

How close to a boundary can I build my shed?

Required Setbacks

The setbacks required for detached dwellings and associated buildings on residential land are:

Boundary	Distance
Primary Street	7.5 m
Secondary Street (if applicable)	2.5 m
Rear	1.5 m
Side	1.5 m

Who controls those setbacks?

- Single dwellings (including verandahs), pergolas, carports, and the like (including shade sails) in Darwin, Palmerston, Litchfield, Batchelor, Katherine, Alice Springs and Tennant Creek are determined by the Development Consent Authority through a development application.
- Sheds in Zones RR, RL, R, A & H are determined by the Development Consent Authority through a development application.
- Sheds associated with existing single dwellings in all other zones are still covered by the Building Regulations and determined by the Building Appeals Board.

What do I do if I want to build closer than this?

- **Carports, Verandahs, Pergolas etc**

Where there are planning controls in place you may apply to the Development Consent Authority, and if there is no planning control to the Building Appeals Board.

- **Garden Sheds**

In the case of a garden shed associated with a single dwelling on a residential block, applications to vary the setback requirements are determined by the Building Appeals Board.

Exceptions

Setback requirements do not apply if your garden shed

- is less than 6 m² in area; and
- is less than 2.3 m in height; and
- has no openings in its walls which adjoin a boundary; and
- does not discharge rainwater on an adjacent allotment.

Sheds in zones RR, RL, R, A & H are controlled by the Development Consent Authority.

Applications to the **Building Appeals Board** should be made on the **attached application form**.

For further information on lodging a **development application** please contact **Development Assessment Services**:

Darwin and Palmerston	8999 6046
Litchfield, Batchelor and Katherine	8999 6807
Alice Springs and Tennant Creek	8951 9245



HOW TO APPLY FOR A MODIFICATION TO THE BUILDING REGULATIONS

Who can lodge an application?

An application can only be made by the **owner of the property or an authorised agent**.

What do I need to put with my application?

- One (1) copy of a **written submission** outlining the modification you are seeking and giving supporting reasons for each. *An application not accompanied by a written submission will not be accepted.*
- Two (2) copies of a site plan, and one copy of a floor plan plus elevations to explain the proposal. Plans and drawings must be **legible, dimensioned (particularly showing the proposed distance to the boundary) and drawn to scale**. *Drainage plans will not be accepted as a site plan.*
- In the case of a modification to the **side or rear setback**, your plans should be shown to the **owners of the adjoining property** (including the relevant Council where Council is the owner), who should indicate their agreement and put their **name and signature on the plans** if they support your proposal. If they object, they should be advised to write to the Appeals Board.
- Existing and new works must be clearly defined on the drawings and items affected by a proposed modification must be **circled and identified by Clause/Regulation number**. The more information you can provide the better, but it must be clear and easy to interpret.
- **Encumbrances/Covenants** must be considered. Where the modification affects existing encumbrances/covenants, you should provide evidence that the proposal has the **support of the developer**, eg letter from developer or endorsed plans.
- Any other **additional information** that would assist the Board in its assessment of the application (e.g. photographs, proposed landscaping etc). **Photographs** are particularly useful in the case of **front setback variations**.

What will it cost me to lodge an application?

\$50.00

When will I be notified of the result of my application?

In most cases, applications for modification of setbacks to side and rear boundaries have a turnaround time of approximately 7-10 days. All front setback variations are determined at a meeting of the Board and the timeline is dependant on the Board's meeting dates.

A list of the Board's scheduled meeting dates can be obtained from the Registrar or the website at: www.ipe.nt.gov.au/whatwedo/building/appealsboard. These are subject to change without notice.

The Registrar will advise you of the Board's decision in writing, however you can phone the Registrar at any time to find out the status of your application.

CHECKLIST

Have you provided ALL of the following? One copy is required unless indicated otherwise.

- Written submission giving
 - Detailed reasons in support of your application.
 - Details of the proposed construction (carport, shed etc).
 - Details of the required and proposed setbacks.
 - Proposed measures to dispose of stormwater runoff, if applicable.
- Fully dimensioned, plans (floor plan, and elevations), drawn to scale, showing the proposed construction.
- Fully dimensioned site plan, drawn to scale, showing the existing buildings and proposed new work. **(2 copies)**
- A site plan signed by the owner of the affected neighbouring property (includes Council where Council is the land owner, with the owner's name clearly legible.
- A copy of covenants/encumbrances, if applicable.
- Approval from the developer specifying that the proposal complies with any covenants/encumbrances if applicable.
- Evidence of ownership or owner's authorisation
- Payment.
- Completed application form.

Applications should be addressed to the Registrar, Building Appeals Board and

Posted to:
GPO Box 1680
DARWIN NT 0801

or Delivered to:
38 Cavenagh Street
DARWIN NT 0800

PAYMENT DETAILS

- CREDIT CARD
- Bankcard
 - Mastercard
 - Visa

- CASH
- EFTPOS
- CHEQUE (payable to Receiver of Territory Monies)

Card Number:

Amount Expiry Date:

Card Holder's Name:

Signature:

**BUILDING REGULATIONS 1993, PART 7
MODIFICATION OF APPLICATION OF BUILDING REGULATIONS**

APPLICATION FORM

PART A - Details of Application:

1. STREET ADDRESS: _____

LOT NO: _____

TOWN OF: _____

2. Class(es) of Building: _____ Regulation to be modified: _____

3. Name of Building Certifier (if known): _____

4. Variation Sought:

	Setback Required	Setback Proposed	Complies Yes or No	Structure Proposed
Front	7.5			
Side	1.5			
Side	1.5			
Rear	1.5			

PART B - Reasons for requesting modification

You must attach a written submission outlining the modifications sought and giving reasons in support.

PART C – Applicant’s Details

I/we apply for a site modification in accordance with the attached plans.

*APPLICANT’S NAME: _____ SIGNATURE: _____
print clearly

Contact address: _____

Phone Numbers:

Business: Home:

Fax No: Mobile:

Email Address:

***NOTE:** Where the applicant is not the owner, evidence should be provided of authorisation to act on the owner’s behalf.

FOR OFFICE USE	
Receipt No.: _____	Date: _____
Amount: \$ _____	Received by _____