is currently empty and includes a rear laneway. The adjoining parcels (Lot 48 and 382) are freehold to the same landowner who intends to register a right of way easement to formalise the ingress and egress driveway layouts. The historical land use has supported commercial activity which is not impacted by land constraints such as flooding.

4. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated

No impacts on amenity are anticipated. The development is noted as being prefabricated which is not ideal with consideration of the specific development requirements within Part 5 of the NTPS 2020. Nevertheless, it is noted that that buildings will be designed and appear as consistent with established development on Paterson Street and the development is to include native trees along the Paterson Street boundary. The provision of native trees can assist with canopy into the future and support amenity of the site.

AUTHORISED:

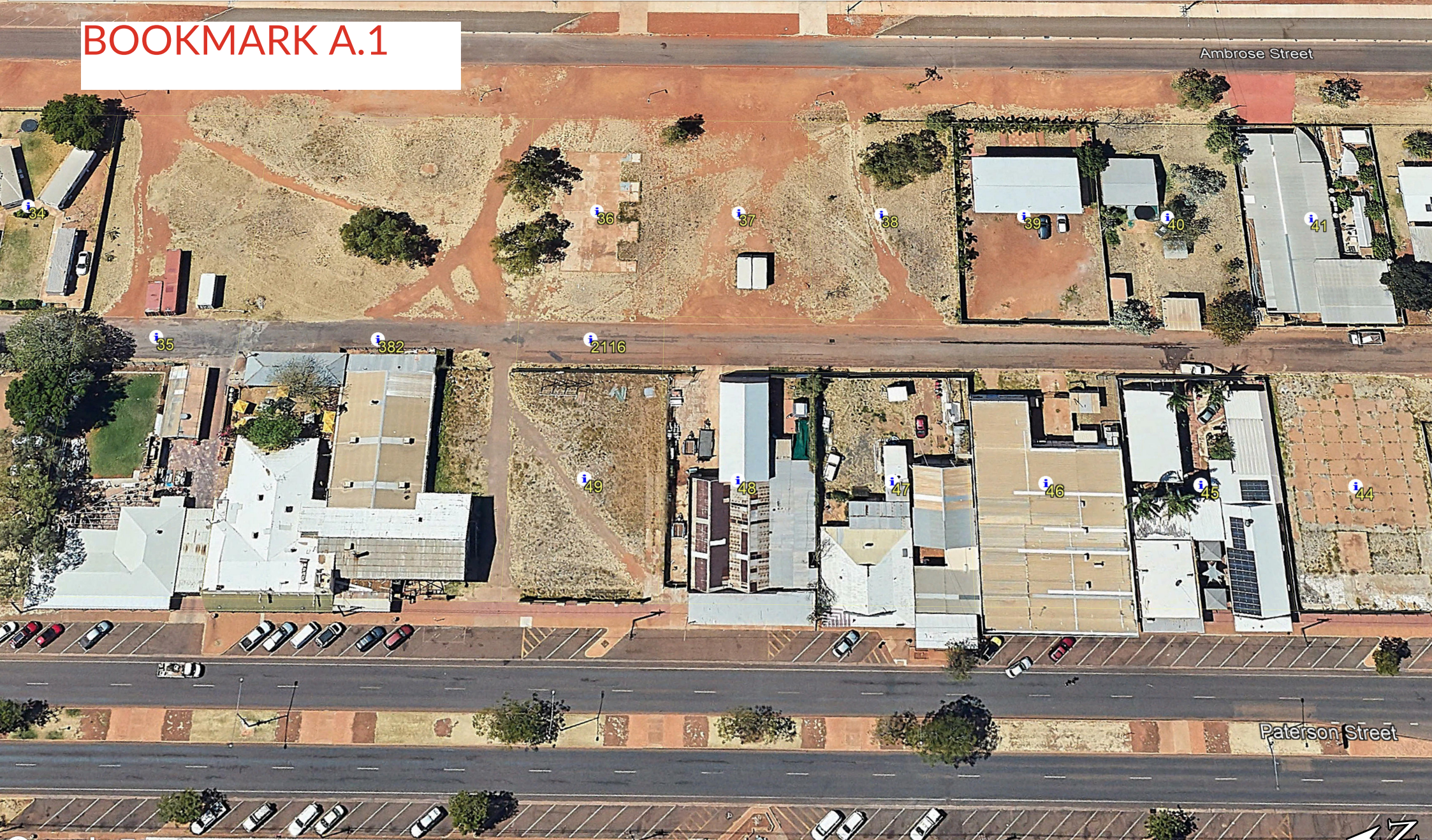
.....
**PLANNER - ALICE SPRINGS
DEVELOPMENT ASSESSMENT SERVICES**

PA2026/0013 - Shop and Food premises-Fast Food outlet with Reduced Car Parking

Legend

Lots 382, 49, 48 Town of Tennant Creek

BOOKMARK A.1



Ambrose Street

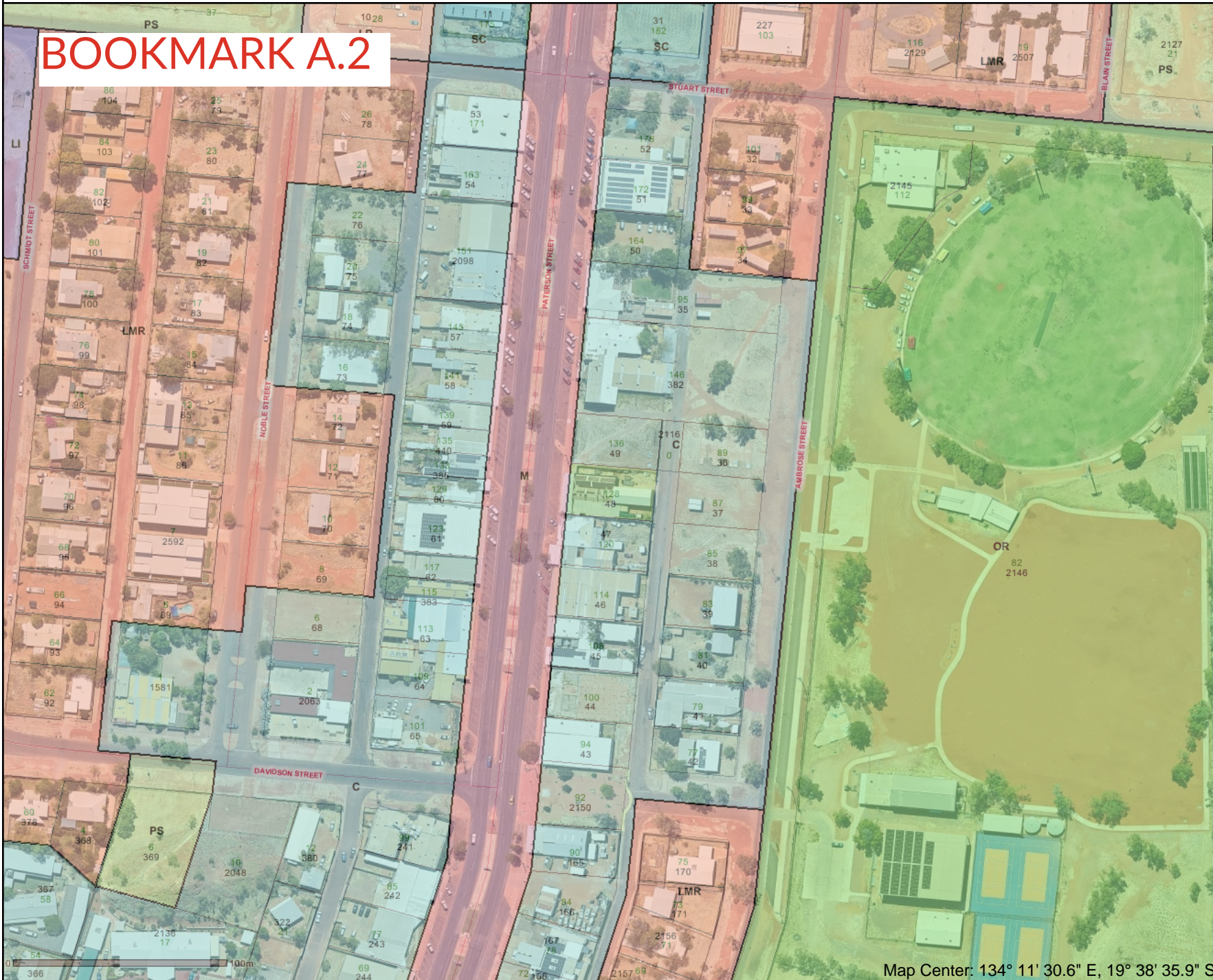
Paterson Street



ZONING

Legend

BOOKMARK A.2

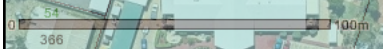


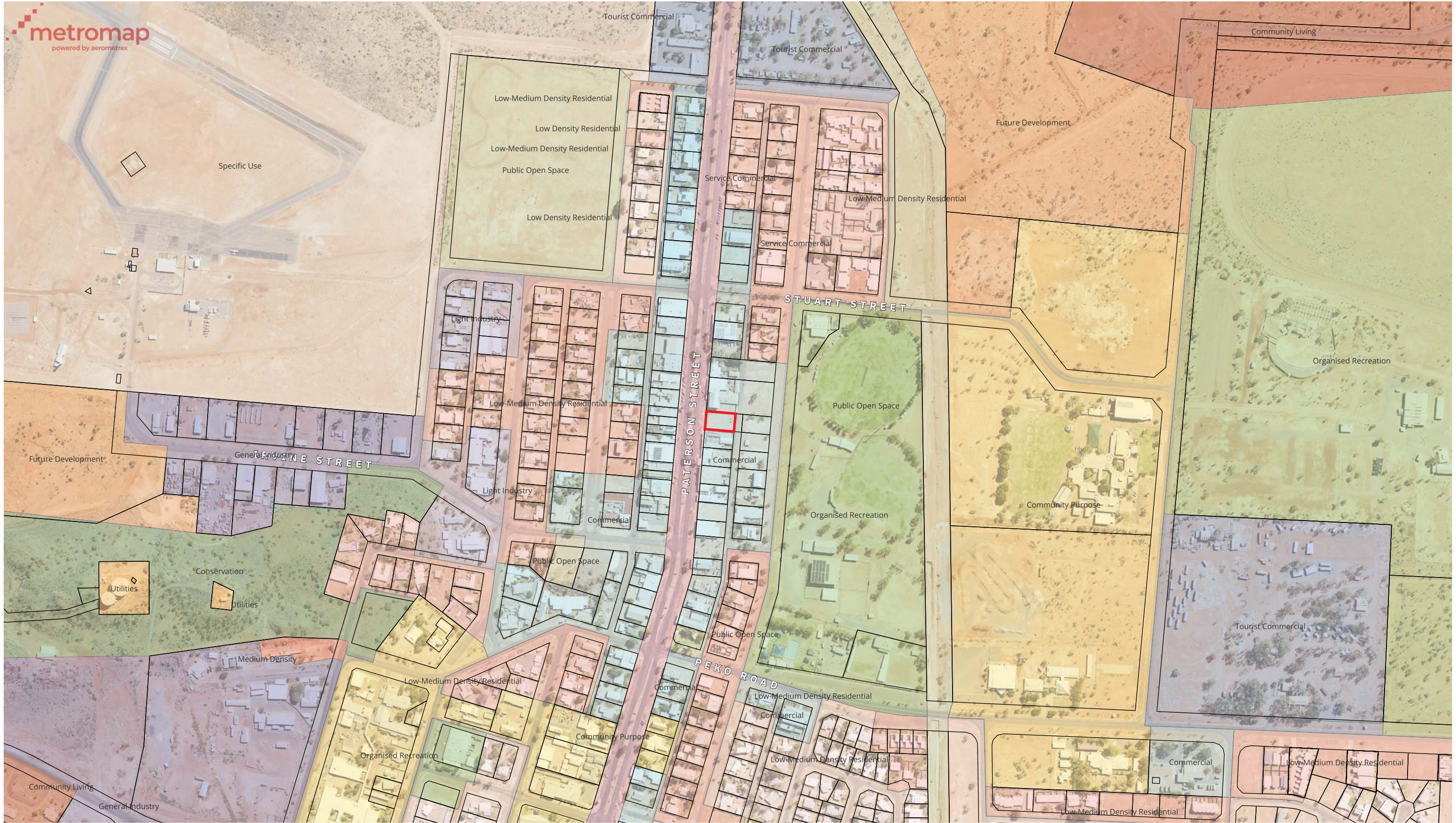
- Town Planning IDCO
- Storm Surge 2100 Primary
- Storm Surge 2100 Secondary
- General Lines
- Lot Boundaries
- Land Subject to Flooding
- Coastal Reclamation
- Town Planning Zones**
- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community 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
- LMR - Low-Medium Density Residential
- CA - No Planning Scheme Controls
- OR - Organised Recreation
- PM - Proposed Main Road
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- LR - Low Density Residential
- S - Specific Use
- TC - Tourist Commercial
- U - Utilities
- W - Water
- FD - Future Development
- R - Residential Jabiru
- Open Space
- Approximate Scale: 1:2,500
- Datum: GDA 1994
- Data for information purposes only
- Accuracy not guaranteed
- N.T. Land Information System
- Future Development Jabiru
- Copyright Northern Territory of Australia
- IJ - Industrial Jabiru
- MJ - Main Road Jabiru

Created by KIEMA

Bottom Left: 134° 11' 20" E, 19° 38' 41" S
 Top Right: 134° 11' 40" E, 19° 38' 30" S
 Approximate Scale: 1:2,500
 Datum: GDA 1994
 Data for information purposes only
 Accuracy not guaranteed
 N.T. Land Information System
 Future Development Jabiru
 Copyright Northern Territory of Australia

Map Center: 134° 11' 30.6" E, 19° 38' 35.9" S





 Subject Site

LOCALITY PLAN

136 Patterson Street
TENNANT CREEK

for Australian Portable Camps

BOOKMARK A.3



5 Feb 2026 at 3:01:11 pm
87 Ambrose St
Tennant Creek NT 0860
Australia



5 Feb 2026 at 9:48:55 am
136 Paterson St
Tennant Creek NT 0860
Australia

NOTICE OF PROPOSED DEVELOPMENT

SUBMISSIONS CLOSE: MIDNIGHT, 28/02/2026

APPLICATION REF: PA2026/0013

APPLICANT: MASTERPLAN SA LTD

ADDRESS: LOT 00049 Town of Tennant Creek (36 Paterson St)

ZONING: C (Commercial)

PROPOSAL: Shop and food premises, cafe/takeaway
with reduce parking

VIEW THE APPLICATION AND LODGE A SUBMISSION:

ONLINE



www.darwin.gov.au

EMAIL: pa@darwin.gov.au

DARWIN

PHONE: 08 8947 4444

POST: GPO Box 1000
Darwin NT 08

ALICE SPRINGS

PHONE: 08 8947 4444

POST: PO Box 1700
Alice Springs NT 08

KATHERINE

PHONE: 08 8947 4444

POST: PO Box 2000
Katherine NT 08

5 Feb 2026 at 9:49:17 am
136 Paterson St
Tennant Creek NT 0860
Australia



Land owner/s authorisation to lodge a development application

The Planning Act 1999


BOOKMARK B.1

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 carat (^) are required if applicable.			
Applicant In accordance with Section 46(3)(aa)(i) of the <i>Planning Act 1999</i> , a development application is to contain the name and contact details of the applicant <u>AND</u> any person on whose behalf the application is made.			
Name of Applicant/Consultant or Acting agent	MasterPlan NT, George Dakis (Consultant)		
Address	1/3 Vickers Street, Parap, NT, 0820		
Phone	0413 832 607	Email	georged@masterplan.com.au
Persons on whose behalf the application is made:			
Person/s on whose behalf the application is made:	Paul Pizzolato		
Address	C/- APC Manufacturing and Logistics 3264 Old Princes Highway, Monarto SA 5254		
Phone	+61 8 8534 3000	Email	PaulPizzolato@apcamps.com.au
The applicant is hereby authorised to lodge a development application over the subject land described as:			
*Lot/NT portion	Lot 49		
*Location/town	Town of Tennant Creek		

Land owner/s authorisation to lodge a development application

*Street address	136 Paterson Street, Tennant Creek, NT		
The application is for the purpose of:			
Proposed development <i>Brief description of proposed development</i>	Shop and Food Premises-Café/Takeaway		
Landowner/s signature In accordance with Section 46(3)(aa)(ii) of the <i>Planning Act 1999</i> , a development application is to contain the name and contact details of the owner of the land to which the application relates. Written authorisation from each: <ul style="list-style-type: none"> • Individual owner: Each person listed on the title must provide written authorisation for the application. • Companies: For each company listed on the title, written authorisation must be obtained from the director or authorised representative of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so. 			
*Full name			
^Company name	Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates		
^Title <i>(e.g. director/authorised representative)</i>	Authorised Representative		
Phone	08 85343000	Email	paulpizzolato@apcamps.com.au
*Signature			
*Date	23-12-25		
Landowner signature			
*Full name			

Land owner/s authorisation to lodge a development application

^Company name			
^Title <i>(e.g. director/authorised representative)</i>			
Phone		Email	
*Signature			
*Date			

Landowner/s signature
 In accordance with Section 46(3)(aa)(ii) of the *Planning Act 1999*, a development application is to contain the **name and contact details of the owner of the land** to which the application relates.
 Written authorisation from each:

- **Individual owner:** Each person listed on the title must provide written authorisation for the application.
- **Companies:** For each company listed on the title, written authorisation must be obtained from the **director** or **authorised representative** of the company. This authorisation confirms that the company is giving consent for the application and that the person signing on behalf of the company has the legal authority to do so.

*Full name			
^Company name			
^Title <i>(e.g. director/authorised representative)</i>			
Phone		Email	
*Signature			
*Date			


Landowner signature			
*Full name			
^Company name			
^Title <i>(e.g. director/authorised representative)</i>			
Phone		Email	

Land owner/s authorisation to lodge a development application

*Signature	
*Date	

Any Persons with an interest in the land (as applicable)

In accordance with section 46(3)(aa)(iii) and (iv) of the *Planning Act 1999*, a development application is to contain the name and contact details of **any person who entered into an agreement with the applicant and/or landowner, to acquire an estate or interest in the land to which the application relates; and any person with an interest** prescribed by regulation.

^Full name	Frank Martino 		
^Company name	Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates		
^Title <i>(e.g. director/authorised representative)</i>	Director		
Phone	08 85343000	Email	reception@apcamps.com.au

Any Persons with an interest in the land

^Full name	N/A		
^Company name			
^Title <i>(e.g. director/authorised representative)</i>			
Phone		Email	

Privacy Note

The Department of Lands, Planning and Environment, on behalf of the Minister, is authorised under the *Planning Act 1999* to collect the information on this form, or otherwise provided by you, to consider a proposal to grant a Development Permit or to amend a planning scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information is also regularly provided to other Northern Territory Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation within the Northern Territory *Information Act 2002*. For more information, please refer to the Northern Territory Government's privacy statement located at <https://nt.gov.au/copyright-disclaimer-and-privacy>. Any personal information provided can be subsequently accessed by you on request.

BOOKMARK B.2

Planning Report

Shop and Food Premises- Café/Takeaway

136 Paterson Street, Tennant Creek,
NT

January 2026

Planning Report

Shop and Food Premises- Café/Takeaway

136 Paterson Street, Tennant Creek,
NT

January 2026

MasterPlan SA Pty Ltd

ABN 30 007 755 277

1/3 Vickers Street
Parap NT 0820
Australia

(08)8942 2600

Version	Date	Detail	Prepared	Review
V1.0	13/01/2026	2355SOE01	GD	NK

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Executive Summary

Development Application Details	
Current Development	Vacant land
Proposed Development	Shop and Food Premises-Café/Takeaway
Category of Assessment	Permitted uses, but upgraded to Merit Assessable, due to variation request of NTPS development requirements.
Consent Authority	Development Consent Authority
Site Address	136 Paterson Street, Tennant Creek, NT
Legal Description	Lot 49, Town of Tennant Creek
Site Area	1000 Square Meters
Easements	None
Landowners	Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates
Directors of David Division Pty Ltd and Beneficiaries	Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates
Proponent	Australian Portable Camps
Applicant	MasterPlan
Contact Address	MasterPlan Unit1, 3 Vickers Street, Parap 0820 P: (08) 8942 2600
Contact Person	George Dakis, via email: georged@masterplan.com.au
MasterPlan Reference	2355

Planning Scheme Details	
Planning Scheme	<i>Northern Territory Planning Scheme 2020</i>
Zone	C (Commercial)
Regional Land Use Plan	Tennant Creek Land Use Plan
Sub Regional Land Use Plan	None
Area Plan	None



1 Introduction

1.1 Development Application

MasterPlan NT has been engaged by Paul Pizzolato of Australian Portable Camps (the Proponent) on behalf of Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates (the Beneficiaries) to prepare a Development Application (DA) for the purpose of a constructing a new 'Shop and Food Premises-Café/Takeaway' at 136 Patterson Street, Tennant Creek, NT (Lot 49, Town of Tennant Creek) (the Site).

The Site is located within Zone C (Commercial) of the *Northern Territory Planning Scheme 2020* (NTPS). The development proposal involves *Permitted* land uses, which do not require development consent. However, the DA does not comply with all Part 5 NTPS requirements and subsequently will elevate the assessment to *Merit Accessible* under Clause 1.8(1)(b)(ii)(2) of the NTPS. *Merit Assessable* development requires consent in accordance with Section 44(a) of the *Northern Territory Planning Act 2020* (the Act).

1.2 Contents of this Statement of Effect

This Statement of Effect (SoE) has been prepared to support the required DA.

Included within this SoE are the following attachments:

Attachment A: Certificate of Title

Attachment B: Site Plan

Attachment C: Survey Plan

Attachment D: Locality and Zoning Plan

Attachment E: Proposed Development Plans

Attachment F: Traffic Impact Assessment

Attachment G: 146 Paterson Street Plan

In preparing this SoE, MasterPlan has conducted a desktop Site and locality review. We have further examined the Site's development history and considered the most relevant provisions of the NTPS.

1.3 Ownership of the Site and Beneficiaries

Pursuant to Section 46(3)(aa), the Administrative Interests and Certificate of Title identify the current landowner of the proposed parcel as Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates, who are also the beneficiaries of the land.

A copy of the Certificate of Title is at **Attachment A**.



1.4 Planning History of the Site

The Title lists the development approvals issued over the Site, with the development approval of most relevance to this DA listed below:

Table 1: Planning History

Development Permit Reference	Date Issued	Application Purpose	Relationship to the DA
DP99/0229	04/06/1999	Consolidation of three lots (49, 35 and 382) to create one.	Was not implemented.
DV2831	05/10/1987	T/c hotel redevelopment. Also applies to lots 35, 382, 36 and 49.	Was not implemented.

A record of the planning history for the Site is available within the Certificate of Title at **Attachment A**.



2 Site and Locality

2.1 Description of the Site

The Site is located at 136 Patterson Street, Tennant Creek, NT (Lot 49, Town of Tennant Creek).

The Site is located within Zone C (Commercial), it has an area of 1,000 square meters and has frontage to Patterson Street in Tennant Creek. The Site is subject to all the relevant clauses of the NTPS that would apply to the land within Zone C.

Vehicle access to the Site is currently gained from Patterson Street in the west, via a sealed 6.0-metre-wide crossover driveway. The Site has a 25-metre frontage to Patterson Street and is of a rectangle shape. The Site has connection to electrical, water, sewer and telecommunication services that exist within the locality.

The Site Plan is provided at **Attachment B**, and the Survey Plan is provided at **Attachment C**.

2.2 Description of Locality

The subject Site is located within the Tennant Creek Central Business district and is within the Barkly Regional Council jurisdiction. The Site is located directly along the main road of Patterson Street, which consists of two-directional lanes and is managed by the NT Government Roads Division.

Land in the immediate surrounding area to the Site comprises a mixture of C (Commercial), LMD (Low Medium Density), OR (Organised Recreation) and SC (Service Commercial) zoned land. Broader development in the surrounding area typically includes one and two storey buildings.

The Site is connected to functional pedestrian pathways that border Patterson Street and further connect to other road networks located within the locality.

A Locality and Zoning Plan is provided at **Attachment D**.



3 Proposed Development

The proposal is for the development of a new 'Shop' (Bottle Shop) and 'Food Premises-Café/Takeaway' (Pizza Takeaway), within one ground level building, over the Site. The new building will comprise 237 square metres of gross floor area and will be separated into two main commercial uses. Ingress and egress crossovers are proposed for the Site from Patterson Street.

One half of the building will contain the new Bottle Shop, with an area of 116 square metres and the other half (approximately 121 square metres) will be used as a Pizza Takeaway. Both uses will be run and managed independently.

The Bottle Shop will focus on the commercial sale of Alcohol products, which will be paid for and collected by customers directly from the external Shop front (western end of the building). Several portals at the front of the shop will allow clients to purchase and receive their products.

The Pizza Takeaway will operate by allowing customers to preorder, pay and collect food directly from the Pizza Takeaway shop front. A space will be provided within the front of the building (western end) to allow customers to enter and collect their food. The Pizza Takeaway will also allow customers to order, pay and collect their food onsite. Food will be taken away from the Site for consumption.

The Site will offer a total of eleven (10) onsite carpark spaces for Bottle Shop and Pizza Takeaway customers. Eight (8) carpark spaces will be available at the rear of the Site, and two (2) carpark spaces will be available in the front section of the Site. Customers parking at the rear of the property can walk to the front of the building to collect their goods. Customers will have safe pedestrian access from the rear and front carparking, leading to the building frontage. Customers will be able to safely walk into the Site to access the Bottle Shop and the Pizza Takeaway from the surrounding Patterson Street streetscape.

Separate storeroom space for both businesses is also proposed at the front of the Site facing Paterson Street.

A roof cover is proposed to extend across the front driveway to connect with the storerooms that will border the lot boundary abutting Paterson Street. The roof cover will extend in a perpendicular position across most of the building frontage, offering weather protection to staff and customers seeking to enter the food premises entrance or to access the bottle shop servery points.

Primary vehicle crossover access to the Site commences from the north-eastern end of the Site from Paterson Street and follows a left to right circuit, finally allowing vehicles to exit the Site via the front south-western end, vehicle crossover onto Paterson Street.

An area for service vehicle loading and external refuse storage/collection is also proposed at the rear of the property.



Vehicles driving via the rear and front of the Site for loading and parking, can drive through in a forward clockwise route, before exiting the Site via Paterson Street egress. A pedestrian pathway will be provided from the rear of the building towards the front of the building, to allow safe pedestrian access to the shopfronts.

The Site will include permitter fencing that comprises a mixture of materials. The front will retain an existing masonry wall, that includes sections of colour bond cladding. The rear and sides of the property will further comprise 2.6m high mesh fencing. The Site will be secured once the premises has ended its trading period.

The proposed land uses will operate seven (7) days a week, during PM hours.

A copy of the proposed Development Plans is provided at **Attachment E**.

3.1 Services and Infrastructure

The Site has access to reticulated power, water, sewage and telecommunication services, within the locality. If required, the proponents will work with service providers to upgrade services onsite, to the satisfaction of the service authority.

3.2 Traffic Generation

The proposed development is not expected to generate traffic beyond what is anticipated for the C Zoned locality. It is further not expected to impact the traffic movement and safety onsite or through the surrounding road network. A Traffic Impact Assessment (TIA) supporting this statement and the proposal has been prepared, and a copy is provided at **Attachment F**.



4 Section 46(3)(A) of the Act – NT Planning Scheme 2020

4.1 Part 1 – Guidance

Part 1 of the NTPS provides guidance for the interpretation and administration of the Scheme.

4.1.1 Clause 1.8 – When Development Consent is Required

The Site is located within Zone C (Commercial) of the *Northern Territory Planning Scheme 2020* (NTPS). The development proposal involves *Permitted* land uses, which ordinarily do not require development consent. However, the DA does not comply with all Part 5 NTPS requirements and subsequently will elevate the assessment to *Merit Assessable* under Clause 1.8(1)(b)(ii)(2) of the NTPS. *Merit Assessable* development requires consent in accordance with Section 44(a) of the *Northern Territory Planning Act 2020* (the Act).

4.1.2 Clause 1.10 – Exercise of Discretion by the Consent Authority

Pursuant to Clause 1.10(2), in considering an application for a use or development identified as Impact Assessable, the consent authority must take into account all of the following:

In considering an application for consent for a use or development that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), the consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements.

The proposed development must respond to the Zone requirements, and the development requirements in Part 5 of the NTPS.

4.2 Zone Purpose and Outcomes

Zone Purpose

Provide a mix of activities and services well connected to a surrounding community at varying scales including: (a) mixed use centres providing a wide range of retail, entertainment, community and business activities that serve the broader community; (b) smaller centres that cater for convenience needs of immediately surrounding communities; (c) small local centres predominantly focused on convenience retailing; and (d) residential development commensurate to the scale of the commercial precinct.



Outcomes

1. *A diversity of commercial activities that provide for a range of needs of the surrounding area at an appropriate scale for their location, including: (a) a mix of retail and business activities including shop, food premises-café/take away, food premises-restaurant, bar-small and bar-public, sex services-commercial premises, medical clinic, office, and leisure and recreation; and (b) child care centre, club, residential care facility, and other community activities and support services.*

The DA proposes to develop a new Shop and Food Premises-Café/Takeaway within one building.

2. *Dwelling-multiple and rooming accommodation incorporate commercial activities within the ground floor occupancies in a manner that contributes to the activation of the commercial precinct, at an appropriate scale for the location.*

This clause is not applicable to the proposed development.

3. *Other development, such as education establishment, exhibition centre, hotel/motel, nightclub entertainment venue, place of assembly, place of worship, car wash, service station, shopping centre, showroom sales, vehicle sales and hire and veterinary clinic are located to support the function of the commercial precinct.*

This clause is not applicable to the proposed development.

4. *All development is to: (a) avoid adverse impacts on the local road network; (b) be managed to minimise unreasonable impacts to the amenity of surrounding residents; (c) be of a scale, intensity and nature that reflects the mixed use character of the zone; (d) provide variety and interest at street level; (e) allow passive surveillance of public spaces; and (f) have a scale and character appropriate to the commercial function of the locality.*

Traffic Engineers (Salt) undertook a traffic impact assessment (TIA) for the proposed development, to review traffic and parking implications. The TIA reports that the proposal, which includes the drive through is not expected to impact the traffic movement and safety onsite or through the surrounding road network.

The Traffic Impact Assessment (TIA) supporting this statement and the proposal, has been prepared and a copy is provided at **Attachment F**.

The proposal is considered suitable for the intended commercial purpose, making it compatible with the surrounding area. The nature and scale of the proposed development is suitable to the local context and will provide passive surveillance of the Site and the locality.

5. *Innovative building design, site layout and landscaping that: (a) responds to microclimates, including breeze flow; (b) minimises privacy and overlooking impacts; (c) reduces the appearance of building mass relative to its surroundings; and (d) creates attractive outdoor spaces and enhances the streetscape.*



The proposed building will be setback into the Site, away from property boundaries, mitigating building massing impacts on the surrounding properties and streetscape. The building will incorporate a skillion roof, with gable facade design. Material finishes will be Territory climate adaptive, including painted cement render and corrugated iron cladding surfaces. The building design will create interest from the ground level, onsite, from adjacent properties and from the neighbouring streetscape.

The building will include numerous window and door openings that will encourage the capture of cross-ventilation breezes, that will enable passive cooling of the building.

6. Development is designed to provide clear connections within the development and to external pedestrian, bicycle, public and road transport networks and infrastructure to promote accessibility and use.

The development will feature internal pedestrian pathways, that will connect seamlessly to surrounding pedestrian networks located along Patterson Street. Safe access to the Site will be achievable for pedestrians and cyclists.

7. Development incorporates appropriate urban and landscape design that creates safe, attractive and functional buildings, streets and places.

The proposal includes spaces and features that will support the safe, functional operation of the two proposed commercial uses. The building design will be climate adaptive and offer visual interest onsite and from neighbouring land within the locality.

8. Developments are operated in a manner to ensure that there is no unreasonable loss of amenity for surrounding premises, having regard to the mixed-use nature of the zone.

The proposal is considered suitable for the intended commercial purpose, making it compatible with the surrounding area. The nature and scale of the proposed development is suitable to the local context.

9. Development is provided with the appropriate services, including roads, pedestrian and cycle paths, reticulated electricity, water, sewerage, stormwater drainage and telecommunication infrastructure where available or where can be made available. If reticulated sewerage is unavailable, lots are suitable for the on-site disposal of effluent in a manner that does not pollute ground or surface waters.

The development will feature internal pedestrian pathways, that will connect seamlessly to surrounding pedestrian networks located along Patterson Street. Safe access to the Site will be achievable for pedestrians and cyclists.

Site has access to reticulated power, water, sewage and telecommunication services, within the locality. If required, the proponents will work with service providers to upgrade services onsite, to their satisfaction.

10. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.



This clause does not apply to the proposed development.

4.3 Part 4 Assessment Table

Defined Use	Assessment Category	General Development Requirements	Specific Development Requirements
Food Premises Cafe/Take Away	Permitted	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.5.1 Interchangeable Use and Development 5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Developments in Zones CB, C, SC and TC 5.5.11 Food Premises 5.5.15 Design in Commercial and Mixed-Use Areas 5.5.17 Building Frontage in Commercial and Mixed-Use Areas
Shop	Permitted	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC	5.5.1 Interchangeable Use and Development 5.5.2 Commercial Plot Ratio 5.5.4 Expansion of Existing Developments in Zones CB, C, SC and TC 5.5.15 Design in Commercial and Mixed-Use Areas 5.5.17 Building Frontage in Commercial and Mixed-Use Areas

4.4 Part 5 – Development Requirements

4.4.1 5.2.1 General Height Control

5.2.1 General Height Control

Purpose

Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

Requirements

6. The building height in all other areas is not to exceed:

Commentary



5.2.1 General Height Control

- (a) the maximum building height for the zone and use as specified in table B to this clause; or
- (b) two storeys to a maximum of 8.5m if the zone and use is not included in table B to this clause.

Table B to clause 5.2.1: Height control outside Alice Springs

Zone	Use	Maximum building height above ground level
C	Mixed use development that consists of one or more residential buildings	4 storeys
	All other uses	No height limit

Table B in Clause 6(a) describes those buildings in Zone C, other than mixed use development that includes residential buildings, do not have a building height limit.

The proposed commercial building will not be greater than one storey in height and subsequently complies with this requirement.

4.4.2 5.2.4 Car Parking

5.2.4.1 Car Parking Spaces

Purpose

Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site.

Administration

1. This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).
2. The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of car parking spaces is appropriate with regard to:
 - (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land.
 - (b) the provision of car parking spaces in the vicinity of the land.
 - (c) the availability of public transport in the vicinity of the land; and
 - (d) the potential impact on the surrounding road network and the amenity of the locality and adjoining property.

Or

 - (e) if the use or development relates to a heritage place and the Minister responsible for the administration of the *Heritage Act 2011* supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.
3. The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause.

Requirements

4. Use and development is to include the minimum number of car parking spaces specified in the table to this clause (rounded up to the next whole number).

Commentary

Refer to table below.



Design and Layout of a Car Parking Area

Table to Clause 5.2.4.1: Minimum number of required parking spaces

Use or Development	Minimum Number of Car Parking Spaces Required	Parking Allocated	Parking compliance
Food premises (all)	6 for every 100m ² of net floor area and any alfresco dining areas Plus 10 for drive-through (if any) for cars being served or awaiting service *No more than 50% of the car parking spaces required for a fast-food outlet may be accommodated within the associated drive-through	100m ² of net floor area is provided for the Pizza takeaway, requiring 6 carpark spaces.	8 carpark bays are proposed at the rear of the building, and 2 carpark bays are proposed at the front of the building. This is an aggregate of 10 carpark spaces for both uses. The Site will have a 2-carpark shortfall.
Shop	6 for every 100m ² of net floor area	90m ² of net floor area provided, requiring 6 carpark spaces.	
Total carpark spaces required = 12			

Pursuance of Subclause 2 the Proponent requests to the Consent Authority to vary Subclause 4 to reduce carparking and is considered appropriate given:

- Multiple on street carparking bays exist within the Paterson Street reserve, within proximity of the Site, that can be utilised by community members. The Proponents will negotiate with the authorities responsible for this parking to access its use for the Site.
- The Tennant Creek community is a low-car dependent community, where people rely on passive forms of mobility, like walking. The community has a good network of pedestrian access pathways available to all community members. The nature of the Site dictates that a large percentage of community members will arrive from the surrounding community by walking.
- Within Tennant Creek, when people do travel by motor vehicle, they share vehicle travel within larger vehicles like minibus and troop-carrier-4WD. This pattern of mobility is notably underpinned by the integrated-community-cultural values that exist within NT remote communities, like Tennant Creek.
- Public transportation (taxi/uber) drop-off parking is available along Paterson Street. This will enable visitors to travel to the Site via vehicles that will not require long term parking.
- Local visitors walking to the Site can access the Site efficiently from the Paterson Street frontage. A council pedestrian pathway borders the Site, allowing visitors to efficiently access both businesses from neighbouring streets.
- The proposal will assist in activating the area and provide increased passive surveillance.
- The proposed development will provide opportunities for active living and passive recreation in a safe, and inclusive environment.



- A reduction in proposed carparking will enable the Proponents to provide more vegetation landscaping within the Site.
- The proposed businesses will assist with activating Paterson Street and contribute to creating a social cohesiveness community. This will influence a positive atmosphere, for personal health and wellbeing.
- The proposal will create diverse food and beverage consumer services in Tennant Creek.
- This proposal will further contribute to creating employment opportunities for residents and external people seeking new employment opportunities. This will bolster the economic base of Tennant Creek.
- A TIA available at **Attachment F** provides an outline of the carparking capacity onsite. It further reports the prospects of customers using surrounding Council parking available along Paterson Street.

Layout of Car Parking Areas

5.2.4.4 Layout of Car Parking Areas

Purpose

Ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

Administration

1. This clause does not apply to a car parking area where the car parking is required in association with a dwelling-single, dwelling-independent or a home-based business.
2. A car parking area may be used for the purpose of a market if:
 - (a) a market is Permitted in the zone; and
 - (b) the market operates outside of the operating hours of the use for which the car parking area is established.
3. The consent authority may consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.
4. The consent authority may consent to a car parking area that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.
5. The consent authority may consent to a car parking area that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.

Requirements	Commentary
6. A car parking area is to: <ol style="list-style-type: none"> (a) be not less than 3m from any lot boundary abutting a road; and (b) provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the car parking area when viewed from the road. 	Proposed carparking is setback away from lot boundaries, sitting within the central region of the Site. Landscaping is provided along sections of the side rear and front boundaries.



5.2.4.4 Layout of Car Parking Areas

<p>7. A car parking area is to be constructed and maintained to be:</p> <p>(a) of a suitable gradient for safe and convenient parking; and</p> <p>(b) sealed and well drained in urban areas, or dust suppressed in non-urban areas.</p>	<p>The Site is relatively flat and will be sealed with bitumen hardstand. Carpark and driveway areas will have even gradients with minimal tilt, to allow surface water to drain steadily and efficiently towards surrounding road drainage networks.</p>
<p>8. The layout of a car parking area is to:</p> <p>(a) be functional and provide separate access to every car parking space.</p> <p>(b) allow a vehicle to enter from and exit to a road in a forward gear.</p> <p>(c) be in accordance with the dimensions set out in the diagram to this clause; and</p> <p>(d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.</p>	<p>The proposed carpark area will accord with Subclause 8a-b. The proponent request to the Consent Authority to vary Subclause 8c-d.</p>
<p>9. The number of access points to the road is to be limited, and access points to car parking areas are to:</p> <p>(a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and</p> <p>(b) maximise sight lines for drivers entering or exiting the car parking area.</p>	<p>The Site will only have one ingress and egress. Driveways will accommodate one-way traffic flow through the Site. Site lines will be clear for drivers entering and existing the Site. Signage will be provided within the Site to caution vehicles to consider pedestrians as they exit the Site.</p>

Pursuance of Subclause 4 the Proponent requests to the Consent Authority to vary Subclause 8c-d for the proposed parking design at the rear of the building and is considered appropriate given:

- The Site has some space constraints, directly influencing the proposed carpark design. Vehicles can still safely negotiate the enter and exit of the proposed straight-carpark bays at the rear of the building.
- Multiple on street carparking bays exist within the Paterson Street reserve, within proximity of the Site, that can be utilised by customers visiting the Site by vehicle. Customers will be encouraged to use carparking available onsite, however due to convenience customers are anticipated to use the on street carparking at front of the building.
- The Proponents will negotiate with the authorities responsible for this parking to access its use for the Site.
- The Tennant Creek community is a low-car dependent community, where people rely on passive forms of mobility, like walking. The community has a good network of pedestrian access pathways available to all community members. The nature of the Site dictates that a large percentage of community members will arrive from the surrounding community by walking.



4.4.3 5.2.5 Loading Bays

5.2.5 Loading Bays

Purpose

Provide for the loading and unloading of vehicles associated with the use of land.

Administration

1. The consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:
 - (a) the scale of the use and development on the site.
 - (b) any potential adverse impacts on the local road network; and
 - (c) any agreements for off-site loading and unloading of vehicles, such shared loading areas or approval to carry out loading activities in a laneway or secondary street.
2. For the purposes of this clause, where an exhibition centre, food premises (fast food outlet and restaurant), office, place of assembly, shop or shopping centre are part of an integrated development, the minimum number of loading bays is to be calculated based on the combined net floor area of the integrated uses

Requirements	Commentary
3. Use and development is to include provision of a minimum number of loading bays in accordance with the table to this clause (rounded up to the next whole number).	The table below addresses the provision for loading bays.
4. A loading bay is to: <ol style="list-style-type: none"> (a) provide areas wholly within the site for loading and unloading of vehicles. (b) be at least 7.5m by 3.5m. (c) have a clearance of at least 4m; and (d) have access that is adequate for its purpose. 	Attachment E illustrates the loading bay configuration and location. The loading bay will not have any vertical obstructions above it.

Table to Clause 5.2.5: Minimum number of loading bays

Table to Clause 5.2.5: Minimum number of loading bays			
Use or Development	Minimum number of Loading bays	Required Loading Bays	Loading Bay compliance
Shop	1 loading bay for every 2000m ² of the total net floor area, or part thereof	Net floor area is 90m ² and 1 loading bay is required.	1 loading bay is provided at the rear of the property.

The TIA available at **Attachment F** supports the inclusion of a loading bay within the Site for the proposed 'Shop'. There is no requirement within the NTPS for a loading bay for the proposed 'Food Premises-Caffe/Takeaway', however the proposed loading bay at the rear is centrally located and available for both tenancies to use.



4.4.4 5.2.6 Landscaping

5.2.6.1 Landscaping in Zones other than Zone CB

Purpose

Ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.

Administration

1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
2. The consent authority may consent to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.

Requirements

3. Where landscaping is required by this Scheme it should be designed so that:
 - (a) planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered car parking areas.
 - (b) it maximises efficient use of water and is appropriate to the local climate.
 - (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area.
 - (d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained.
 - (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year.
 - (f) the layout and choice of plants permit surveillance of public and communal areas; and
 - (g) it facilitates on-site infiltration of stormwater run-off.

Commentary

- Climate-adaptive vegetative-landscaping is proposed along the side, rear and front boundaries of the property. A landscaping schedule is provided within the development plans at **Attachment E**.
- The main frontage of the Site is generally screened by an existing masonry wall/fence structure. It will conceal most of the shop frontage and some parking located in the shop frontage. Most of the proposed carparking will be at the rear of the building. Carparking at the rear will have significant setbacks from the rear property boundary, mitigating visual impacts on the surrounding streetscape and neighbouring development. The nature and scale of the proposed development and landscaping will be empathetic to the locality and will not impact the amenity of Site or the locality.

4. The quality and extent of the landscaping consented to must be maintained for the life of the development.

Attachment E illustrates proposed landscaping within the development plans.



5.2.6.1 Landscaping in Zones other than Zone CB

5. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.	The Site is in Zone C. This clause is not applicable.
6. In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.	The Site is in Zone C. This clause is not applicable.
7. In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.	The Site is in Zone C. This clause is not applicable.

4.4.5 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

Purpose

Protect the visual and acoustic amenity of residential buildings where they are adjacent to non-residential development.

Administration

1. The consent authority must not consent to a development that is not in accordance with sub-clause 3, except where:
 - (a) the development is covered by an area plan listed in Part 2 (Major Remote Towns) of the Planning Scheme, in which case the consent authority may consent to a development that is not in accordance with sub-clause 3 if the service authority responsible for distribution of electricity, water and sewerage services points to compliance being impractical or prohibited; or
 - (b) the development is for the purpose of a childcare centre.

Requirements	Commentary
2. A use or development or a proposed use or development that is: <ol style="list-style-type: none"> (a) not a residential building. (b) on land that is in a zone other than Zones LR, LMR, MR or HR; and (c) abuts land in any of those zones. must provide a setback to the boundary that abuts any of those zones of not less than 5m.	This clause does not apply to the proposed development.
3. The setback described in sub-clause 2 is to be landscaped to provide a visual screen to the adjacent land Zoned LR, LMR, MR or HR for a minimum depth of 3m.	This clause does not apply to the proposed development.
4. The development should provide a solid screen fence of a minimum height of 1.8m at the boundary with land in Zones LR, LMR, MR or HR.	This clause does not apply to the proposed development.



4.4.6 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC

Purpose

Ensure that new commercial and high-density residential buildings provide sufficient safe, quality and convenient end of trip facilities to enable active travel choices by residents, visitors, workers and customers for the proposed use of the site.

Administration

1. *The consent authority may consent to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that either:*
 - (a) *there are alternative end of trip facilities (on or off the site), where: the same function is provided which can accommodate the same number of bicycles and/or users required by the clause; ii. access to the alternative end of trip facilities is safe and convenient for users; iii. the alternative end of trip facilities are sheltered and secure; and iv. the size and layout of alternative storage areas allows for safe and comfortable storage and access to bicycles and/or personal items; or*
 - (b) *it would be unreasonable to provide the end of trip facilities as required by this clause with regard to, but not limited to, the location of the development and likely commute distances; or*
 - (c) *it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.*

Requirements

1. *All new buildings in Zones HR, CB, C, SC and TC should provide bicycle parking facilities with a number of bicycle parking spaces calculated at the rate specified in the table to this clause (rounded up to the nearest whole number).*

The proposal will not include a shower, bicycle parking and lockers, onsite. These end-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents (see **Attachment G** for plans of 146 Paterson Street).

2. *All bicycle parking facilities and associated bicycle parking devices should be designed in accordance with Australian Standard AS2890.3 – Bicycle Parking and must: (a) be located in a convenient and safe location with adequate security for the storage of bicycles; (b) have an appropriate mix of long and short term, wall and floor mounted bicycle parking; (c) where secure parking is provided, provide e-bike charging facilities, as necessary; (d) not require access via steps; (e) be protected from the weather; (f) enable the wheels and frame of a bicycle to be locked to the device without damaging the bicycle; (g) be located outside pedestrian movement paths; (h) be easily accessible from the road; (i) be arranged so that parking and manoeuvring motor vehicles will not damage adjacent bicycles; (j) be protected from manoeuvring motor vehicles and opening car doors; (k) be as close as possible the cyclist's ultimate destination; (l) be well lit by appropriate existing or new lighting; and (m) be sympathetic in design, material and colour to compliment the surrounding environment.*



The adjacent property comprises a hotel use that includes bicycle racks at the front of the building. The design and location of these bicycle racks accord with Subclause 3 requirements.

3. *A locker should accompany every secure bicycle parking space provided and should be: (a) of suitable volume and dimensions to allow storage of clothing, cycling helmets and other personal items; (b) well ventilated, secure and lockable; and (c) located close to shower and changing facilities.*

Lockers are not proposed for the Site and will not be available at adjacent 146 Paterson Street. The Proponents request to the Consent Authority to not include lockers on the basis that a limited number of staff from the two new businesses will utilise bicycle transportation.

4. *All new non-residential buildings, hotels/motels, and serviced apartments in Zones HR, CB, C, SC and TC should provide sufficient and accessible shower and changing facilities for staff with the number of showers calculated at the rate specified in the table to this clause.*

The proposal will not include a shower, bicycle parking and lockers, onsite. These end-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents.

5. *Shower and changing facilities must be secure facilities capable of being locked and should: (a) be located as close as practical to the associated bicycle parking facilities; (b) provide one change space per shower; and (c) Provide for separate male and female facilities where more than one shower is provided.*

The proposal will not include a shower, bicycle parking and lockers, onsite. These end-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents.

Table 5 – Table to Clause 5.3.7 End of Trip Facilities

Use or Development	Minimum number of bicycle parking spaces	Minimum number of showers	Bicycle parking spaces and showers required	Bicycle parking spaces and showers provided
Shop (including shopping centres)	1 space per 300m ² net floor area up to 5000m ² net floor area, plus 1 space per 600m ² net floor area above every 5000m ² net floor area thereafter.	1 shower for up to 5000m ² net floor area, plus 1 additional shower for up to every 5000m ² thereafter.	1 bicycle parking 1 shower	The proposal will not include a shower, bicycle parking and lockers, onsite. These end-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents.
Non-residential buildings (Food Premises Cafe/Take Away)	1 space per 300m ² net floor area	1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter.	1 bicycle parking 1 shower	The proposal will not include a shower, bicycle parking and lockers, onsite. These end-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents.



Pursuance of Subclause 1 the proponent requests that the Consent Authority vary Subclauses 2 to 6 to not include end-of-trip facilities, onsite within the new building for the following reasons:

- The two (2) proposed tenancies within the new building have some space constraints, restricting the inclusion of a shower, bicycle storage and locker facilities.
- End-of-trip facilities will be accessed from the adjacent property (146 Paterson Street) which is also owned by the Proponents (see **Attachment G** for plans of 146 Paterson Street). The adjacent property comprises a hotel use that includes bicycle racks at the front of the building and shower and change rooms on 'floor level 1'. Surplus bicycle parking is anticipated to be available as transiting hotel patrons generally utilise motor vehicle transportation.
- Lockers are not available at 146 Paterson Street. In pursuance of Subclause 1 the Proponents request to the Consent Authority to vary Subclause 4, to not include lockers on the basis that a limited number of staff from the two new businesses (approx. aggregate of 2) will utilise bicycle transportation to commute to the Site and subsequently not generate a high dependence on locker storage.

4.4.7 5.5.1 Interchangeable Use and Development

Purpose

Facilitate changes between the nominated use or development of premises within Zone CB.

The proposed development is not located within the CB Zone and is subsequently not applicable to this clause.

4.4.8 5.5.2 Commercial Plot Ratio

Purpose

Provide for development that will, in terms of building massing, be compatible with adjacent and nearby development.

Administration

- 1. The consent authority may consent to a use or development that is not in accordance with sub-clauses 2 and 3 only if it is satisfied the development is appropriate to the site having regard to the purpose of this clause, the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.*
- 2. This clause does not apply where an alternative commercial plot ratio is established under Clause 5.9 (Location specific development requirements).*

Requirements

- 1. Development of sites within: (a) Zone TC other than in the Municipality of Darwin; or (b) Zone C; or (c) Zone SC; should not exceed a commercial plot ratio of 1.*



The Site is located in Zone C and has an area of 1000m². The proposed development has an approximate gross-floor-area of 237m². The plot ratio of the proposed development is subsequently 0.24 and does not exceed a plot ratio of 1. The proposal subsequently complies with this clause.

2. *Development of sites within Zone TC in the Municipality of Darwin should not exceed a commercial plot ratio of 3.*

The proposed development is not located within the TC Zone and is subsequently not applicable to this clause.

4.4.9 5.5.4 Expansion of Existing Developments in Zones CB, C, SC and TC

Purpose

Provide for the minor expansion of an existing use or development in Zones CB, C, SC and TC.

Administration

1. *An expansion of an existing use or development in Zones CB, C, SC or TC is Permitted without consent only if it: (a) complies with sub-clause 3; and (b) complies with Parts 3, 5 and 6 of this Planning Scheme; and (c) is consistent with the zone purpose and outcomes.*
2. *Where the expansion does not comply with sub-clause 3, the use or development is subject to the assessment requirements as established in the relevant assessment table for the zone.*

Requirements

1. *An expansion of an existing use or development in Zone CB, C, SC or TC is to be: (a) a maximum of 100m² or 15% of the site, whichever is greater; (b) designed to not increase the height of existing development on the site; (c) designed to enhance and increase the existing development's active interface with the public domain; (d) not a demountable structure or residential building; (e) not located on or over a registered easement, road reserve or lot boundary; and (f) of a scale, location and design to facilitate vehicular access, parking and loading areas, including areas allocated for waste management and service vehicle access.*

The proposed development does not involve expansion of existing development, as the Site is currently vacant. The proposal will be sympathetic to the surrounding commercial development character and scale. It will provide visual interest from the ground and streetscape level, creating an active public domain along the Patterson Street frontage. Customer vehicles and service vehicles will enter and leave the Site in a forward motion, safely without restriction.

4.4.10 5.5.11 Food Premises

Purposes

Ensure that the operation of a food premises: (a) provides an active interface to the public domain and contributes to the interest and diversity of the locality; (b) minimises adverse impacts on the amenity of the locality; and (c) is designed for the safety of patrons.



Administration

- 1. This clause applies to food premises-café/take away, food premises fast food outlet, and food premises-restaurant.*
- 2. The consent authority may consent to a food premises that is not in accordance with sub-clauses 3-10, only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on surrounding amenity.*

Requirements

- 1. Incorporate appropriate building and landscape design to ensure that there is no unreasonable loss of amenity for adjoining and nearby property.*

The proposed building will be setback significantly into the Site, away from property boundaries, mitigating building massing impacts on the surrounding properties and streetscape. The building design is climate responsive and durable. The building design will create interest from the ground level, onsite, from adjacent properties and from the neighbouring streetscape.

- 2. A minimum 1.8m high solid acoustic screen fence is erected along the full length of all site boundaries adjoining land in Zones LR, LMR, MR or HR.*

The Site will not adjoin residential zones, and it will be surrounded by other commercial uses. A 2.6m chainmesh perimeter fence will border most of the Site. An existing stone/masonry wall fronting Paterson Street will combine with the chainmesh fence to provide security to the Site.

- 3. Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of any adjacent residents or cause a traffic hazard in the adjacent road network.*

The proposed building will incorporate external lighting that will provide adequate illumination to areas within the Site, to allow for safe movement through the Site and other operations during nighttime periods.

- 4. Manage noise emissions so that they will not have an unreasonable impact on the amenity of the locality.*

The proposal will generate noise that is consistent with commercial operation activities. Noise emissions of the proposed Bottle Shop and Pizza Takeaway will not be beyond levels expected for the Commercial Zone.

- 5. The design of an alfresco dining area or outdoor entertainment space located adjacent to a dwelling is to take account of and reasonably mitigate noise and privacy impacts.*

There is no alfresco dining to be incorporated within the proposal. This clause is subsequently not applicable to the proposal.

- 6. Adequate provision is made for the on-site collection, storage and disposal of waste, positioned to avoid nuisance to neighbours.*



A refuse storage/collection point will be within the loading bay area in the rear of the property (refer to **Attachment E** for illustration).

7. The maximum net floor area of a café/take away should be 80m².

The proposed Pizza Takeaway will be 100m² and subsequently is larger than the required 80m². In pursuance of Subclause 2 the proponents request that the Consent Authority allow for the variation of Subclause 9 for the following justification:

The additional 20m² will have a marginal influence on the size and scale of the building that is proposed to be included within the Site. The building footprint to site plot ratio is under one (1) and the building design, scale and character will be proportional to the existing development found within the commercial precinct locality.

8. If a fast-food outlet is adjacent to land in Zones LR, LMR, MR or HR, the development is to be set back 5m from all side and rear boundaries and landscaped to a minimum depth of 3m to provide a visual screen.

This clause is not applicable to the proposal as the Site is not adjacent to the residential zones listed in Subclause 10.

4.4.11 5.5.15 Design in Commercial and Mixed-Use Areas

Requirements

1. Building design is to be sympathetic to the character of buildings in the immediate locality.

The proposed building will be a single storey development, that will incorporate design features and materials that will be comparative to surrounding development. This includes skillion roofing, and corrugated iron and masonry walls.

2. Buildings are to incorporate and maintain passive climate control measures appropriate to the local climate.

The proposed building will include a low pitch, skillion roof that will promote slow rainwater discharge into the surrounding landscape. Corrugated-iron-clad walls have low heatsinked surfaces, promoting efficient building cooling. Numerous door and window openings within the building will create breezeway, cross-ventilation, for the building's passive cooling.

3. Building design is to minimise the expanse of blank walls facing the street and public open spaces and limit external finishes that could cause nuisance to residents or the general public, such as materials that would result in excessive reflected glare.



The building will incorporate ironclad and masonry surface material finishes, that will provide variation and visual interest in the wall's appearance. Cable roof ends provide further variation in the building's appearance from the street view. Building surfaces will be dull, and earthy in colour to mitigate excessive solar glare onto surrounding properties.

- 4. Services and utilities (such as bin storage areas, service ducts, pipes, air conditioner plants etc.) are to be integrated into the development and/or screened to the public domain and neighbouring properties.*

The refuse storage/collection point will be screened to minimise its visual impact within the Site and onto adjacent properties.

- 5. Car parking areas, including rooftop parking, and open expanses of pavement are to be shaded by landscaping and/or shade structures.*

Carparking at the rear of the building will incorporate generous setbacks from the rear property boundary, mitigating visual impact on the rear laneway streetscape. The driveway at the front of the property will have screening from the Patterson Street frontage, by a solid masonry wall.

- 6. Unless advised otherwise by the relevant local government council or controlling agency for roads (whichever is applicable), development is to provide an awning or veranda to all street frontages that adjoin a footpath, which: (a) extends along the full length of the site boundary to provide continuous coverage for pedestrians; (b) covers the full width of the footpath or has a minimum width of 3m; and (c) allows for the growth of existing trees and the planting and growth of reasonably anticipated trees within the road reserve.*

The proposed building will be located within the central zone of the Site, reducing the structural ability to project an awning over the adjacent council footpath. Providing landscaping within the slither of available space at the front of the Site is difficult.

- 7. Development is to provide legible pedestrian access from the street and public pathways to building entrances that: (a) is direct and provides refuge from the sun and rain; and (b) avoids potential entrapment areas, blind corners or sudden changes in level that restrict sightlines.*

The development will feature internal pedestrian pathways, that will connect seamlessly to surrounding pedestrian networks located along Patterson Street. Safe access to the Site will be achievable for pedestrians.

- 8. New developments are to be sited, designed and operated to minimise unreasonable impacts to surrounding uses and development related to noise, vibration, light, odours and other nuisance.*

The proposal will generate emissions (i.e. noise) that are consistent with commercial operation activities. Emissions of the proposed Bottle Shop and Pizza Takeaway will not be beyond levels expected for the Commercial Zone.



9. *Development is to minimise the transmission of noise and exhaust from services by: (a) locating lift shafts away from habitable rooms, or by using other noise attenuation measures; and (b) locating air conditioner plants away from openings in habitable rooms.*

There are no habitable rooms proposed for the development. This clause subsequently does not apply.

10. *Buildings are to provide internal drainage of balconies.*

There are no balconies proposed for the development.

11. *Development with a floor area of 3500m² or greater is to provide a dedicated parenting room (to allow for activities such as baby change and breastfeeding).*

The proposed development will be significantly less than 3500m² and this clause subsequently does not comply.

12. *Development is to provide designated areas for rubbish collection.*

A communal refuse storage and collection area is proposed to be located at the rear of the building in proximity to the loading bay. See development plans at **Attachment E**.

4.4.12 5.5.17 Building Frontage in Commercial and Mixed-Use Areas

Requirements

1. *Services on primary building frontages are to be limited to: (a) a direct single point of access to service equipment for all service authorities; (b) required fire egress; and (c) required fire booster connection points.*

The Site will have two (2) main vehicle access points, and one designated pedestrian access point (fire egress) from Patterson Street. The proponents will work with the relevant service authorities to establish a fire booster connection point.

2. *Primary building frontages are to contain one or more of the following components for 60% of the building length, where the distance between each component is no more than 1.5m: (a) windows with openings that have dimensions not less than 0.9m wide and 1.2m high; (b) operational and legible entrances (excluding fire egress); (c) areas that are used for alfresco dining; (d) spaces that allow for pedestrian movement and/or seating; or (e) vertical landscaping for the full height of the frontage.*

The building will contain windows (1.6m x 1.9m) and door openings.



3. *Buildings are to provide awnings for the length of the primary building frontage to a minimum of 3m wide.*

A roof cover is proposed to extend across the front driveway to connect with the storerooms that will border the lot boundary abutting Paterson Street. The roof cover will extend in a perpendicular position across most of the building frontage, offering weather protection to staff and customers seeking to enter the food premises entrance or to access the bottle shop servery points.

In pursuance of Subclause 3 the Proponents request a variation to this clause to not provide an awning for the full length of the building for the following justifications:

- The roof cover will offer weather protection to staff and customers seeking to enter the food premises entrance or to access the bottle shop servery points.
- The roof cover will create shade and significantly cool the two tenancies from the building frontage.
- The food premises will further offer internal standing space for customers.



5 Section 46(3) of the Act – Remaining Requirements

5.1 46(3)(b) – Interim Development Control Order

There are no Interim Development Control Orders currently applying on the Site.

5.2 46(3)(c) – Referral to the *NT Environmental Protection Act 2019*

The development does not require referral to the NT EPA under Part 4, Division 3 of the *Environmental Protection Act, 2019*.

5.3 46(3)(d) – Merits of Proposed Development

The proposal will provide a variety of merits, including:

- A Pizza Takeaway service for the Tennant Creek Township.
- A Bottle Shop service for the Tennant Creek Township.
- Both services will be accessible from Paterson Street for customers using vehicles or walking in from the surrounding locality, providing versatile and efficient food and beverage sales.
- Temporary employment for local construction companies and workers, during development phase of the Site.
- Both commercial uses will provide variety and interest at the street level along Paterson Street. They will subsequently contribute to the activation of the Site and the commercial precinct area, as the Site is currently vacant. This will influence a positive atmosphere, for personal health and wellbeing.
- Both businesses will provide passive surveillance to streetscape's surrounding the Site.
- The proposal will create diverse food and beverage consumer services in Tennant Creek.
- This proposal will further contribute to creating employment opportunities for residents and external people seeking new employment opportunities. This will bolster the economic base of Tennant Creek.

5.4 46(3)(e) – Suitability of Land for Development and Impacts of Development

A description of the Site is provided in **Section 2** of this report. The Site is subsequently suitable to support the proposed commercial businesses. The future development for this Site is not beyond what is expected for C Zoned land.

5.5 46(3)(f) – Available Public Facilities and Open Space

As the land is already nominated for C Zone land use, the proposed development is not expected to create an additional need for public facilities or public open space as the needs are catered for within the requirements of the locality.



5.6 46(3)(g) – Available Public Utilities/Infrastructure

The Site has access to reticulated power, water, sewer and telecommunication services within the locality.

5.7 46(3)(h) – Impact on Amenity

The proposal is not expected to have a negative impact on the amenity of the area considering:

- The proposed development accords with the development requirements of the NTPS.
- The proposal will not generate any unreasonable noise or traffic to the area.

The proposed development aims to promote the intent and purpose of the land use objectives of the NTPS and relevant strategic framework, in relation to creating a built form that enhances functionality and compatibility with the existing developments within the locality.

5.8 46(3)(j) – Benefits or Detriments to the Public Interest

The proposal will not detriment the public interest and will provide benefit for the reasons outlined above in **Section 5.3** of this report. The proposed development is consistent with the public's expectation of land use in the area.

5.9 46(3)(k) – Compliance with the *Building Act 1993*

There are no buildings currently present over the Site. The proposed development will be subject to regulatory control and certification under the *Building Act 1993*.



6 Conclusion

MasterPlan NT has been engaged by Paul Pizzolato (the Proponent) on behalf of Framar Nominees Pty. Ltd. of c/- Mal Sciacca & Associates (the Proponents and Beneficiaries) to prepare a Development Application (DA) for the purpose of a developing a new Shop and Food Premises-Café/Takeaway over the Site.

The Site is located within Zone C (Commercial) of the *Northern Territory Planning Scheme 2020* (NTPS). The development proposal involves *Permitted* land uses, which ordinarily do not require development consent. However, some aspects of the DA do not comply with all Part 5 NTPS requirements and subsequently will elevate the assessment to *Merit Accessible* under Clause 1.8(1)(b)(ii)(2) of the NTPS. *Merit Assessable* development requires consent in accordance with Section 44(a) of the *Northern Territory Planning Act 2020* (the Act).

This Statement of Effect has been prepared to support the DA for the required Development Permit. It demonstrates that the proposed development accords with the applicable strategic framework and is consistent with the intent of the NTPS and is a suitable development in this location.

This DA seeks consent from the Consent Authority to vary clauses pertaining to carparking, end-of-trip facilities and minor elements involving building design. The requested variations are discussed through Section 4.4 of this report.

The proposed development responds positively to community expectations as set out in the NTPS in that:

- The Site is considered suitable for the intended purpose.
- The intended use of the Site is compatible with the surrounding area.
- The nature and scale of the proposed development is suitable to the local context.
- The development will not introduce negative impacts on the surrounding area.
- The development is not detrimental to the public interest.

Our assessment in consideration of the requirements of all relevant statutory planning tests of the NTPS is that there are strong grounds for the DCA to approve the DA subject to reasonable and relevant conditions.

George Dakis

Attachment A

Certificate of Title

Date Registered: 16/01/2006

Volume 695 Folio 403

Duplicate Certificate as to Title issued? No

SEARCH CERTIFICATE

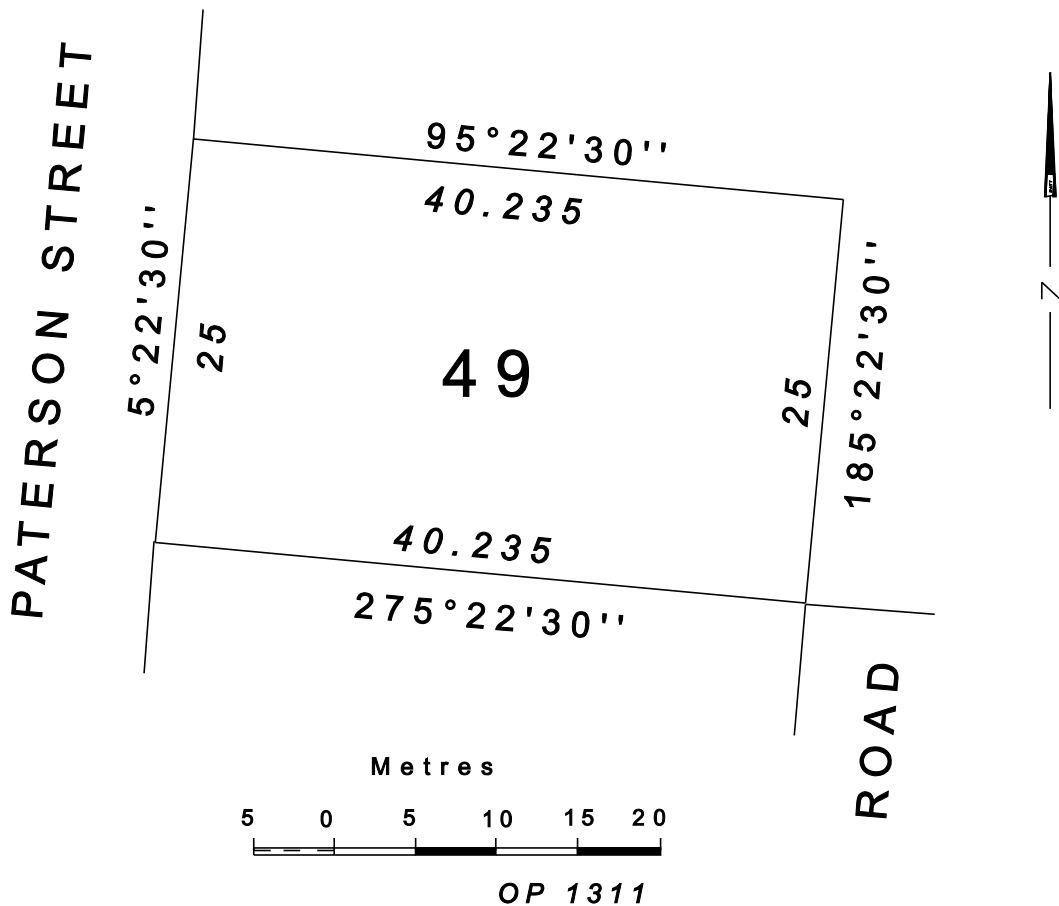
Lot 49 Town of Tennant Creek from plan(s) OP 001311

Area under title is 1000 square metres

Owner:

Framar Nominees Pty. Ltd. (ACN 062 399 357)
of c/- Mal Sciacca & Assoc., Suite 6, 2-4 Shepherd Street, Darwin NT 0800

Registered Date	Dealing Number	Description
		Previous title is Volume 695 Folio 351
03/04/2012	768955	Discharge of Mortgage (612683)
23/05/2006	612683	Mortgage Westpac Banking Corporation
16/01/2006	601088	Mortgage of Lease Commonwealth Bank of Australia (396782)
30/01/2004	541036	Amendment of a Lease or Sublease - conditions varied (396782)
03/04/1998	396782	Lease to J AN R Jenkins Pty Ltd - expiring 01/03/2010
End of Dealings		





NORTHERN TERRITORY OF AUSTRALIA

Record of Administrative Interests and Information

Record of Administrative Interests and Information

The information contained in this record of Administrative Interests only relates to the below parcel reference.

Parcel Reference: Lot 00049 Town of Tennant Creek plan(s) OP 001311

(See section 38 of the Land Title Act)

Note: The Record of Administrative Interests and Information is not part of the Land Register and is not guaranteed by the Northern Territory of Australia, and the NT Government accepts no Liability for any omission, misstatement or inaccuracy contained in this statement.

Registrar General

Government Land Register

(none found)

Custodian - Registrar General (+61 8 8999 6252)

Current Title

CUFT 695 403 (order 1)

Tenure Type

ESTATE IN FEE SIMPLE

Tenure Status

Current

Area Under Title

1000 square metres

Owners

Framar Nominees Pty. Ltd. (ACN 062 399 357)
c/- Mal Sciacca & Assoc., Suite 6, 2-4 Shepherd Street, Darwin NT 0800

Easements

(none found)

Scheme Name

(none found)

Scheme Body Corporate Name

(none found)

Reserved Name(s)

(none found)

Unit Entitlements

(none found)

Transfers

21/06/1994 for \$480,000
18/12/1985 for \$1
14/03/1974 for
21/07/1965 for \$205,368
07/01/1962 for \$4,600

Tenure Comments

(none found)

Historic Titles

CUFT 695 351 (order 1)
CUFT 671 060 (order 1)
CUFT 639 389 (order 1)
CUFT 581 132 (order 1)
CUFT 367 060 (order 1)
CUFT 324 134 (order 1)
CUFT 149 102 (order 1)
CUCL 031 098 (order 6)
CUCL 031 098 (order 5)
CUCL 031 098 (order 4)
CUCL 031 098 (order 3)
CUCL 031 098 (order 1)
CUCL 031 098 (order 2)

Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5354)**Address**

136 PATERSON ST, TENNANT CREEK

Survey Plan

OP 001311

Survey Status

Approved

Parcel Status

CURRENT

Parcel Area

1000 square metres

Map Reference

Code 730 Scale 2500 Sheet 23.32

Parent Parcels

(none found)

Parcel Comments

MUNIC RENT RED 2/3/78.PROP CLOSURE OF ADJOINING LANE VIDE S88/49A, AND CONSOLIDATION WITH LOTS 35,36 AND 382. PROPOSAL TO CLOSE ROAD NTG G39 28/09/1988.ROAD CLOSED VIDE NTG G47 23/11/88. CONSOLIDATED WITH LOTS 35 AND 382 TO FORM LOT 2137 VIDE LTO99/87.

Survey Comments

(none found)

Proposed Easements

(none found)

Local Government Area

BARKLY SHIRE

Region

BARKLY

Custodian - Valuer General (+61 8 8995 5375)**Owner's Last Known Address**

FRAMAR NOMINEES PTY. LTD. (ACN 06, PO BOX 1096, MURRAY BRIDGE SA 5253)

Parcels in Valuation

Lot 00035 Town of Tennant Creek

Lot 00049 Town of Tennant Creek

Lot 00382 Town of Tennant Creek

Unimproved Capital Value

\$325,000 on 01/07/2021

\$325,000 on 01/07/2018

\$325,000 on 01/07/2015

\$325,000 on 01/07/2012

\$250,000 on 01/07/2010

\$106,000 on 01/07/2004

\$125,000 on 01/07/2001

\$125,000 on 01/07/1998

\$125,000 on 01/07/1995

\$125,000 on 01/07/1992

\$125,000 on 01/01/1990

\$125,000 on 01/01/1987

\$84,000 on 01/01/1984

\$68,000 on 01/01/1981

\$41,400 on 06/03/1978

\$11,300 on 01/07/1972

\$7,500 on 30/06/1967

Custodian - Property Purchasing (+61 8 8999 6886)**Acquisitions**

(none found)

Custodian - Building Advisory Service (+61 8 8999 8965)**Building Control Areas**

BBTEN001 - Building Control Area

TENNANT CREEK BUILDING AREA

Building Permits

(none found)

Visit the website <http://www.nt.gov.au/building/>**Custodian - Town Planning and Development Assessment Services (+61 8 8999 6046)****Planning Scheme Zone**

C (Commercial)

Overlays:

(none found)

Strategic Frameworks: The following strategic frameworks may apply to your land

Regional Plans:

- Tennant Creek Land Use Plan

Sub Regional Plans:

- None

Area Plans:

- None

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications**File Number**

PA1999/0890

Type

Development

Date Received

26/03/1999

Application Purpose

CONSOLIDATION OF THREE LOTS TO CREATE ONE 99/9214 EXHIB 1/4/99 TO 16/4/99

Application Status

Approved

Other Affected Parcels

Lot 00035 Town of Tennant Creek

Lot 00382 Town of Tennant Creek

Instrument Signed

04/06/1999

Instrument Number

DP99/0229

Instrument Issued

Signed

Instrument Status

File Number

PA1987/0443

Type

Development

Date Received

30/06/1987

Application Purpose

T/C HOTEL REDEVELOPMENT THIS SITE IS IN PATERSON STREET. ALSO APPLIES TO LOTS 35, 382, 36 AND 49.



Application Status

Approved

Other Affected Parcels

Lot 00034 Town of Tennant Creek

Lot 00035 Town of Tennant Creek

Lot 00036 Town of Tennant Creek

Lot 00382 Town of Tennant Creek

Instrument Signed

05/10/1987

Instrument Number

DV2831

Instrument Issued

Signed

Instrument Status**Custodian - Pastoral Estate - Vegetation Assessment Unit (+61 8 8999 4454)**

(none found)

Visit the website for information on Pastoral land permits.

Custodian - Power and Water Corporation (1800 245 092)**Meters on Parcel**

Power Water - Electricity (none found)

Power Water - Water 1

For Account balances, contact the Power and Water Corporation.

Custodian - Pool Fencing Unit (+61 8 8924 3641)**Swimming Pool/Spa Status**

(none found)

For more information, contact the Pool Fencing Unit (+61 8 8924 3641).

Custodian - Department of Industry, Tourism and Trade (+61 8 8999 5263)**Mineral Titles**

Title ID	Status	Title Type	Expiry Date	Legislation
RL322	Granted	Reserve Land		Mineral Titles Act 2010

For additional information contact the Mineral Titles Team on +61 8 8999 5322

Energy Titles

Title ID	Status	Title Type	Expiry Date	Legislation
GRO3	Granted	Geothermal Reserved from Occupation		Geothermal Energy Act 2009

Title ID	Status	Title Type	Expiry Date	Legislation
RB5	Granted	Reservation of Blocks		Petroleum Act 1984
RB140	Granted	Reservation of Blocks		Petroleum Act 1984

For additional information contact the Petroleum Tenure Team on +61 8 8999 5263

Land Access Agreements

(none found)

For additional information contact the Land Access Team on +61 8 8999 6442

For further information contact as above or visit the website <https://strike.nt.gov.au>

Custodian - NT Environment Protection Authority (+61 8 8924 4218)

Results of site contamination assessment

(none found)

For further information contact Environment Protection Authority or visit the website <https://ntepa.nt.gov.au/your-business/public-registers/contaminated-land-audits>

Custodian - Heritage Branch (+61 8 8999 5039)

Heritage Listing:

(none found)

For further information on heritage places contact Heritage Branch or visit the website <https://nt.gov.au/property/land/heritage-register-search-for-places-or-objects>

Other Interests

For Account balances, contact Barkly Shire Council

Locality Diagram



Attachment B

Site Plan



 Subject Site – Area 998.78m²

SITE PLAN

136 Patterson Street
TENNANT CREEK

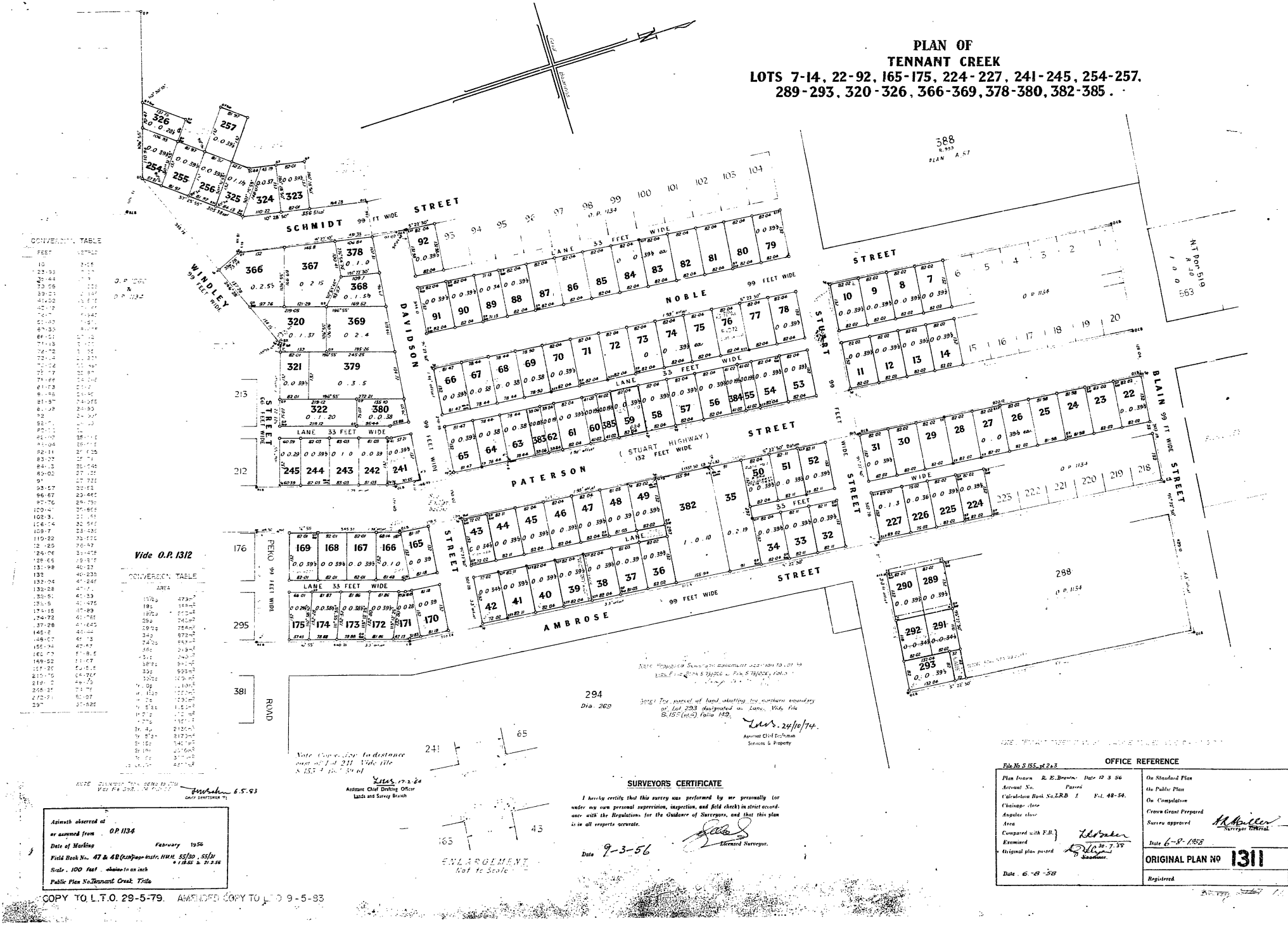
for Australian Portable Camps



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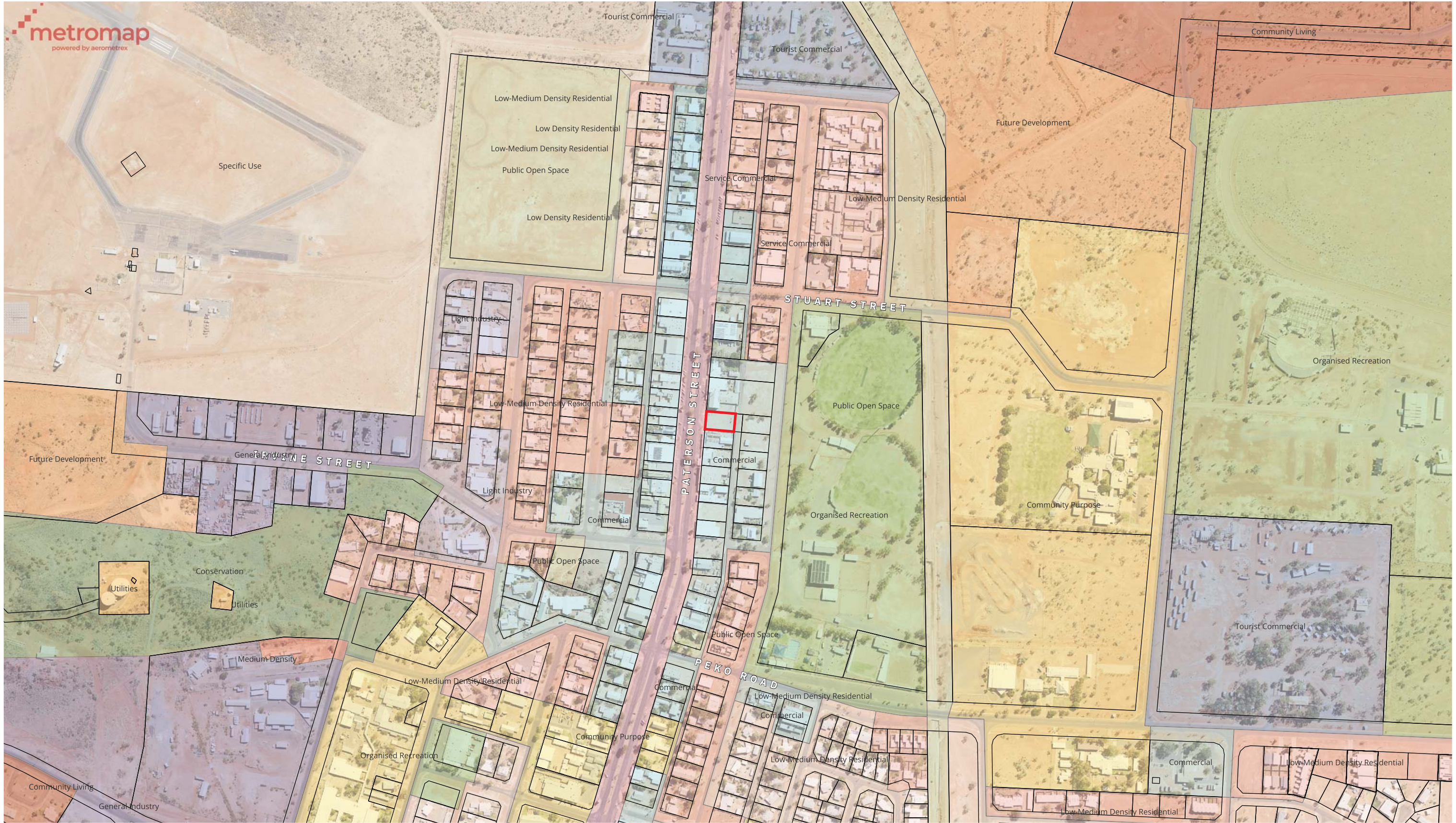
Attachment C

Survey Plan



Attachment D

Locality and Zoning Plan



 Subject Site

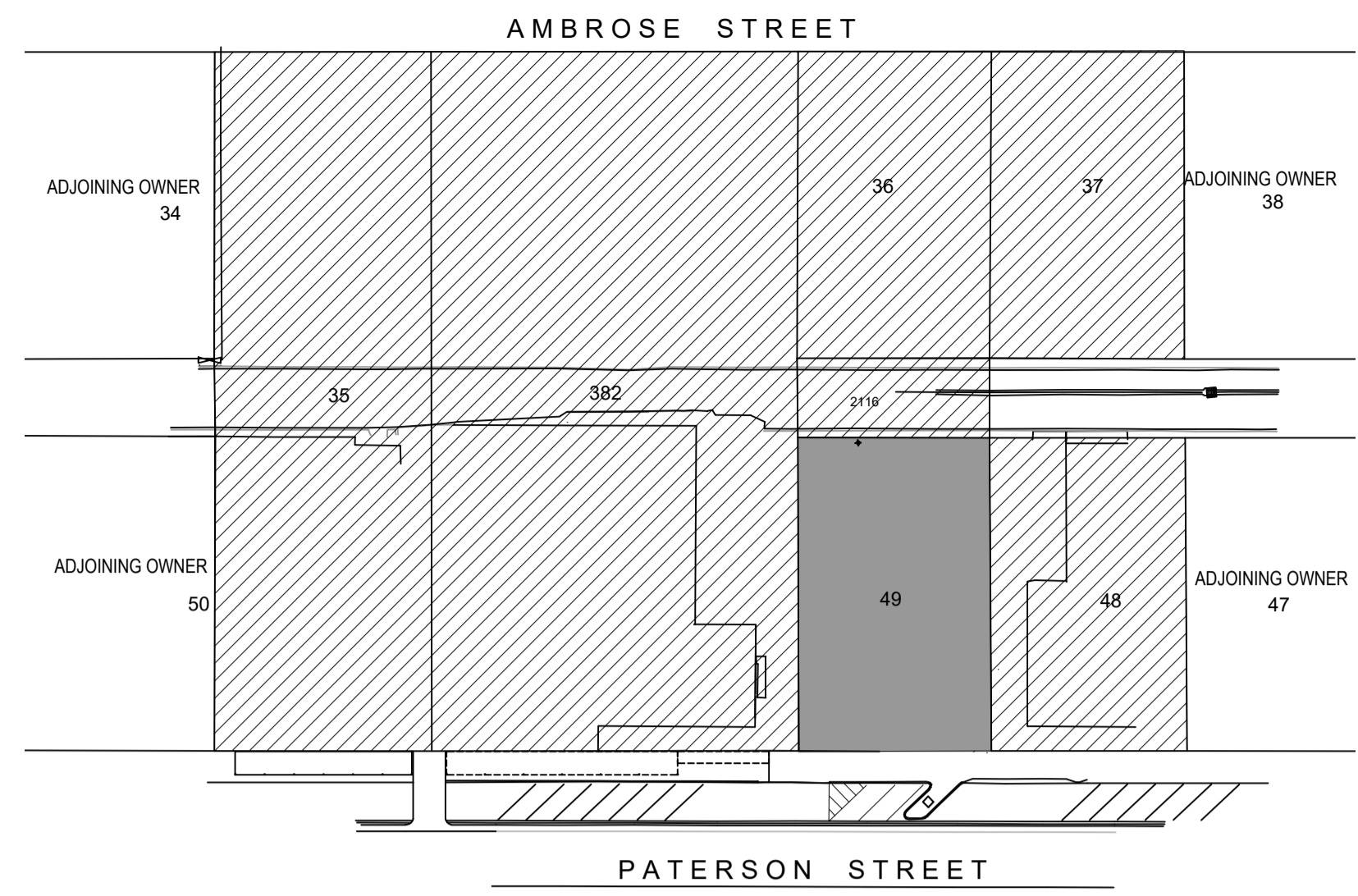
LOCALITY PLAN

136 Patterson Street
TENNANT CREEK

for Australian Portable Camps

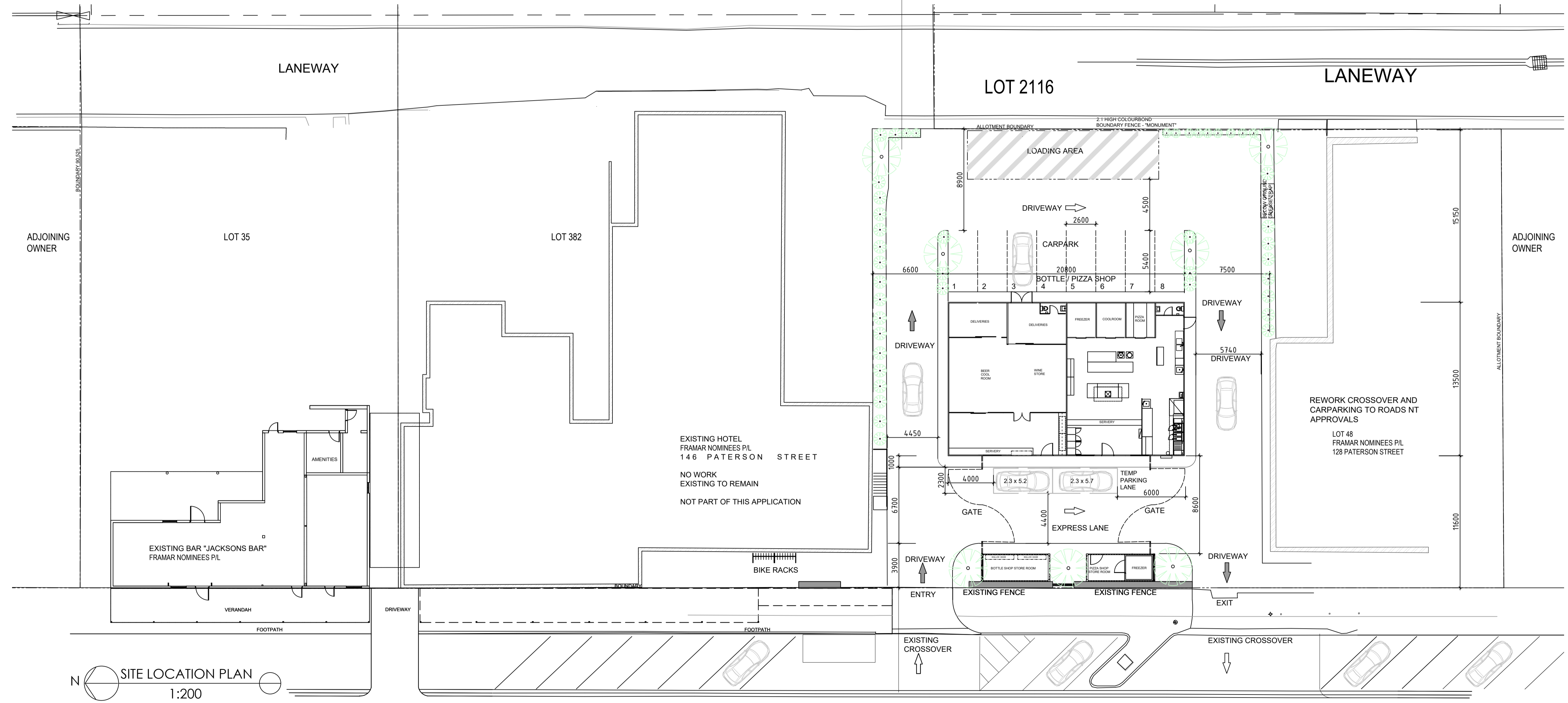
Attachment E

Proposed Development Plans



DEVELOPMENT SITE
 LAND HOLDING / OWNERSHIP
 N
 SITE LOCATION PLAN
 N.T.S.

NOTE: LANDSCAPING REFER TO CLOUSTON DRAWINGS 2500961 SK01, SK02 FOR DETAILS

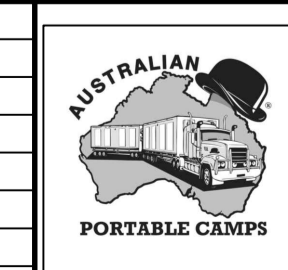


N
 SITE LOCATION PLAN
 1:200

146 PATERSON STREET 136 PATERSON STREET LOT 49 128 PATERSON STREET

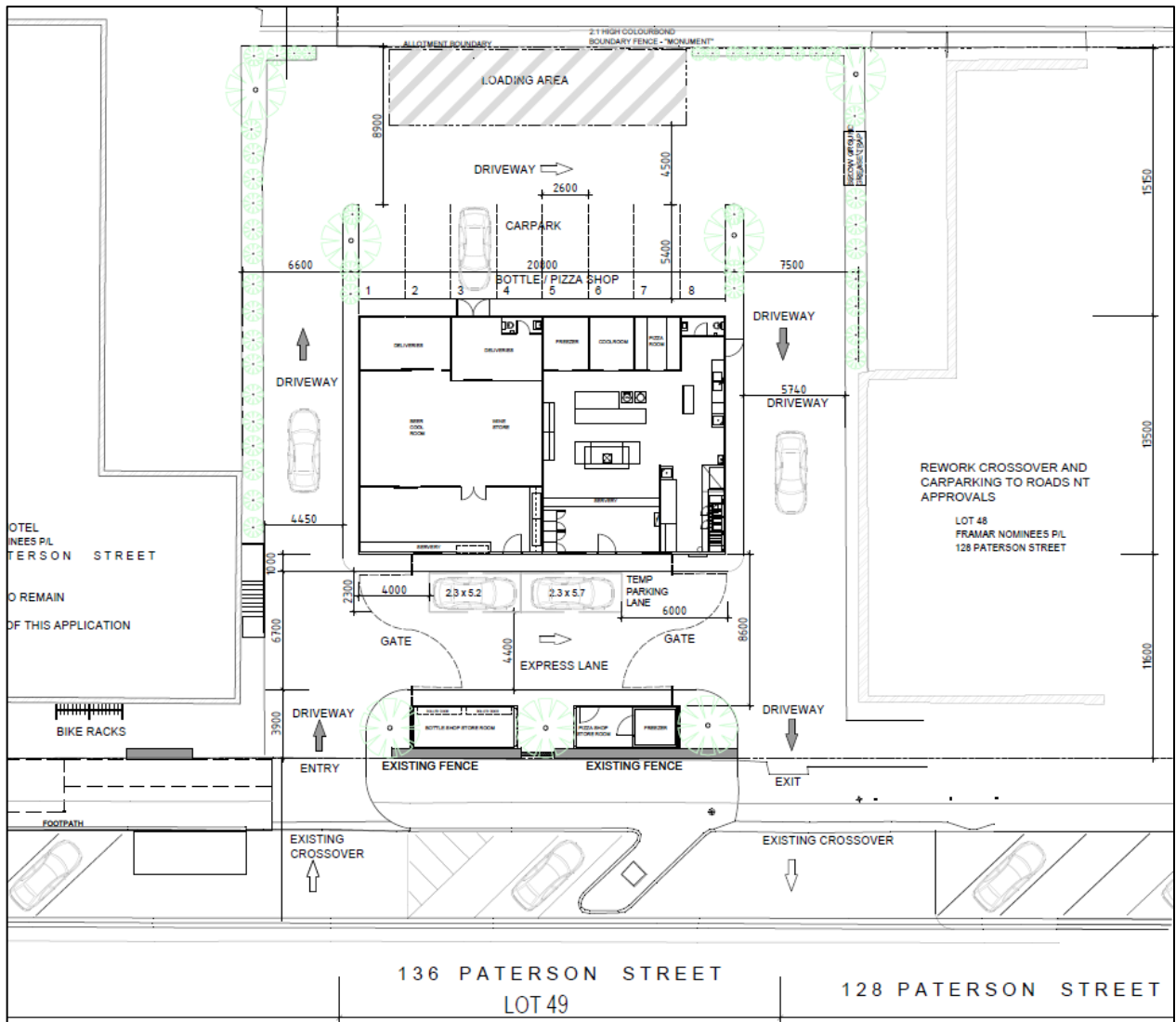
PATERSON STREET

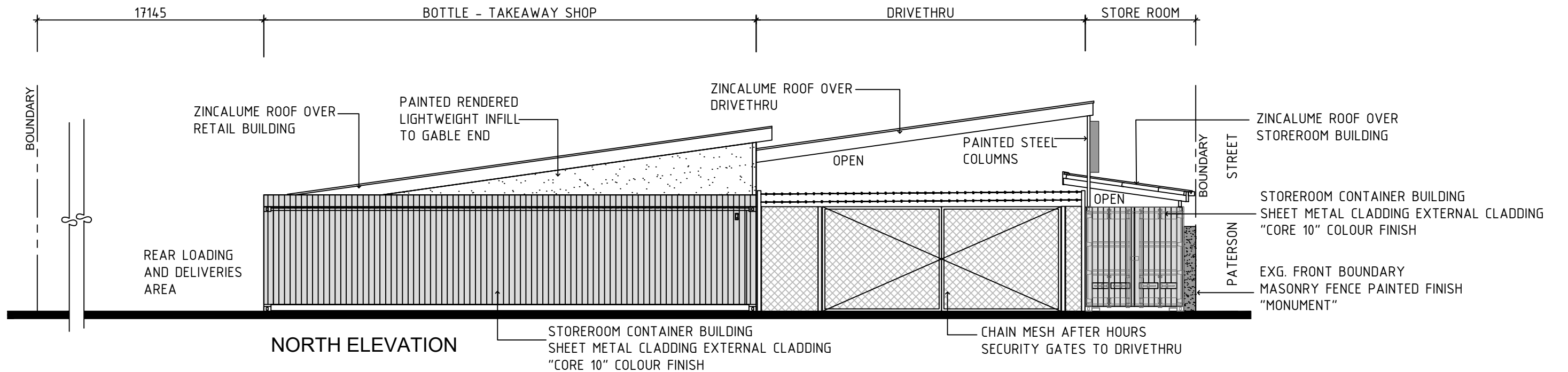
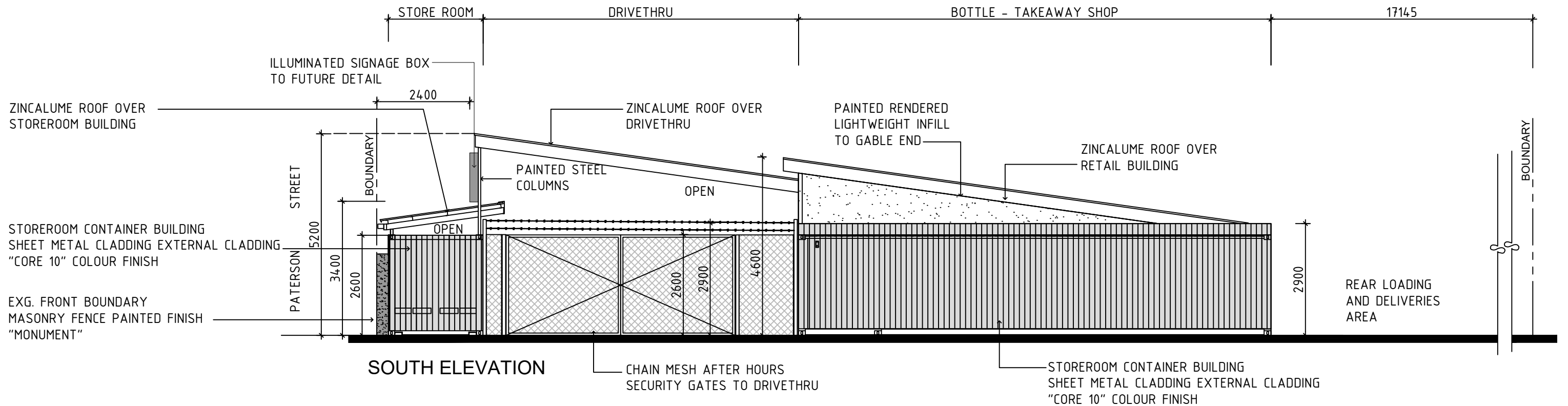
REV	REVISION	DATE	DRNCKD	APCLIENT	REFERENCE DRAWINGS	DRG NO.
	BIKERACKS SHOW TO ADJ HOTEL					
E	CARPARK BAYS ADDED TO DRIVETHRU	16.12.25	PP			
D	LANDSCAPING ADDED	04.10.25				
C	SWEEP PATHS+ CARPARKING CO-ORDINATED	05.08.24				
B	COUNCIL ISSUE DEVELOPMENT APPROVAL	04.03.24				
A	PRELIM ISSUE	10.01.24				



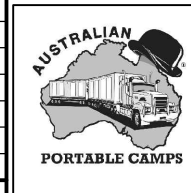
Australian Portable Camps
 Lot 25 Old Princes Hwy, Monarto South SA 5254
 P.O Box 1096 Murray Bridge SA 5253
 Ph: +61 8 8534 4002 Fax: +61 8 8534 4015
 Eml: reception@apcamps.com.au

SCALE	1:200 @ A1	PROJECT	TENNANT CREEK HOTEL, 136 PATERSON STREET TENNANT CREEK, NT
FILE		TITLE	PROPOSED BOTTLE SHOP PROPOSED PIZZA Takeaway
DATE	10.01.23	PROJ. NO.	A0114
DESIGNED		DRAWING NO.	A0114-900-LOCATION PLAN
DRAWN		REV	E
SHEET NO.	1 OF 1		



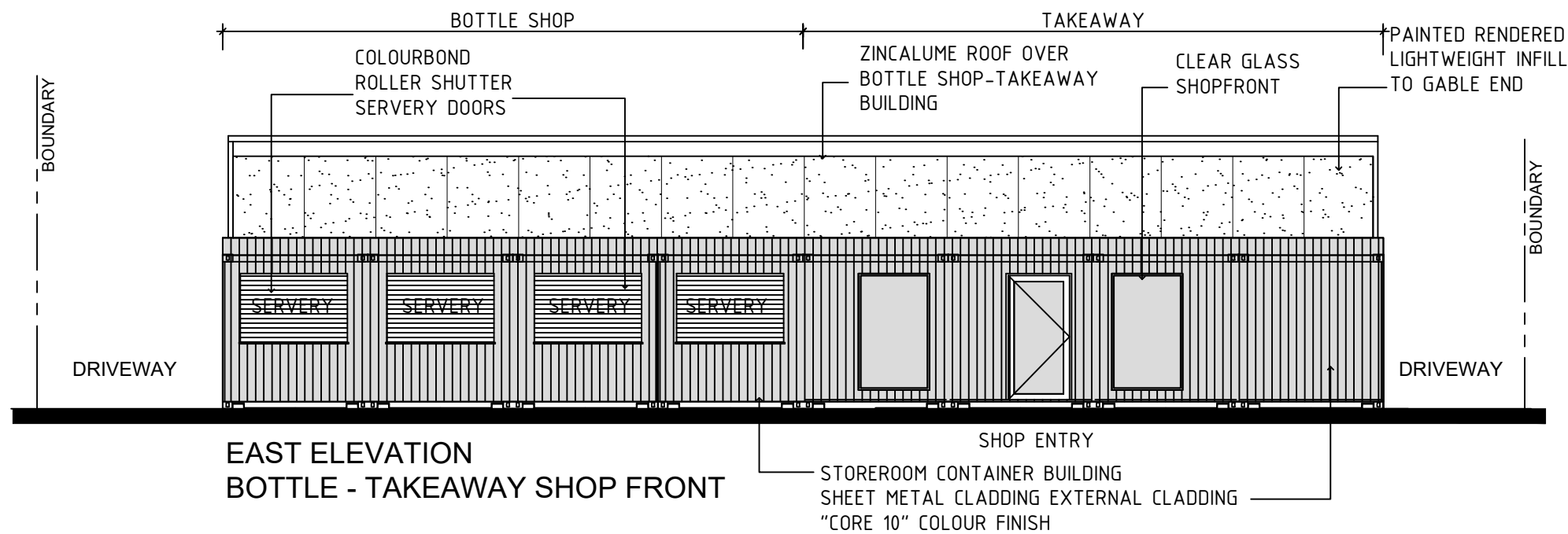


REV	REVISION	DATE	DRNCKD	APC	CLIENT	REFERENCE DRAWINGS	DRG NO.
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A	PRELIM ISSUE	10.01.24					

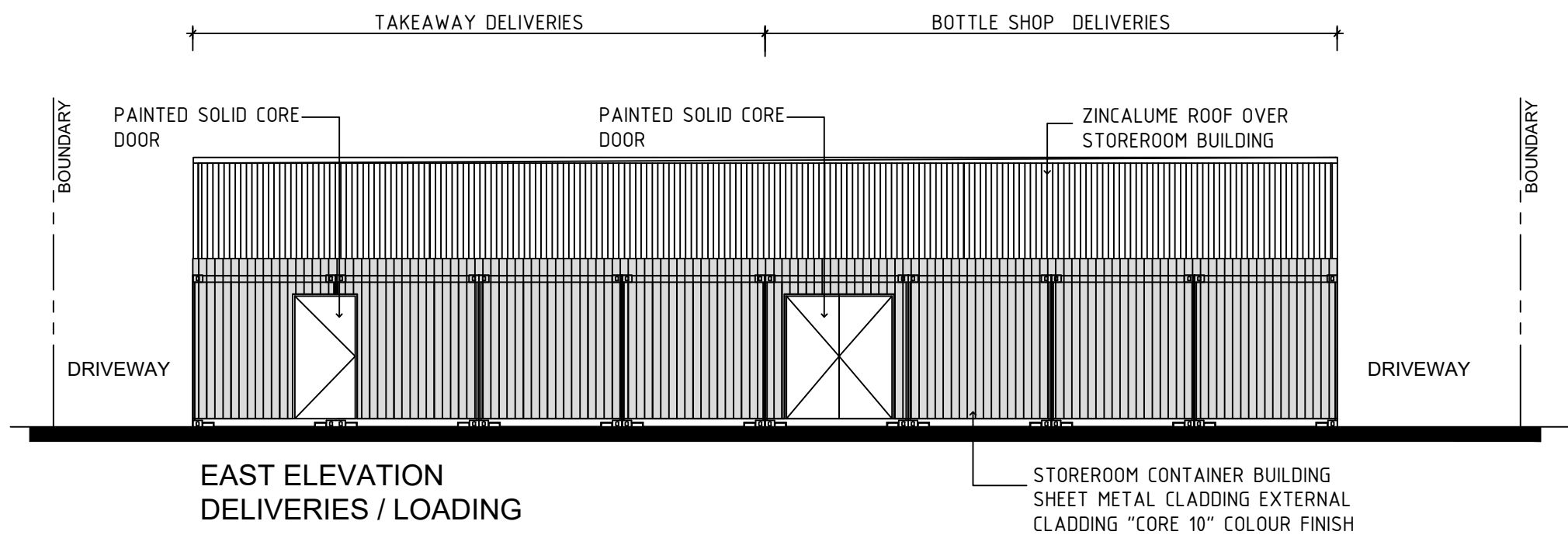


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SCALE	PROJECT	FILE	TITLE	PROJ_NO.	DRAWING NO.	REV
	TENNANT CREEK HOTEL		PROPOSED BOTTLE SHOP AND PIZZA TAKEAWAY SHOP	A0114	A0114-904-ELEVATIONS	B
	136 PATERSON STREET TENNANT CREEK, NT					
DATE DESIGNED						
DATE DRAWN						
SHEET NO.						



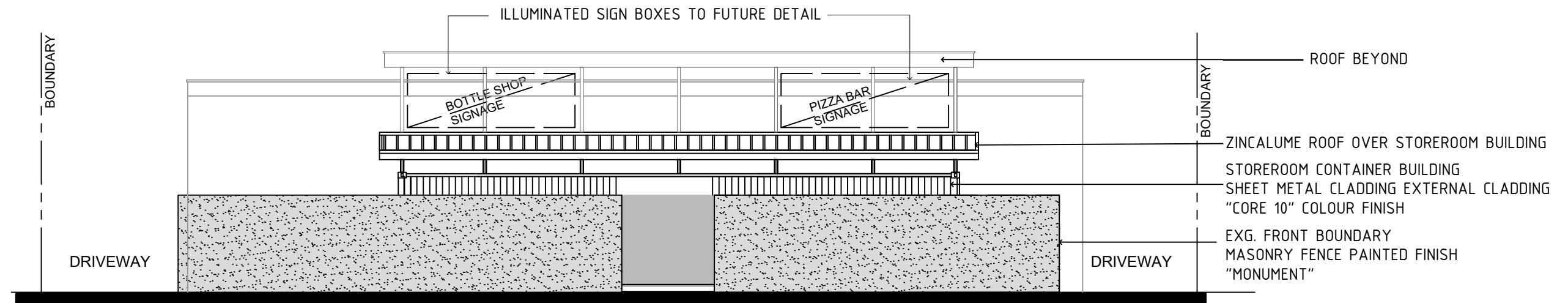
**EAST ELEVATION
BOTTLE - TAKEAWAY SHOP FRONT**



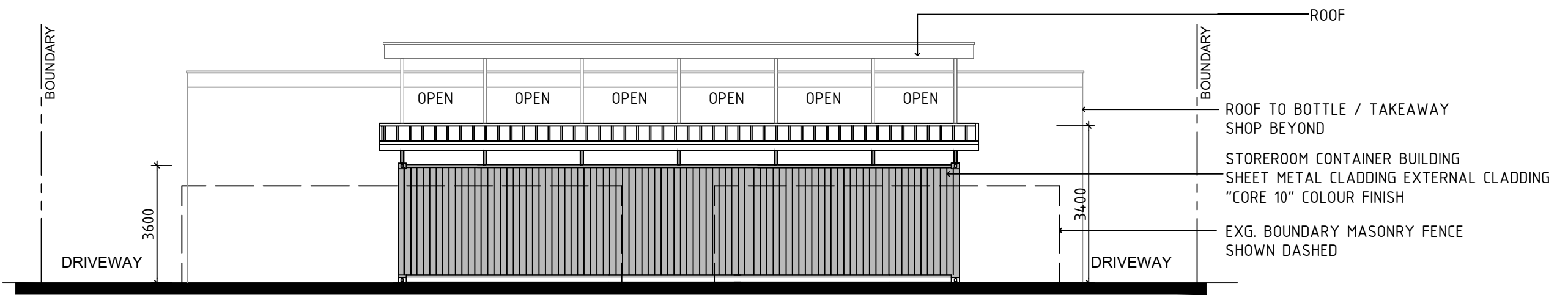
**EAST ELEVATION
DELIVERIES / LOADING**

BOTTLE SHOP TAKEAWAY BUILDING

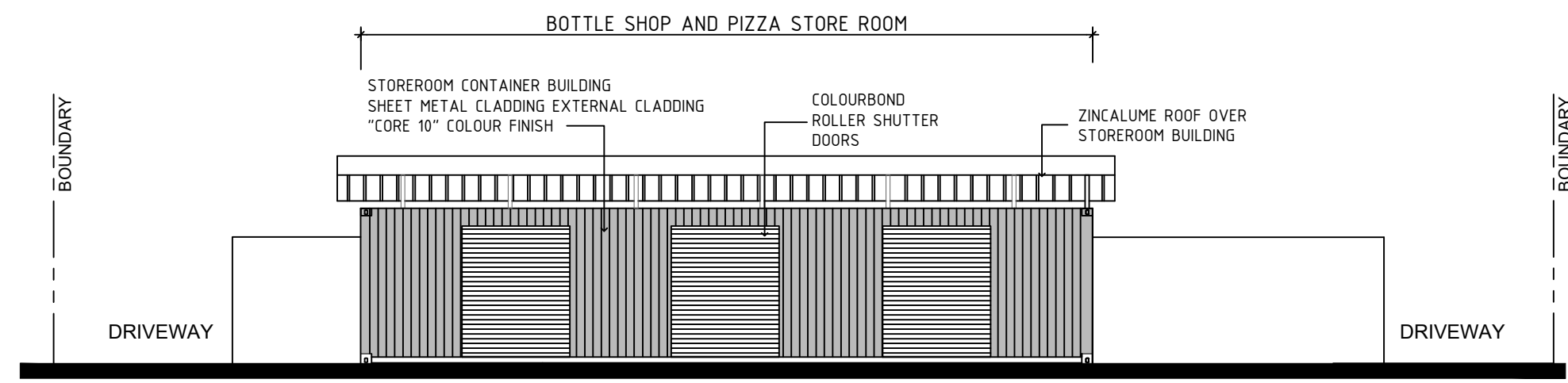
									Australian Portable Camps Lot 25 Old Princes Hwy, Monarto South SA 5254 P.O Box 1096 Murray Bridge SA 5253 Ph: +61 8 8534 4002 Fax: +61 8 8534 4015 Eml: reception@apcamps.com.au		SCALE FILE DATE DESIGNED DRAWN SHEET NO.		PROJECT TENNANT CREEK HOTEL 136 PATERSON STREET TENNANT CREEK,NT TITLE PROPOSED BOTTLE SHOP AND PIZZA TAKEAWAY SHOP		PROJ_NO. A0114		DRAWING NO. A0114-905-ELEVATIONS		REV B	
B	COUNCIL ISSUE DEVELOPMENT APPROVAL	04.03.24																		
A	PRELIM ISSUE	10.01.24																		
REV	REVISION	DATE	DRNCKD	APC	CLIENT	REFERENCE DRAWINGS	DRG NO.													



WEST ELEVATION
PATERSON ROAD
STREET FRONT ELEVATION

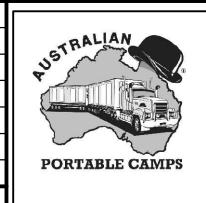


WEST ELEVATION

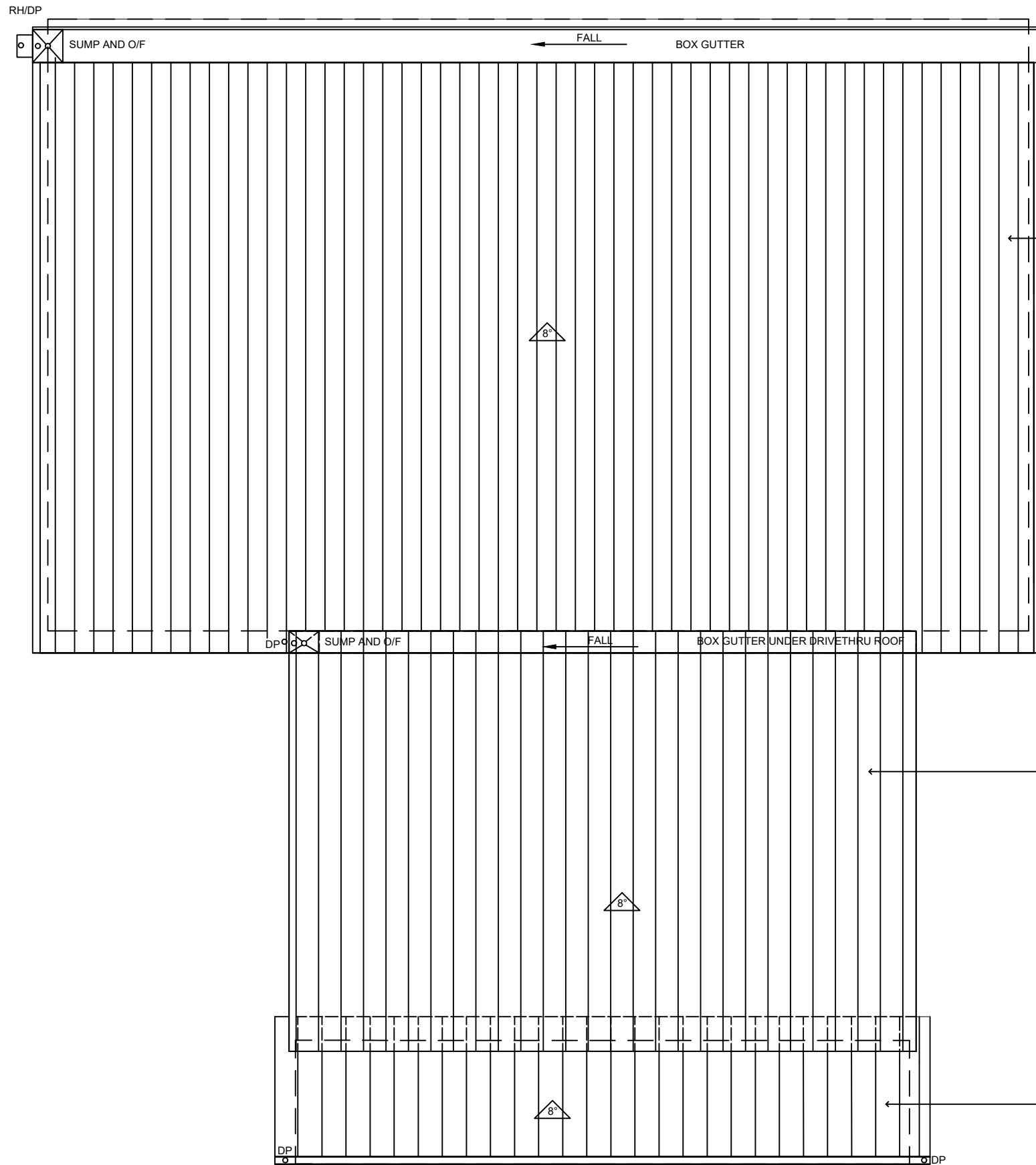


STOREROOM BUILDING

										SCALE FILE DATE DESIGNED DRAWN SHEET NO.		PROJECT TENNANT CREEK HOTEL 136 PATERSON STREET TENNANT CREEK, NT TITLE PROPOSED BOTTLE SHOP AND PIZZA TAKEAWAY SHOP PROJ_NO. A0114 DRAWING NO. A0114-906-ELEVATIONS		REV B B
B	COUNCIL ISSUE DEVELOPMENT APPROVAL	04.03.24												
A	PRELIM ISSUE	10.01.24												
REV	REVISION	DATE	DRN	CKD	APC	CLIENT	REFERENCE DRAWINGS	DRG NO.						



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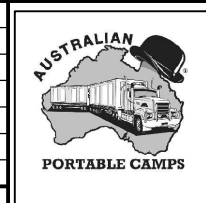
ZINCALME KLIPOK METAL ROOF DECK
TO BOTTLE / TAKEAWAY CONTAINER
BUILDING

ZINCALME KLIPOK METAL ROOF DECK
OVER DRIVETHRU

ZINCALME KLIPOK METAL ROOF DECK
TO STORE ROOM CONTAINERS

ROOF PLAN
SCALE 1:100 @ A1

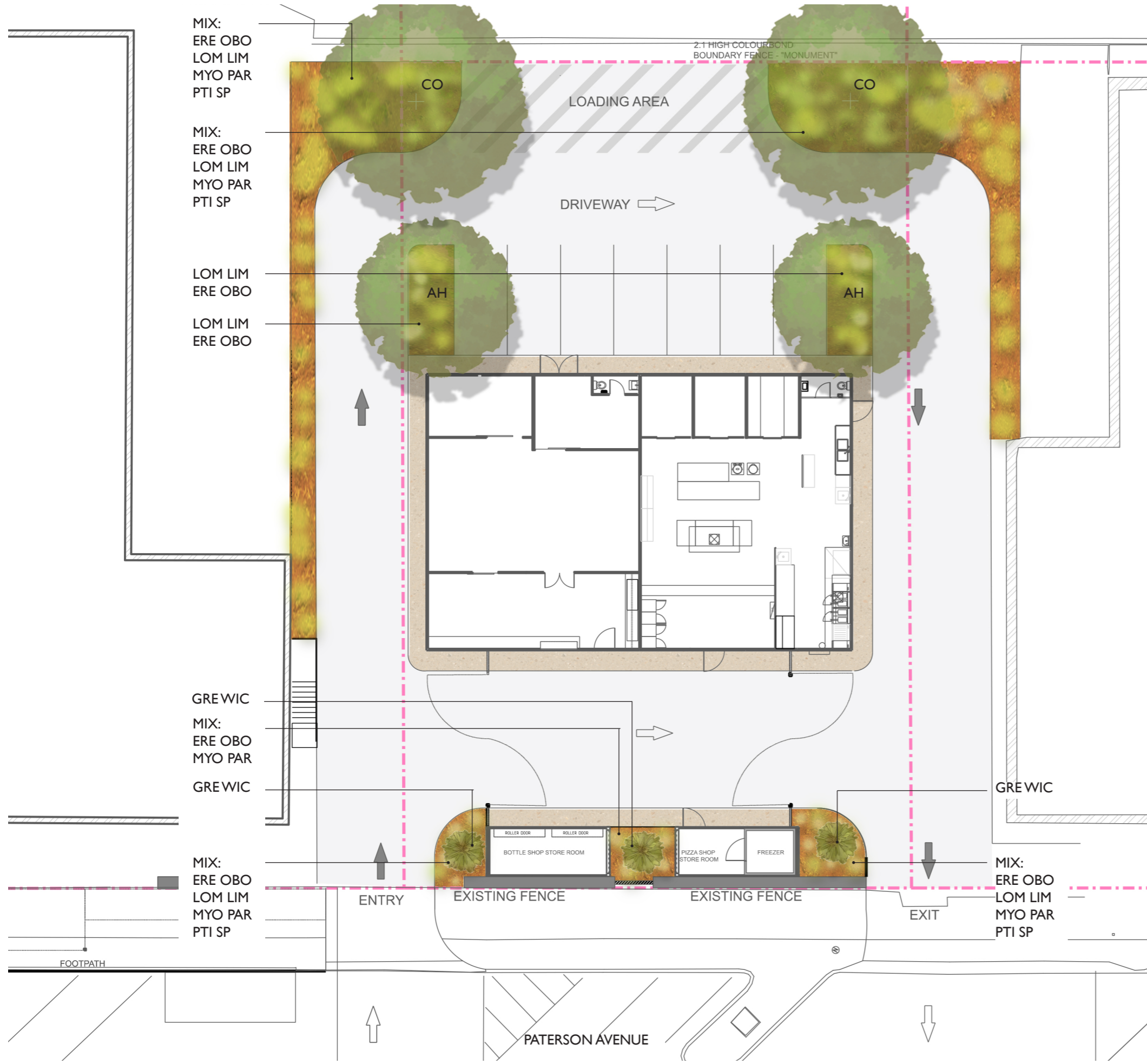
REV	REVISION	DATE	DRNCKD	APC	CLIENT	REFERENCE DRAWINGS	DRG NO.
B	COUNCIL ISSUE DEVELOPMENT APPROVAL	04.03.24					





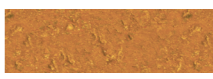
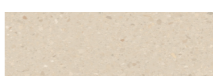
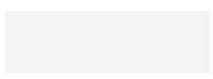


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SCALE	
FILE	
DATE	
DESIGNED	
DRAWN	
SHEET NO.	

PROJECT	TENNANT CREEK HOTEL	
	136 PATERSON STREET TENNANT CREEK, NT	
TITLE	PROPOSED BOTTLE SHOP AND PIZZA TAKEAWAY SHOP	
PROJ_NO.	A0114	DRAWING NO.
		A0114-903-ROOF PLAN
REV	B	



- LEGEND**
-  PROPERTY BOUNDARY
 -  TREE
Refer planting schedule.
 -  LARGE SHRUB
Refer planting schedule.
 -  SHRUBS,
GROUNDCOVERS & GRASSES
Refer planting schedule.
 -  SAND MULCH GARDEN BED
 -  CONCRETE PAVEMENT
 -  BITUMEN
By others



Client:
AUSTRALIAN PORTABLE CAMPS



TENNANT CREEK COMMERCIAL • Tennant Creek, NT

FOR DCA

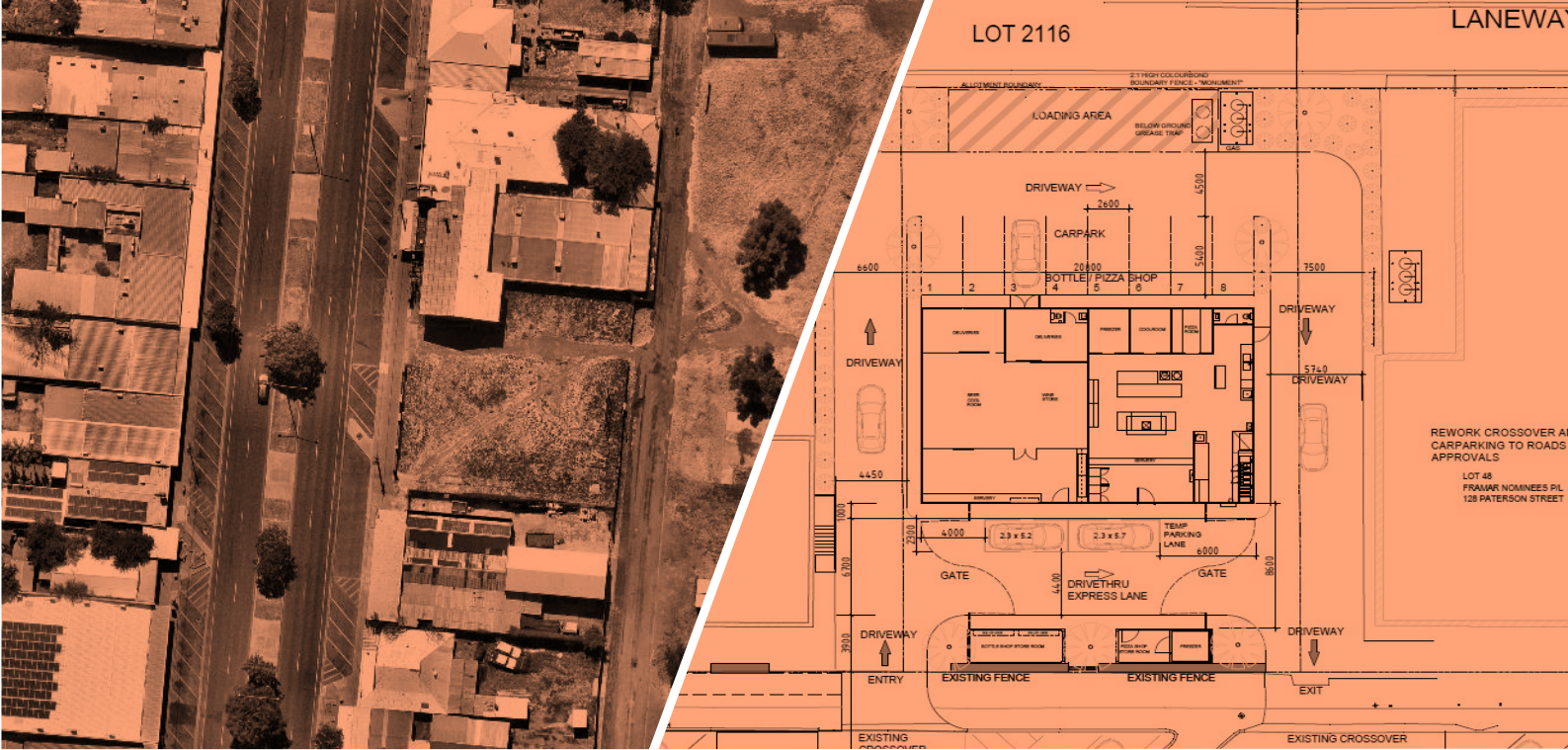
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LANDSCAPE CONCEPT PLAN

06-11-2025 A

Attachment F

Traffic Impact Assessment



136 PATERSON STREET, TENNANT CREEK

PROPOSED RETAIL DEVELOPMENT

TRAFFIC IMPACT ASSESSMENT

136 PATERSON STREET, TENNANT CREEK PROPOSED RETAIL DEVELOPMENT

Client: Australian Portable Camps

Report Reference: 24235T

File Path: Y:\2024\24235 - 136 Patterson Street, Tennant Creek\08 Reports\24235TREP01F01.docx

Tuesday, December 23, 2025

Document Control

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1 INTRODUCTION

SALT has been engaged by Australian Portable Camps to undertake a traffic impact assessment for a proposed retail development located at 136 Paterson Street, Tennant Creek.

In the course of preparing this report:

- A desktop review of the subject site and its surrounds has been carried out;
- A review of relevant provisions and overlays of the Northern Territory Planning Scheme has been undertaken;
- Development plans prepared by Australian Portable Camps have been reviewed and design advice provided; and
- The parking and traffic implications of the proposal have been assessed.

The following sets out SALT's findings with respect to the traffic engineering matters for the proposed works.

2 EXISTING CONDITIONS

2.1 LOCATION & LAND USE

The subject site is located at 136 Paterson Street in Tennant Creek. The site has frontages of approximately 25 metres to Paterson Street and an un-named lane that connects between Stuart Street and Peko Road.

The site is located in a Planning Scheme Zone C (Commercial) and is currently vacant. There is an existing ~7.3 metres wide crossover on Paterson Street at the site's northwestern corner that is shared between the site and the neighbouring property to the north, as well as an existing ~3.3 metres wide crossover on Paterson Street at the site's southwestern corner. Two (2) on-street car parking spaces have been provided on Paterson Street along the site frontage.

An aerial view of the site is provided in Figure 1.



Figure 1 Subject site & surrounds

2.2 ROAD NETWORK

2.2.1 PATERSON STREET

Paterson Street is a registered road that follows a north-south alignment along the western frontage of the site; Paterson Street intersects with Stuart Street in the north and Davidson Street in the south. Paterson Street is the main street in Tennant Creek and forms part of the Stuart Highway.

Paterson Street comprises a dual carriageway that provides two lanes in each direction, 45° angled on-street parking on both sides, and a constructed central median. Both sealed carriageways are approximately 7.1 metres wide, separated by a median that is approximately 5.3 metres wide, all set within a road reserve that is about 39.2 metres wide. The on-street parking spaces are provided within ~5.2 metre widths on the left-hand side of each carriageway, and the parking spaces and lanes are separated by buffers that are ~1 metre wide.

The posted speed limit is 50 km/h.

3 DEVELOPMENT PROPOSAL

The development proposal entails the construction of a drive-thru bottle shop and pizza shop on the subject site. A single building will accommodate both shops, while the storeroom will be disconnected from the main building.

The proposal will have a floor area of approximately 236 m², split equally between the two uses. The development proposal will include 10 parking spaces including two spaces at the front of the development via a lane that will allow short term parking for collections.

Access to the site will be via the existing crossovers, with ingress at the northern crossover and egress at the southern crossover, and one-way traffic flow across the site.

It is noted that the proposal includes alterations to the existing crossovers and on-street car spaces along the site frontage to ensure compliance with Department of Infrastructure, Planning and Logistics requirements.

Plans showing the proposed site layout are shown in Figure 2 and included in APPENDIX 1.

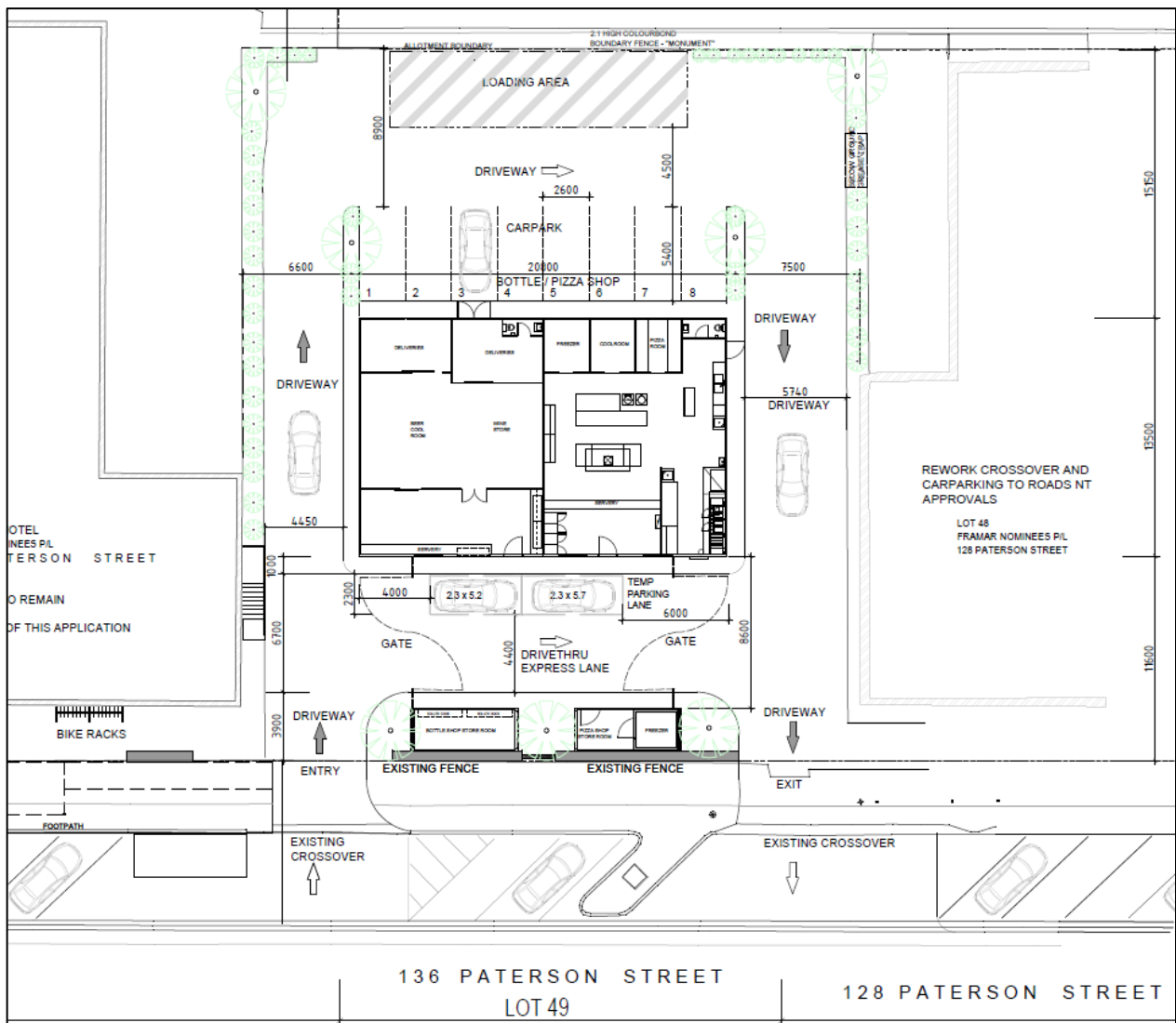


Figure 2 Proposed site layout

4 CAR PARKING ASSESSMENT

4.1 STATUTORY PARKING REQUIREMENTS

Statutory parking requirements for different land uses are outlined in Part 5 – Development Requirements of the NT Planning Scheme 2020. The Planning Scheme provides the following rates applicable to the proposal:

- Bottle shop:
 - Shop – 6 for every 100 m² of net floor area;
- Pizza shop:
 - Food premises (all) – 6 for every 100 m² of net floor area

Based on the above parking rates, the bottle shop has a requirement to provide seven (7) car spaces and the pizza shop has a requirement to provide seven (7) car spaces. The proposal therefore has a requirement to provide a total of 14 car spaces on-site.

4.2 REVIEW OF ON-STREET PARKING

SALT has reviewed Nearmap aerial imagery and Google Street View to determine the typical car parking availability on Paterson Street between Stuart Street and Davidson Street, which represents a convenient walking distance up to about 165 metres (both directions) from the subject site. Figure 2 below shows the extent of the review area.

and the dates with accompanying aerial photographs are provided in APPENDIX 2 and Google Street View images in APPENDIX 3.



Figure 3 On-street parking survey area

The results of the desktop on-street parking survey are summarised in Table 1.

Table 1 Results of desktop on-street parking survey

Street	Supply	Nearmap Thursday 25 April 2024	Google Street View – June 2023 (exact date unspecified, around midday)	Google Street View – June 2023 (exact date unspecified, afternoon)	Nearmap Thursday 27 April 2023
Paterson Street	108	1	46	6	44
Total Available	108	107	62	102	64

Table 1 shows that the demand for on-street parking in the vicinity of the site is low, with a maximum parking occupancy of 46 spaces (~43 %) observed.

4.3 ADEQUACY OF PARKING SUPPLY

The development proposes the provision of six parking spaces (in the form of the drive-thru area) within the site. This would equate to a short fall of 18 parking spaces when measured against the development plan requirements and a shortfall of 5 parking spaces when measured against the empirical parking demand assessment.

Based on the parking availability in the area, the on-street demand is low. Within an approximate 165 metres walking distance of the site, a minimum of about 62 available/unoccupied spaces was observed, which equates to an on-street parking availability of approximately 57%. Also, the shopfronts on Paterson Street between Stuart Street and Davidson Street consist of a variety of businesses, each with varying times of peak demands as shown in Table 2.

Table 2 Business types and open times on Patterson Street between Stuart Street and Davidson Street

Business Type	Businesses	General open times
Accommodation	<ul style="list-style-type: none"> Hotel / motels 	Check-in from 2pm Checkout by 10am
Government / Legal	<ul style="list-style-type: none"> MP Office Employment services Northern Land Council Northern Territory Government Department of Territory Families, Housing and Communities Central Australian Aboriginal Family Legal Unit 	Weekdays during 8am-4:30pm
Finance	<ul style="list-style-type: none"> Bank 	Weekdays 9:30am-1:30pm
Hospitality	<ul style="list-style-type: none"> Restaurants / cafes 	Cafes: Daily 7am-1:30pm Pizza takeaway: 5pm-9:30pm
Health	<ul style="list-style-type: none"> Centre for Remote Health 	Weekdays 8am-4pm
Retail	<ul style="list-style-type: none"> Thrift shop Bottle shops Chemist / Newsagency Clothing shop 	Clothing/thrift shop: Tues-Sat 9am-1pm Chemist: Mon-Sat 8:30am-5:30pm Bottle shop: Wed-Fri 3pm-7pm, Sat 11am-8pm
Transport	<ul style="list-style-type: none"> Bus Terminal 	Mon-Fri: 8:30am-4:30pm

Given most businesses on Paterson Street are open in the mornings through to early / mid-afternoon, and the bottle shop and pizza takeaway businesses would be busiest during the late afternoon / evening, it is thus clear that the shortfall of can readily be accommodated by the available on-street parking.

5 ACCESSIBLE PARKING

The Building Code of Australia specifies the number of accessible parking spaces required for various land uses. As per the NCC, the proposal can be classified as a Class 6 building, which is a shop or other building used for the sale of goods by retail or the supply of services direct to the public.

The applicable requirement is 1 space for every 50 car parking spaces or part thereof for the first 1,000 car parking spaces. As such, the proposal has a requirement to provide one (1) accessible car parking space.

The proposal includes alterations to the on-street car spaces along the site frontage to ensure compliance with Department of Infrastructure, Planning and Logistics requirements. It is recommended that the accessible car parking space and associated shared space be provided within this on-street area adjoining the site frontage.

6 CAR PARK & ACCESS DESIGN

Access to the subject site is currently provided via two (2) crossovers to Paterson Street, which are situated in the site's north and south. Both crossovers are shared with the neighbouring properties in the north and south. Traffic movement within the site will operate with a one-way flow configuration, whereby vehicles will enter the site at the northern access and exit at the southern access.

These arrangements are illustrated in Figure 4.