

## OPEN AGENDA

Copy No:

No: 09/2022

### **Memorandum for Governor in Council**

**Open/Closed Session:** Open Session

**Subject:** DEVELOPMENT APPLICATION 2022/67:

Proposed Demolition of Existing Toilets and Temporary Siting of Containerised Toilet Block at the Lower Wharf, Jamestown

**Presented by:** Minister for Environment, Natural Resources and Planning Portfolio

**Decision Sought:**

Governor in Council is asked to consider and advise whether Full Development Permission should be granted, with Conditions, as recommended for the Proposed Demolition of Existing Toilets and Temporary Siting of Containerised Toilet Block at the Lower Wharf, Jamestown

**Reason for Referral**

The Development Application is being referred to Governor in Council in accordance with the Direction issued under section 23(1) of the Land Development Control Ordinance 2013 which requires all applications within fifty metres of the sea to be referred to Governor in Council (unless specific exclusions apply).

**Comments of Land Development Control Authority**

At the 3<sup>rd</sup> November 2022 meeting of the Land Development Control Authority (the Authority), considered the Planning Officer's Report on the development application seeking FULL Development Permission. The report to the Authority is included as an Annex to this Report and sets out the relevant factors in relation to this application.

The Authority agreed with the Planning Officer's recommendation to grant permission for the proposal which is considered to comply with the relevant policies in the Land Development Control Plan 2013, including Built Heritage, Intermediate Zone and Tourism policies.

The Land Development Control Authority therefore recommends Governor in Council grant development permission subject to the conditions in the annexed report.

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### **Comments of Minister for ENRP**

The existing condemned toilet block is not a historic building (being constructed of concrete blocks, slab and rendered), and would be expensive to repair as the whole building needs to be rebuilt from below the cracks in the wall. The proposal is temporary which allows a longer-term solution to be developed which could potentially enhance the conservation area further.

The container complies with the Policy on Siting and use of containers and is being used to provide temporary public conveniences for up to 3 years, rather than for storage purposes.

It is noted that the new containerised toilet block will provide disabled access.

It is recommended that condition 7 on the Planning Officer's Report is amended to include the following (**Bold**) text:

**Roof Water Practices:** No Roof Water or other Surface Water shall be connected to or directed to any foul drain. Roof water shall be piped to storage tanks of minimum capacity 450 litres with overflow piped to an appropriate area **or emptied on a regular basis.**

**Reason:** To ensure appropriate provision for storm water in accordance with LDCP Policy SD1.

**17 November 2022**