



## **DEVELOPMENT CONSENT AUTHORITY**

### **DARWIN DIVISION**

### **MINUTES**

**MEETING No. 154 – FRIDAY 17 SEPTEMBER 2010**

**BROLGA ROOM  
NOVOTEL DARWIN ATRIUM  
100 THE ESPLANADE  
DARWIN**

**MEMBERS PRESENT:** Peter McQueen (Chairman), Grant Tambling, David Hibbert, Heather Sjoberg and Bob Elix

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Doug Lesh and for part of the meeting Gemma Eaton (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Apology

**Meeting opened at 9.15 am and closed at 9.30 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**                    **EXTENSION TO AN EXISTING SINGLE DWELLING WITH**  
**PA2010/1000**           **A REDUCED SIDE SETBACK**  
                              **LOT 1157 (15) SANDERLING STREET, TOWN OF SANDERSON**  
**APPLICANT**           **NORTHERN BUILDING DESIGNS**

Mr Eddie Zajc (Northern Building Designs) attended.

Submitter Ms Fiona Harley attended.

**RESOLVED**  
**241/10**

That, the Development Consent Authority vary the requirements of clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme and pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the application and consent to the proposal as altered to develop Lot 1157 (15) Sanderling Street, Town of Sanderson for the purpose of an extension to an existing single dwelling with a reduced side setback subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to the endorsement of plans or commencement of works (including site preparation) a full set of amended plans must be submitted to, and approved by, the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions provided, and be generally in accordance with the plans submitted with the application but modified to show:
  - details of the treatment of the eastern façade of the building (including rendering and colour details) serving to effectively soften the visual impact of the proposed development on the neighbouring property to the east.

#### **GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with the drawings 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. Storm water is to be collected and discharged into the drainage network to the technical standards and of at no cost to Darwin City Council to the satisfaction of the consent authority.

**NOTE:**

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

**REASONS FOR THE DECISION**

1. The proposed development is consistent with the primary purpose of Zone SD (Single Dwelling) to provide for single dwellings on individual lots.
2. A variation to clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported since the eastern side of the building's extension which would encroach to within 0-600mm from the side boundary (1.5m required) does not have windows and therefore the neighbour's privacy is unlikely to be compromised. Furthermore, the design and orientation of the building as revised is considered reasonable to minimise any adverse effects of building massing when viewed from adjoining land and is also likely to reduce the loss of sunlight.
3. Amended plans showing details of the treatment of the eastern façade of the building are required in order to soften the visual impact of the proposed development on the neighbouring property to the east.

**ACTION:** Notice of Consent and Development Permit

**ITEM 2**  
**PA2010/0647**

**APPLICANT**

**SHADE SAIL ADDITION TO AN EXISTING SINGLE DWELLING  
WITH A REDUCED FRONT SETBACK  
LOT 3802 (5) THOMPSON CRESCENT, TOWN OF NIGHTCLIFF  
PATRICA SLOCUM**

Mr James Taylor (Aerosail Shade Structures) attended on behalf of the applicant.

**RESOLVED**  
**242/10**

That the Development Consent Authority determine to vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 3802 (5) Thompson Crescent, Town of Nightcliff for the purpose of a shade sail addition to an existing single dwelling with a reduced front setback subject to the following conditions:

**CONDITIONS**

1. Works carried out under this permit shall be in accordance with the drawings numbered 2010/0647/1 through to 2010/0647/3, endorsed as forming part of this permit.

2. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
3. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin City Council to the satisfaction of the consent authority.

**NOTE:**

1. It is advised by the Power and Water Corporation that:
  - The developer is responsible for safety clearance compliance between existing overhead power line in the area and any new building or extension during construction and its completed stage in accordance with the NT Electricity Reform (Safety and Technical) Regulations 2000. If any work is required on existing overhead power lines, the design and installation cost shall be borne by the Developer.

**REASONS FOR THE DECISION**

1. The development is in accordance with the purpose of the SD (Single Dwelling Residential) zone which is to "provide for single dwellings on individual lots".
2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported for the following reasons:
  - the shade sail provides interest and articulation to the façade of the dwelling and has a soft impact on the streetscape as is to some degree permeable by light and is open sided, and designed in a typical shade sail fashion with concave edges;
  - the shade sail provides the residents of the dwelling with numerous benefits including shading the verandah from the easterly morning sun and privacy from the public realm;
  - the permeable nature of the shade sail will facilitate passive surveillance of the street and in particular the park across the road and will not restrict breezes to the site;
  - the "bulk" aspect of the shade sail is most apparent from some 6m back from the front boundary where the shade sail will be approximately 3.5m in height and in a location where it would otherwise be permitted to build a two storey dwelling; and

- the solid front fence contributes to lessening the impact of the shade sail at the lower heights adjacent to the boundary.

**ACTION:** Notice of Consent and Development Permit

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



**PETER MCQUEEN**  
Chairman

17/9/10

