

**DEVELOPMENT CONSENT AUTHORITY
LITCHFIELD DIVISION**

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: **3** **MEETING DATE:** 18/06/2025 **FILE:** PA2025/0170

APPLICATION PURPOSE: Outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to the side boundary

SUBJECT SITE: Section 6654 (73) Gallacher Road, Girraween, Hundred of Bagot

ZONE: RR (Rural Residential)

SITE AREA: 10,100m²

APPLICANT Mr Brent Wayne Neville

PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE Landowner

LANDOWNER Mr Brent Wayne Neville

ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND None

1. PROPOSAL

The application is to construct a freestanding outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to a side boundary.

A locality plan is included at **Bookmark A** and a copy of the application is at **Bookmark B1 – B2**.

The outbuilding (shed) is to be built in the rear (west) private open space of the site. Design features of the building are:

- Single storey structure
- Dimensions of 26.8m (l) x 11.8m (w) with an apex height of 5.9m (10 degree pitched gable roof).
- 2 x roller doors, external access door, sliding doors and a louvered window (northern elevation).
- 1 x roller door and a louvered window (western elevation).
- 1 x roller door (eastern elevation).
- Laundry area.
- Bathroom with toilet, shower and basin.
- Small kitchenette.

The outbuilding will have building setbacks of:

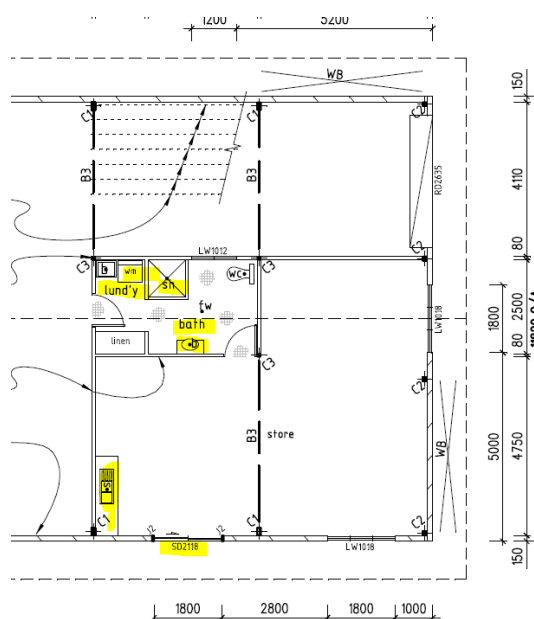
Southern Boundary	Side	Measurement taken from	Proposed Setback	NTPS Requirement
		External Walls	6m	10m
		Roof Eaves/Gutters	5m	9.1m

The statement of effect and labelling of drawings indicate that the building:

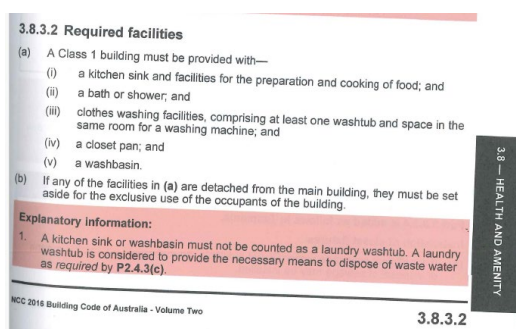
- Will be certified as a Class 10a (non-habitable) structure (National Construction Code).
- Is for the purpose of:
 - garaging/shelter of vehicles, storage of other domestic items.
 - personal use and a workshop for hobbies and projects.
 - a detached laundry and bathroom.
 - kitchenette
 - ancillary to the dwelling-single.

Notwithstanding the above, it is noted that the floor layout and associated fixtures and areas are in a configuration that:

- could easily be used or adapted as a “dwelling” (NTPS2020 definition) or function as an extension to a dwelling (e.g. Detached bedroom/rumpus room).
- Contains the features required to be certified as part of or a stand-alone Class 1a building (National Construction Code).



Proposed floor layout (western end of shed)



Extract from Building Code – with the exception of “facilities for the preparation and cooking of food” the west end of the “shed” includes all the facilities of a Class 1 building (ie: detached extension to the dwelling-single or a dwelling-independent).

outbuilding means a **non-habitable structure** that is **ancillary** to the **primary use** of the land including a shed, garage, carport, pergola or shade sail;

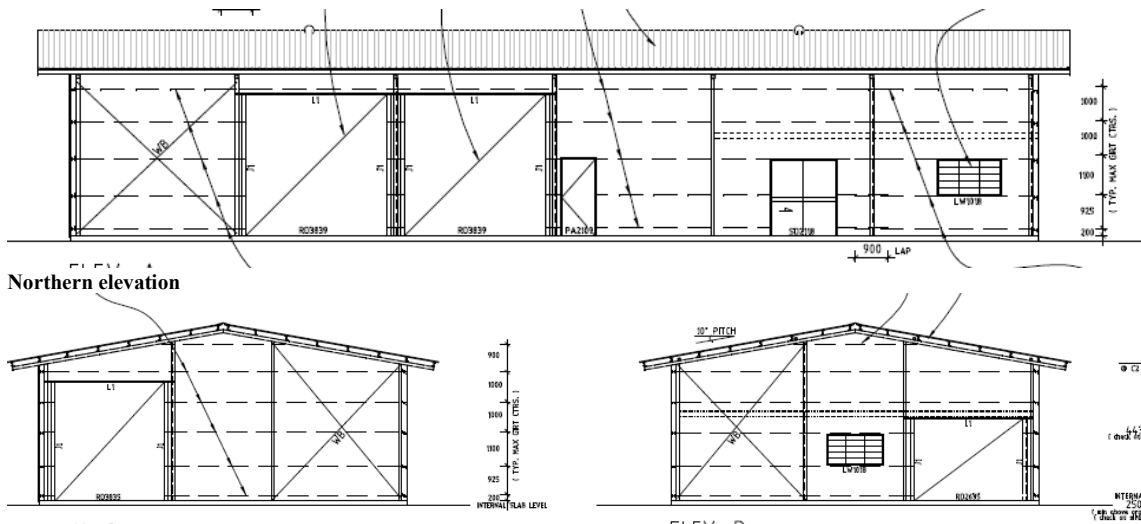
habitable room means any room of a **dwelling** other than a **bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room** or other space of a specialised nature **occupied neither frequently nor for extended periods**;

dwelling means a building, or **part of a building**, designed, constructed or **adapted** as a **self-contained residence**;

It is recommended that any permit issued by the consent authority make it clear (purpose and advisory note) that the structure is an “outbuilding”.



Approximate location of proposed shed



Side elevations

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

The application is merit assessable under sub-clause 1(b)(ii)(2) of Clause 1.8 of the NT Planning Scheme 2020 (NTPS2020) as while the dwelling-single and (ancillary) outbuilding is usually a permitted land use in Zone RR, a variation is sought to Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

In considering an application for consent for a use or development that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), the consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements.

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should vary the requirements of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the NT Planning Scheme 2020 and approve the application subject to conditions on the development permit.

4. BACKGROUND

The site is within the “Churcher Estate” (a rural residential subdivision that had titles registered on 18 March 2014). A “Covenant in Gross” is registered on the land title noting “a non-standard septic system is required on this allotment”. There are no registered easements.

Adjacent parcels are all zoned RR (Rural Residential) – north and south neighbours developed with dwellings-single, the eastern parcel (section 6791) is Girraween Lagoon (owned by GLE 345 Pty Limited – Mr Keith Aitken). The east side of Gallacher Road is zoned RL (Rural Living).

The property is square in shape, vehicle access is to a Litchfield Council controlled road via a crossover in the northeast corner of the property.

The property transferred to the current owner on 30 April 2014. A dwelling-single (floor area of 89m²) was built in 2015 and a carport and verandah completed in 2017.

5. PUBLIC EXHIBITION

The application was referred to the owner/s of affected adjoining Section 6655 (63 Gallacher Road) for a period of two weeks. No public submissions were received under section 49(1) of the *Planning Act 1999*.

6. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT)

Pursuant to Section 51(1) of the *Planning Act 1999*, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

(a) *any planning scheme that applies to the land to which the application relates*

Section 51 sub-clause 3 states that when considering a development application under subsection (1), the consent authority must apply the relevant considerations to only those components of the development that triggered the requirement for consent under the planning scheme.

Approval is sought to construct an outbuilding (shed) that will have a reduced building setback to the southern side boundary of the site (6m setback for the external wall and 5m from the roof eaves).

The NT Planning Scheme 2020 (NTPS2020) applies to the land which is zoned RR (Rural Residential), a Technical Assessment of the proposal is at **Bookmark C**.

The proposal is found to be complaint with the NTPS2020, except for Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), to which a variation is sought in the application.

Sub-clause 2 of Clause 1.10 of the NTPS2020 specifies that in considering an application for consent for a use or development that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), the consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements.

Sub-clause 3 of Clause 5.4.3 allows the consent authority to consent to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause, and it is appropriate to the site having regard to such matters as its location, scale, and impact on adjoining and nearby property.

The purpose of this clause is to:

Ensure that residential buildings and ancillary structures are located in a manner that:

- a) is compatible with the streetscape and surrounding development including residential buildings on the same site;*
- b) minimises adverse effects of building massing when viewed from adjoining land and the street;*
- c) avoids undue overlooking of adjoining properties; and*
- d) facilitates breeze penetration through and between buildings.*

Table D to Clause 5.4.3 requires that, in Zone RR, the external walls of an outbuilding or residential building are setback a minimum of 10m to side and rear boundaries (9.1m building setback for roof eaves and gutters).

The assessment notes that the proposed outbuilding will have a reduced building setback to the southern side boundary of the site (6m setback for the wall, 5m setback for the roof eaves).

Therefore, in this instance the relevant requirements, including the purpose of the requirements, as set out in Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) have been considered and are discussed as follows:

Location and compatibility with the streetscape

- Gallacher Road and adjacent lots have a mixed character of dwelling densities, dwelling/outbuilding designs, floor areas, building footprints and vegetation coverage for each lot.
The height, building materials, architectural style and floor area of the structure is consistent with other buildings on nearby properties.
- The 6m setback will comply with section 3 of the *Fire and Emergency Act 1996* which states that there is a firebreak requirement in Emergency Response Areas (of which Girraween is), to be at least 4m wide.
- The proposed (requested) building setback is 40% (external walls) and 45% (roof eaves) less than the NTPS2020 minimum requirement.
- Lots under 1ha in size require a 5m setback to the side and rear boundaries. While the subject lot measures 1.01ha, it only marginally exceeds the threshold by 100m².

Scale and building massing

- The proposed building length (26.8m) facing the neighbouring property is 27.5% of (the length of) the site boundary (97.2m).
- The property features significant landscaping along the primary boundary and the development will be located at the rear boundary. Whilst the shed may be partially visible from the public street, its position and the landscaping on the property will minimise any perceived impact on building massing.
- Mature landscaping on the affected neighbouring lot (if retained) will provide some screening of the proposed shed when viewed from the dwelling. Additionally, there is natural vegetation between the proposed shed and the boundary on the subject site.



Impact on adjoining and nearby property

- The shed has been designed as a single-storey structure with no windows, doors or openings on the elevation facing the adjoining property, ensuring privacy and minimising potential amenity impacts.
- Established landscaping along the side boundary (subject site and adjacent property) provides visual screening and privacy for the adjoining neighbour, while the land to the rear of the property is currently vacant, further reducing potential impacts.
- A copy of the application was sent to the affected adjoining owners on 23 May requesting comments be provided on or before 6 June 2025. No comments or submissions were received from the neighbours..

Breeze penetration

- The proposed shed will be located 21.5m from the dwelling-single on site and located at the rear of the property.
- There is ample space between buildings on site and surrounding to maintain breeze penetration.

For the reasons above, the proposed shed is seen to be acceptable to the site when considering its locations and scale.

The proposal will result in a shed with a reduced side (southern) boundary setback of 6m (external walls) and 9m (roof eaves), where 10m (external walls) and 9.1m (roof eaves) is required.

- (b) any proposed amendments to such a planning scheme:**
(i) that have been or are on exhibition under Part 2, Division 3;
(ii) in respect of which a decision has not been made under Part 2, Division 5; and
(iii) that are relevant to the development proposed in the development application

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect this proposal.

- (c) an interim development control order, if any, in respect of the land to which the application relates**

There are no interim development control orders relevant to the site.

- (d) an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates**

There are no environmental protection objectives relevant to the land. Additionally, the Land Resource Division – Department of Lands, Planning and Environment did not identify or raise any issues of concern.

- (e) any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application**

No public submissions were received during the exhibition period under Section 49 of the Planning Act 1999 with respect to the proposal.

- (f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally**

The Minister has made no direction in relation to the application.

- (h) the merits of the proposed development as demonstrated in the application**

“Blocks under 10,000m² can have a setback of under 10m and my block is 10,100m². Being this size I am limited to the location the shed can be constructed, there are also existing 3 phase power and town water connections near the proposed location.”

- (j) 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**

A “Covenant in Gross” is registered on the land title noting “a non-standard septic system is required on the allotment”.

The land has been identified and developed for rural residential purposes and is capable of supporting the development. The proposed shed is in keeping with the zone purpose and zone outcomes, noting only variations to Part 5 of the NT Planning Scheme 2020 have made it ‘*merit assessable*’. The site is located within an established neighbourhood with existing services and infrastructure. There are no significant forecasts on the land.

Additionally, the Land Resource Division – Development of Lands, Planning and Environment did not identify or raise any issues of concern in relation to land capability.

- (k) *the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer*

There is no requirement for the provision of public facilities or open space as part of the proposed application.

- (m) *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 was circulated to the following authorities for comment:

Local Authority:

Litchfield Council – Bookmark D1

Litchfield Council supports the application, noting that the setback requirement to the side and rear boundaries for lots under 1ha is 5m, and this property exceeds this threshold by only 100m². The Council considers the proposed shed addition to be consistent with the character of surrounding properties.

Council also notes the presence of an existing access gate that is separate from the main driveway crossover. To utilise this access point, the owner must apply for approval, and the crossover must be constructed in accordance with the required standards.

Conditions Precedents and General Conditions are recommended regarding the crossover/driveway, stormwater and easements.

Service Authority:

Power Networks Network Engineering – Bookmark D2

Standard comments were received regarding engaging a licensed electrician to upgrade any associated internal electricity reticulation for the proposed development.

No comments were received from:

- Water Services Land Development-Power and Water Corp
- Development Coordination, Land Resource Division-DLPE

A reminder email for submissions was sent on 2 June 2025 and 5 June 2025.

- (n) *the potential impact on the existing and future amenity of the area in which the land is situated*

Outbuildings (sheds) with larger floor areas are a common development on rural residential properties and is unlikely to have a negative impact on the existing and future amenity of the area.

(p) the public interest, including (if relevant) how the following matters are provided for in the application:

- (i) community safety through crime prevention principles in design;**
- (ii) water safety;**
- (iii) access for persons with disabilities**

The development does not affect community safety or make changes to a barrier (fence) of a swimming pool. No information is provided on the accessibility of the outbuilding.

(pa) for a proposed subdivision or consolidation of land in a Restricted Water Extraction Area – whether the subdivision or consolidation complies with the restrictions of sections 14A and 14B of the Water Act 1992 and the requirements of section 14C(1) of that Act;

Subdivision is not proposed as part of this application.

(q) for a proposed subdivision of land on which a building is, or will be, situated – whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)

Subdivision is not proposed as part of this application.

(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

There are no known natural, social, cultural or heritage values associated with the subject site. Additionally, these matters would have been considered in 2012/2013 (when the parent parcel was subdivided).

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992

The following declared beneficial uses apply to the subject land for Darwin Rural Adelaide River Water Control District:

- Agriculture, aquaculture, public water supply, industry, mining activity, environment, cultural, rural stock and domestic, and petroleum (as per NR Maps).

It is the responsibility of the developer and landowner to ensure that land use does not result in a contravention of the Water Act 1992.

(t) other matters it thinks fit

No other matters are raised for consideration by the consent authority.

Section 51(2) of the Planning Act 1999

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:

(a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or

- (b) if the NT EPA has determined that an environmental impact assessment is required - an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or*
- (c) the Environment Protection Act 2019 otherwise permits the making of the decision.*

The proposed development does not require the preparation of any environmental reports or impact statements under the *Environment Protection Act 2019*.

7. RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Section 6654 (73) Gallacher Road, Girraween, Hundred of Bagot for the purpose of an outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to the side boundary, subject to the following conditions:

CONDITIONS PRECEDENT

1. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Litchfield Council's and be in accordance with the NT Subdivision and Development guidelines, to the satisfaction of the consent authority.
2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council, to the satisfaction of the consent authority.

GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with drawings numbered 2025/0170/01 to 2025/0170/07 endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of Litchfield Council, to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to note 3 for further information.
6. The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall:
 - (a) remove disused vehicle and/or pedestrian crossovers;
 - (b) provide footpaths/cycleways, as required by Litchfield Council;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to Litchfield Council, to the satisfaction of the consent authority.

Notes

1. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.
2. This permit will expire if one of the following circumstances applies:
 - (a) the development 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.
 - (c) The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
3. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
4. Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
5. A *works permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

8. REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(1)(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 NT Planning Scheme 2020 applies to the land and outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to a side boundary requires consent under Clause 1.8 (When development consent is required). It is identified as *Merit Assessable* under Clause 1.8(1)(b)(ii)(2), therefore, zone purpose and outcomes of Clause 5.2.1 (General Height Control), 5.2.4 (Car Parking), 5.2.6.1 (Landscaping in Zones other than Zone CB), 5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR), 5.4.1 (Residential Density), 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), 5.4.6 (Private Open Space), 3.2 (Clearing of Native Vegetation) and 3.3 (Restricted Clearing of Native Vegetation), need to be considered.

These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures). The non-compliance will result in a shed with a reduced side (southern) boundary setback of 6m (external walls) and 5m (roof eaves), where 10m (external walls) and 9.1m (roof eaves) is required.

2. Pursuant to sub-clause 2 of Clause 1.10 (Exercise of Discretion by the Consent Authority) of the NTPS2020, the consent authority, in considering an application for consent for a use or development that has become Merit Assessable under Clause 1.8(1)(b)(ii)(2), must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements. Administratively subclause 5.4.3(3) also allows the consent authority to consent to a development that is not in accordance with sub-clauses

6-8 (of Clause 5.4.3) only if it is satisfied that the reduced setback is consistent with the purpose of Clause 5.4.3, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

The purpose of Clause 5.4.3 is to ensure that residential buildings and ancillary structures are located in a manner that:

a) is compatible with the streetscape and surrounding development including residential buildings on the same site;

- Gallacher Road and adjacent lots have a mixed character of dwelling densities, dwelling/outbuilding designs, floor areas, building footprints and vegetation coverage for each lot. The height, building materials, architectural style and floor area of the structure is consistent with other buildings on nearby properties.
- The 6m setback will comply with section 3 of the *Fire and Emergency Act 1996* which states that there is a firebreak requirement in Emergency Response Areas (of which Girraween is), to be at least 4m wide.
- The proposed (requested) building setback is 40% (external walls) and 45% (roof eaves) less than the NTPS2020 minimum requirement.
- Lots under 1ha in size require a 5-metre setback to the side and rear boundaries. While the subject lot measures 1.01ha, it only marginally exceeds the threshold by 100m².

b) minimises adverse effects of building massing when viewed from adjoining land and the street;

- The proposed building length (28.7m) facing the neighbouring property is 29.5% of (the length of) the site boundary (97.2m).
- The property features significant landscaping along the primary boundary and the development will be located at the rear boundary. Whilst the shed may be partially visible from the public street, its position and the landscaping on the property will minimise any perceived impact on building massing.
- Mature landscaping on the affected neighbouring lot (if retained) will provide some screening of the proposed shed when viewed from the dwelling. Additionally, there is natural vegetation between the proposed shed and the boundary on the subject site.

c) avoids undue overlooking of adjoining properties; and

- The shed has been designed as a single-storey structure with no windows, doors, or openings on the elevation facing the adjoining property, ensuring privacy and minimising potential amenity impacts.
- Established landscaping along the side boundary provides visual screening and privacy for the adjoining neighbour, while the land to the rear of the property is currently vacant, further reducing potential amenity impacts.
- The application was exhibited to the affected adjoining owners between 23 May and 6 June 2025 with no submissions received.

d) facilitates breeze penetration through and between buildings.

- The proposed shed will be located 21.5m from the dwelling-single on site and located at the rear of the property.

- There is ample space between buildings on site and surrounding to maintain breeze penetration.

The proposal was found to be consistent with the purpose of Clause 5.4.3 and on this basis a variation to the side boundary setback is supported.

3. Pursuant to section 51(1)(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.

A "Covenant in Gross" is registered on the land title noting "a non-standard septic system is required on this allotment".

The land has been identified and developed for rural residential purposes and is capable of supporting the development. The proposed shed is in keeping with the zone purpose and zone outcomes, noting only variations to Part 5 of the NT Planning Scheme 2020 have made it 'merit assessable'. The site is located within an established neighbourhood with existing services and infrastructure. There are no significant forecasts on the land. Additionally, the Land Resource Division – Department of Lands, planning and Environment did not identify or raise any issues of concern in relation to land capability.

4. Pursuant to section 51(1)(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

Outbuildings (sheds) with larger floor areas are a common development on rural residential properties and despite its size, the proposed building is unlikely to have a negative impact on the existing and future amenity of the area.

McAlley

AUTHORISED:

PLANNING & DEVELOPMENT OFFICER
DEVELOPMENT ASSESSMENT SERVICES



- General Lines
- Lot Boundaries
- Town Planning Zones
- A - Agriculture
 - CV - Caravan Park
 - CB - Central Business
 - C - Commercial
 - CL - Community Living
 - CP - Community Purpose
 - CN - Conservation
 - DV - Development
 - RR - Rural Residential
 - GI - General Industry
 - HT - Heritage
 - HR - High Density Residential
 - H - Horticulture
 - LI - Light Industry
 - M - Main Road
 - MR - Medium Density Residential
 - LMR - Low-Medium Density Residential
 - CA - No Planning Scheme Controls
 - OR - Organised Recreation
 - PM - Proposed Main Road
 - PS - Public Open Space
 - RW - Railway
 - RD - Restricted Development
 - R - Rural
 - RL - Rural Living
 - SC - Service Commercial
 - LR - Low Density Residential
 - S - Specific Use
 - TC - Tourist Commercial
 - U - Utilities
 - WM - Water Management
 - FD - Future Development
 - RJ - Residential Jabiru
 - PSJ - Public Open Space Jabiru
 - ORJ - Organised Recreation Jabiru
 - CJ - Commercial Jabiru
 - SCJ - Service Commercial Jabiru
 - TCJ - Tourist Commercial Jabiru
 - CPJ - Community Purpose Jabiru
 - FDJ - Future Development Jabiru
 - IJ - Industrial Jabiru
 - MJ - Main Road Jabiru
 - UJ - Utilities Jabiru
- Road Labels
- Road Centrelines
- Highway
 - Other Road
- Parcel Numbers
- Cadastre
 - Coastline

Created by JEOA

Bottom Left: 131° 05' 11", -12° 31' 12"
Top Right: 131° 05' 21", -12° 31' 06"
Approximate Scale: 1:1,900
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
N.T. Land Information System
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N.T. Land Information System
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 - GI - General Industry
 - HT - Heritage
 - HR - High Density Residential
 - H - Horticulture
 - LI - Light Industry
 - M - Main Road
 - MR - Medium Density Residential
 - LMR - Low-Medium Density Residential
 - CA - No Planning Scheme Controls
 - OR - Organised Recreation
 - PM - Proposed Main Road
 - PS - Public Open Space
 - RW - Railway
 - RD - Restricted Development
 - R - Rural
 - RL - Rural Living
 - SC - Service Commercial
 - LR - Low Density Residential
 - S - Specific Use
 - TC - Tourist Commercial
 - U - Utilities
 - WM - Water Management
 - FD - Future Development
 - RJ - Residential Jabiru
 - PSJ - Public Open Space Jabiru
 - ORJ - Organised Recreation Jabiru
 - CJ - Commercial Jabiru
 - SCJ - Service Commercial Jabiru
 - TCJ - Tourist Commercial Jabiru
 - CPJ - Community Purpose Jabiru
 - FDJ - Future Development Jabiru
 - IJ - Industrial Jabiru
 - MJ - Main Road Jabiru
 - UJ - Utilities Jabiru
- Road Labels
- Road Centrelines
- Highway
 - Other Road
- Parcel Numbers
- Cadastre
 - Coastline

Created by JEOA

Bottom Left: 131° 05' 11", -12° 31' 12"
Top Right: 131° 05' 21", -12° 31' 06"
Approximate Scale: 1:1,900
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
N.T. Land Information System
Copyright Northern Territory of Australia

Statement of effect

Complete this form if permissible development has become merit assessable.

Matters to be addressed in accordance with section 46 of the *Planning Act 1999*¹

Section 46(3)(a) –an assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land

Address how your proposal meets or does not meet the purpose and each relevant requirement for the clause(s). Relevant clauses can be found in part 5 of the NT Planning Scheme 2020²

¹ <https://legislation.nt.gov.au/en/Legislation/PLANNING-ACT-1999>

² <https://nt.gov.au/property/land-planning-and-development/our-planning-system/nt-planning-scheme>

I am looking to reduce the setback for a new shed construction on my block from 10m to 6m. This is due to the location of existing electrical services & the location of the existing house. The shed design has no doors or windows on the rear wall that will be facing the fence so doesn't require any access.

I intend to use the shed for personal use, storage of vehicles, workshop for hobby's & projects, utilize the store room as a clean room for projects that require a clean dust free environment, the toilet, shower and laundry facilities will be utilized for dirty work clothes and cleaning up before heading over to the house (this was a must have for the misses) and the kitchenette will most likely get little to no use just handy to have.

Purpose Ensure that residential buildings and ancillary structures are located in a manner that:

- (a) is compatible with the streetscape and surrounding development including residential buildings on the same site;

The building will be located in the rear corner of the yard to keep it away from existing dwellings and will be constructed in a manner so as it will not have a negative appearance to the streetscape, the colour bond materials that will be used will aid with the building blending in with the surrounding bush.

- (b) minimises adverse effects of building massing when viewed from adjoining land and the street;

The location has been selected so as to suit the surrounding landscape, there are large sections of natural vegetation between the building location and the adjoining land and street, once complete the building/shed will be hard to see from the street.

- (c) avoids undue overlooking of adjoining properties; and

The building/shed has been designed with no windows or doors in the rear wall to create privacy for the adjoining land and ourselves, there are also natural vegetation between the proposed location and the neighbouring building/residents.

- (c) facilitates breeze penetration through and between buildings.

The main reason we are looking at reducing the setbacks is to get the proposed building/shed as far away from the existing building to gain maximum air flow between both buildings, the shed has also been designed to run a certain way to aid with the cooling and ventilation of the building.

Section 46(3)(b) – an assessment demonstrating how the proposed development will comply with an interim development control order, if any, applying to the land

Is this section applicable?

Yes / **No** / Unsure

If this sub section is applicable, address below.

Section 46(3)(c) – a public environmental report or an environmental impact statement has been prepared or is required under the Environmental Assessment Act in relation to the proposed development, a copy of the report or statement and the results of any assessment of the report or statement under the Act by the minister administering that Act	
Is this section applicable?	Yes / No / Unsure
If this sub section is applicable, address below.	
Section 46(3)(d) – an assessment demonstrating the merits of the proposed development	
State the merits of your proposal below.	
<p>Blocks under 10,000m² can have a setback under 10m and my block is 10,100m², being this size I am limited to the location the shed can be constructed, there is also existing 3 phase power and town water in the proposed location.</p>	
Section 46(3)(e) – a description of the physical characteristics of the land and a detailed assessment demonstrating the lands suitability for the purpose of the proposed development and the effect of development on that land and other land	
State below any notable physical characteristics of the land on which your proposal is to be located.	
<p>Where I intent to build the shed is on the highest, flattest section of the block with minimal vegetation compared to the rest of the undisturbed land on the block, there is also a large section of natural vegetation between the proposed location and the street & adjacent land.</p>	
If there is nothing notable, mark this box with an 'X'.	

Section 46(3)(f) – a statement specifying the public facilities or public open space available in the area in which the land is situated, whether land for public facilities or public open space is to be provided by the developer and whether it is proposed that facilities or open space be developed by the developer

Is this section applicable?

Yes / **No** / Unsure

If this sub section is applicable, address below.

Section 46(3)(g) – a statement specifying 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 whether public utilities or infrastructure are to be provided by the developer or land is to be provided by the developer for the provision of public utilities or infrastructure

State below whether you intend to connect all necessary services to your proposal as required.

Town water & electricity, all waste water to existing septic (plumbers design completed) are already in place for existing residence/house on the block, water & 3 phase electricity already serviced to the proposed shed location (works completed when house was built)

Section 46(3)(h) – an assessment of the potential impact on the existing and future amenity of the area in which land is situated

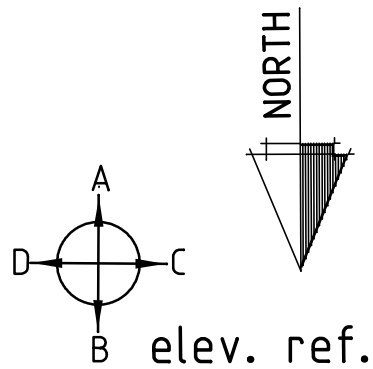
Provide a short statement below, addressing any potential impact on the existing or future amenity of the area.

Section 46(3)(j) – an assessment of the benefit or detriment to the public interest of the development

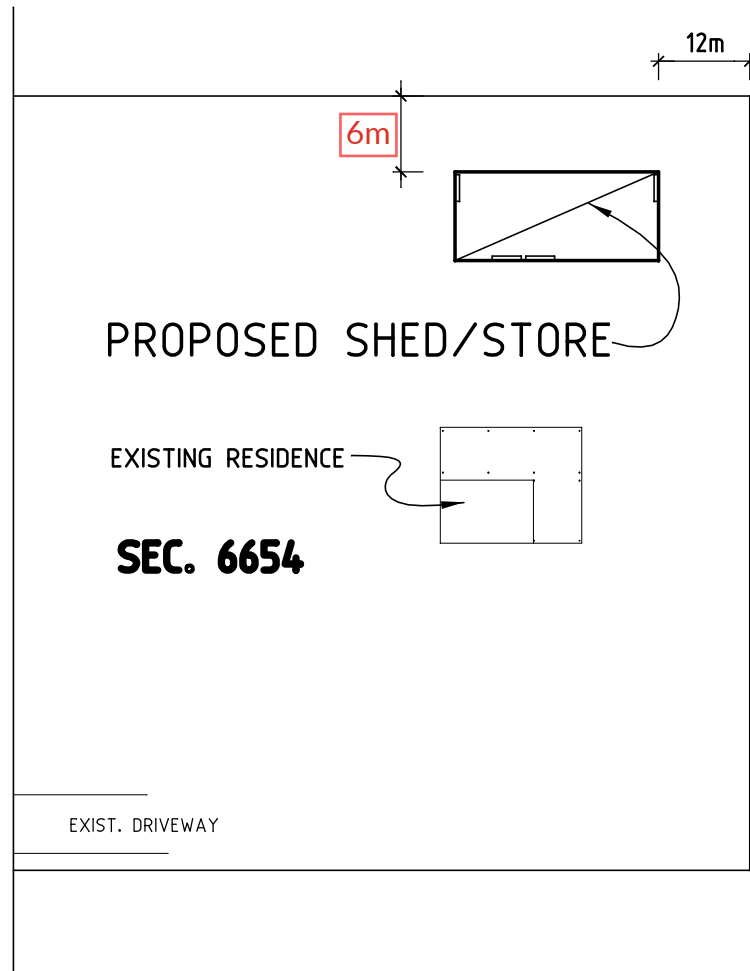
State below any benefit or detriment to the public interest resulting from your proposal.

If there is nothing notable, mark this box with an 'X'.	
Section 46(3)(k) – in the case of a proposed subdivision of land on which a building is situated – a report from a building certifier within the meaning of the <i>Building Act 1993</i>³ as to whether the building will cease to comply with the <i>Building Act 1993</i> if the proposed development were to proceed	
Not applicable to this application as it is not for a subdivision.	
Section 46(3)(l) for the development of land proposed to be the scheme land of a proposed or existing scheme, or the development of existing scheme land – a plan in the approved form specifying: <ul style="list-style-type: none"> Any information about any building that is, or will be situated on the scheme land (including for example, information about the structural integrity and fire safety of the building) If any part of the development is subject to changes that are allowed by regulation – details about that part as required by regulation Any other information prescribed by regulation about the development. 	
Not applicable to this application as it is not for a subdivision.	

³ <https://legislation.nt.gov.au/Legislation/BUILDING-ACT-1993>



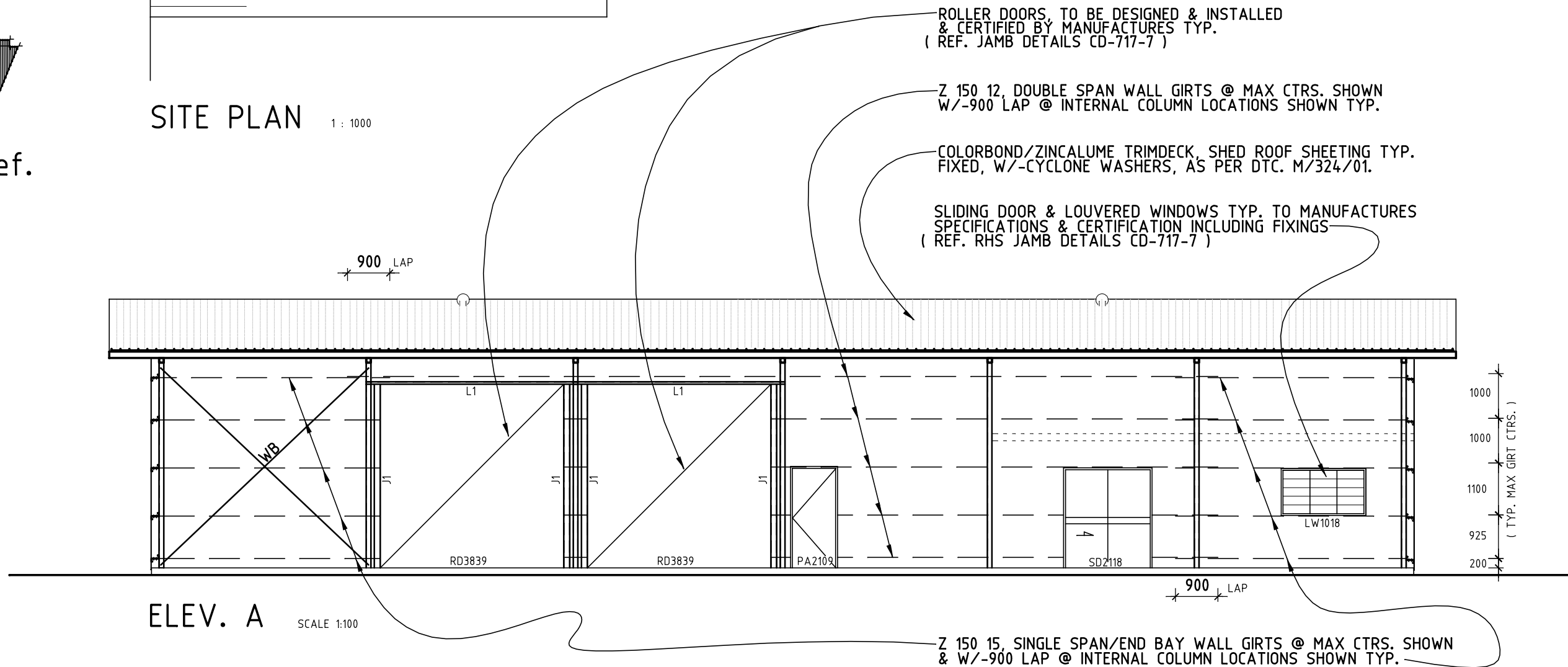
GALLACHER ROAD




SITE PLAN 1 : 1000

PRELIMINARY DRAWING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

DEVELOPMENT DETAILS	
OCCUPANCY:	SHED/STORE
ZONE:	RR
INCLOSED SHED AREA :	149 SQM.
INCLOSED STORE AREA :	68 SQM.

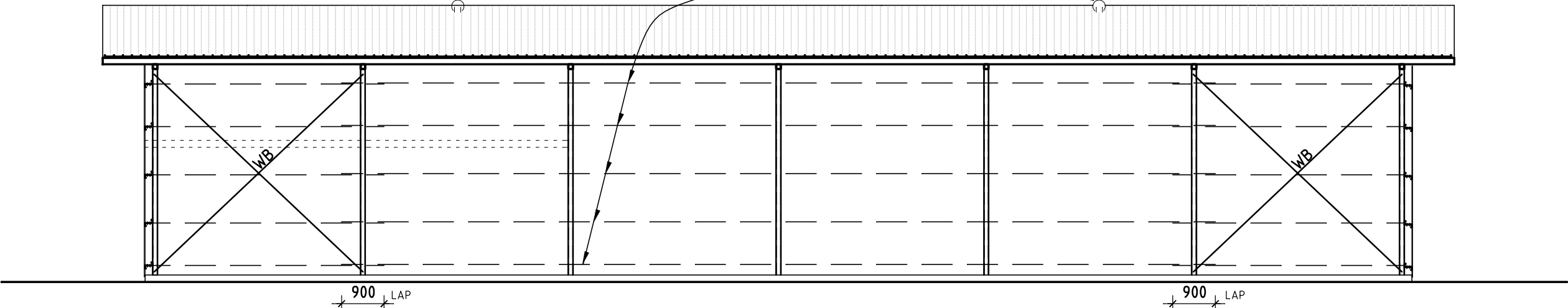


NOTES: DIMENSIONS ARE NOT TO BE SCALED VERIFY ALL DIMENSIONS ON SITE	AMENDMENTS		PROJECT : PROPOSED SHED/STORE @ SEC. 6654. GALLACHER RD, GIRRAWEEEN FOR BRENT NEVILLE	 P.O. Box 5, Dundee Beach N.T. 0840 MOBILE: 0412 712397 EMAIL: cd@activ8.net.au ABN: 60 155 141 560	SCALE: AS SHOWN	DRAWN BY: D. PIERCE
	REV.	DESCRIPTION			DATE:	MAY 2025
					SHEET A3:	1 OF 11
					DWNG No:	CD - 717 - 1

OPTIONAL, WHIRLY BIRD, VENTERLATOES
INSTALLED TO DTC./MANUFACTURES SPECIF.

Z 150 12, DOUBLE SPAN WALL GIRTS @ MAX CTRS. SHOWN
W/-900 LAP @ INTERNAL COLUMN LOCATIONS SHOWN TYP.

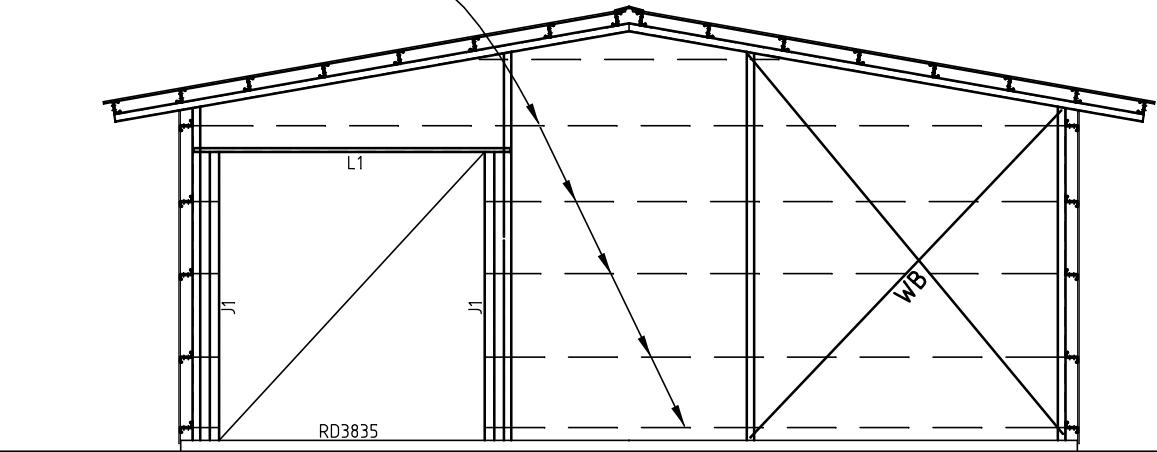
PRELIMINARY DRAWING
NOT TO BE USED FOR CONSTRUCTION PURPOSES



ELEV. B
SCALE 1:100

Z 150 12, DOUBLE/TRIPEL SPAN, GABLE END WALL GIRTS
(C' GIRTS @ WINDOW LINTEL/SILL, REF. CD-717-7)

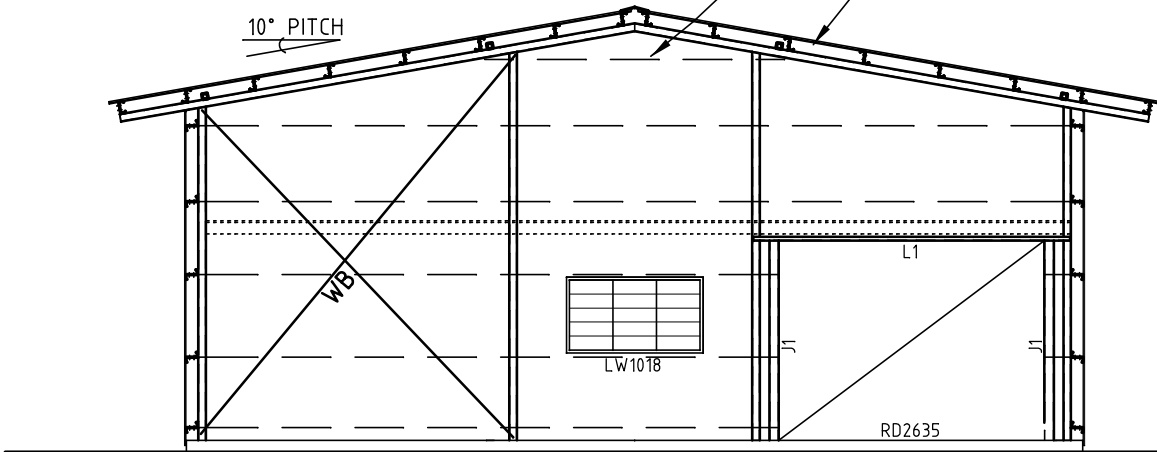
0.55 BMT PRESSED COLORBOND RIDGE CAPPING, FIXED
W/-No.14 TEKS AS PER MANUF. SPECIF. & PAN UP
SHEETING ENDS/150 MIN LAP UNDER



ELEV. C
SCALE 1:100

0.55 BMT PRESSED COLORBOND BARGE CAPPING
FIXED W/-No.14 TEKS AS PER MANUF. SPECIF.

Z 150 15 SINGLE SPAN GABLE END WALL
GIRTS @ TYP. MAX CTRS. AS SHOWN



ELEV. D
SCALE 1:100

900
1000
1000
1100
925
200
INTERNAL SLAB LEVEL
(TYP. MAX GIRT CTRS.)

UNDER BEAM
@ C2 COLUMN CTR.

4435
(check on site)

INTERNAL SLAB AREA LEVEL
250
(min above org) GROUND LEVEL
(check on site)

NOTES:

DIMENSIONS ARE NOT TO BE SCALED
VERIFY ALL DIMENSIONS ON SITE

AMENDMENTS

REV.	DESCRIPTION	DATE

PROJECT :

PROPOSED SHED/STORE
@ SEC. 6654. 73 GALLACHER RD, GIRRAWEE
FOR BRENT NEVILLE

Combined Design ©

P.O. Box 5, Dundee Beach N.T. 0840
MOBILE: 0412 712397
EMAIL: cd@activ8.net.au
ABN: 60 155 141 560

SCALE: AS SHOWN	DRAWN BY: D. PIERCE
DATE:	MAY 2025
SHEET A3:	2 OF 11
DWNG No:	CD - 717 - 2


**NORTHERN TERRITORY OF AUSTRALIA
BUILDING ACT
SECTION 40 – CERTIFICATE OF COMPLIANCE
PLUMBING & DRAINAGE DESIGN**

All sections must be completed – mark N/A to any question that does not apply

PROPERTY / PROJECT DETAILS	
Owner (if known):	
Lot/Portion Number: 6654	Address: 73 Gallacher Road (Including street number)
Suburb: Girraween	

DESCRIPTION OF WORKS (length of urinal and size of all new drainage work to be included)
Plumbing - N/A
Drainage – 100mm DWV drainage from new fixtures and connect to existing 0221 Clean septic system.

DRAINAGE PLANS (draw drainage layout below or provide the numbers of attached drawings) V = Vent ORG = Overflow Relief Gully IO = Inspection Opening
<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;">As per plans attached Drawing no. CD-717-3 and CD-717-1</div>

<u>CERTIFICATION BY PLUMBER & DRAINER OR PLUMBER & DRAINER DESIGN</u>			
Company Name <small>If certification is on behalf of a company</small> Chandley Plumbing		Company NT Registration Number 346748PU	
I certify that the drainage works have been designed in accordance with the requirements of the <i>Building Act</i> .			
*Name (print clearly) Luke Chandley	*Nominee/Individual NT Registration Number 26284PU	Signature 	Date 08/05/2025

*Name and registration number of nominee signing on behalf of company or, if no company, name of individual issuing certification.
Three copies of the certificate are required (1) Building Certifier (2) Owner (3) Plumber

GALLACHER ROAD

PROPOSED SHED/STORE

EXISTING RESIDENCE

SEC. 6654

Existing Septic System

CHANDLEY PLUMBING BPN 346748PU

We certify that this plumbing and/or drainage Design complies with the requirements of the

NT Building Act and As3500

SITE PLAN

1 : 1000

DATE: 8/5/25

900 LAP

ELEV. A

SCALE 1:100

PRELIMINARY DRAWING

NOT TO BE USED FOR CONSTRUCTION PURPOSES

DEVELOPMENT DETAILS

OCCUPANCY:	SHED/STORE
ZONE:	RR
INCLOSED SHED AREA :	149 SQM.
INCLOSED STORE AREA :	68 SQM.

ROLLER DOORS TO BE DESIGNED & INSTALLED & CERTIFIED BY MANUFACTURES TYP. (REF. JAMB DETAILS CD-717-7)

Z 150 12, DOUBLE SPAN WALL GIRTS @ MAX CTRS. SHOWN W/-900 LAP @ INTERNAL COLUMN LOCATIONS SHOWN TYP.

COLORBOND/ZINCALUME TRIMDECK, SHED ROOF SHEETING TYP. FIXED, W/-CYCLONE WASHERS, AS PER DTC. M/324/01.

SLIDING DOOR & LOUVERED WINDOWS TYP. TO MANUFACTURES SPECIFICATIONS & CERTIFICATION INCLUDING FIXINGS (REF. RHS JAMB DETAILS CD-717-7)

Z 150 15, SINGLE SPAN/END BAY WALL GIRTS @ MAX CTRS. SHOWN & W/-900 LAP @ INTERNAL COLUMN LOCATIONS SHOWN TYP.

1000
1000
1100
925
200
(TYP. MAX GIRT CTRS.)

900 LAP

NOTES:

DIMENSIONS ARE NOT TO BE SCALED
VERIFY ALL DIMENSIONS ON SITE

AMENDMENTS

REV.	DESCRIPTION	DATE

PROJECT :

PROPOSED SHED/STORE
@ SEC. 6654. GALLACHER RD, GIRRAWEEEN
FOR BRENT NEVILLE

Combined Design ©

P.O. Box 5, Dundee Beach N.T. 0840
MOBILE: 0812 712997
EMAIL: cd@reactive.net.au
ABN: 60 155 141 560

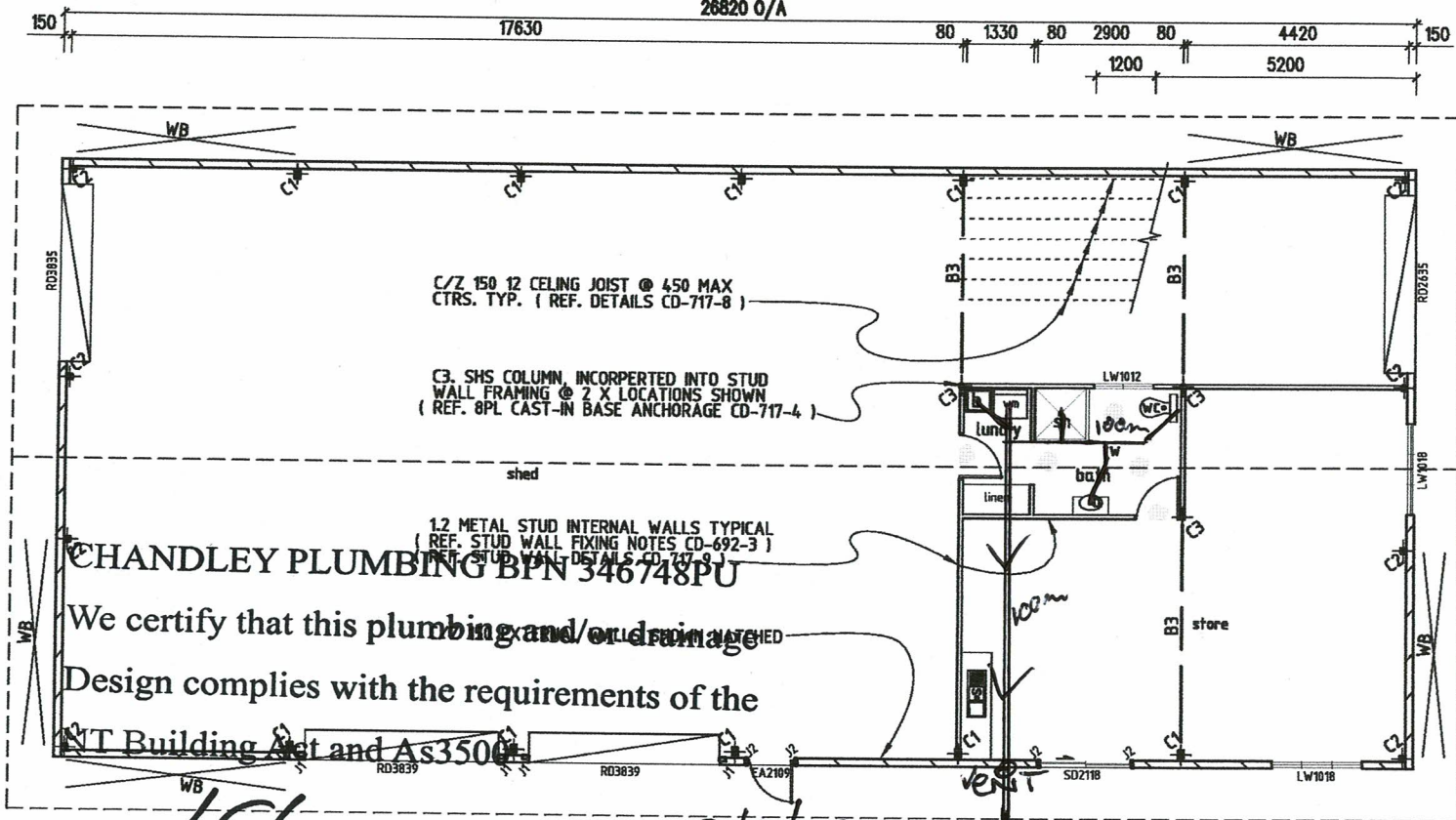
SCALE:
AS SHOWN

DATE: MAY 2025

SHEET A3: 1 OF 11

DWNG No: CD - 717 - 1

DRAWN BY:
D. PIERCE



CHANDLEY PLUMBING BPN 346748PU

We certify that this plumbing and/or drainage Design complies with the requirements of the NT Building Act and AS3500

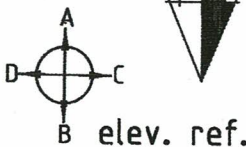
FLOOR PLAN SCALE 1:100

PRELIMINARY DRAWING

NOT TO BE USED FOR CONSTRUCTION PURPOSES

LEGEND

- J1 = 125 X 75 X 3 RHS ROLLER DOOR JAMB
- J2 = 150 X 50 X 2 DURAGAL RHS PA. DOOR/WINDOW JAMBS
- C1 = 200 X 100 X 5 RHS COLUMN.
- C2 = 100 X 4 SHS COLUMN.
- C3 = 75 X 4 SHS COLUMN.
- B3 = 125 X 75 X 4 RHS CEILING BEARER



DATE: 8/5/25

Connect to existing septic system.

DOOR/WINDOW SCHEDULE

CODE	SIZE/TYPE
RD3839	3800 HIGH X 3900 WIDE, ROLLER DOOR
RD3835	3800 HIGH X 3500 WIDE, ROLLER DOOR
RD2635	2600 HIGH X 3500 WIDE, ROLLER DOOR
SD2118	2100 HIGH X 1800 WIDE, GLASS SLIDING DOOR
EA2109	2100 HIGH X 900 WIDE, EXTERNAL ACCESS DOOR
LW1018	1000 HIGH X 1800 WIDE, LOUVER WINDOW
LW1012	1000 HIGH X 1800 WIDE, LOUVER WINDOW

DOOR/WINDOW NOTES;

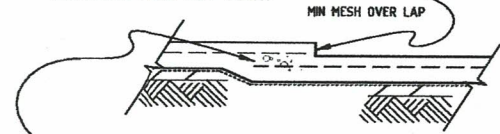
- (5% glass tint typical, unless note otherwise)
- (2100 door/window head height, unless noted otherwise)
- (confirm color/screens etc., w/-Brent before ordering)
- (confirm all door/window dimensions on site, before ordering)

STUD WALL FIXING NOTES

(1.2 METAL STUD INTERNAL WALL FRAMES)
(REF. STUD DETAILS. CD-717-9)

- NOTE:
1.2 METAL STUD INTERNAL WALL FRAMES FIXED AGAINST/ACROSS C/Z 150 WALL GIRTS, W/-2. No.14 TEKS @ 40 CTRS. TO EACH JUNCTION TYP.
- NOTE:
1.2 METAL STUD INTERNAL WALL FRAMES FIXED TO SHS COLUMNS, W/-2. No.14 @ 40 CTRS. ALTERNATIVELY 3CFW X 15 MIN RUN E/SIDE, PROVIDE @ TOP/BOTTOM & 900 MAX CTRS INBETWEEN TYP.
- NOTE:
1.2 STUD WALL FRAMES FIXED TO CONC. SLAB, W/-1. M10 DYNA BOLT, 50 EDGE DIST. & 50 INBEDMENT @ ENDS CORNERS/OPENINGS, & @ 600 MAX CTRS. INBETWEEN
- NOTE:
PROVIDE CORROSION PROTECTION TO U/SIDE OF BOTTOM PLATE, W/-BITUMINOUS PAINT OR SIMILAR APPROVED PROTECTION.
- NOTE:
WALL AND CEILING LINING FIXED TO MANUF. SPECIF. & PROVIDE LYSAGHT TOP SPAN 22 BATTERNS TO WALL GIRTS AS REQ. TO NT. DTC. M/621/1.

50/100mm SLAB SET DOWN



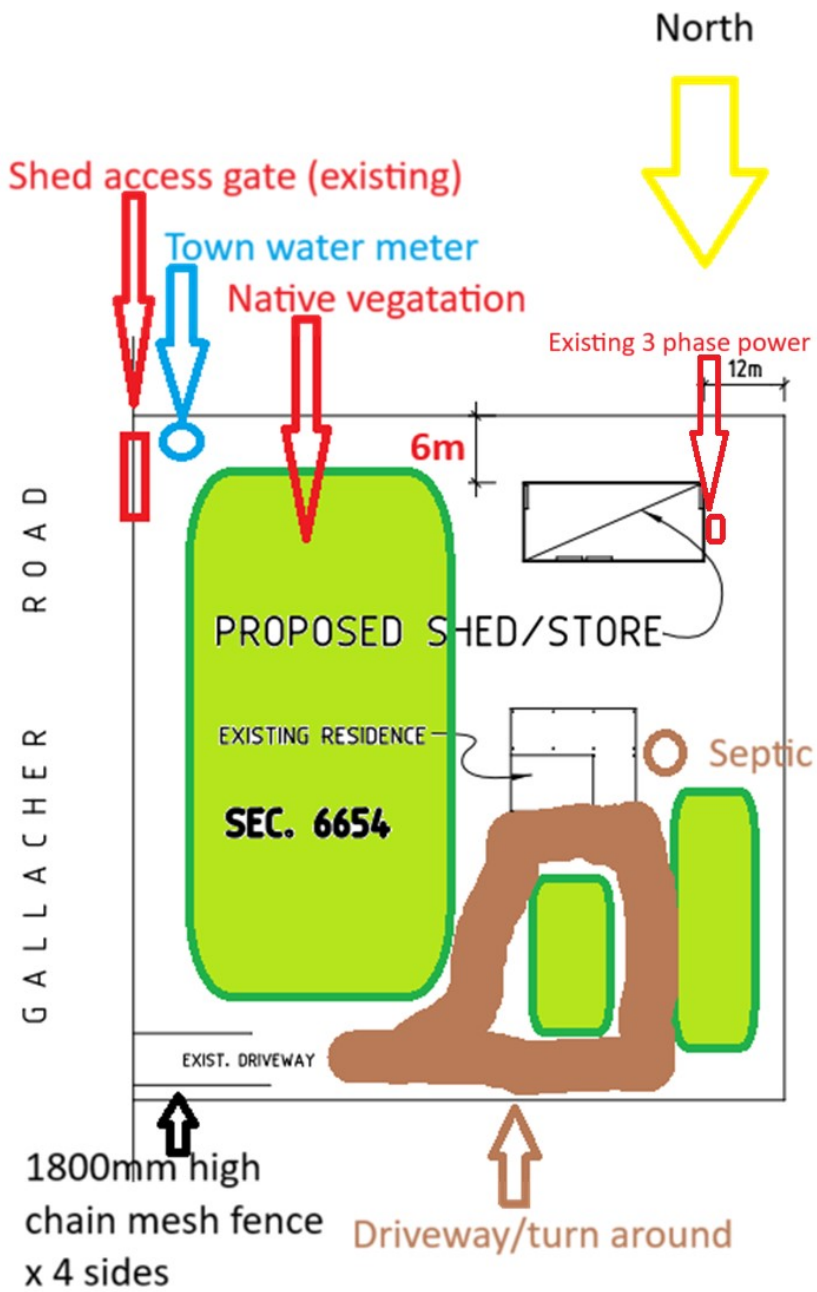
200 MESH LAP, W/-40 MIN CONC COVER. TYP.

SLAB SET DOWN DETAILS SCALE 1:20

WET AREA NOTES

- WET AREA WATERPROOFING TO BE INSTALLED IN ACCORDANCE WITH NCC, AUST. PART 3B1 & AS.3740/WATERPROOFING OF DOMESTIC AREAS
- SHOWER SCREENS TO BE DESIGNED TO AS. 1288
- MIRRORS SUBJECT TO RISK OF HUMAN IMPACT TO BE SAFETY GLASS IN ACCORDANCE WITH AS. 1288

NOTES: DIMENSIONS ARE NOT TO BE SCALED VERIFY ALL DIMENSIONS ON SITE	AMENDMENTS			PROJECT : PROPOSED SHED/STORE/CARPORT @ SEC. 6654. 73 GALLACHER RD, GIRRAWEE FOR BRENT NEVILLE	 P.O. Box 5, Dundee Beach N.T. 0840 MOBILE: 0412 712397 EMAIL: cd@actv8.net.au ABN: 66 155 141 560	SCALE: AS SHOWN DATE: MAY 2025 SHEET A3: 3 OF 11 DWNG No: CD - 717 - 3
	REV.	DESCRIPTION	DATE			



4M electric
sliding gate on
existing driveway

Technical Assessment PA2025/0170

TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No: PA2025/0170

Lot number: Section 6654 (73) Gallacher Road, Girraween

Town/Hundred: Hundred of Bagot

Zone: RR (Rural Residential)

Site Area: 10,100m²

Proposal: Outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to the side boundary

Plans used for assessment: Plans provided with assessment

Date assessment finalised: 23 May 2025

The proposed development requires consent under the Northern Territory Planning Scheme 2020, as it is in Zone RR (Rural Residential) and has become *Merit Assessable* under Clause 1.8(1)(b)(ii)(2) of the Planning Scheme.

The relevant clauses are assessed in the summary below with any identified non-compliances addressed overleaf.

Clause (General Requirements)	Compliance	
	Yes	No
5.2.1 (General Height Control)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2.4 (Car Parking)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2.6.1 (Landscaping in Zones other than Zone CB)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2.7 (Setbacks for Development Adjacent to land in Zones LR, LMR, MR or HR)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause (Specific Development Requirements)	Compliance	
	Yes	No
5.4.1 (Residential Density)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4.6 (Private Open Space)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause (Overlays)	Applies	
	Yes	No
3.2 (CNV – Clearing of Native Vegetation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.3 (RCNV – Restricted Clearing of Native Vegetation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 and is no indication of whether or not approval will be given by the consent authority. It is noted

that clause 1.10(2) provides for the consent authority to exercise discretion in making a decision on a development in particular circumstances.

4.6 – ZONE RR – RURAL RESIDENTIAL

Zone Purpose

Provide residential lots with a semi-rural character in areas where reticulated water is available that may:

- (a) cater for a range of lifestyle choices and semi-rural activities; or
- (b) support the growth and viability of rural activity centres; or
- (c) provide a transition between existing rural living areas and rural activity centres; or
- (d) provide a buffer between urban residential uses and constrained land.

	Zone Outcomes	DAS Comments
1	Dwellings-single and dwellings-independent within a semi-rural setting.	The 'primary use' of the site is dwelling-single (permitted in Zone RR)
2	Home based businesses and dwellings-community residence of a scale, intensity and nature that is compatible with the character and amenity of the locality.	NOT APPLICABLE
3	Residential development, such as residential care facilities, is compatible with the character and amenity of the locality.	NOT APPLICABLE
4	Non-residential activities, such as community centres and plant nursery: (a) are of a scale and intensity compatible with the character and amenity of the area; (b) wherever possible, are co-located with other non-residential activities in the locality; (c) avoid adverse impacts on the surrounding road network; and (d) are managed to minimise unreasonable impacts on the amenity of surrounding residents.	NOT APPLICABLE
5	The design and site layout of all development are sympathetic to the existing streetscape, scale and character of surrounding development.	Gallacher Road and the surrounding area is zoned RR (Rural Residential) and RL (Rural Living) and has a mixed character of dwelling/outbuilding designs and vegetation coverage for each lot. The shed will be used for personal use and storage purposes only and is ancillary to the dwelling-single.
6	Subdivision and development avoids adverse impacts on ecologically important areas through location, design, operation and management.	NOT APPLICABLE
7	Subdivision design is informed by land suitability assessment to confirm the land is able to support rural residential development.	NOT APPLICABLE
8	Development is provided with an appropriate level of services and infrastructure, and avoids negative impacts on the natural environment.	The subject site is a serviced allotment within a residential rural area.
9	Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.	NOT APPLICABLE

COMPLIES

3.2 – CNV – CLEARING OF NATIVE VEGETATION

Purpose

Identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:

- (a) impact on the conservation values of land within Zone CN; or
- (b) unreasonably contribute to environmental degradation of the locality.

Administration

1. The clearing of native vegetation of more than one hectare in aggregate of land (including any area already cleared of native vegetation) within the area subject to the Clearing of Native Vegetation Overlay requires consent. This Overlay applies to land within Zones RR, RL, R, H, A, CP, CN, RD, WM and Unzoned land.

The subject lot has an area of 1.1 hectares. The proposed shed is to be located on a portion of the site that has the least native vegetation coverage. As a result, only minimal clearing of native vegetation will be required, ensuring the development avoids and minimises environmental impact in accordance with overlay requirements.



Image 1. Proposed Shed Location

COMPLIES

3.3 – RCNV – RESTRICTED CLEARING OF NATIVE VEGETATION

Purpose

Ensure that the **clearing of native vegetation** does not diminish the natural setting and associated established landscape **amenity** of an area, and to assist in achieving water management principles.

Administration

1. The **clearing of native vegetation** is to comply with the requirements of Overlay 3.2 (Clearing of Native Vegetation Overlay) in addition to any requirements of this Overlay.
2. The consent authority must not **consent** to the **clearing of native vegetation** that is not in accordance with sub-clause 3.

Requirements

3. The **clearing of native vegetation** must not exceed that reasonably necessary for the construction of a **dwelling, outbuildings** and associated residential uses.

The location chosen for the proposed shed is an area of land that has the least amount of vegetation on the lot. (Refer to image 1). The proposed clearing is expected to be limited to what is reasonably necessary for the construction of the shed.

Mature landscaping on the lot will be retained and is not seen to diminish the natural setting and landscape amenity of the area.

COMPLIES

5.2.1 – GENERAL HEIGHT CONTROL

Purpose

Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

Administration

1. This clause does not apply if:
 - (a) The development is for the purpose of:
 - i. a **telecommunications facility**;
 - ii. a chimney, flag pole, aerial, antenna or lightning rod; or
 - iii. the housing of equipment relating to the operation of a lift; or
 - (b) an alternative height control is specified in clause 5.9 (Location specific development requirements).
2. The consent authority must not **consent** to a development in Alice Springs that is not in accordance with sub-clause 5.
3. The consent authority must not **consent** to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.
4. Except as set out in sub-clause 3, the consent authority may **consent** to a development that is not in accordance with sub-clause 6 if it is satisfied the **building height** is consistent with the intended character and **amenity** of the area, having regard to:
 - (a) the heights of other buildings in the immediate vicinity; and
 - (b) measures taken to mitigate potential impacts (such as unreasonable overshadowing, or overlooking of dwellings and private open space) on abutting properties.

Requirements

5. The **building height** of a development in the Municipality of Alice Springs is not to exceed:
 - (a) the maximum **building height** for the zone and use as specified in table A to this clause; or
 - (b) two **storeys** to a maximum of 8.5m if the zone and use is not included in table A to this clause.
6. The **building height** in all other areas is not to exceed:
 - (a) the maximum **building height** for the zone and use as specified in table B to this clause; or
 - (b) two **storeys** to a maximum of 8.5m if the zone and use is not included in table B to this clause.

Table B to clause 5.2.1: Height control outside Alice Springs		
Zone	Use	Maximum building height above ground level
MR	Development on a site in zone MR abutting a site in Zone LR	3 storeys
	Development on a site that is: <ul style="list-style-type: none"> within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; and has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a site in Zone LR. 	3 storeys
	All other uses	4 storeys
HR	All uses	8 storeys
C	Mixed use development that consists of one or more residential buildings	4 storeys
	All other uses	No height limit
CL and CP	Education establishment or hospital	No height limit
CB, SC, TC and DV	All uses	No height limit

The height of the proposed shed is approximately 5.9m, where a maximum of 8.5m is required.

COMPLIES

5.2.4 – CAR PARKING

Purpose

Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a **site**.

Administration

1. This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).
2. The consent authority may **consent** to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of **car parking spaces** is appropriate with regard to:
 - (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;
 - (b) the provision of **car parking spaces** in the vicinity of the land;
 - (c) the availability of public transport in the vicinity of the land; and
 - (d) the potential impact on the surrounding road network and the **amenity** of the locality and adjoining property;or if the use or development relates to a **heritage place** and the Minister responsible for the administration of the *Heritage Act 2011* supports the reduced provision of **car parking spaces** in the interest of preserving the significance of the **heritage place**.
3. The consent authority may require the provision of **car parking spaces** for any **ancillary** use or development in addition to that specified for the **primary use** or development in the table to this clause.

Requirements

4. Use and development is to include the minimum number of **car parking spaces** specified in the table to this clause (rounded up to the next whole number).

Dwelling-single	2
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The existing dwelling-single provides sufficient car parking spaces. No car parking is proposed or required as part of this application.

COMPLIES

5.2.6.1 – LANDSCAPING IN ZONES OTHER THAN CB

Purpose

Ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall **amenity** of the locality.

Administration

1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
2. The consent authority may **consent** to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the **site** having regard to the **amenity** of the streetscape, and the potential impact on the **amenity** of the locality and adjoining property.

Requirements

3. Where landscaping is required by this Scheme it should be designed so that:
 - (a) planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered **car parking areas**;
 - (b) it maximises efficient use of water and is appropriate to the local climate;
 - (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
 - (d) significant trees and vegetation that contribute to the character and **amenity** of the **site** and the streetscape are retained;
 - (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
 - (f) the layout and choice of plants permits surveillance of public and communal areas; and
 - (g) it facilitates on-site infiltration of stormwater run-off.
4. The quality and extent of the landscaping consented to must be maintained for the life of the development.
5. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a **site** that is used for **rooming accommodation, dwellings-group, dwellings-multiple** and **residential care facility** is to be landscaped.
6. In Zones LI, GI and DV all street frontages, except **access** driveways or footpaths, are to be landscaped to a minimum depth of 3m.
7. In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.

The site has significant landscaping existing to the property which will be retained.

COMPLIES

5.2.7 – SETBACKS FOR DEVELOPMENT ADJACENT TO LAND IN ZONES LR, LMR, MR OR HR

NOT APPLICABLE

5.4.1 – RESIDENTIAL DENSITY

Purpose

Ensure that the development of **residential buildings**:

- (a) is of a density compatible with adjoining or nearby existing development or development reasonably anticipated;
- (b) is of a density compatible with the existing or planned provision of reticulated services and community facilities which will service the area; and
- (c) is consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.

Administration

1. The consent authority may **consent** to a development that is not in accordance with sub-clause 2 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the **site** having regard to such matters as its location, scale and impact on adjoining and nearby property.

Requirements

2. The maximum number of **dwelling**s that may be constructed on a **site** is to be determined in accordance with Table A, B, C or D (as the case requires) to this clause.

Table A to Clause 5.4.1: Dwelling Density in Certain Zones	
Zone	Dwelling Density
LR, RR, RL, R and for a dwelling-single in CL, CV and T	1 dwelling-single per lot
LMR and for dwelling s-group in CL and T and dwelling s-multiple in T	1 per 300m ²
A and H	2 per lot

The proposal is for a shed which is ancillary to dwelling-single. There is only 1 dwelling per lot.

COMPLIES

5.4.3 – BUILDING SETBACKS OF RESIDENTIAL BUILDINGS AND ANCILLARY STRUCTURES

Purpose

Ensure that **residential buildings** and **ancillary** structures are located in a manner that:

- (a) is compatible with the streetscape and surrounding development including **residential buildings** on the same **site**;
- (b) minimises adverse effects of building massing when viewed from adjoining land and the street;
- (c) avoids undue overlooking of adjoining properties; and
- (d) facilitates breeze penetration through and between buildings.

Administration

1. This clause does not apply in Zones CB, LI, GI and DV.
2. In this clause:
 - (a) an **ancillary** structure includes an **outbuilding** (excluding shade sails), balcony, portico and the like, which may or may not include external walls; and
 - (b) for all developments except **dwelling**s-multiple in Zone MR or HR, where a lot has a boundary with a public street from which vehicular **access** to the lot is restricted by the controlling Agency or local government council, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the **building setback**.

3. The consent authority may **consent** to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and it is appropriate to the **site** having regard to such matters as its location, scale and impact on adjoining and nearby property.
4. If a building setback plan in Schedule 9 does not establish a specific setback to a nominated boundary, **residential buildings** and **ancillary** structures are to be set back from that boundary in accordance with sub-clause 6(a) or clause 5.4.3.3 as appropriate.
5. Despite sub-clause 6 sheds in Zones other than H, A, RR, RL and R may have a nil setback to the side and rear boundaries provided it is
 - (a) 6m or more from the **primary street** and 2.5m or more from a **secondary street** when measured to the wall of the shed or where there is no wall, the outer face of any column;
 - (b) has a cumulative **floor area** of 15m² or less;
 - (c) is 2.5m or less in height;
 - (d) has no openings in walls that are less than 1.5m from a lot or unit title; and
 - (e) does not discharge rainwater on an adjacent lot or unit title.

Requirements

6. Subject to clause 5.2.7, **building setbacks** of **residential buildings** and **ancillary** structures are to be set back from lot boundaries in accordance with:
 - (a) the relevant table to this clause; or
 - (b) any setbacks established in a building setback plan that is included in Schedule 9.
7. Where a zero or 300mm setback is identified on a building setback plan in Schedule 9, a zero or 300mm setback can only be established to the boundary nominated on the setback plan.
8. Unless detailed in a table to this clause or within a building setback plan in Schedule 9, no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum **building setbacks** (subject to the Building Code of Australia) from the lot boundaries.

Table D to Clause 5.4.3: Minimum building setbacks for residential buildings and ancillary structures in Zones RR, RL, R, H and A

Lot Boundary	Minimum Setback
Primary street frontage	10m <u>or</u> 7.5m for lots less than 1ha in Zones RR and RL
Secondary street frontage	10m <u>or</u> 5m for lots less than 1ha in Zones RR and RL
Side and rear lot boundaries	10m <u>or</u> 5m for lots less than 1ha in Zones RR and RL

Lot Boundary	NTPS2020 Requirement	Proposed Setback	Assessment
Primary Boundary	10m – External walls/support columns	31.7m	COMPLIES
	9.1m – Roof eaves & gutters	30.7m	
Side (southern) Boundary	10m – External walls/support columns	6m	DOES NOT COMPLY
	9.1m – Roof eaves & gutters	5m	
Side (northern) Boundary	10m – External walls/support columns	43.8m	COMPLIES
	9.1m – Roof eaves & gutters	42.8m	
Rear Boundary	10m – External walls/support columns	12m	COMPLIES
	9.1m – Roof eaves & gutters	11m	

DOES NOT COMPLY – Variation requested

5.4.6 – PRIVATE OPEN SPACE

Purpose

Extend the function of a **dwelling** and enhance the residential environment by ensuring that each **dwelling** has private open space that is:

- (a) of an adequate size to provide for domestic purposes;
- (b) appropriately sited to provide outlook for the **dwelling**;
- (c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the **site**; and
- (d) inclusive of areas for landscaping and tree planting.

Administration

1. The consent authority may **consent** to private open space that is not in accordance with sub-clauses 2 and 3 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the **site** having regard to such matters as its location, scale and impact on adjoining and nearby property.

Requirements

2. Private open space should:
 - (a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
 - (b) be directly accessible from the **dwelling** and enable an extension of the function of the **dwelling**; and
 - (c) be located to provide views from the **dwelling** to open space and natural features of the **site** or locality, and to reduce overlooking from neighbouring open space and **dwelling**s;
 - (d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the **site**;
 - (e) include at least one area of at least 5m², with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and
 - (f) allow for landscaping at the property frontage to complement the visual **amenity** of the streetscape.
3. Where the private open space for a **dwelling-group** is at **ground level**, it should be:
 - (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
 - (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

Table to Clause 5.4.6.1: Minimum Areas of Private Open Space for Dwellings-single, Dwellings-independent and Dwellings-group

For clarity, in this table:

Area A is the minimum area, for each **dwelling**, that must be open vertically to the sky and have no dimension less than 1.5m.

A least half of Area A must be permeable, and may include the 5m² required for deep soil planting.

Area B is the minimum dimensioned space that extends the function of the **dwelling** and may be covered or open to the sky.

Any part of **Area B** that is open to the sky may form part of **Area A**.

Type of Dwelling	Private Open Space Area
Dwelling-group	A. 45m ² , open vertically to the sky, with no dimension less than 1.5m; and
Dwelling-single on a lot less than 450m ²	
Dwelling-independent in addition to the private open space requirement for the dwelling - single	B. 24m ² , all or partly covered, with no dimension less than 4m.
Dwelling-single on a lot not less than 450m ²	A. 50m ² , open vertically to the sky, with no dimension less than 1.5m; and B. 36m ² , all or any part covered, with no dimension less than 6m.

The existing private open space area meets the minimum dimensions required under A and B of the clause.

COMPLIES

6 June 2025

Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2025/0170

**Hun: 055 P: 06654 73 Gallacher Road GIRRAWEEEN, Hundred of Bagot
Outbuilding (shed) addition to an existing dwelling-single with a reduced building setback to
the side boundary**

Thank you for the Development Application referred to this office on 23/05/2025, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The proposed shed addition with the reduced side setback is in keeping with the character of the surrounding properties. This is likely due to the area being zoned Rural Residential, where the NT Planning Scheme requires a minimum side setback of 5 metres for lots under 1 hectare. As this property and most of the neighbouring lots are only exceed 1Ha by around 100 square metres, it appears that many have adopted a similar reduced setback.

Council can provide the following comments in relation to the application:

- a) Whilst the application refers to an existing access gate separate to the main driveway crossover to the property, it is noted there is no existing approved second access to the property. As such, should the owner wish to utilise the second access they will need to apply for approval and the crossover will need to be constructed to the required standards.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) The crossover and driveway shall meet Litchfield Council's requirements, and be in accordance with the NT Subdivision and Development guidelines.
- b) Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Kind Regards,



Jaimie O'Connor
Planning & Development Program Leader

Phone 1800 245 092

Web powerwater.com.au

Record number: D2025/221782

Container number: NE055/6654

Your ref: PA2025/0170

Jeannette Oakley
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Jeannette

Re: Section 6654 (73) Gallacher Road Girraween Hundred of Bagot

In response to your letter of the above proposal for the purpose of outbuilding (shed) addition to an existing dwelling-single with reduced building setback to the side boundary, Power and Water (PWC) advises the following with reference to electricity enquiries:

1. The engaged licensed electrician shall upgrade customer's associated internal electricity reticulation for the proposed development in accordance with PWC NP018 – Service and Installation Rules and Meter Manual.

If you have any further queries, please contact Andrew Venhuizen, Senior Customer Connection Officer on 8924 5700.

Yours sincerely



Thanh Tang
Manager Distribution Development
05 June 2025