

Submission on the referral

The Department of the Chief Minister and Cabinet – Jabiru Power Station

This submission is made under clause 9 of the Environmental Assessment Administrative Procedures 1984 and section 296 of the *Environment Protection Act 2019*

Government authority: Department of Infrastructure, Planning and Logistics

Section of Referral	Theme or issue	Comment
Main report - section 2.2.2	Land tenure	<p>If the NTG were to underlease to EDL for 25 years the site of the power station, a development application under the <i>Planning Act 1999</i> (NT) would be required for a subdivision for a lease in excess of 12 years.</p> <p>It is noted that Figure 2-3 (Project Area Extent on Lot 2303) shows access to the development site through part lot 2353. The ability to provide both legal and physical access will need to be demonstrated as part of the above subdivision application.</p>
Main report – section 3.7.1	Site selection	<p><u>Option 1:</u> Traverses land zoned PSJ (Public Open Space) and CPJ (Community Purposes). Development consent under the <i>Planning Act 1999</i> (NT) would be required to construct the power station in this location (as an undefined use under the Jabiru Town Plan 2019).</p> <p><u>Option 2:</u> Located on land within Zone UJ (Utilities), with part of the lot used as the town’s effluent irrigation area. Development consent would not be required to construct the power station in this location.</p> <p><u>Option 3:</u> Outside town boundaries and extent of the Jabiru Town Plan 2019. Under the NT Planning Scheme 2020 development consent would be required for clearing of native vegetation in excess of 1ha to develop this site for the purpose of a power station unless Commonwealth controls are determined to take precedence. Further development consent for subdivision would also be required if a lease in excess of 12 years is granted to establish the parcel.</p>
	Administrative errors	<ul style="list-style-type: none"> Section 2.1.2 Project Area (pg 6): “infrastructure zone” does not exist within the Jabiru Town Plan 2019. Correct reference is Zone UJ (Utilities). Table 2-1: “Town Planning Code” not required. Only “Town Planning Zone” is recognised under the Jabiru Town Plan 2019. ‘JABSP’ is a zone under the previous Jabiru Town Plan 1981 and is no longer relevant. Section 2.2.2 Land Tenure and Zoning (pg 12): “infrastructure zone” does not exist within the Jabiru Town Plan 2019. Correct reference is Zone UJ (Utilities). Table 4-1 <i>Planning Act 1999</i> and <i>Planning Regulations 2000</i>: Paragraphs 2&3 are inaccurate. The use and development of land in Jabiru is controlled by the Jabiru Town Plan 2019, which establishes permitted, discretionary and prohibited land

Environmental impact assessment under *the Environment Protection Act 2019*

		<p>uses and development. The Minister for Infrastructure, Planning and Logistics is the consent authority for any development application made over the Town of Jabiru. The Jabiru Town Plan 2019 is a specific planning scheme established under the <i>Planning Act 1999</i>.</p> <ul style="list-style-type: none">• Section 6.2 Commonwealth Land (pg 97): “infrastructure zone” does not exist within the Jabiru Town Plan 2019. Correct reference is Zone UJ (Utilities).• Table 7-3, 7-5 & 7-6: Planning Act reference incorrect – it is the <i>Planning Act 1999</i>
--	--	---