



DEVELOPMENT CONSENT AUTHORITY

LITCHFIELD DIVISION

MINUTES

MEETING No. 247 – FRIDAY 10 JULY 2020

**HOWARD HALL
325 WHITEWOOD ROAD
HOWARD SPRINGS**

MEMBERS PRESENT: Suzanne Philip (Chair), Keith Aitken, Adam Twomey, Wendy Smith and Christine Simpson

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Alana Mackay and Sonia Barnes (Development Assessment Services)

COUNCIL REPRESENTATIVE: Bikram Poudel

Meeting opened at 10.30 am and closed at 12.20 pm

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

ITEM 1

**PA2020/0094 INDEPENDENT UNIT EXCEEDING 80M² IN FLOOR AREA
PORTION 2282 (140) WALLABY HOLTZE ROAD, HOLTZE, HUNDRED OF
BAGOT**

APPLICANT Graham Pattemore and Robyn Pattemore

Mr Graham and Mrs Robyn Pattemore attended.

Submitters Mr Paul and Mrs Helen Van Den Broek attended.

Mr Pattemore tabled a photo showing the oven no longer connected to the kitchen of the existing independent unit.

**RESOLVED
112/20**

That, pursuant to section 46(4)(b) of the *Planning Act 1999*, the Development Consent Authority defer consideration of the application to development Portion 2282 (140) Wallaby Holtze Road, Hundred of Bagot to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- evidence that the existing independent unit at the far southwest corner of the land has undergone rectification works and demonstrate that it is not a dwelling within the meaning of the Northern Territory Planning Scheme
- confirm that the roof structure and two shipping containers comply with the requirements of Clauses 7.10.8 (Home Based Contracting) and 6.8 (Demountable Structures) and provide evidence of certification under the *Building Act 1993*
- amended plan set addressing the above-mentioned matters, as well as matters raised at the meeting, including but not limited to landscaping, screening, architectural embellishments, and locations of all components of the waste disposal systems.

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 Northern Territory Planning Scheme applies to the land to which the application relates.

The primary purpose of Zone RL (Rural Living) is to provide for low-density rural living and a range of rural land uses including agriculture and horticulture. An independent unit is permitted in Zone RL provided the maximum floor area of the independent unit does not exceed 80m². The unit is a relocatable dwelling (ex RAAF house) with an existing floor area of 114m². The proposal requests consent to vary the provisions of

Clause 7.10.4 (Independent Units) sub-clause 2(b)(ii) for an independent unit with a floor area of 114m², an additional 34m².

Sub-clause 2(a) states that an independent unit may be developed on a site provided there will be no more than two dwellings on the site. The provision is unable to be varied by virtue of sub-clause 3 which states that the consent authority must not consent to an independent unit that is not in accordance with 2(a).

The site is currently developed to its maximum residential density of a single dwelling and independent unit in accordance with Clause 7.1.1 (Residential Density Limitations).

By virtue of Clause 7.10.4 sub-clause 3 and Clause 7.1.1, the consent authority cannot consider the proposal until the applicant submits evidence that the land is developed with a single dwelling and that other dwellings have been decommissioned/removed from the land.

ACTION: Notice of Deferral

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

SUZANNE PHILIP
Chair
10 July 2020