



DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 357 – FRIDAY 19 JUNE 2020

**BROLGA ROOM
NOVOTEL DARWIN CBD
100 THE ESPLANADE
DARWIN CITY**

MEMBERS PRESENT: Suzanne Philip (Chair), Mark Blackburn, Marion Guppy, Simon Niblock and Peter Pangquee

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Dawn Parkes and Emmet Blackwell (Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 10.30 am and closed at 11.00 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

**PA2020/0129 DEMOUNTABLE STRUCTURE ADDITION TO AN EXISTING SINGLE DWELLING
LOT 1243 (3) BURDEN PLACE, MILLNER, TOWN OF NIGHTCLIFF**
APPLICANT/S Cameron Griffin

Mr Cameron Griffin (landowner/applicant) attended.

**RESOLVED
108/20**

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Lot 1243 (3) Burden Place, Town of Nightcliff for the purpose of a demountable structure addition to an existing single dwelling, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the local stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of surface flow direction, downpipe direction and any connection to Council connection points.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with drawings 2020/0129/01 and 2020/0129/02 endorsed as forming part of this permit.
3. 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.
4. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.
5. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Darwin, to the satisfaction of the consent authority.
6. The demountable structure is to be painted in order to compliment the colour of the existing single dwelling, within 3 months from the date of this development permit, to the satisfaction of the consent authority.
7. Prior to the issue of a certificate of compliance, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

NOTES:

1. Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and the Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email to determine servicing requirements and the need for upgrading of infrastructure.
2. This development permit does not grant building approval. You are advised to contact a NT registered private Building Certifier to ensure that you have attained all necessary approvals before commencing construction works.

REASONS FOR THE DECISION

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

The land is located in zone SD (Single Dwelling Residential) of which the purpose is to provide single dwellings on individual lots. The application is for a demountable structure as an addition to the existing single dwelling, which is aligned with the zone purpose.

In relation to the requirements of Clause 6.8 (Demountable Structures), the proposed setbacks of the demountable structure are compliant with the table to Clause 6.8. The area in between the demountable structure and the eastern side boundary is to be landscaped with native bamboo. The site's rear and western side boundaries contain existing vegetation which currently provides a sufficient visual screen to block out the structure from the southern and western adjoining neighbours. The demountable structure is also proposed to be painted a shade of the colour cream to match the sites existing single dwelling. This change in colour will help the structure blend into the site and surrounding residential Zone SD. It is considered that the screening treatments (landscaping) and change in colour proposed will be sufficient to ensure that undue impacts upon the amenity of the surrounding neighbours or the streetscape are unlikely.

2. Pursuant to section 51(e) of the *Planning Act 1999*, the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

One (1) individual submission was received under section 49(1) of the Act. The submission raises concerns in relation to visual amenity, safety, application content, compliance processes and property values. The Authority acknowledged the matters raised within the submission, as well as the information presented by the applicant in relation to these concerns. The Authority concluded that there would be limited impact

from the proposal, given the placement of the demountable structure within the site, the applicants' willingness to paint the structure a complimentary colour, as well as the proposed and existing visual screening on the subject site in the form of fences, landscaping and outbuildings. The applicant will be made aware of their obligations under the *Building Act 1993* through inclusion of a note on the development permit.

3. Pursuant to section 51(j) of the *Planning Act 1999*, 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. Also, pursuant to section 51(m) of the *Planning Act 1999*, the consent authority must take into account 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.

The proposal comprises a demountable structure addition to an existing single dwelling and there are no concerns with regards to the capability of the land. The land is not affected by flooding, storm surge or aviation constraints.

4. Pursuant to section 51(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The demountable structure is sufficiently screened by existing vegetation and boundary fences from adjoining neighbours on the side (western) and rear (southern) boundaries. A garden bed with native bamboo is proposed along the eastern side boundary in order to screen the structure from this aspect, in addition to some existing vegetation along the eastern side boundary. The eastern side neighbour who is most affected given the proximity and lack of existing screening has formally indicated support for the proposal. Moreover, the structure is required by a condition of approval to be painted a colour which complements the site's existing single dwelling, in order to blend it in to the subject site, surrounding residential Zone SD and streetscape. The Authority concluded that there is unlikely to be any impact on the amenity of the area.

ACTION: Notice of Consent and Development Permit

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

SUZANNE PHILIP
Chair
24 June 2020