



DEVELOPMENT CONSENT AUTHORITY

ALICE SPRINGS DIVISION

MINUTES

MEETING No. 256 – WEDNESDAY 8 JULY 2020

**DOUBLETREE BY HILTON
SPINIFEX ROOM
82 BARRETT DRIVE
ALICE SPRINGS**

MEMBERS PRESENT: Suzanne Philip (Chair), Chris Neck, Deepika Mathur,
Jamie de Brenni, Jimmy Cocking

APOLOGIES: Nil

OFFICERS PRESENT: Benjamin Taylor, Jennie Ryan

COUNCIL REPRESENTATIVE: Dilip Nellikat

Meeting opened at 9:45 am and closed at 10:45 am

THE MINUTES OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.

ITEM 1 SHED AND CARPORT ADDITION TO AN EXISTING SINGLE DWELLING WITH REDUCED FRONT AND SIDE SETBACKS

PA2020/0162 LOT 2482, 8 GASON STREET, SUBURB OF GILLEN

APPLICANT STRATCO PTY LTD

Thomas Zampa (Stratco Pty Ltd) and Kane Hynes and Hayley Insch (property owners) attended the meeting and spoke further to the application.

Kane Hynes tabled a letter outlining safety and associated reasons for wanting the proposed shed/garage in the front yard and also photos of sheds/garages built in the area with reduced building setbacks to street boundaries.

RESOLVED That, pursuant to section 46(4)(b) of the *Planning Act 1999*, the Development
0081/20 Consent Authority defer consideration of the application to develop Lot 2482, 8 Gason Street, Suburb of Gillen, Town of Alice Springs for the purpose of a shed/garage and carport addition to an existing single dwelling with reduced building setbacks to front and side boundaries to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- a response from the applicant with a redesign of the proposed development achieving compliance with the primary street (front) building setback requirements as specified in Clause 7.3 (Building Setbacks for Residential Buildings and Ancillary Structures) of the NT Planning Scheme for the shed/garage (an ancillary structure with external walls);
- an updated site plan (drawn to scale) including correct details of the existing single dwelling, verandah and the carport (recently constructed to the west side of the dwelling);
- clarification (on the drawings) on any roof eaves or gutters that will be included in the design of the new buildings

REASONS

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

The NT Planning Scheme applies to the development of the subject site. Pursuant to sub-clause 3 of Clause 2.5 of the NT Planning Scheme, the Development Consent Authority may consent to the development of land that does not meet the standards set out in Part 4 of the Scheme only if it is satisfied that special circumstances justify the giving of consent. Whilst the Authority notes the needs of the current land owners, there are no identified constraints that would restrict the ability for compliant building setbacks to be achieved.

Furthermore, the purpose of Clause 7.3 Clause 7.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme is to ensure residential buildings and ancillary structures are located so:

- *they are compatible with the streetscape and surrounding development including residential buildings on the same site;*
- *as to minimise any adverse effects of building massing when viewed from adjoining land and the street;*

- *as to avoid undue overlooking of adjoining properties; and*
- *as to encourage breeze penetration through and between buildings.*

The Authority noted that the streetscape (of Gason Street) did not feature any approved sheds/garages with reduced building setbacks to street boundaries, deviating this established character and building setback line, combined with the dimensions (length, width, height) of the proposed structure would not be consistent the purpose of Clause 7.3.

Deferral of the proposal will give the applicant opportunity to reconsider the design and achieve the purpose of Clause 7.3 of the Scheme.

2. The application (as submitted and publicly exhibited) did not show the existing (unapproved) carport attached to the west side of the dwelling or accurately show the footprint of the existing single dwelling and verandah and is not considered to provide sufficient information to enable a full and proper assessment of the application against the matters contained in section 51 of the *Planning Act 1999*.

ACTION: DAS to prepare a letter of deferral

RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING

SUZANNE PHILIP
Chair
15 July 2020