



DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No 131 - WEDNESDAY 17 AUGUST 2011

**BOULEVARD ROOM
QUEST PALMERSTON
18 THE BOULEVARD
PALMERSTON**

MEMBERS PRESENT: Peter McQueen (Chairman), Jeffrey Porter and Susan McKinnon

APOLOGIES: Graeme Chin and Steve Ward

OFFICERS PRESENT: Margaret Macintyre (Secretary) and George Maly (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.30 am and closed at 10.15 am

THE MINUTES RECORD 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 ADDITIONS WITH REDUCED FRONT, SIDE AND**
PA2011/0407 **REAR SETBACKS**
APPLICANT **LOT 2212 (11) MARTIN COURT, TOWN OF PALMERSTON**
RAYMOND BRUCE SOMERVILLE

Mr Raymond Somerville attended.

RESOLVED
82/11

That, the Development Consent Authority vary the requirements of Clauses 6.11 (Garages and Sheds) and 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and, pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 2212 (11) Martin Court, Driver, Town of Palmerston for the purpose of a shed and carport additions with reduced front, side and rear setbacks to an existing single dwelling, subject to the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with drawings numbered 2011/0407/1 to 2011/0407/4, endorsed as forming part of this permit.
2. 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.
3. Stormwater shall be collected and discharged into the drainage network to the technical standards of and at no cost to Palmerston City Council to the satisfaction of the consent authority.

NOTES:

1. This permit will expire if one of the following circumstances applies:
 - (a) the use is not started within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

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

3. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

REASONS FOR THE DECISION

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

A variation to clause 6.11 (Garages and Sheds) of the NT Planning Scheme for a reduced side and rear setback of 0.0m where 1.5m is required by the Scheme, is granted as:

- The shed is located at the rear of the site and thus no impact on the amenity of the streetscape is anticipated;
- The shed is similar to other types of sheds with reduced rear setbacks in the locality;
- Palmerston Country Golf Club supports the application as the proposed width of the shed facing their boundary is relatively small;
- The applicant has addressed the owners of Lot 2211 (11) Martin Court concerns through amended plans showing that the length of the wall will match the length of their spa area; and
- The applicant has agree for the owners of Lot 2211 (11) Martin Court to make improvements to their side of the wall to achieve an appropriate aesthetic backdrop to the spa area.

A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme for a reduced front setback of 1.77m where 3.6m for the eave overhang is required by the Scheme, is also granted as:

- The carport will be compatible with the streetscape and surrounding developments including residential buildings on the same site as variations to front setbacks have already occurred in this locality;
- no adverse effects of building massing is anticipated as the section of the eave that encroaches into the setback has a maximum width of 2.5m and narrows to a point which is located 1.77m from the front setback thereby addressing any concerns with building massing; and
- the open sided nature of the carport will encourage breeze penetration through and between buildings.

2. Pursuant to Section 51(j) of the *Planning Act*, 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.

Provided that stormwater will be appropriately managed on site without impacting on surrounding residential areas and disposed of into Councils stormwater drainage system within Martin Court, no adverse impact on the surrounding land is anticipated.

3. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact upon the existing and future amenity of the area in which the land is situated.

The applicant advised the Development Consent Authority that he has consulted with the affected neighbor who resides at Lot 2211 (10) Martin Court, Town of Palmerston about the potential impacts of the proposed shed and other planned extensions to ensure that the proposed development will not impact on their privacy and amenity. The consultation included discussions regarding:

- The location of the balcony extension (which does not form part of this application);
- The treatment of the of the boundary wall on the affected neighbors side;
- The length of the boundary wall; and
- The overall height of the shed structure.

ACTION: Notice of Determination

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



PETER MCQUEEN
Chairman

19/8/11