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**REPORT TO**      **PANEL SECRETARIAT**  
**WESTERN REGION JOINT REGIONAL PLANNING PANEL**  
**8 NOVEMBER 2012**

**FROM**              **SENIOR PLANNER (MORTELL)**

**DATE**              **6 DECEMBER 2012**

**ON**                  **DEVELOPMENT APPLICATION**  
**1501-1503 FOREST ROAD, ORANGE**  
**DEMOLITION (EXISTING WEATHERBOARD DWELLING/CAFE AND**  
**STEEL GARAGE), SUBDIVISION (5 LOT COMMUNITY TITLE) AND**  
**SENIORS HOUSING (RETIREMENT VILLAGE)**

**PR4073 - IC12/11712**

<b>Application Lodged</b>	23/08/2012
<b>Development Application No</b>	DA 284/2012(1)
<b>Plan No/s</b>	Plans prepared by Calder Flower Project No 12030 Drawings DA00 - DA12 Issue D and Job No S12-016 Drawings DA-LA01 and DA-LA02 Revision E and Plans prepared by Geolyse Project No 212084 Drawings 01E_E01-01E_E06 Revision K and Plans prepared by JHA Consulting Engineers Job Reference 2012093 Drawings E002 and unnumbered plan and Plans prepared by Abel & Brown Job No 2083 Drawings H1-H3 (total 25 sheets)
<b>Applicant</b>	Amplan Pty Ltd atf Amplan Trust 30 The Bond 30 Hickson Road MILLERS POINT NSW 2000
<b>Owner/s</b>	Amplan Pty Limited atf Amplan Trust C/- Level 4 - 111 Cecil Street SOUTH MELBOURNE VIC 3205
<b>Land Description</b>	Lot 142 DP 750401 - 1501-1503 Forest Road, Orange
<b>Proposed Land Use</b>	Demolition (existing weatherboard dwelling/cafe and steel garage), Subdivision (5 lot community title) and Seniors Housing (retirement village)
<b>Value of Proposed Development</b>	\$23,750,000.00
<b>Provisions of LEP 2011</b>	R1 General Residential Zone
<b>Details of Advertisement of Project</b>	Advertised in the <i>Central Western Daily</i> on Wednesday, 5 September 2012. Submissions closed on Tuesday, 18 September 2012.
<b>Recommendation</b>	Approval



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**EXECUTIVE SUMMARY**

The proposal involves construction of a 120 bed seniors housing nursing home, providing for a wide range of residents from low care through to those with acute dementia. The proposal also involves demolition of an existing weatherboard dwelling/shop on the site, and associated car parking, landscaping and stormwater management. The existing café is to be retained with some adaptation to relate to the overall site and one existing dwelling in the southwest corner is to be retained along with an existing outbuilding. The entire project is to be titled under a five lot community title subdivision (inclusive of the community lot).

A major issue with the proposal involves changes to the access intersection with Forest Road, a classified road. The change to the intersection is necessitated by the proposal and the access point is directly across the road from the Bloomfield Health Services access point. It is the opinion of both Council engineers and the Roads and Maritime Service that a signalised intersection, with associated pedestrian lights, is the appropriate response in this situation.

The proponent has acknowledged the need to resolve the intersection as part of the development. To this end the proponent has discussed and offered a Voluntary Planning Agreement under section 93F of the *Environmental Planning and Assessment Act 1979*. Council staff have advised that the terms of the VPA are acceptable and that Council would be willing to enter into the VPA subject to the standard public exhibition process.

The Voluntary Planning Agreement has been reviewed by Council staff and is considered to be acceptable. The VPA is attached to this report, and would require public exhibition for a period of 28 days. Notwithstanding this the application can be considered and determined with a deferred commencement condition requiring the two parties to enter into the VPA prior to commencement of the consent.

The development has a capital investment value of over \$20 million and therefore requires determination by the Western Region Joint Regional Planning Panel

**FINANCIAL IMPLICATIONS**

A preliminary estimate of the cost of the intersection upgrade is in the order of \$1,067,000. The proponent has offered \$800,250 towards this cost, in a staged fashion. This recognises that the intersection and traffic issues in the area generally are not solely related to this application and that Council would ultimately have needed to undertake some upgrade work in the area, but that this proposal is bringing forward those works.

Council's contribution to the intersection will therefore amount to \$266,750 which will be provided from the Strategic Asset Reserve.

**POLICY/GOVERNANCE IMPLICATIONS**

There are no policy or governance issues associated with this application.

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**RECOMMENDATION**

That the Western Region Joint Regional Planning Panel approve development application DA 284/2012(1) for *Demolition (existing weatherboard dwelling/cafe and steel garage), Subdivision (5 lot community title) and Seniors Housing (retirement village)* at Lot 142 DP 750401 - 1501-1503 Forest Road, Orange pursuant to the conditions of consent in the attached Notice of Approval.

**THE APPLICATION**

Approval is sought for the construction of a 120 bed seniors housing nursing home, associated car parking, landscaping, stormwater management, as well as alterations to an existing café, demolition of a weatherboard house and a 5 lot community title subdivision, inclusive of the community lot.

**THE PROPOSAL**

The proposal involves 3 components and retention of the former house. Firstly, the demolition of a steel shed associated with the existing café, secondly a 5 lot community title subdivision and thirdly construction of a 120 bed nursing home.

**MATTERS FOR CONSIDERATION**

Section 79C of the Environmental Planning and Assessment Act 1979 requires Council to consider various matters, of which those pertaining to the application are listed below.

**PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s79C(1)(a)(i)****Orange Local Environmental Plan 2011****Clause 1.2 - Aims of Plan**

The broad aims of the LEP are set out under subclause 2. Those relevant to the application are as follows:

- (a) *to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (c) *to conserve and enhance the water resources on which Orange depends, particularly water supply catchments,*

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**Clause 1.2 - Aims of Plan (cont)**

The application is considered to be consistent with these objectives on the basis that it provides an opportunity for residents to remain within the community as they age. This contributes positively to the social and economic character of Orange. The building design reflects a residential character, divided into clusters of smaller buildings rather than a single monolithic structure. Additionally, the stormwater management within the proposal seeks to reuse water to provide for landscaping and other non-potable functions, which in turn helps to reduce dependency on the city's water supply, as well as ensuring that stormwater runoff from the site is limited to pre-development levels.

**Clause 1.6 - Consent Authority**

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP. However, as the development has a capital investment value of over \$20 million the application requires determination by the Western Region Joint Regional Planning Panel.

**Mapping**

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned R1 General Residential
Lot Size Map:	No Minimum Lot Size
Heritage Map:	Not a heritage item or conservation area
Height of Buildings Map:	No building height limit
Floor Space Ratio Map:	No floor space limit
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Ground water vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies

These matters are addressed in detail in the body of this report.

**Part 2 - Permitted or Prohibited Development****Land Use Zones**

The subject site is located within the R1 – General Residential Zone. The proposed development is defined as Seniors Housing under OLEP 2011 and is permitted with consent for this zone. This application is seeking consent.

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**Objectives of the R1 General Residential Zone**

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure development is ordered in such a way as to maximise public transport patronage and encourage walking and cycling in close proximity to settlement.*
- *To ensure that development along the Southern Link Road has an alternative access.*

The proposal creates 120 beds of accommodation for a range of clients including low care through to acute dementia. This caters for the housing needs of part of the community, adds to the variety and density of accommodation forms. The site is located on a major local road and is situated across the road from the new base hospital and Bloomfield Health Services Facility. This will enable visiting specialists to attend both facilities in a single trip. Forest Road is intensifying in use, however a local bus service currently services the hospital, which may permit visitors to choose an alternative transport mode.

**Clause 2.7 - Demolition Requires Development Consent**

This clause triggers the need for development consent in relation to a building or work. This requirement does not apply to any demolition that is defined as exempt development.

The proposal involves demolition of a former dwelling and café and a steel shed currently associated with the existing café and the applicant is seeking the consent of council. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. Conditions may be imposed in respect of hours of operation, dust suppression and the need to investigate for, and appropriately manage the presence of, any materials containing asbestos.

**Clause 4.1 - Minimum Subdivision Lot Size**

This clause requires the subdivision of land to be equal to or greater than the size nominated for the land under the Minimum Lot Size Map.

In relation to this site, the map does not nominate a minimum lot size. The smallest lot proposed (under a community title arrangement) by the application is 1,040m<sup>2</sup> relating to the existing café. The proposal is therefore consistent with the minimum lot size provisions.

**7.1 - Earthworks**

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) *the effect of the development on the likely future use or redevelopment of the land*
- (c) *the quality of the fill or the soil to be excavated, or both*
- (d) *the effect of the development on the existing and likely amenity of adjoining properties*
- (e) *the source of any fill material and the destination of any excavated material*
- (f) *the likelihood of disturbing relics*

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**7.1 - Earthworks (cont)**

- (g) *the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) *any measures proposed to minimise or mitigate the impacts referred to in paragraph (g).*

The earthworks proposed in the application are limited to the extent of cutting and filling required for the nursing home construction and associated stormwater management. The extent of disruption to the drainage of the site is considered to not be excessive and has been designed with a retention dam to prevent stormwater runoff from exceeding the predevelopment levels, thereby protecting adjoining properties and receiving waterways.

The extent of the earthworks will not materially affect the potential future use or redevelopment of the site that may occur at the end of the proposed development's lifespan.

The site is not known to be contaminated. Excavated materials will be reused onsite as far as possible and conditions may be imposed to require that surplus materials will be disposed of to an appropriate destination.

The earthworks will be appropriately supported onsite and the change in ground level is not substantial. Therefore the effect on the amenity of adjoining properties is considered to be minor.

The site is not known to contain any Aboriginal, European or Archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered. However, conditions may be imposed to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.

The site is not in close proximity to any waterway, drinking water catchment or sensitive area. Conditions may be imposed to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries both during and after construction.

**7.6 - Groundwater Vulnerability**

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map. This requires that Council consider:

- (a) *whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) *the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

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**7.6 - Groundwater Vulnerability (cont)**

Furthermore consent may not be granted unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. Notwithstanding this, silt traps can be required during and after construction which would further limit any such discharge. The design and siting of the proposal has sought to avoid impacts on groundwater and is considered acceptable.

**REGIONAL ENVIRONMENTAL PLANS**

There are no Regional Environmental Plans that apply to the subject land.

**STATE ENVIRONMENTAL PLANNING POLICIES****State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

The SEPP applies to, and permits this form of development on any land where dwelling houses, residential flat buildings, hospitals, educational establishments, schools, places of public worship and the like are permissible. Notwithstanding that the LEP already permits the application under the land use table of the zone, The SEPP also establishes under clause 48 certain minimum criteria for various matters which override any equivalent local requirements.

***48 Standards that cannot be used to refuse development consent for residential care facilities***

*A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a residential care facility on any of the following grounds:*

- (a) ***building height:*** *if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or*
- (b) ***density and scale:*** *if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,*
- (c) ***landscaped area:*** *if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,*

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**SEPP (Housing for Seniors or People with a Disability) 2004 (cont)**

(d) ***parking for residents and visitors:*** *if at least the following is provided:*

- (i) *1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and*
- (ii) *1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and*
- (iii) *1 parking space suitable for an ambulance.*

**Note.** *The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.*

In this regard, the proposed development seeks to place the nursing home component on proposed lot 2, which is to be 22,020m<sup>2</sup>. While an exact floor space calculation has not been provided by the applicant the footprint of the building has been estimated, by tracing the floor plan and lot boundaries into a modelling program. This suggests the footprint will occupy 25.4%% of the site area of proposed lot 2. The design is predominately single storey with an upper floor approximately one third of the main floor and a smaller undercroft for services. Therefore even allowing for a reasonable margin of error the total floor space ratio is unlikely to exceed 0.5:1 of proposed lot 2.

Assuming the footprint estimate to be reasonably accurate the amount of landscaped area would be approximately 74.6% which would equate to over 16,000m<sup>2</sup> of landscaping or approximately 133m<sup>2</sup> of landscaping per residential care facility bed.

66 on-site parking spaces are provided primarily within proposed community Lot 1 (49 spaces) with the remainder located within proposed Lot 2. The application indicates that 14 of the spaces are to be provided "if required". Under the SEPP the parking requirements are:

120 residents (assuming no dementia cases) = 12 spaces

40 staff = 20 spaces

Existing 100m<sup>2</sup> café = 10 spaces

Total required 42 spaces, plus an ambulance space.

Given the location of the proposal on the periphery of the Orange urban area, and the increased reliance on private transport that this entails, it is considered prudent to include the 14 additional "if required" spaces in this application. While the SEPP precludes refusing the application on parking grounds, a condition could be imposed that a parking assessment be undertaken within 3 months of opening and then annually and a report of each assessment provided to Council. Should such an assessment find peak parking occupancy exceeds 90% of available spaces then the 14 "if required" spaces could be required to be constructed and made available within 3 months of such a finding.

**PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION s79C(1)(a)(ii)**

There are no draft environmental planning instruments that apply to the subject land or proposed development.



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**PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s79C(1)(a)(iii)****Development Control Plan 2004**

Development Control Plan 2004 ("the DCP") applies to the subject land. The relevant Planning Outcomes for chapter 7 include:

**PO 7.7-14 Planning Outcomes – Circulation Design**

- |   |   |
|---|---|
| 1 | Accessways and parking areas are designed to manage stormwater.   |
| 2 | Accessways, driveways and open parking areas are suitably landscaped to enhance amenity while providing security and accessibility to residents and visitors. |
| 3 | The site layout allows people with a disability to travel to and within the site between car parks, buildings and communal open space.                        |

The design incorporates appropriate landscaped parking areas that facilitate access and accommodate disabled parking. Stormwater runoff from the parking areas is included in the design approach to onsite stormwater management and reuse.

**PO 7.7-15 Planning Outcomes – Car Parking**

- |   |   |
|---|---|
| 1 | Parking facilities are provided, designed and located to: <ul style="list-style-type: none"> <li>- enable the efficient and convenient use of car spaces and accessways within the site;</li> <li>- reduce the visual dominance of car-parking areas and accessways.</li> </ul> |
| 2 | Car parking is provided with regard to the: <ul style="list-style-type: none"> <li>- number and size of proposed dwellings;</li> <li>- requirements of people with limited mobility or disabilities.</li> </ul>   |

Car parking satisfies the criteria of Part 15 of the Development Control Plan, and has been incorporated into the overall landscaping of the site.

**PO 7.7-17 Planning Outcomes – Opens Space and Landscaping**

- |   |  |
|---|--|
| 1 | The site layout provides open space and landscaped areas which : <ul style="list-style-type: none"> <li>- contribute to the character of the development by providing buildings in a landscaped setting;</li> <li>- provide for a range of uses and activities including stormwater management;</li> <li>- allow cost-effective management.</li> </ul> |
| 2 | The landscape design specifies landscape themes consistent with the desired neighbourhood character and vegetation types and location, paving and lighting are provided for access and security.   |
| 3 | Major existing trees are retained and protected in a viable condition whenever practicable through appropriate siting of buildings, accessways and parking areas.  |
| 4 | Paving is applied sparingly and integrated in the landscape design.  |

While the design does not provide individual private open space, there are various communal courtyards and landscaped gardens that provide a reasonable balance between resident amenity and the need to easily monitor and supervise residents.

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**Development Control Plan 2004 (cont)****PO 7.7-18 Planning Outcomes – Stormwater**

- |   |  |
|---|--|
| 1 | On-site drainage systems are designed to consider: <ul style="list-style-type: none"> <li>- downstream capacity and the need for on-site stormwater retention, detention and re-use;</li> <li>- scope for on-site infiltration of water;</li> <li>- safety and convenience of pedestrians and vehicles;</li> <li>- overland-flow paths.</li> </ul> |
| 2 | Provision is made for on-site drainage which does not cause damage or nuisance flows to adjoining properties.  |

The design includes an onsite dam for retention, which will provide water to the landscape irrigation systems. The landscaped areas provide infiltration opportunities and the extent of off-site runoff from overflow events will be less than pre-development levels.

**PO 7.7-19 Planning Outcomes – Erosion and Sediment Control**

- |   |   |
|---|---|
| 1 | Measures implemented during construction to ensure that the landform is stabilised and erosion is controlled. |
|---|---|

The proposal includes a retention dam in the northwestern corner of the site. This will act to prevent significant runoff and conditions have been imposed to ensure that any overflow from large rainfall events is distributed to prevent scouring.

**PROVISIONS PRESCRIBED BY THE REGULATIONS s79C(1)(a)(iv)****Demolition of a Building (clause 92)**

The proposal involves the demolition of a weatherboard house and shed. A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 1991: The Demolition of Structures*.

**Fire Safety Considerations (clause 93)**

The proposal does not involve a change of building use for an existing building.

**Buildings to be Upgraded (clause 94)**

Upgrading of the existing café building will be required to ensure the existing building is brought into partial or total conformity with the Building Code of Australia. Conditions are attached in relation to the required upgrading works.

**BASIX Commitments (clause 97A)**

BASIX requirements are not relevant to this form of development.

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**THE LIKELY IMPACTS OF THE DEVELOPMENT s79C(1)(b)**Traffic and Parking

The plans show a possible future road to the south. This will provide a connection point with the adjoining Department of Primary Industries site, which has already received concept plan approval under Part 3A. This is required because the RMS have a stated position that there should only be one connection to Forest Road in this area and therefore the two sites will need to have a relationship ensuring that whichever site has the connection will not stymie the development of the other.

The proposal was slightly amended to accommodate the design requirements of the RMS with respect to the signalised intersection. This has resulted in a minor reduction in the number of parking spaces originally proposed, however the application continues to provide more parking spaces than strictly required. Notwithstanding this, parking in the Forest Road area has become congested due to the opening of the new base hospital across the road from this site. Therefore, it is considered appropriate to require the optional overflow parking area to be constructed should operation of the facility reveal a practical shortage. A draft condition has been attached to this effect.

The café and associated car parking will be accessed via the new signalised intersection onto Forest Road. Therefore there is no need for the café to have direct access onto Forest Road itself, and a condition to prohibit such connections is proposed.

Stormwater Runoff

The design incorporates a dam into the lower north-western corner of the property, removed from the accommodation areas. All stormwater runoff is to be directed into this dam, which will then be used for landscape irrigation requirements. Combined with an on-site, 200kl below ground, rainwater tank this will result in runoff volumes being consistent with pre-development levels. However, by concentrating these volumes in the dam, overflow events will need to be dispersed widely to prevent scouring. This is readily achieved by way of conditions on the consent.

Visual impact

The proposal has been designed and sited so as to establish a park-like campus feel. The wings closest to the public road are to be single storey with service areas effectively screened from view to the rear. The landscaping plan provides appropriate screen planting and makes use of courtyards and other open areas on the site to create a relaxed and stimulating environment for residents. Setbacks to neighbouring properties ensure that the built form will not cause or contribute to potential privacy conflicts with surrounding residentially zoned land.

The development character of the area consists of large institutional buildings, with a high degree of articulation, in campus like surroundings. This proposal continues that emerging pattern and is consistent with the scale and settings of the established buildings.

Bulk and Scale

The building is a large, highly articulated structure. The design has responded well to the slope of the site such that when viewed from the south the building presents as a three storey structure, while to the north and east the building reads as single storey. The view from Forest Road is predominantly single storey, with a generous setback and considerable landscaping between the structure and the public realm. Accordingly the design has responded well to the issue of bulk and scale providing a highly articulated and detailed façade in all directions which create visual interest to the development.

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**THE SUITABILITY OF THE SITE s79C(1)(c)**

The site is zoned R1 General Residential and Seniors Housing is development permitted with consent.

The site is able to be provided with reticulated all services. The topography of the site exhibits a slight fall to the northwest but with a slope of approximately 1:26 does not unduly hinder the proposal. The site history does not indicate any potential land contamination from previous developments.

Direct vehicular and pedestrian access is available via the proposed access intersection on Forest Road. The Roads and Maritime Service have provided advice supporting the proposed intersection subject to the signal design meeting their requirements.

**ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s79C(1)(d)**

The proposed development is defined as "advertised development" under the provisions of the LEP. The application was advertised for the prescribed period of 14 days and at the end of that period two submissions had been received. One from the owner of the adjoining land to the north and the other from the Roads and Maritime Service.

Adjoining owners concerns

Potential for stormwater overflow onto adjoining land. This has been adequately addressed through the implementation of a retention basin dam in the north-western corner and may be reinforced through appropriate conditions to ensure that overflow events are properly managed to prevent scouring of the neighbour's land. In this regard the level of runoff is expected to be equal to or below pre-development levels.

Roads and Maritime Service Concerns

RMS advise of in principle support for the signalling of the intersection, noting that RMS approval for the signals will be required. Further advice on the design requirements of the intersection has been provided and it is considered that RMS approval will be obtainable.

**PUBLIC INTEREST s79C(1)(e)**

The proposed development is considered to be of direct benefit to the wider public due to enabling residents the opportunity to age in place, without leaving the Orange community. This enables residents to maintain existing family and social connections leading to an improved quality of life.

**SUMMARY**

The proposed development is permissible with the consent of Council. The applicant has adequately demonstrated that the proposed development complies with the relevant aims, objectives and provisions of the LEP. A section 79C assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

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**COMMENTS**

The requirements of the Environmental Health and Building Surveyor and the Engineering Development Manager are included in the attached Notice of Approval.

Craig Mortell

**SENIOR PLANNER**

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