

DEVELOPMENT CONSENT AUTHORITY

PALMERSTON DIVISION

MINUTES

MEETING No. 208 – WEDNESDAY 21 MARCH 2018

BOULEVARD ROOM QUEST PALMERSTON 18 THE BOULEVARD PALMERSTON

MEMBERS PRESENT: Suzanne Philip (Chair), Bob Flanagan and Mark Blackburn

APOLOGIES: Steve Ward

OFFICERS PRESENT: Margaret Macintyre (Secretary), Joseph Sheridan and Alexander

Deutrom (Development Assessment Services)

COUNCIL REPRESENTATIVE: Apology

Meeting opened at 9.45 am and closed at 10.15 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 PA2018/0053 APPLICANT

CHANGE OF USE FROM SHOWROOM SALES TO VETERINARY CLINIC LOT 14828 (1) ROYSTONEA AVENUE, TOWN OF PALMERSTON TOMASY PTY LTD

The applicant sent their apologies.

As the applicant was not represented at the meeting, DAS addressed the consent authority.

RESOLVED 10/18

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 14828 (1) Roystonea Avenue, Town of Palmerston for the purpose of a change of use from showroom sales to veterinary clinic (tenancy B7), subject to the following conditions:

CONDITION PRECEDENT

 Prior to the endorsement of plans and prior to the commencement of works (including site preparation) the applicant is to prepare a waste management plan in accordance with City of Palmerston's Waste Management Policy, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

GENERAL CONDITIONS

- 2. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
- 3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- 4. 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.
- 5. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- (a) Constructed;
- (b) Properly formed to such levels that they can be used in accordance with the plans:
- (c) Surfaced with an all-weather-seal coat;
- (d) Drained;
- (e) Line marked to indicate each car space and all access lanes; and
- (f) Clearly marked to show the direction of traffic along access lanes and driveways;
- 6. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston to the satisfaction of the consent authority.

NOTES:

- The Power and Water Corporation advises that the Water and Sewer Services
 Development
 Section
 (landdevelopmentnorth@powerwater.com.au)
 and Power Network
 Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
- The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the NT Public Health Act and Regulations, the NT Food Act and National Food Safety Standards.
- 3. Notwithstanding the approved plans, all signage is subject to the requirements of City of Palmerston.
- 4. The permit holder is advised that the proposal may have assessment implications under section 12 of the *Waste Management and Pollution Control Act*. More information can be found on the Northern Territory Environment Protection Authority (NT EPA) website at: https://ntepa.nt.gov.au/waste-pollution. The applicant is encouraged to contact the NT EPA on (08) 8924 4218 or via email ntepa@nt.gov.au.

REASONS FOR THE DECISION

1. Pursuant to Section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The purpose of Zone SC (Service Commercial) is to 'provide for commercial activities which, because of the nature of their business or size of the population catchment, require large sites'.

The proposed veterinary clinic is a commercial use located in a larger service commercial complex. The majority of Tenancy B2 will remain as showroom sales for the purpose of the 'Petbarn' retail and ancillary services (dog wash and grooming) while the veterinary clinic will complement this use by providing a veterinary service. A portion of the tenancy is required to scan, treat and hold animals as well as small office areas and reception areas. The proposal is considered to be expected within the Zone.

Given the proposal is for a change of use and does not alter the building footprint the change of use mostly impacts car parking requirements through the different allocations in floor area. The proposal complies with the car parking requirements of the planning scheme and results in a surplus of four car parking spaces at the site.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must also take into account 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.

The site is currently developed and the proposal does not propose any alterations to the building footprint. Provided clinical waste is appropriately managed the tenancy is considered capable of supporting the proposed development.

Furthermore, the Department of Environment and Natural Resources did not raise any concerns with regard to land capability.

3. Pursuant to Section 51(n) of the *Planning Act*, 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

Given the proposal is for a change of use only the development is not expected to impact on the existing or future amenity of the area provided clinical waste is appropriately managed.

ACTION: Notice of Consent and Development Permit

ITEM 2 PA2018/0016 APPLICANT

GROUND LEVEL CAR PARK LOT 7824 (6) TEMPLE TERRACE, TOWN OF PALMERSTON RODEGHIERO FONG AND PARTNERS PTY LTD

Mr Themelis Mousellis (Civil Engineer at Wallbridge Gilbert Aztec) attended.

Mr Ben Langdon and Mr Ian George (Manager, Public Transport) both from DIPL attended.

RESOLVED 11/18

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 7824 (6) Temple Terrace, Town of Palmerston for the purpose of a ground level car park, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston stormwater drainage system shall be submitted to and approved by the City of Palmerston, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system or an alternate approved connection.

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. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
- 4. Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road, to the satisfaction of the consent authority.

- 5. 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.
- 6. Storage for waste disposal bins is to be provided to the requirements of City of Palmerston to the satisfaction of the consent authority.
- 7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- Appropriate soil erosion, sediment and dust control measures must be
 effectively implemented throughout the construction stage of the
 development and all disturbed soil surfaces must be suitably stabilised
 against erosion at completion of works, to the satisfaction of the Consent
 Authority.
- 9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

NOTES:

- 1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (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.
- 2. 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.
- 3. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
- 4. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The proposal is for a park and ride facility adjacent to the Palmerston Bus Interchange, and will improve travel options for Palmerston residents. For this reason, the application is considered to be generally consistent with the primary purpose of Zone CB (Central Business), which is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incomparable activities.

A comprehensive assessment of the proposed development against the NT Planning Scheme has been undertaken. The proposal is generally compliant with all applicable clauses of the Northern Territory Planning Scheme.

2. Pursuant to section 51(e) of the *Planning Act*, 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, and pursuant to section 51(n) of the *Planning Act*, the consent authority must take into consideration any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

One public submissions was received during the exhibition period under Section 49 of the *Planning Act*. The submission, made by Ms Nadia Smith, supported the proposal but sought consideration to the level of landscaping provided and the adherence of the proposal to community and safety design principles.

The proposed design includes substantial landscaping along the Temple Terrace and Roystonea Avenue boundaries consisting of tall palm trees, medium-height shrubs and low-lying ground cover. This is expected to shield the carpark from the view of the street, provide shading and enhance the visual amenity of the area.

The proposal also shows consideration to the Community Safety and Design Guide prepared by the Northern Territory Government in 2010. The inclusion of CCTV cameras, new lighting and new signage are all expected to improve community safety on site and in the area.

Given the points raised above in respect to landscaping and community safety design, and given the application seeks to upgrade and formalise a park and ride facility, the proposal is expected to result in an overall improvement in the amenity of the area.

ACTION: Notice of Consent and Development Permit

ITEM 3 PA2018/0031 MIXED USE DEVELOPMENT COMPRISING LEISURE AND RECREATION (GYM), EDUCATION ESTABLISHMENT AND COMMUNITY CENTRE IN 1 X 2 STOREY BUILDING AND VETERINARY CLINIC, MEDICAL CLINIC AND CHILD CARE CENTRE IN 3 X 1 STOREY BUILDINGS

LOT 10282 (133) FLYNN CIRCUIT, TOWN OF PALMERSTON

APPLICANT

ONE PLANNING CONSULT

Mr Israel Kgosiemang (One Planning Consult), Ms Eavan Coyne (Zest Projects) and Mr Andrew Rock attended.

RESOLVED 12/18

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 10282 (133) Flynn Circuit, Town of Palmerston for the purpose of a mixed use development comprising leisure and recreation (gym) in 1 x 2 storey building and veterinary clinic, medical clinic and child care centre in 3 x 1 storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

- 1. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Palmerston and/or the Department of Infrastructure, Planning and Logistics, Land Development Unit (as the case may be) stormwater drainage system shall be submitted to and approved by the City of Palmerston and/or the Department of Infrastructure, Planning and Logistics, Land Development, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
- Prior to the commencement of works (including site preparation) the applicant is to prepare a waste management plan in accordance with City of Palmerston's Waste Management Policy, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
- 3. Prior to the commencement of works (including site preparation), detail design documentation for any works within the Flynn and Forrest Parade road reserve, including for the access, any drainage connections, signage, linemarking, bus stops, roadworks and landscaping is to be submitted to and achieve 'Permission to Use' from the Land Development Unit Division of the Department of Infrastructure, Planning and Logistics. All designs that relate to the Land Development Unit Division's infrastructure must be its requirements, meet Austroads' Standards and must be prepared and certified by a suitably qualified persons, to the satisfaction of the consent authority.
- 4. Prior to the commencement of works, the applicant is to prepare a management plan for the community centre component of the development, to the requirements of the City of Palmerston, to the satisfaction of the consent authority.

GENERAL CONDITIONS

5. Works carried out under this permit shall be in accordance with the drawings numbered 2018/0031/01 through to 2018/0031/19 endorsed as forming part of this permit.

- 6. 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.
- 7. The owner of the land must provide evidence that a right of way easement has been registered on the relevant survey plan for Unit 14260, Town of Palmerston in favour of Lot 10282, Town of Palmerston, to the satisfaction of the consent authority.
- 8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time, to the satisfaction of the consent authority.
- Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston and/or the Department of Infrastructure, Planning and Logistics, Land Development Unit, to the satisfaction of the consent authority.
- 10. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Palmerston and the Department of Infrastructure, Planning and Logistics, Land Development Unit as the case may be, to the satisfaction of the consent authority.
- 11. The developer shall:
 - i.Remove disused vehicle and/ or pedestrian crossovers
 - ii. Provide footpaths/ cycleways;
 - iii. Collect stormwater and discharge it to the drainage network; and
 - iv.Undertake reinstatement works;

All to the technical requirements of and at no cost to City of Palmerston and the Department of Infrastructure, Planning and Logistics, Land Development Unit as the case may be, to the satisfaction of the consent authority.

- 12. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - i.Constructed:
 - ii. Properly formed to such levels that they can be used in accordance with the plans:
 - iii.Surfaced with an all-weather-seal coat;
 - iv.Drained;
 - v.Line marked to indicate each car space and all access lanes; and
 - vi.Clearly marked to show the direction of traffic along access lanes and driveways;
 - All to the satisfaction of the consent authority.
- 13. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors, to the satisfaction of the consent authority.
- 14. "No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided, to the satisfaction of the consent authority.

- 15. All proposed works impacting on the Chung Wah Terrace road reserve are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics. Design documents must be submitted to the Director Corridor Management, Transport and Civil Services Division for Road Agency Approval.
- 16. Where unfenced, the Chung Wah Terrace frontage is to be appropriately fenced in accordance with the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics.
- 17. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting causing nuisance to Chung Wah Terrace road traffic to the requirements of the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics.
- 18. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the Developer will be obliged to sweep and clean material off the road to the requirements of the Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.
- 19. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the consent authority.
- 20. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view and from view of neighbouring or nearby developments (or developments reasonably anticipated), located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with a panel to gap ratio, such that the condenser units are not readily visible from any angle.
- 21. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view, to the satisfaction of the consent authority.
- 22. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Palmerston and the Land Development Unit of the Department of Infrastructure, Planning and Logistics as the case may be, to the satisfaction of the consent authority.
- 23. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
- 24. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

- 25. No fence, hedge, tree or other obstruction exceeding a height of 0.6 m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
- 26. Storage for waste disposal bins is to be provided to the requirements of the City of Palmerston, to the satisfaction of the consent authority.
- 27. Appropriate soil erosion, sediment and dust control measures must be effectively implemented throughout the construction stage of the development and all disturbed soil surfaces must be suitably stabilised against erosion at completion of works, to the satisfaction of the consent authority.

NOTES:

- The Power and Water Corporation advises that the Water and Sewer Services
 Development
 Section
 (landdevelopmentnorth@powerwater.com.au)
 and Power Network
 Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
- 2. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.
- 3. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the National Construction Code of Australia, the *NT Public Health Act* and Regulations, the *NT Food Act* and National Food Safety Standards.
- 4. The installation or relocation of any services or service connections within the Flynn Circuit road reserve requires approval from the Land Development Unit of the Department of Infrastructure, Planning and Logistics.
- 5. The Department of Infrastructure, Planning and Logistics, Land Development Unit advises that a Defects Liability Period of 3 years will apply for landscaping works within the road reserve.
- 6. Notwithstanding the approved plans, all signage is subject to the requirements of City of Palmerston.
- 7. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or variable message). The sign shall be positioned:
 - (a) so as not to create sun or headlight reflection to motorists; and
 - (b) be located entirely (including foundations and aerially) within the subject lot.
- 8. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Chung Wah Terrace traffic to the requirements of the Traffic and Civil Services Division of the Department of Infrastructure, Planning and Logistics.

- 9. The Land Development Unit of the Department of Infrastructure, Planning and Logistics advise that if it is evident that sediment has entered the Land Development Unit Division's stormwater drainage infrastructure from the site, the Land Development Unit will require that the stormwater drains are flushed and cleaned. The Land Development Unit recommends that the developer prepares a dilapidation report for the stormwater drains.
- 10. 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.
- 11. The permit holder is advised that the proposal may have assessment implications under section 12 of the *Waste Management and Pollution Control Act*. More information can be found on the Northern Territory Environment Protection Authority (NT EPA) website at: https://ntepa.nt.gov.au/waste-pollution. The applicant is encouraged to contact the NT EPA on (08) 8924 4218 or via email ntepa@nt.gov.au.
- 12. Any alteration to the use of the buildings on site, will be subject to a separate application to the consent authority.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The proposed development is consistent with the primary purpose of Zone CP (Community Purpose) of the NT Planning Scheme as it provides the Palmerston community with a range of services and facilities. Overall, the proposal is considered to comply with the requirements of the NT Planning Scheme including the car parking requirements, parking layout, child care centre provisions, building design and required setbacks, and presents a quality design that will add value to the suburb of Bellamack.

2. Pursuant to section 51(j) of the *Planning Act*, the consent authority must also take into account 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.

No land capability concerns were identified through the assessment of the application and the Department of Environment and Natural Resources did not raise any concerns with regard to land capability. Therefore, provided that stormwater is managed on site without impacting adjoining and adjacent areas and is disposed of to the requirements of the City of Palmerston and/or the Department of Infrastructure, Planning and Logistics, Land Development Unit it is considered that the land is capable of supporting the proposed development. A condition precedent relating to stormwater has been included in the recommended conditions.

3. Pursuant to section 51(n) of the *Planning Act*, 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

Lot 10282 adjoins Zone C (Commercial) and Zone MD (Multiple Dwelling Residential) land. The proposed development is likely to become part of a growing hub of activities in the area and if well managed, will contribute to the amenity of the locality through offering a range of community and commercial facilities.

It is noted that all four buildings incorporate a variety of heights, colours, building materials and fenestration with each buildings overall appearance complemented by landscaping along each frontage as within the parking area. The potential for building massing when viewed from the adjoining land has been minimised as far as practical through the inclusion of a variety of building materials and landscaping which provides visual relief.

Provided the proponent maintains compliance with the *Waste Management and Pollution Control Act*, stormwater is appropriately managed and landscaping is well maintained the proposal is not expected to detriment the amenity of the locality.

4. Pursuant to section 51 (t) of the *Planning Act*, the consent authority must consider other matters it thinks fit.

The consent authority noted that discussions between the developer and the City of Palmerston regarding the management of the community centre were previously held but to date, a suitable management plan has not been finalised. On this basis, a condition precedent has been included to ensure that the City of Palmerston has an opportunity to liaise with the developer on this matter and ensure that the facility is managed in accordance with the broader community's interests.

5. The consent authority queried whether the applicant had considered registering a reciprocal right of way easement over the subject site in favour of the adjacent lot to ensure future access arrangements were formalised. The applicant stated that this issue had not been discussed with the relevant parties, however, advised that it would be considered. Condition 7 has been included to ensure that the subject site maintains a legal access over the adjacent lot and ensure that the development can function as proposed. However, the consent authority considered requiring the landowner to register a second right of way easement over the subject site in favour of the adjacent lot beyond the scope of this application. Should the requirement to formalise a reciprocal legal access as described above be identified, the consent authority determined that it would be the responsibility of the relevant landowner(s).

ACTION: Notice of Consent and Development Permit

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

SUZANNE PHILIP Chair

22 March 2018