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**Nhulunbuy Land Development Policy (SPL 214)
Application for Development Permit**

COPIES

<p>Proposals to SUBDIVIDE OR CONSOLIDATE: require an original and 4 copies of this form and its attachments.</p>	<p>Proposals to DEVELOP INCLUDING BUILDING WORKS: require an original and 4 copies of this form and its attachments.</p>
<p>A separate form is required for each type of proposal.</p>	

Note: Separate Building Approval from Nhulunbuy Corporation (NC) is required prior to construction commencement.

APPLICANT INFORMATION

<p>Applicant: Name: Postal Address: Telephone (business hours) Mobile Facsimile (business hours) E-mail: _____ @</p>	<p>NOTE: Correspondence will go to the person and address indicated here.</p>
<p>Contact person for further information (or write 'as above'): Name: Postal Address: Telephone (business hours) Mobile Facsimile (business hours) E-mail: _____ @</p>	

OWNER

Name:
ABN or ACN:
Postal Address:

Attach owner's consent (signed and/or sealed) if the applicant is not the owner:

Attachment A

APPLICANT TO SIGN AND/OR AFFIX SEAL

Application complete and all required documents attached.

_____/_____/20.
Signature Date

FOR OFFICE USE

Fee \$	Receipt No.	
_____ Signature		_____/_____/20 Date

Note: The application fee is non-refundable

This is Annexure A

LAND INFORMATION

Location of proposed development:
SPL 214
Lot Number:
Street Number and Name:
Sublease No.

Attach locality plan at legible scale showing outline of land affected in relation to drainage lines, other natural features, roads and surrounding properties. **Attachment B**

Attach current copy of the Sublease including title diagram. **Attachment C**

EXISTING PERMITTED LAND USE

DESCRIPTION OF DEVELOPMENT/PROPOSAL

Eg. Construct duplex dwellings; create 2 lots	Estimated value of works (excluding land): \$
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EFFECT OF SUBDIVISION/CONSOLIDATION

Attach statement describing the effect of the proposed subdivision/consolidation **Attachment D – see attached guide**

VARIATIONS SOUGHT

Eg. Nil/Vary setback requirement

FOR SUBDIVISION/CONSOLIDATION

Site area (m²):
Number of existing lots:
Number of lots to be created:

Existing buildings on site: YES

If YES, attach statement outlining compliance of existing building/s with the Building Act, following subdivision/consolidation as proposed. Obtain this from a building certifier **Attachment E**

DIMENSIONED PLANS

Attach dimensioned plans **Attachment F – see attached guide**

Development applications for SPL 214 require the applicant to provide a statement describing the effect of a proposed development or of the proposal. This statement is referred to on this form as Attachment D. The statement should be detailed and should address, but need not be limited to, the matters listed.

Brief summaries of the requirements are listed below for guidance:

MATTERS TO BE ADDRESSED IN APPLICATION	
1	An assessment demonstrating how the proposed development will comply with the Nhulunbuy Land Development Policy (SPL 214) as it applies to the land.
2	An assessment demonstrating that the proposed development will comply with Special Purpose Lease 214.
3	If a public environmental report or an environmental statement has been prepared or is required by Rio Tinto Alcan, a copy of the report and the results of its assessment.
4	An assessment demonstrating the merits of the proposed development.
5	The physical characteristics of the land and a detailed assessment of its suitability for the proposed development AND the effect of the proposed development on the land and other land.
6	The utilities or infrastructure provided in the area in which the land is situated, the requirement for facilities and services to be connected and how these are to be provided.
7	In the case of a proposed subdivision/consolidation of land, an assessment demonstrating that each lot will be serviced by a legal access road, constructed to the standards required by Nhulunbuy Corporation Limited.
8	An assessment of the potential impact of the development on the existing and future amenity of the area.
9	An assessment of the maximum demand calculations for power for the proposed development.
10	An assessment of how the public and Rio Tinto Alcan's interest will be affected by the proposed development addressing detriment and benefit.

Applicants are further advised that under the Nhulunbuy Land Development Policy (SPL 214), an application may be rejected without further consideration if it does not address the matters specified above.

Dimensioned plans are required as part of this application. Depending upon the complexity of the development application or proposal to change permitted land use, or if you are having difficulty understanding these requirements, it is in your best interests to engage a surveyor, planner, engineer or other design professional to assist you in the preparation of your application or to prepare it on your behalf.

If you consider some of the following information is unnecessary due to the nature of the particular development proposed, your proposal can be submitted incomplete. NC will then decide whether the information is required prior to assessing the application.

PROPOSALS TO SUBDIVIDE/CONSOLIDATE:	
An original plus 4 copies each of plans showing the information indicated below are required of which 2 copies of plans and drawings must be A3 in size.	
Plans should be at a legible scale, typically between 1:500 and 1:10 000 and show the following information:	
1	The north point, area of the existing parcel and boundary dimensions.
2	Approximate area of each of the proposal parcels.
3	Existing buildings, bores and other improvements on site and on adjoining properties, in relation to lot boundaries.
4	Contours at not greater than 2 metre intervals, flood lines, seepage lines and other natural features.
5	Land units.
6	Constrained land ie, subject to waterlogging, with slope exceeding 5%, rock outcrops or pavement.
7	Areas or sites of conservation, cultural or heritage significance.
8	Existing substations, services, easements and reserves.
9	Proposed substations, services, easements and reserves.
10	Dimensions and bearings of proposed lot boundaries and roads.
11	Vehicle access routes.

PROPOSALS TO UNDERTAKE DEVELOPMENT INCLUDING BUILDING WORKS:	
An original plus 4 copies each of plans showing the information indicated below are required of which 2 copies of plans and drawings must be A3 in size.	
1	The north point, area of the existing parcel and boundary dimensions.
2	Existing and proposed buildings and their distance from lot boundaries.
3	Any easements, substations and services.
4	Vehicle access points.
5	Proposed surfacing of parking areas, driveways, vehicle turning areas and un/loading areas (locations and dimensions).
6	Landscape and open space areas including types of planting, details of screening and/or fencing (locations and descriptions).
7	The proximity of adjoining buildings and their uses.
Floor layout plans at a scale of not less than 1:200, showing:	
1	Floor plans of existing and proposed buildings showing layout, partitioning, room size, uses.
2	A schedule stating the total area of each component use in the building, the total floor area, percentage of site cover and plot ratio.
Elevations and sections at a scale not less than 1:200, showing:	
1	All elevations of buildings, indicating finished floor levels, finished ground levels and external finishes.
2	Sufficient cross-sections and longitudinal sections to show the relationship between structures and their respective heights.

This is Annexure A

FOR OFFICE USE

ATTACHMENT CHECK: PROPOSALS TO SUBDIVIDE OR CONSOLIDATE		
A	Owner's authorisation	<input type="checkbox"/>
B	Plan showing land affected by application	<input type="checkbox"/>
C	Sublease	<input type="checkbox"/>
D	Statement describing effect of development/proposal	<input type="checkbox"/>
E	Statement of Compliance with Building Act	<input type="checkbox"/>
F	Dimensioned plans	<input type="checkbox"/>

ATTACHMENT CHECK: PROPOSALS TO UNDERTAKE DEVELOPMENT INCLUDING BUILDING WORKS		
A	Owner's authorisation	<input type="checkbox"/>
B	Plan showing land affected by application	<input type="checkbox"/>
C	Sublease	<input type="checkbox"/>
D	Statement describing effect of development/proposal and maximum demand calculations	<input type="checkbox"/>
E	Statement of Compliance with Building Act	<input type="checkbox"/>
F	Dimensioned plans	<input type="checkbox"/>

APPLICATION CHECK

_____ Signature	/ / 2016 Date	
Name (please print)	<input type="checkbox"/>	FEE CHECKED

RECOMMENDATIONS/APPROVAL – OFFICE USE ONLY

Recommended NC: YES NO _____ Date: / /20 Name (please print)	<p style="text-align: center;">APPROVED/NOT APPROVED</p> Rio Tinto Alcan representative: _____ _____ Date: / /20 Name (please print)
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NOTES

The Nhulunbuy Land Development Policy is to provide for appropriate and orderly planning and control of the use and development of land on Special Purpose Lease 214, and for related purposes.

Commencement

The policy comes into operation on the date fixed by the NC by notice in the Arafura Times.

Definition of some terms

"**building**" includes a structure of any kind (including a temporary structure) and part of a building or structure.

"**consolidation**" means the amalgamation of 2 or more parcels of land to form a single parcel.

"**construct**", in relation to a building, includes –

- (a) to build, re-build, erect or re-erect the building;
- (b) to make alterations to the building;
- (c) to enlarge or extend the building; and
- (d) to place or relocate the building on land.

"**development**", in relation to land, means an activity that involves –

- (a) the establishment of, or a change in, the use of the land;
- (b) the subdivision or consolidation of the land; or
- (c) the carrying out of works on or in relation to the land, including –
 - (i) excavation or land-filling;
 - (ii) the clearing of vegetation;
 - (iii) the construction of a building;
 - (iv) the construction or upgrading of roads and drains, other than
 - (A) by the Nhulunbuy Corporation; or
 - (B) if the works are carried out in pursuance of a statutory responsibility
 - (v) the construction or upgrading of hardstand car parking or landscaping; and
 - (vi) any other operation that affects the physical character of the land.

"**plot ratio**" refers to the ratio of total floor area of a building over all its floors to the total area of the site. Also known as "floor space ratio".

Meaning of "subdivision"

- (1) Subject to any separate sub-division policy "sub-division" means the division of land into parts available for separate occupation or use, by means of –
 - (a) sale, transfer or partition; or
 - (b) lease, agreement, dealing or instrument purporting to render different parts of the land available for separate disposition or separate occupation.
- (2) Despite sub-clause (1), "sub-division" does not include a sub-division required under the *Encroachment of Buildings Act*;
- (3) Land is not to be taken to be sub-divided for the purposes of this policy–
 - (a) by the grant of a lease, licence or other right to use or occupy a part of the land unless the lease, licence or other right is for a term of more than 12 years; or
 - (b) by reason only of the lease of part of a building.

This is Annexure A

- (4) For the purposes of sub-clause (3), a lease, licence or other right to use or occupy a part of land that contains –
- (a) an option to renew the lease, licence or right for an additional term from the date of expiration of the lease, licence or right; or
 - (b) a provision for the granting of a further lease, licence or right for an additional term from the date of expiration of the lease, licence or right,

so that the aggregate of all the terms is more than 12 years is to be taken to be a lease, licence or right for a term of more than 12 years.

DETERMINATION OF APPLICATIONS

Matters to be taken into account

The Nhulunbuy Corporation (NC) must, in considering a development application, take into account the following:

- (a) the Nhulunbuy Land Development Policy and Nhulunbuy Town Development Plan as it applies to the land to which the application relates;
- (b) any proposed amendments to the Nhulunbuy Land Development Policy of which it has been notified by Rio Tinto Alcan Gove Pty Limited, that are relevant to the development proposed in the development application;
- (c) an environment protection objective within the meaning of the *Waste Management and Pollution Control Act* that is relevant to the land to which the application relates;
- (d) a matter that Rio Tinto Alcan Gove Pty Limited has directed it to consider in relation to development applications generally;
- (e) the merits of the proposed development as demonstrated in the application;
- (f) 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;
- (g) 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;
- (h) 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;
- (i) the potential impact on the existing and future amenity of the area in which the land is situated;
- (j) in the case of a proposed subdivision of land on which a building is situated – whether the building will cease to comply with the *Building Act* if the proposed development were to proceed;
- (k) any potential impact on natural, social, cultural or heritage values;
- (l) other matters it thinks fit.

Consent to be given only if development complies with the Nhulunbuy Land Development Policy and Nhulunbuy Town Development Plan

The NC must **not** consent to a proposed development if–

- (a) in its opinion, the proposed development is contrary to a land use defined in the Nhulunbuy Town Development Plan; or
- (b) the proposed development is contrary to the development objectives or provisions of the Nhulunbuy Land Development Policy.