



**DEVELOPMENT CONSENT AUTHORITY**

**ALICE SPRINGS DIVISION**

**MINUTES**

**MEETING No. 207 – WEDNESDAY 13 APRIL 2016**

**DOUBLETREE BY HILTON  
BARRETT DRIVE  
ALICE SPRINGS**

**MEMBERS PRESENT:** Denis Burke - Chairman (via phone)  
David Koch  
Alistair Feehan  
Chansey Paech

**APOLOGIES:** Brendan Heenan  
Steve Brown

**OFFICERS PRESENT:** Peter Somerville, Ben Taylor, Julie Driver,  
Jennie Ryan, Lucy McMurtrie

**COUNCIL REPRESENTATIVE :** Nil

**Meeting opened at 10:50 am and closed at 10:55am**

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

**ITEM 1                    DEVELOPMENT – LOT 5735, 18 BATTARBEE STREET, SUBURB OF  
ARALUEN, TOWN OF ALICE SPRINGS  
CARPORT, SHED AND STUDIO ADDITIONS TO AN EXISTING SINGLE  
DWELLING WITH REDUCED FRONT AND SIDE SETBACKS  
TRAVIS MITCHELL**

Travis Mitchell and Erin Dawkins attended the meeting in support of the application.

**RESOLVED  
0021/16**

That, the Development Consent Authority vary Clauses 6.11 (Garages and Sheds) and 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme pursuant to section 53(a) of the *Planning Act* and consent to the application to develop Lot 5735 (18) Battarbee Street, Suburb of Araluen, Town of Alice Springs for the purpose of carport, shed and ensuite additions to an existing single dwelling with reduced front and side setbacks, subject to the following conditions:

**CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2016/0131/01 – 2016/0131/05 endorsed as forming part of this permit.
2. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the Alice Springs Town Council, to the satisfaction of the consent authority.
3. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Alice Springs Town Council to the satisfaction of the consent authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply and sewerage services to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

**NOTES:**

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

3. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites in the Northern Territory. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentsouth@powerwater.com.au](mailto:landdevelopmentsouth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@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.

#### REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, in considering a development application the consent authority must take into account the planning scheme that applied to the land to which the application relates. The application is consistent with the purpose of Zone SD (Single Dwelling Residential) of the NT Planning Scheme as the development is ancillary to the existing single dwelling.
2. A variation to Clause 6.11 (Garages and Sheds) of the Northern Territory Planning Scheme to allow a reduced side boundary setback of 0.0m where 1.5m is required is granted as the design appears to respond to the location of an existing garage on the adjacent property. The effects of building massing when viewed from the north western boundary is considered acceptable given the layout and location of the existing dwelling and the carport on Lot 5736.

The shed is well setback from the street and its location behind the proposed carport means it will be largely screened resulting in no adverse impact on Battarbee Street. The shed is of a scale that is consistent with similar structures within the locality and is unlikely to detract from the amenity of the streetscape or adjoining land.

3. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme to allow a reduced front boundary setback of 1.1m where 4.5m is required and a setback of 1.1m from the south eastern boundary where 1.5m is required is granted as the carport and dwelling extensions are single storey and consistent with similar structures within the locality. The carport is unlikely to have an adverse

impact on amenity due to its location over the existing driveway of the dwelling and the open nature of the structure will reduce the effects of building massing when viewed from the street or adjoining land.

In relation to the dwellings extensions along the south eastern boundary, no undue overlooking is expected as no windows face toward the affected neighbouring property. The proposed development is unlikely to have an adverse impact on the streetscape and the amenity of the surrounding area as the articulation of the building will help to mitigate the appearance of bulk when viewed from adjacent properties and the street. In addition no submissions were received from the affected neighbours.

**ACTION:** Development Assessment Services to prepare a Notice of Consent and Development Permit

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



**DAVID KOCH**  
Delegate

26/04/2016