



DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 358 – FRIDAY 3 JULY 2020

**BROLGA ROOM
NOVOTEL DARWIN CBD
100 THE ESPLANADE
DARWIN CITY**

MEMBERS PRESENT: Suzanne Philip (Chair), Mark Blackburn, Marion Guppy, Simon Niblock and Peter Pangquee

APOLOGIES: Nil

OFFICERS PRESENT: Margaret Macintyre (Secretary), Julie Hillier and Amit Magotra (Development Assessment Services)

COUNCIL REPRESENTATIVE: Brian Sellers

Meeting opened at 10.00 am and closed at 2.00 pm

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

PA2020/0067 RECONSIDERATION - WAREHOUSE IN A SINGLE STOREY BUILDING SECTION 5194 (67) BENISON ROAD, WINNELLIE, HUNDRED OF BAGOT
APPLICANT/S DKJ Projects Architecture Pty Ltd

Mr Adam Walker (DKJ Projects Architecture Pty Ltd), Mr Terry Finocchiaro (Gaymark – Landowner) and Ms Elaine Tiplady attended.

**RESOLVED
120/20**

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks), of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Section 5194 (67) Benison Road, Hundred of Bagot, for the purpose of a warehouse with a reduced side setback, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare designs and specifications for landscaping of the road reserve adjacent to the property (minimum width of one metre), to the requirements of City of Darwin, to the satisfaction of the consent authority. The plans must be drawn to scale with dimensions and must generally be in accordance with the plan prepared by DKJ Project Architects titled "Proposed Footpath & Planting", dated 06.04.2020, submitted by the applicant.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a traffic engineer is to certify the location of the proposed access to the site from the Benison Road, to the requirements of City of Darwin. The traffic engineer shall confirm the access is safe and appropriate from a road safety and traffic engineering perspective, for all road users (including pedestrians, cyclists or motorists), before City of Darwin will grant approval.
3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), an engineered plan completed by a suitably qualified civil engineer demonstrating the on-site collection of stormwater and its discharge into the local underground stormwater drainage system, shall be submitted to, and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of site levels, and Council's stormwater drain connection point/s and connection details. Note: A civil engineering plan demonstrating stormwater flows, including surface levels, is required to be submitted to City of Darwin prior to the stormwater condition precedent being cleared.
4. Prior to commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the

consent authority.

5. Prior to the commencement of works (including site preparation), the applicant is to prepare a Site Construction Management Plan (SCMP) to the requirements of the City of Darwin, to the satisfaction of the consent authority. The SCMP should specifically address the impact to Council owned public spaces and include a waste management plan for disposal of waste to Shoal Bay, traffic control for affected City of Darwin roads, haulage routes, storm water drainage & sediment control, use of City of Darwin land, and how this land will be managed during the construction phase.
6. Prior to the commencement of works (including site preparation), a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Policy 054, shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority.

GENERAL CONDITIONS

7. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities and telecommunication networks to the development shown on the endorsed plan in accordance with the authorities requirements and relevant legislation at the time.
9. 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.
10. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin, to the satisfaction of the consent authority.
11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, to the satisfaction of the consent authority.
12. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Darwin, to the satisfaction of the consent authority.
13. Before the use or occupation of the development starts, the area(s) 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
to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
14. The car parking shown on the endorsed plan must be available at all times for the exclusive use of the occupants of the development and their visitors.
 15. Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
 16. 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 to the requirements of the City of Darwin, to the satisfaction of the consent authority.
 17. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.

NOTES:

1. Power and Water Corporation advise that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and the Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of one month prior to construction works commencing to determine servicing requirements and the need for upgrading of infrastructure.
2. Any proposed works on City of Darwin road reserve shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
3. Notwithstanding the approved plans, any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
4. In accordance with City of Darwin By-Laws, prior to occupation, the applicant shall ensure that a building number is displayed in a position clearly visible from the street. The number must be visible against the background on which it is placed, to the satisfaction and at no cost to City of Darwin.
5. Before the use/occupation of the development starts, the landscaping works within the road reserve must be carried out and completed to the satisfaction of the City of Darwin.
6. The landscaping works within the road reserve must be maintained to the satisfaction of the City of Darwin.

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 proposal is for a warehouse which means premises used for the bulk storage of goods, or the display and sale of goods by wholesale. A warehouse is a permitted use in Zone LI (Light Industry) and a use consistent with the purpose of the zone. The development is subject to consent as the proposal does not comply with Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme (NTPS). The consent authority has the discretion to vary the provision where special circumstances apply in accordance with Clause 2.5 of the Planning Scheme.

The purpose of Clause 9.1.1 (Industrial Setbacks) is to ensure that buildings are sited to provide an adequate level of visual amenity in industrial zones. Clause 9.1.1 sub-clause 2 specifies the setback to at least one side boundary and a rear boundary is 5m. In this instance a reduction to the north side setback is proposed from 5m to 3.2m. Clause 9.1.1 sub-clause 3 of the NTPS specifies landscaping requirements associated with all development in Zone LI which is to include landscaping along the street frontages to a minimum depth of 3m. The application does not include any landscaping within the perimeter of the site, however identified 1m wide landscaped frontage within the road reserve.

The purpose of Clause 6.5.3 (Parking Layout) is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose. A car parking area is to be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area. The application proposes to locate six car parking spaces along the eastern boundary (Hickman Street frontage) without a setback to the boundary however landscaping is not proposed on site.

Pursuant to Clause 2.5 (Exercise of Discretion by the Consent Authority) of the Northern Territory Planning Scheme the Authority may consent to a development that does not meet the standard set out in Part 4 and 5 of the Planning Scheme where it is satisfied that special circumstances justify the granting of consent.

As noted by President Bruxner in *Bradley v Development Consent Authority and Kalhmera Pty Ltd* [2017] NTCAT 922

In the sense in which it is used in clause 2.5(4) of NTPS, the expression 'special circumstances' draws attention to the need to demonstrate something about a proposed development that means that requirements of the NTPS that would otherwise apply can appropriately be relaxed. Consideration of that issue will normally involve attention to aspects of the proposed development which set it apart from developments on other, similarly zoned, land.] The question

is whether there is anything 'unusual, exceptional, out of the ordinary and not to be expected' about the proposed development that justifies a departure from the requirements of the planning scheme.

President Bruxner further notes that

“Particular facets of the site, may, for example mean that the purpose served by a particular zoning requirements is met despite a departure from the letter of that requirement. For example, in Donovan & Marson V DCA & LPMT 123–2009–P (2092 5314) the Lands Planning and Mining Tribunal approved a decision of the DCA to the effect that there were special circumstances justifying approval for a development that exceeded the eight storey limit that would normally apply to buildings in the relevant zone. This was because the affected land was very steep, with the consequence that the two extra levels could be built below street level whilst still maintaining the appearance of an eight level building from the street.”

The existing site slopes approximately 2.9m downhill from the north to south and as a result 75% of the street boundary will require a retaining wall. As the car parking area will sit below the street level any landscaping proposed between the parking area and the boundary along the street frontage will not lessen the visual impact of the car parking area on the amenity of the area.

While the proposal to provide landscaping on the Council verge, as agreed with the City of Darwin is outside the scope of the Authority’s power to mandate or enforce, the Authority does note that the proposed landscaping extends along the frontage including in front of the parking area at street level. This is an improvement from the original plans which lacked any substantial landscaping and will contribute to an improved planning outcome.

The minimum setback to a street frontage is 3m and the proposal has a setback to this boundary of between 10m and 13m. Therefore the siting of the building in relation to the front boundary provides more generous separation than has typically been provided in the area. The reduced setback to the north side boundary is considered acceptable in the context of the greater setbacks to the street frontage and remains adequate for service vehicles, including emergency service vehicles.

Given the above reasons the application demonstrates special circumstances justifying the granting of consent to vary Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks) of the NTPS.

2. Pursuant to Section 51 (m) of the *Planning Act 1999*, the consent authority must consider the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

The City of Darwin require further information to enable the proposed access to the site to be located on Benison Road. A condition

precedent is required to respond to the requirements of Council, specifically the submission of advice from a traffic engineer.

The applicant provided advice from the City of Darwin, which confirms that the City of Darwin has agreed to the proposed landscaping concept and realignment of the footpath in the road reserve as proposed.

All other requirements of service authorities are addressed via recommended conditions on the development permit.

3. Pursuant to Section 51(n) of the *Planning Act 1999*, 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.

The proposed development is considered to contribute to the amenity of the locality with generous building setbacks to the street boundary and the addition of landscaping along the street frontage.

ACTION: Notice of Consent and Development Permit

ITEM 2

PA2020/0152

**MIXED-USE DEVELOPMENT COMPRISING 66 X 1, 12 X 2 BEDROOM MULTIPLE DWELLINGS AND GROUND LEVEL COMMERCIAL TENANCIES (OFFICE) IN 3 X 4 STOREY BUILDINGS
LOT 9007 (47) PROGRESS DRIVE, NIGHTCLIFF, TOWN OF NIGHTCLIFF**

APPLICANT/S

Elton Consulting

DAS tabled advice from Power and Water Corporation dated 30 June 2020.

Mr Mark Klopper (Elton Consulting) attended via teleconference.

Ms Sinead Redmond (HK Solutions), Mr Jason Ramsamy (Department of Local Government, Housing and Community Development), Mr Mark Dodt and Mr Chris Grumelart (Department of Infrastructure, Planning and Logistics) attended.

Submitter Mrs Fiona Douglas sent her apologies.

**RESOLVED
121/20**

That, the Development Consent Authority vary the requirements of Clause 6.6 (Loading Bays) and Clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act 1999*, consent to the application to develop Lot 9077 (47) Progress Drive, Town of Nightcliff for the purpose of mixed use development comprising 66 x 1, 12 x 2 bedroom multiple dwellings and ground level commercial tenancies (office) in 3 x 4 storey buildings, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority 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 and must generally be in accordance with the plans submitted with the application but modified to show:

- a. One communal shower with change room and storage facility to accommodate five bicycles and associated lockers to service the three buildings, designed in accordance with Australian Standard AS2890.3 - Bicycle Parking and Clause 6.19 (End of trip facilities in Zones HR, CB, C SC, and TC); and
 - b. The inclusion of one loading bay/service vehicle bay (3.5m x 5.5m) to each building conveniently located outside the secured car parking area.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), in principle approval is required for the crossover and driveway to the site from the City of Darwin road reserve, to the satisfaction of the consent authority.
 3. Prior to the commencement of works (including site preparation), a Traffic Management Plan, must be provided to the requirements of the City of Darwin to the satisfaction of the consent authority. The Traffic Management Plan shall be prepared by a suitably qualified person, in accordance with AS1742.3 Manual of Uniform Traffic Control Devices – Road Works. The Traffic Management Plan shall include:
 - Traffic guidance schemes;
 - Detour routes;
 - Haulage routes and numbers of trucks per day;
 - Dilapidation report;
 - Hours of works;
 - Consultation register (including public transport); and
 - Sediment controls and maintenance of rumble strips including material transfer and dust onto City of Darwin roads.
 4. Prior to the commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin's stormwater drainage system shall be submitted to and approved by the City of Darwin 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.
 5. Prior to the commencement of works (including site preparation), a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Policy 054, shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority.
 6. Prior to the commencement of works (including site preparation), the applicant is to prepare a Site Construction Management Plan (SCMP) to the requirements of the City of Darwin, to the satisfaction of the consent authority. The SCMP is to include details of waste management, traffic control and haulage routes, stormwater drainage, and the use of City of Darwin land during construction.

GENERAL CONDITIONS

7. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity and telecommunication network services to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
9. 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.
10. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin to the satisfaction of the consent authority.
11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, to the satisfaction of the consent authority.
12. The owner shall:
 - (a) remove disused vehicle and/ or pedestrian crossovers;
 - (b) provide footpaths/cycleways;
 - (c) collect stormwater and discharge it to the drainage network; and
 - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Darwin, to the satisfaction of the consent authority.
13. 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;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
14. 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.
15. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
16. 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 to the requirements of the City of Darwin, to the satisfaction of the consent authority.

17. 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, 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.
18. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.
19. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
20. 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.
21. 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.
22. 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.
23. Certificate of Compliance for this permit will not be granted until the Part V clearance has been issued for the subdivision shown on DP20/0102.

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. There are statutory obligations under the *Waste Management and Pollution Control Act 1998* (the Act), that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is required to comply at all times with the Act, including the General Environmental Duty under Section 12 of the Act. There is also a requirement to obtain an authorisation prior to conducting any of the activities listed in Schedule 2 of the Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority website at <http://ntepa.ntg.gov.au/wastepollution/guidelines/guidelines>. The proponent

is advised to take notice of the SCHEDULE OF ENVIRONMENTAL CONSIDERATIONS provided by DENR. The Act, administered by the Northern Territory Environment Protection Authority, is separate to and not reduced or affected in any way by other legislation administered by other Departments or Authorities. The Environment Operations Branch of the Environment Division may take enforcement action or issue statutory instruments should there be non-compliance with the Act.

3. Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
4. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.
5. City of Darwin advises that designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
6. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>.
7. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* 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.
8. The Aboriginal Areas Protection Authority (AAPA) recommends that all works should be carried out in accordance with the Authority Certificates issued for the subdivision and development works.

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 land is located in Zone SD49 (Specific Use Darwin 49) of the NT Planning Scheme (NTPS) of which the purpose is to facilitate the development of the land for a complementary mix of commercial, community and residential uses in mixed-use multistorey buildings with high amenity public areas. The proposed development is consistent with the primary purpose of Zone SD49 with the following being noted:

- The proposed development comprises of three mixed-use four storey buildings, delivering a complementary mix of residential along with ground level office space set aside for non-government organisations. Each building comprises of three levels of residential units (above ground level) of the following type:
 - Building -1: 18 one-bedroom units;
 - Building -2: 24 one-bedroom and 6 two-bedroom units;
 - Building -3: 24 one-bedroom and 6 two-bedroom units.
- The height of each building is consistent with the Zone SD49, which allows for 6 stories above ground level.
- Each building is proposed to have one two-way vehicle access point, leading to an undercover car park. The car parking, including dimensions and driveway configuration, comply with clause 6.5.3 (Parking Layout) of the NTPS. A security gate will separate the publicly accessible parking set aside for office uses from the reserved and secure residential car park.
- All car parking provided in each building is undercover and occurs within the lot boundaries. A minimum of 3m landscape buffer between the lot and street boundary is provided in the proposed development.
- The development exceeds the minimum setback requirements provided in the zone.
- A minimum 2.1m high solid fence is provided to adjoining zones on the eastern boundary, and a minimum of 2.1m high solid fence is provided to adjoining zones on the western boundary including the boundary with Lot 9017, Town of Nightcliff.
- Windows and doors of the residential units are located to facilitate cross-ventilation, as well as passive surveillance of public open space and public road areas. Air conditioning compressor units are located and screened in such a manner as to avoid visual intrusion and noise impacts on both residents and neighbouring properties.
- The impact of blank walls in the development is minimised through the use of frequent articulation and the use of doors, windows and balconies. A variety of building materials are used to create interest.

At the hearing, Mr Martin Klopper (Elton Consulting) gave an overview of the background and the nature of the proposed development and spoke to its architectural merits. Mr Klopper explained to the Authority that the proposed development is a purpose-built facility that has been designed for social housing tenants that include ageing people, and people with various levels of disability. Mr Klopper further added that the redevelopment of John Stokes Square had been considered

holistically, as a whole-of precinct approach in order to comply with the intent and vision of the Darwin Mid Suburbs Area Plan. Mr Klopper stressed that the design of each building has taken particular cognisance of adjacent residential land uses, particularly along the eastern boundary, having buildings setbacks in excess of minimum requirements. Furthermore, the residential apartments in each building are oriented away from the adjacent boundary and will allow passive surveillance of public spaces. The Authority acknowledged that the proposed development seeks the achievement of maximum levels of privacy, amenity and comfort for the residents of the site.

Clause 2.4 (Specific Use Zones) of the NTPS states that despite anything to the contrary in this Planning Scheme, land described in Schedule 1 (Specific Use Zones) may be used or developed as specified in the Schedule subject to any conditions specified in the Schedule and any further conditions imposed by the consent authority. The clause further states that the provisions of Parts 1, 2, 4, 5, 7 and 8 apply to development described in Schedule 1 except where they conflict with any conditions specified in that Schedule.

Subclause 4 of Zone SD49 requires that the land is to be used and developed in accordance with the provisions of Zone C. As the provisions of Zone SD49 do not specify the residential density requirements, provisions of Clause 7.1.1 (Residential Density Limitations) provided in Part 4 of the NTPS were considered. The Authority noted that Clause 7.1.1 (Residential Density Limitations) of the NTPS specifies that residential development within Zone C (Commercial) should be at a maximum of 3 storeys above ground level with a density of 1 per 133m².

The Authority considered that there is a disparity between the density provisions provided under Clause 7.1.1 of the NTPS and the provisions outlined in Zone SD49. The Authority noted that the specific use zone provides for more intensive residential component than that offered by Zone C. It is apparent from the zone provisions related to the height of the development that 6 stories as against 3 stories provided under Clause 7.1.2 (Residential Height Limitations) of the NTPS, is accommodated.

The Authority noted that specific use zoning provisions reflect the land use policies of the Darwin Mid Suburbs Area Plan (DMSAP) for the locality which promotes a broad range of specific and general design considerations to achieve visually, environmentally and climatically appropriate development in suitable locations. The Authority considered that the development achieves a high level of compliance with the performance criteria of Zone SD49, including building setbacks, car parking numbers, parking layout, overall site landscaping. The design layout of residential buildings has taken particular cognisance of adjacent residential land uses along the eastern boundary, which is within Zone MR (Medium Density Residential). The Authority therefore is of the opinion that the density of the development is appropriate having regard to the purpose of the clause. The Authority noted that the applicant also shared similar views on this matter.

The Authority noted that Lot 9077 (47) Progress Drive, Town of Nightcliff has been approved for subdivision to create 5 lots through DP20/0102. While the application is lodged over Lot 09077, the three mixed-use buildings proposed in the application shall be located on separate cadastral parcels referred to on the subdivision plan as Lots B1, B2, and B3. The Authority also noted that for the purposes of demonstrating compliance with Zone SD49 and other relevant clauses of the NT Planning Scheme, the Development Assessment Services (DAS) assessment of the proposal is in the context of the subdivision plan approved under DP20/0102. The DAS assessment identified non-compliances with Clause 6.6 (Loading Bays) and Clause 7.6 (Communal Open Space) of the NTPS.

Clause 6.6 (Loading Bays)

The purpose of Clause 6.6 is to provide for the loading and unloading of vehicles associated with the use of the land. An office is required to provide 1 loading bay for every 2,000m² of the total net floor area. The clause also requires that:

A loading bay is to:

- be at least 7.5m by 3.5m;
- have a clearance of at least 4m; and
- have access that is adequate for its purpose.

The building proposed on Lot B1 provides one office tenancy for Non-Government Organisations (NGO) at ground level measuring 71m², and Buildings proposed on Lots B2 and B3 provide two office tenancies (in each building) at ground level measuring a total of 228 m² (164m² respectively). Therefore, each building requires one compliant loading bay with none provided in each building.

The Authority considered that, in this instance, the proposed office component is not conducive to the scale of large items transported by vehicles of a size which would constitute the need for a compliant loading bay. Furthermore, the deliveries are expected to be infrequent and of a scale more appropriate to van type deliveries than those requiring the dimensions given by subclause 3(a) of clause 6.6. The Authority noted that each building provides at least one surplus car park for the office component which could also serve as a loading bay. Therefore a condition is applied to the permit to require amended plans showing a loading bay in the office car park area of each building which is 5.5m long rather than 7.5m.

Together with the amended plans including at least 1 loading bay for the office component, the Authority varied the requirements for loading bays required by Clause 6.6, noting the special circumstances identified above.

While there is no requirement of a loading bay for multiple dwellings, Clause 9(a) of Zone SD49 requires one parking bay for service vehicles for each residential building. As each building also includes a residential component, therefore, each building requires one parking bay for a service vehicle.

The Authority noted that the assessment of each building against the parking provisions provided in the Zone SD49 shows that each building has surplus car parking (Building on Lot B1 has a surplus of 3 parking spaces and Buildings on lots B2 and B3 have a surplus of 9 parking spaces respectively). While the dimensions for service vehicle bay is neither provided in the zone nor in the NTPS, the Authority considered that the requirement of a service vehicle bay relates to a mini truck (similar to light rigid vehicle) which could be accommodated in the existing car parking provided in the development. The Authority, however, noted that the car parking spaces for the residential component are located within the secure fence area which could potentially create access issue. The Authority considered that as the deliveries for the residential component is also not expected to be frequent the loading bay provided for the commercial component can also serve the service vehicle bay requirement for the residential component. The Authority determined to require the applicant provide amended plans showing the inclusion of one loading bay/service vehicle bay (3.5m x 5.5m) conveniently located outside the secured car parking area for each building.

Clause 7.6 (Communal Open Space)

This clause requires 15% of site area, all with a minimum width of 6m, to be provided as communal open space. The clause also requires that the design of the communal open space should consider the overall dwelling density proposed for the site; the proximity and quality of alternative private or public open space; the need to clearly distinguish communal open space from private and public open space and the need to maintain the reasonable privacy of nearby dwellings; the type of activities provided; the projected needs of children for outdoor play; the provision of landscaping and shade; and safety issues including lighting and informal surveillance.

The assessment notes that the building on Lot B1 complies, however, non-compliance exists with the buildings proposed on Lots B2 and B3. The building proposed on Lots B2 and B3 provides only 75.53m² of compliant communal open space at ground level, which represents 2.18% of the site's area.

The applicant, in support of the proposed variation, states that the communal open space for the development has been designed with the end-user in mind. Specifically, this includes public housing tenants that include ageing people and people with various levels of disability.

The assessment notes that the design of each building presents a uniqueness by providing floor-wise communal area. Each floor of Buildings 2 and 3 (proposed on Lots B2 and B3) provides 3 one-bedroom apartments and 4 two-bedroom apartments. Therefore, the communal open space provided at each floor would primarily be used by the occupants of the floor. As the applicant has indicated that the housing tenants for these buildings include ageing people and people with various levels of disability; therefore, the provision of floor-wise communal space is more preferred and will be more useable. Another option is to alter the design and provide one large area of communal

open space. While it would comply with the requirements of the NTPS, it is less likely to be used by the occupants.

The communal open space provided at each level measures 8.2m x 5m. In terms of dimensions of communal open space at each level not meeting the 6m requirement, it is considered that the 1m reduced width of the communal open space is off-set by increasing the length by 2m. The landscape plan provided by the applicant shows that these areas will have landscaping and seating spaces; however, no BBQ and kids play area would be provided.

The Authority noted that the communal area provided at each level partly overlooks the public road, supporting passive surveillance of the precinct. Furthermore, the development of John Stokes Square Precinct incorporates the provision of over 10% of the site area as public open space, located within the road reserve created through subdivision approval DP20/0102. This open space is of a shape and size to be functional and meet the recreational needs of local residents.

Clause 6.19: End of Trip facilities in Zones HR, CB, C SC, and TC

The purpose of this clause is to ensure that new commercial and high density residential buildings provide sufficient, safe, quality and convenient end of trip facilities to enable active travel choices by residents, visitors, workers and customers for the proposed use of the site.

An office is required to provide 1 bicycle space for every 300m² of the net floor area and 1 shower space for up to 1500m² net floor area. As each building provides an office component less than 300m² there is a requirement of 1 bicycle parking space and 1 shower facilities in each building. A change room and locker is also required.

While bicycle parking facilities are provided in each building, there is no provision for shower facilities as required under the clause. The applicant provides the following with regard to the variation proposed:

- The proposal provides only minor office based uses specifically earmarked for Non- Government Organisations providing services to the public housing tenants.
- Our client does not consider the cost of providing facilities warranted given the nature of the use.

The Authority noted that the DAS report supported a variation to the clause as each tenancy would have their own facilities; therefore, communal shower and locker facilities in each building are not viewed as required within the scale of development.

The Authority considered that the location of bicycle parking spaces identified in each building was not appropriate from the safety point of view as they were located in public corridor areas. The Authority agreed to the DAS assessment that the size and nature of commercial tenancies are not conducive to high staff staffing and customers. But at the same time, the Authority was also of the opinion that a minimal level of such facility should be provided in the development. The Authority unanimously determined that 1 communal shower and 5 bike

storage facility (with lockers) would be sufficient to service the three buildings and is reflected on the permit as condition precedent requiring amended plans.

2. Pursuant to Section 51(e) of the *Planning Act 1999*, the consent authority must take into account any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application.

One public submission was received during the exhibition period under Section 49 of the *Planning Act 1999* with respect to the proposal. The submission was received from Mrs Fiona Douglas. The submitter raised concerns regarding traffic situation along Progress Drive, particularly at the Progress Drive/Phoenix Street roundabout junction. The submitter concerns that the left in, left out, access to the proposed development, without any access directly through to the Woolworths site would create traffic issues at the Progress/Phoenix intersection. The submitter suggests that a 2-way vehicular access through to Woolworths site will minimise the traffic issues.

As Mrs Douglas had sent her apologies for the DCA hearing, the Authority considered the submission in her absence. The Authority noted that the traffic concerns raised by Mrs Douglas in her submission had been considered previously in the subdivision approval granted under DP20/0102 and a condition precedent is also included on DP20/0102 to provide a detailed Traffic Impact Assessment (TIA) of the potential risk for a collision at the Progress Drive/Phoenix street roundabout, as a result of increased U-Turn movements, resulting from this subdivision. In addition to this, a general condition to carry out works recommended by the Traffic Impact Assessment is also included on the subdivision permit.

The Authority considered that the concerns raised by the submitter would be addressed after the TIA is approved by the Council and all works are carried out as per the requirements of Council. Mr Brian Sellers of City of Darwin at the hearing confirmed to the Authority that the TIA prepared for DP20/120 has been approved by the Council.

3. Pursuant to Section 51 (m) of the *Planning Act 1999*, the consent authority must consider the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose.

The application was circulated to the relevant authorities and comments received from these authorities are addressed by the inclusion of standard conditions and/or notations on the development permit.

At the hearing, the applicant requested the Authority delete the recommended condition precedent 2, which requires a traffic impact assessment for the site in accordance with the Austroads Document Guide to Traffic Management Part 12: Traffic Impacts of

Developments. The applicant stated that this requirement had been previously addressed under DP20/0102 and is therefore not relevant to the current proposal.

Mr Brian Sellers from City of Darwin, at the hearing, also confirmed to the Authority that a comprehensive TIA is not required for this development and request that a condition be amended to provide a traffic management plan. The Authority noted the applicant's and Mr Sellers's comments and amended the condition precedent 2 as per the City of Darwin requirements.

4. Pursuant to section 51(j) of the *Planning Act 1999*, the consent authority must take into consideration 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 as part of the assessment. The capability of the land has been previously considered through the subdivision and prior to that, the introduction of the specific use zoning. Comments received from service authorities have been addressed by recommended conditions on the permit.

5. Pursuant to section 51(n) of the *Planning Act 1999*, 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.

Amenity under Section 3 of the Act and Clause 3 of the NTPS is defined as:

“amenity” in relation to a locality or building, means any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable.

The impact on amenity should be considered in the context of the site and its surrounds, with the development being consistent with the broader intent of Zone SD49 and applicable clauses which promotes a broad range of specific and general design considerations to enhance the amenity of the area. The layout of residential buildings has taken particular cognisance of adjacent residential land uses, particularly along the eastern boundary, which is within Zone MR. The design of the buildings promotes passive surveillance by providing offices at ground level with large windows and doorways facing open space and positioning of balconies and windows to allow surveillance of the road and open space. The proposal comprises land uses contemplated by SD49 and the DMSAP. No incompatible land uses are proposed. The development will respond positively to the existing character.

ACTION: Notice of Determination

ITEM 3

PA2019/0085

RECONSIDERATION – CHANGES TO THE CAR PARKING AREA ASSOCIATED WITH AN EXISTING COMMERCIAL DEVELOPMENT (WOOLWORTHS)

LOT 7118 (47) CAVENAGH STREET AND LOTS 1515 & 1516 (7 & 5) SEARCY STREET, DARWIN CITY, TOWN OF DARWIN

APPLICANT/S

MasterPlan SA Pty Ltd

DAS tabled advice from City of Darwin dated 2 July 2020.

Mr Joe Sheridan (MasterPlan SA Pty Ltd) attended and tabled letter from ADG regarding access for persons with disabilities dated 2 July 2020.

Submitter -:Carpoalo Nominees represented by Northern Planning Consultants (Brad Cunningham).

Interested party in attendance:- Mr Will Zwar (NT News).

**RESOLVED
122/20**

That, pursuant to Section 46(4)(b) of the *Planning Act* 1999, the Development Consent Authority defer consideration of the application to develop Lot 7118 (47) Cavenagh Street, Lot 1515 (7) Searcy Street, and Lot 1516 (5) Searcy Street, Town of Darwin, for the purpose of changes to the car parking area associated with an existing commercial development (Woolworths), to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- plans from City of Darwin showing the detailed changes to Searcy Street required to support the proposal following its process of public consultation; and
- amended plans generally in accordance with the plans submitted with the application but modified to show the following:
 - a. compliance with Clause 6.3.3 and Clause 6.5.3 (g) of the NT Planning Scheme;
 - b. addition of wheel stops in the car parking bays adjacent to the new pedestrian link to Searcy Street; and
 - c. access for persons with disabilities is incorporated in the new pedestrian link through the car park to Searcy Street including reference to the relevant Australian Standards and design details such as surface treatments (tactile ground surface indicators), gradient, ramps to roadway or lower surface and dimensions to the new pedestrian access to provide access for all.

REASONS FOR THE DECISION

1. This an application for changes to the Woolworth's car parking area including a net addition of 24 parking bays to the existing car parking area and a new 2-way access point from/to Searcy Street. The proposal involves removal of houses from Lots 1515 and 1516 Searcy Street and utilisation of those Lots to provide access to Searcy Street for the Woolworths carpark. The Lots will be leased by Woolworths. It was initially deferred by the Authority on 18 October 2019 to enable the applicant to provide the following additional information for proper consideration of the application:

- a. Details of agreement between the applicant and City of Darwin regarding proposed traffic arrangements for Searcy Street. Consideration is also to be given for a potential exit from the car parking area onto Cavanagh Street;
- b. Provision of amended plans showing landscaping along the boundary of the site with Searcy Street consistent with subclause 6 of Clause 6.3.3 (Urban Design Requirements in Central Darwin) and subclause 3(g) of Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme. Any variations sought to these clauses must be clearly justified under Clause 2.5 (Exercise of Discretion by the Consent Authority) of the Scheme; and
- c. Provision of amended plans and/or details showing anticipated pedestrian movement within the car parking area with particular regards to pedestrian safety.

The above information was necessary as the City of Darwin did not support the proposed new access arrangements from Searcy Street to the new car park and non-compliances were identified in relation to Clause 6.3.3 (Urban Design Requirements in Central Darwin) and Clause 6.5.3 (Parking Layout) of the NT Planning Scheme. In addition, the original proposal lacked details regarding anticipated pedestrian movement within the car parking area from the Searcy Street.

Following the issue of Notice of Deferral, on 10 June 2020, the applicant provided the following to address the points of deferral.

- a. Response letter - outlining the applicant's response to the Notice of Deferral;
- b. Letter from City of Darwin - regarding the acceptance of proposed Searcy Street access; and
- c. Amended plans showing:
 - i. greater compliance with subclause 6 of Clause 6.3.3 (Urban Design Requirements in Central Darwin) and subclause 3(g) of Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme; and
 - ii. a dedicated pedestrian path from the main Woolworths entry through the proposed car park expansion and connecting to the Searcy Street frontage.

In addition to the above, during the assessment, further comments were received from City of Darwin regarding traffic and access from Searcy Street and a technical note from the applicant, prepared by ADG regarding compliance of the proposed car park with the Australian Standard related to access for persons with a disability. While submitters were invited to attend the reconsideration of the application, the applicant's further material was not available to them until it was uploaded to the public site two days before the meeting.

The application was reconsidered by the Authority at its meeting on 3rd July 2020. Only one submitter, Mr Cunningham, on behalf of Carpoalo Nominees, attended and referred to the lack of notice in relation to the new materials, in particular to the proposed works on Searcy Street to accommodate the changes to the carpark. The Authority noted that the applicant's response states that an in-principle agreement between the

parties (Proponent and Council) has been reached whereby Council will undertake the necessary road upgrades to Searcy Street to its specifications which will allow the new two-way access to the proposed car park from Searcy Street. These works include road widening, indented vehicle parking and associated service relocation works to facilitate the free flow of two-way vehicle traffic along the majority of Searcy Street. The applicant further states that one-way access from Smith Street/Searcy Street intersection and two-way access from Cavenagh Street/Searcy Street intersection are being pursued as part of proposed traffic arrangements on Searcy Street to facilitate the proposed access to the carpark.

The agreement between the applicant and the Council is described as “in principle”. The Authority questioned the City of Darwin representative, Mr Sellars, as to the processes involved in approving changes to Searcy Street and noted his response that detailed plans and design would be completed shortly and then put to public consultation before finalisation. The Authority also noted that the proposed traffic flow may mean that vehicles entering from Cavenagh St will be required to either do a U-turn or use the carpark to exit Searcy St. The Authority considers that its previous concern, that access arrangements to Searcy Street need to be resolved prior to the issue of any development permit because changes to the arrangements on Searcy Street may impact on the proposed crossover and layout of the carpark, remain until Council plans are finalised following its process of public consultation.

While upgrades and traffic management strategy in respect of Searcy Street are matters for the City of Darwin, the Authority notes that this is an unusual situation in that those changes are central to the present application. The applicant confirmed that if access to Searcy Street is not provided, the development will not otherwise proceed. The DAS Report further states that the primary purpose of the application is to improve vehicle access/egress to the existing development, thus improving the overall vehicle and pedestrian safety associated with the surrounding street network. The Authority was provided with an email from the City of Darwin, dated 2nd July 2020, advising that the Council has entered into an agreement with Woolworths to upgrade Searcy Street, but that no access to that street from the carpark will be permitted until the upgrade is complete.

Given that the proposed changes to Searcy Street are not yet finalised and still require public consultation by the Council, that this application is contingent on two-way access to Searcy Street which is also dependant on those proposed changes and that those changes may directly impact on the amenity of the locality as referred to Section 51(n) of the *Planning Act 1999*, the Authority considers that final details in respect of the City of Darwin proposed works and timing should be available to submitters to the carpark application for comment and further consideration by the Authority. The Authority therefore requires further details regarding upgrade to Searcy Street required to support the proposed access, including design plans, following public consultation by City of Darwin with affected land owners. It also requires that those details be provided to all submitters to enable their

further consideration and comment to ensure natural justice is afforded. The authority noted that the submitter (Mr Brad Cunnington) also raised similar concerns.

The Authority had previously referred to the applicant's Traffic Impact Statement which adopts traffic generation rates identified in the NSW Roads and Maritime Services' "Guide to Traffic Generating Developments" (the RMS Guide). On the basis of that guide, it identified relevant peak hour traffic generation as Friday 5pm to 6pm and Saturday mid-afternoon. In its Reasons for Deferral following the meeting on 18th October 2019, the Authority considered that, given the standard NT Public Service finishing time of 4.21 pm, that the period of 5 – 6pm cannot be considered a peak hour for traffic generation in the Darwin CBD. Nor is there any evidence to suggest that, given the conditions prevailing in the Darwin CBD, that Saturday afternoon could be considered a peak hour. The applicant did not address that issue directly but relied on the Council's acceptance of its data.

In relation to the compliance with Clauses 6.3.3 and 6.5.3 (g) the Authority noted that, whilst the applicant provided amended plans which shows a landscaped frontage along Searcy Street, the proposal still presents non-compliance with Clauses 6.3.3 and 6.5.3 as it is less than 3m from Searcy Street. Further, minimal details were provided to demonstrate screening of the car parking area or landscaping to lessen its visual impact.

The Authority noted that the special circumstances identified by the applicant for variation to the clauses relates to design rationale of the car park design which is of a higher standard than required by the NTPS. The Authority also noted that the Development Assessment Services report also supported the variation based on the applicant's response. However, the Authority's ability to waive compliance with Scheme requirements in this case is dependent on the discretion provided by subclause 3 of clause 2.5 of the Planning Scheme.

In *White & Ors v Development Consent Authority & Tomazos Property Pty Ltd ATF Tomazos Property Discretionary Trust* [2015] NTCAT 010 President Bruxner states that:

- The meaning of subclause 3 of clause 2.5 of the NTPS is well understood. In *Phelps v Development Consent Authority* [2009] NTSC 54 Kelly J relevantly noted:
- that 'special circumstances' are circumstances that are 'unusual, exceptional, out of the ordinary and not to be expected';
- that an holistic approach to the question is necessary, with each case to be considered on its merits, and with the decision maker alert to the fact that circumstances which by themselves might not be 'special' can, in combination with other circumstances, create a situation which overall gives rise to 'special circumstances';
- that there is also the need to determine, in an ordinary common-sense manner, whether there are circumstances which either individually or collectively can be considered to be 'special circumstances' justifying consent.

President Bruxner (*White & Ors v Development Consent Authority & Tomazos Property Pty Ltd ATF Tomazos Property Discretionary Trust* [2015] NTCAT 010) further discusses that:

- the need for an holistic approach to the application of clause 2.5 applies not only to the identification of circumstances said to constitute 'special circumstances' but also to the respects in which a proposed development does not comply with the NTPS. In other words, it is important to avoid an approach to clause 2.5 that involves piecemeal consideration of non-complying aspects of a development against particular 'special circumstances'. Although there will often be circumstances that are especially relevant to particular instances of non-compliance, the ultimate question must always be whether, in all the circumstances, there are special circumstances justifying the giving of consent to a development proposal that does not meet the requirements of Parts 4 and 5 of the NTPS.

The express purpose of Clause 6.3.3 is to promote exemplary urban design in Central Darwin and it specifically requires, in paragraph 6, that all car parking areas are screened so that they are not visible from the street or public spaces. Further, clause 6.5.3 states its purpose is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose with a specific requirement that it be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area. The argument that the internal configuration of the carpark otherwise exceeds the minimum requirements of the NTPS cannot be said to amount special circumstances within the terms of clause 2.5.3. The reasons presented by the applicant are not unusual, exceptional, out of the ordinary and not to be expected' so as to justify the consent.

2. Pursuant to section 51(p) of the *Planning Act 1999*, the consent authority must take into consideration the public interest, including access for persons with disabilities.

The amended plans submitted by the applicant included the addition of a new pedestrian path through the car park however details to demonstrate consideration of access for persons with disabilities was not clear. Reference to the relevant Australian Standards are required to be shown on the plans and design details included to reflect the standards to ensure the proposal will provide access for persons with disabilities.

ACTION: Notice of Deferral

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

SUZANNE PHILIP
Chair

10 July 2020

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These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it.
Reliance on these minutes should be limited to exclude uses of an evidentiary nature.