

# Development Consent Authority

Northern Territory



GPO BOX 1680  
DARWIN NT 0801

Telephone No: (08) 8999 6046  
Facsimile No: (08) 8980 0700

In reply please quote: PA2021/0297

Mr John Hamilton  
UrbanScope (Australia) Pty Ltd

[John.hamilton@arthurwinston.com.au](mailto:John.hamilton@arthurwinston.com.au)

Dear Mr Hamilton,

## **NOTICE TO REJECT THE PLANNING APPLICATION (SECTION 46(9) OF THE PLANNING ACT 1999)**

**LOT 7651 (25) GILRUTH AVENUE, TOWN OF DARWIN**

The Development Consent Authority ('the Authority') has determined, under Section 46(9) of the *Planning Act 1999* ('the Act'), to **reject** the proposal to use and develop the abovementioned land for the purpose of hotel/motel and serviced apartments with ancillary bar-public and market in 2 x 6 storey and 3 x 1 storey buildings with ground level and semi-basement car parking ('the Application').

### **Reasons for Determination**

Pursuant to Section 46(9) the Authority may reject an application if the applicant does not provide the information within 30 days of receiving the request or any longer period extended by the Authority.

The Application was lodged on 30<sup>th</sup> August 2021 and on 25<sup>th</sup> October 2021, the Authority exercised its power under Section 46(4)(b) to defer the application to require the Applicant to provide additional information that the Authority considered necessary for the proper consideration of the Application. Section 46(6) requires that an applicant must provide the information required by the Authority under subsection (4)(b) within 30 days of receiving the request or any longer period the consent authority may allow. Section 46(7) allows an applicant to request the consent authority to extend the time to provide the information if the request is supported by reasons justifying the extension.

The information was not provided within 30 days and the Applicant made numerous requests for extension, but the required information remains outstanding.

On 6<sup>th</sup> September 2024, the Authority determined not to grant any further extension to the deferral period in accordance with Section 46(8) of the *Planning Act 1999* and the Applicant was notified and provided with reasons as required by that provision.

The Applicant having failed to provide the information requested within the required time, the Authority has duly determined to, and hereby does, reject the Application.

If you have any queries in respect of this matter, please get in touch with Amit Magotra, A/Manager Development Assessment Services on 8999 8938 or email [amit.magotra@nt.gov.au](mailto:amit.magotra@nt.gov.au).

Yours faithfully

Suzanne Philip  
Delegate  
06 November 2024