

From: [EPD, Customer Services](#)
To: [Moore, FionaF](#); [Davies, Richard](#)
Cc: [Snowden, David](#); [Craig-Barry, Matt](#); [Cilliers, George](#); [Wood, Maria](#)
Subject: RE: Signage poor [SEC=UNCLASSIFIED]
Date: Thursday, 15 September 2016 3:47:32 PM
Attachments: image1.jpg
image2.jpg
image3.jpg
image4.jpg

Good afternoon

Justin has attended the site and rectified the signage.

Kind Regards

Angelina Aloisi

Team Leader - Notification Team

Phone 02 6207 7912

**Customer Services | Access Canberra
Environment, Planning and Land**

16 Challis Street, Dickson

GPO Box 158 Canberra ACT 2601

Access Canberra brings together customer and regulatory services

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From: EPD, Customer Services
Sent: Thursday, 15 September 2016 2:29 PM
To: Moore, FionaF; Davies, Richard
Cc: Snowden, David; Craig-Barry, Matt; Cilliers, George; Wood, Maria
Subject: RE: Signage poor [SEC=UNCLASSIFIED]

Good afternoon

I have asked the contractor to attend the site and fix the signage. I have asked that he provide confirmation photos when this occurs. I will advise once this is done.

Kind Regards

Angelina Aloisi

Team Leader - Notification Team

Phone 02 6207 7912

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From: Moore, FionaF
Sent: Thursday, 15 September 2016 9:06 AM
To: Davies, Richard
Cc: Snowden, David; Craig-Barry, Matt; Cilliers, George; Wood, Maria
Subject: RE: Signage poor [SEC=UNCLASSIFIED]

Good morning Richard,

Access Canberra has been contacted regarding DA signage at 2 Fitzroy Street, Forrest - please see original email below and request from Access Canberra to fix the signage.

For your action please.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au/heritage

From: Craig-Barry, Matt
Sent: Thursday, 15 September 2016 8:33 AM
To: Moore, FionaF
Cc: Snowden, David
Subject: FW: Signage poor [SEC=UNCLASSIFIED]

Hi Fiona,

Is there any chance that the signage people re-attend 2 Fitzroy Street to fix the signage please.

Kind Regards

Matt

Matt Craig-Barry | Senior Manager | Enforcement

Phone: 02 6205 4284 | Mobile: 0434 851 138 | Email: matt.craig-barry@act.gov.au

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



Connect directly with WorkSafe ACT on: [WorkSafe ACT](#) | [Twitter](#)

Sent: Thursday, 15 September 2016 7:56 AM

To: Snowden, David; Craig-Barry, Matt

Cc: [REDACTED]

Subject: Signage poor

Hello

Please note like last time signage for the DA is hidden and poorly erected and hence fallen over bad unlikely to be addresses.

[REDACTED] also has photos to demonstrate this happened yesterday.

We ask this be addressed this morning noting signage went up three days late in the first instance.

Thank you
[REDACTED]

From: [Moore, FionaF](#)
To: [Harrison, Kate](#)
Cc: [Russell, Meaghan](#)
Subject: FW: Letters re 2 Fitzroy Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 14 September 2016 2:36:23 PM
Attachments: 20160908160329143.pdf
20160908160305925.pdf

For file please.

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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www.environment.act.gov.au/heritage

From: Craig-Barry, Matt
Sent: Wednesday, 14 September 2016 2:22 PM
To: Moore, FionaF
Subject: FW: Letters re 2 Fitzroy Forrest [SEC=UNCLASSIFIED]

Good afternoon Fiona,

As requested, please find attached the correspondence regarding 2 Fitzroy Street, Forrest.

Kind Regards

Matt

Matt Craig-Barry | Senior Manager | Enforcement

Phone: 02 6205 4284 | Mobile: 0434 851 138 | Email: matt.craig-barry@act.gov.au

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



Connect directly with WorkSafe ACT on: [WorkSafe ACT](#) | [Twitter](#)

From: Cubin, Derise
Sent: Thursday, 8 September 2016 4:29 PM
To: Craig-Barry, Matt; Snowden, David
Subject: FW: Letters [SEC=UNCLASSIFIED] re 2 Fitzroy Forrest

Hi all

Louise has emailed these letters out today

Regards Derise

Derise Cubin | Deputy Director | Compliance and Enforcement

Phone: 02 6205 3732 | m: 0408413719 | e: derise.cubin@act.gov.au
Access Canberra | ACT Government
<http://www.act.gov.au>




From: Hilder, Louise
Sent: Thursday, 8 September 2016 3:20 PM
To: Cubin, Derise
Subject: Letters [SEC=UNCLASSIFIED]

Afternoon Derise,

Please find attached signed letters to [REDACTED] for your reference.

Regards,

Louise Hilder | Executive Assistant | Transport Regulation

 02 6205 0096 | Email: Louise.Hilder@act.gov.au
Office of Regulatory Services | Access Canberra | ACT Government
Level 2, Dickson Motor Registry | 13-15 Challis Street DICKSON ACT 2602



From: [tomislav](#)
To: [Russell, Meaghan](#)
Cc: [Moore, FionaF](#)
Subject: Re: 2 Fitzroy street Forrest driveway [SEC=UNCLASSIFIED]
Date: Tuesday, 13 September 2016 5:16:36 PM

I'm not asking for da advice I want to replace my driveway.

Currently is old broken pavers and I want to replace with concrete. Is concrete acceptable?

Regards

Tomislav Kasunic

On 13 Sep 2016, at 5:00 PM, Russell, Meaghan <Meaghan.Russell@act.gov.au> wrote:

Hello Tomislav,

Thank you for the email.

On 7 September 2016, a DA for planned works within Block 8, Section 35, Forrest was referred to the ACT Heritage Council for review – with DA plans setting out the proposed asphalt/broom finish concrete driveway in natural grey. As these plans have been formally referred, they will be reviewed and a formal ACT Heritage Council response will be provided to the ACT planning and land authority by 28 September 2016, in accordance with the provisions of the *Planning and Development Act 2007*.

At the time of our response to the ACT planning and land authority, Kate Harrison will also call you to discuss the advice provided by the ACT Heritage Council on the matter. Please also note that, as our formal advice is not due until 28 September, the phone call may not be made until that time.

Regards,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

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www.environment.act.gov.au

<image001.png>

From: tomislav [REDACTED]
Sent: Tuesday, 13 September 2016 7:09 AM
To: Russell, Meaghan
Subject: Re: 2 Fitzroy street Forrest driveway [SEC=UNCLASSIFIED]

Hi Megan,

Any progress on your advice in relation to the concrete driveway?

Regards

Tomislav Kasunic

On 7 Sep 2016, at 10:12 AM, Russell, Meaghan <Meaghan.Russell@act.gov.au> wrote:

Hello Tomislav,

Thank you for your email, and we will review and provide a response this week.

Regards,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra
ACT 2601

www.environment.act.gov.au

<image002.png>

From: tomislav [REDACTED]
Sent: Wednesday, 7 September 2016 8:04 AM
To: Russell, Meaghan
Subject: Fwd: 2 Fitzroy street Forrest driveway

Hi Megan,

In Kate's absence are you able to assist?? Please see below.

Regards

Tomislav Kasunic

Begin forwarded message:

From: tomislav [REDACTED]
Date: 7 September 2016 at 7:50:28 AM AEST
To: "Harrison, Kate" <Kate.Harrison@act.gov.au>
Subject: 2 Fitzroy street Forrest driveway

Hi Kate,

I am in the process of re landscaping the front and would like to use oxide black concrete for the driveway in a broom finish. Does this require heritage assessment?

Kind Regards,

Tomislav Kasunic |

Project Manager

<image003.jpg>



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From: [Cubin, Derise](#)
To: [Moore, FionaF](#)
Cc: [Simmons, Craig](#); [Jones, Greg](#); [Craig-Barry, Matt](#); [Carmichael, Tony](#)
Subject: RE: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED] [SEC=UNCLASSIFIED]
Date: Thursday, 8 September 2016 11:59:50 AM

Hi Fiona

Thank you very much for your comments , we are happy to accept all

Kind regards

Derise

Derise Cubin | Deputy Director | Compliance and Enforcement
Phone: 02 6205 3732 | **m:** 0408413719 | **e:** derise.cubin@act.gov.au
Access Canberra | **ACT Government**
<http://www.act.gov.au>



From: Moore, FionaF
Sent: Thursday, 8 September 2016 11:51 AM
To: Cubin, Derise
Cc: Simmons, Craig; Jones, Greg; Craig-Barry, Matt; Carmichael, Tony
Subject: RE: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED] [SEC=UNCLASSIFIED]

Good morning Desire,

Thank you forwarding the draft response for our comment. I have included our comments via track changes in the attached.

Regards,

Fiona Moore | A/g Manager
Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au/heritage

From: Cubin, Derise
Sent: Wednesday, 7 September 2016 4:54 PM
To: Moore, FionaF; Carmichael, Tony
Cc: Simmons, Craig; Jones, Greg; Craig-Barry, Matt
Subject: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED] [SEC=UNCLASSIFIED]

Dear Tony and Fiona

Please find attached a draft response letter from Access Canberra to [REDACTED] re Fitzroy Street Forrest.

We would appreciate your attention to this and for any comments you may have.

We are aiming to send this to [REDACTED] tomorrow.

Kind regards

Derise Cubin | Deputy Director
Compliance and Enforcement
Phone: 02 6205 3732 | m: 0408413719 | e: derise.cubin@act.gov.au
Access Canberra | ACT Government
<http://www.act.gov.au>



From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: RE: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED] [SEC=UNCLASSIFIED]
Date: Thursday, 8 September 2016 10:24:03 AM
Attachments: 20160907 Letter to [REDACTED] 2 Fitzroy Street FORREST_ACT Heritage.doc
image002.png

Hi Fiona,

Attached are my thoughts, with some minor amendments.

I do think it would be appropriate for David to attend the meeting, as while the planning approvals status is being resolved, the core issues raised in original correspondence is the effect of the work on the heritage significance of the precinct – and Access Canberra reps would not be able to speak to this.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

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www.environment.act.gov.au



From: Moore, FionaF
Sent: Thursday, 8 September 2016 9:05 AM
To: Russell, Meaghan
Subject: FW: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED] [SEC=UNCLASSIFIED]
Importance: High

FYI – can you please also review and add any further comments as necessary. Compliance and Enforcement want to issue this today.

Thanks,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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www.environment.act.gov.au/heritage

From: Cubin, Derise
Sent: Wednesday, 7 September 2016 4:54 PM
To: Moore, FionaF; Carmichael, Tony
Cc: Simmons, Craig; Jones, Greg; Craig-Barry, Matt
Subject: 2 Fitzroy Street - draft Access Canberra response letter to [REDACTED]
[SEC=UNCLASSIFIED]

Dear Tony and Fiona

Please find attached a draft response letter from Access Canberra to [REDACTED] re Fitzroy Street Forrest.

We would appreciate your attention to this and for any comments you may have.

We are aiming to send this to [REDACTED] tomorrow.

Kind regards

Derise Cubin | Deputy Director
Compliance and Enforcement
Phone: 02 6205 3732 | **m:** 0408413719 | **e:** derise.cubin@act.gov.au
Access Canberra | ACT Government
<http://www.act.gov.au>



From: [EPD Customer Services](#)
To: [Heritage Referrals](#)
Subject: REFERRAL-HERITAGE-201630153-8/35 FORREST-01 [SEC=UNCLASSIFIED]
Date: Wednesday, 7 September 2016 9:40:38 AM
Attachments: ObjRef.obr

NOTE FOR REFERRAL – FORREST FIRE STATION PRECINCT

DEVELOPMENT APPLICATION NO: 201630153
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description - **PROPOSAL FOR DWELLING ALTERATIONS AND ADDITIONS - Construction of new office to the rear of existing dwelling.**

Pursuant to Section 148(1) of the *Planning and Development Act 2007* the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice **(28/09/2016)**.

In accordance with Section 150 of the *Planning and Development Act 2007* If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services
EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20140XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-TAMS-201401234-10/10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

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From: [Rake, Gary](#)
To: [Moore, FionaF](#); [Carmichael, Tony](#)
Subject: RE: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]
Date: Monday, 5 September 2016 11:32:28 AM

Thanks Fiona.

The letter to [REDACTED] is good...no problems there. Thanks.

Thanks also for passing it to Matt. It would be really good to keep closely involved in discussions with Matt on Access Canberra's next steps. [REDACTED] will look closely for any inconsistencies in our approach – so we need to demonstrate a closely joined-up approach across ACTG on this one.

Regards
Gary

From: Moore, FionaF
Sent: Friday, 2 September 2016 3:38 PM
To: Rake, Gary; Carmichael, Tony
Subject: RE: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Hi Gary,

Copy of the advice attached. I have spoken with Matt Craig-Barry this afternoon and he has a copy of this advice.

Regards,

Fiona Moore | A/g Manager
Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au/heritage

From: Rake, Gary
Sent: Friday, 2 September 2016 3:08 PM
To: Moore, FionaF; Carmichael, Tony
Subject: Fwd: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Fiona, as a letter of some urgency, could impressed have a copy of the advice we sent [REDACTED]

Rgds
G

Gary Rake | Deputy Director-General | **Active Travel Coordinator-General & Parking**

Coordinator-General

Ph 6207 7248 | Mob [0419 139 648](tel:0419139648)

Environment and Planning Directorate | **ACT Government**

Dame Pattie Menzies House, Dickson | GPO [Box 158 Canberra ACT 2601](mailto:Box158@act.gov.au)

www.environment.act.gov.au

Sent from my iPhone, so please excuse brevity and the occasional typo or auto correct error

Begin forwarded message:

From: "Peffer, Dave" <Dave.Peffer@act.gov.au>

Date: 2 September 2016 at 3:00:55 PM AEST

To: "Rake, Gary" <Gary.Rake@act.gov.au>

Subject: Fwd: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Begin forwarded message:

From: "Peffer, Dave" <Dave.Peffer@act.gov.au>

Date: 1 September 2016 at 9:06:33 PM AEST

To: [REDACTED]

"Craig-Barry, Matt" <Matt.Craig-Barry@act.gov.au>

Subject: RE: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Hi there [REDACTED]

Thank you for your follow up email.

I'm currently working in another agency, but I've spoken with Matt and I know that our team has this matter on their to-do list.

Without knowing the details of the approvals you're talking about, it's hard to comment specifically. But you might recall Matt and I mentioned at our coffee catch up that our role is not simply to enforce by issuing infringements and stop work notices.

Where the builder secures the right approvals – and undertakes compliant work (I'm not sure if that's what's happened here), but from our perspective, that's a good outcome. Our goal is compliance, not enforcement. And compliance can sometimes be secured

different ways.

We don't see all of the approvals issued by other arms of government. So the first we sometimes become aware of them is when we investigate a possible breach. I suspect that is what may have happened here.

Anyway I know we've had multiple inspectors out in the last week to investigate and the team can relay any findings back to you from those visits.

We'll look to finalise the listing we discussed on the phone as soon as possible.

Dave

From: [REDACTED]
Sent: Thursday, 1 September 2016 3:57 PM
To: Peffer, Dave; Craig-Barry, Matt
[REDACTED]
Subject: FW: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Matt and Dave

This is quite frankly outrageous.

We have been liaising with you in good faith and yet we have had to find out through heritage that there have been approvals happening under the radar while we wait for you to respond to queries we provided back in May (and guaranteed back in May that the garage would be behind the boundary fence) and we still have outstanding complaints more than 12 months old.

Given the current construction works it is hard to imagine that you will 'enforce' the removal of the air-conditioning unit or enforce that the water tank is a water tank, let alone the removal of the rooftop garden.

This is one of the best examples of interwar functionalist architecture in Australia and the ACT Government - Access Canberra - is allowing it to be ruined and impact the amenity of those living nearby.

We have waited patiently for responses to queries that do not come and it is very disappointing given the faith we have shown you in resolving the many issues we have discussed.

In addition the ACT Government has prevented the sale of a property in the same block for having glass doors installed as their only breach.

Can we please have the update that was promised last night, plus the status update promised in relation to our queries so that we can proceed with meeting with the owner.

thank you



From: Heritage [<mailto:Heritage@act.gov.au>]

Sent: Thursday, 1 September 2016 13:31



Subject: ACT Heritage correspondence - Works at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Attention:



Please find attached correspondence from ACT Heritage, in response to your 30 August 2016 report of works being undertaken at 2 Fitzroy Street (Block 8, Section 35, Forrest).

Regards,

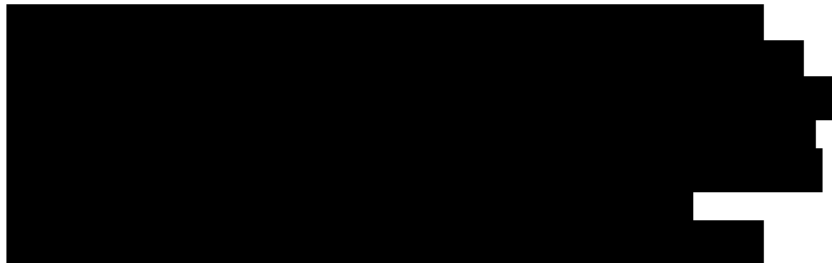
ACT Heritage

Environment and Planning

Dame Pattie Menzies House, Dickson

GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



From: [Heritage](#)
To: [Russell, Meaghan](#)
Subject: FW: Heritage question in relation to DA201528116 2 Fitzroy Street Forrest, Block 8 Section 35 Forrest - building works in breach [SEC=UNCLASSIFIED]
Date: Tuesday, 30 August 2016 10:45:52 AM
Importance: High

Hi Meaghan

For your attention and action please.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning Directorate | ACT Government

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www.environment.act.gov.au/heritage

From: [REDACTED]
Sent: Tuesday, 30 August 2016 10:05 AM
To: Heritage
Cc: [REDACTED]
Subject: Heritage question in relation to DA201528116 2 Fitzroy Street Forrest, Block 8 Section 35 Forrest - building works in breach [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Hello

I am writing [REDACTED]
[REDACTED] about a heritage concern with works being conducted at No2.

Last year they had approval through DA201528116 to construct a car port to the side of the frontage on Fitzroy Street. The original plans were adjusted to take into considerations concerns raised by the Heritage Unit at the time - this required the car port to not be attached to the side of the house and that it remain behind the front of the property as per the Heritage Listing at *20015 Forrest Fire Station Precinct Section 35 Blocks 2-10& 12*.

Current building work is in breach of the approved DA and is protruding to the front of this beautiful heritage building.

The relevant information we believe from the heritage listing is highlighted below:

Building including alterations and additions

a) External alterations and additions to the existing dwellings shall be consistent with the existing landscape and streetscape values and reflect and complement the architectural style of the original dwellings. This includes alterations to external finishes and changes including painting and adding or removing rendering.

b) No dwellings or structures shall be erected between the front boundary and a line drawn along the entrance side of the forward most

building and then directly to the closest point on the nearest side boundaries.

c) Minor external alterations and additions may be permitted to the front of the building where the Heritage Council is satisfied that the proposed work will not adversely affect the significance of the place.

d) External alterations and additions may be permitted only to the sides and rear of buildings and only if the additions are set back 0.5m from the existing front of the building.

e) The original building form is to remain dominant.

f) The roof pitch, walls, materials, window types and materials, shall be as similar to the existing dwellings as is feasible.

g) No front courtyard walls shall be permitted.

h) Requirement (iii) (d) above does not apply where the block has two apparent street frontages (i.e. outside corner blocks).

(b) is currently occurring despite the agreed DA and previous comment by the Heritage Unit, (c) the Heritage Unit already expressed concerns with the original submitted plans and asked for these to be amended, the current works protrude significantly from the front of the building, (d) the proposed works do not meet this, (e) the current works will make it very difficult to for the original building form to remain dominant.

No other corner blocks have attempted to do works in front of the original building, particularly since the heritage listing of 2004. While there is (h) in the listing we note that the clear frontage of the building is facing Fitzroy Street and any changes to this impacts the streetscape of the entire listing including our own heritage listed houses.

It is a shame if this work is allowed to proceed. Since the value of this site has been recognised with the listing everyone other than No2 has strived to preserve this unique block. And as you are aware the significance of the Fire Station precinct is that it is a rare example of inter-war functionalist architecture with the buildings considered important examples of Australian Early Modern Architecture. The precinct is the last remaining example of Government sponsored functionalist residential architecture in Canberra and therefore well worth preserving. As the value of our limited heritage is being increasingly recognised in the ACT we hope that sense will prevail to stop this work proceeding further.

We hope that you can assist in this matter of great heritage significance.

thank you

[REDACTED]

[REDACTED]

From: Moore, FionaF
To: [Roberts, Linda](#)
Cc: [Russell, Meaghan](#)
Subject: RE: Heritage question [SEC=UNCLASSIFIED]
Date: Tuesday, 30 August 2016 8:50:00 AM

Hi Linda,

[REDACTED] should be directed to Access Canberra or heritage@act.gov.au

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au/heritage

From: Roberts, Linda
Sent: Tuesday, 30 August 2016 8:49 AM
To: Moore, FionaF
Subject: FW: Heritage question [SEC=UNCLASSIFIED]

Hi Fe

For your attention.

L

From: [REDACTED]
Sent: Monday, 29 August 2016 8:43 PM
To: Roberts, Linda
Subject: Heritage question

hello Linda

[REDACTED]

Secondly, I am writing with a heritage question - whom do I write to with a heritage complaint? It use to be Pamela Hubert but I think she has moved on.

[REDACTED] has done several questionable things but is currently breaching the approved DA and building a garage extension in front of the facade of his house. We are in the fire station precinct in Forrest.

The approved DA confirmed it had to be set back 0.5m as per the listing and not be attached to the house.

We'd like to have this stopped before it proceeds any further. I have attached a couple of photos.

Thanks
[REDACTED]

From: [Craig-Barry, Matt](#)
To: [Moore, FionaF](#)
Subject: RE: 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 17 August 2016 3:54:14 PM

Hi Fiona,

Thank you so much for taking the time to prepare these points for me. I really appreciate your input.

Have a wonderful afternoon.

Kind Regards
Matt

Matt Craig-Barry | Senior Manager | Enforcement
Phone: 02 6205 4284 | Mobile: 0434 851 138 | Email: matt.craig-barry@act.gov.au
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



Connect directly with WorkSafe ACT on: [WorkSafe ACT](#) | [Twitter](#)

From: Moore, FionaF
Sent: Wednesday, 17 August 2016 3:52 PM
To: Craig-Barry, Matt
Subject: RE: 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Hi Matt,

Thank you for forwarding the agenda. As advised yesterday, one role of ACT Heritage, EPD, is to provide advice and assistance to heritage property owners about conservation and architectural advice in relation to proposed works and development. This also includes the provision of advice of the ACT Heritage Council.

Please find below dot points outlining recent heritage considerations relating to Block 8 Section 35, Forrest.

- Block 8 Section 35, Forrest is a heritage registered place, located within the Forrest Fire Station Precinct.
- A copy of the registration, and applicable guidelines, is available at: http://www.environment.act.gov.au/_data/assets/pdf_file/0008/148364/405.pdf
- A Development Application for a small side addition to the existing dwelling and construction of a carport was supported by the ACT Heritage Council (the Council), and approved by the planning and land authority, in late 2015.

- On 27 May 2016 the Council issued advice supporting the construction of an extension to the approved carport and erection of a shade structure on the rooftop of the existing dwelling.
- On 8 June 2016, preliminary plans for a rear and side addition to the existing dwelling were submitted to the Council for advice.
- The Council conducted site visits of the property and recommended some revisions to the proposal submitted on 8 June 2016. The recommended revisions included revision of window proportions/design to better reflect the solid to void ratio of the existing building; provision of increased set back of the first floor addition above the garage to increase dominance of the original dwelling and retain visibility of original building features; revisions to the carport and entry gate to ensure that the structure will read as an open element in the streetscape.
- The Council has since received revised drawings (dated 17 August 2016) addressing all concerns outlined in previous heritage advice and is satisfied that the proposed works are consistent with the Requirements for Conservation of the Forrest Fire Station Precinct (the Guidelines).
- Due to the scale of the proposed development (drawings dated 17 August 2016) a Development Application for the works should be submitted to the planning and land authority.

General information about development at a heritage sites can be found at:

<http://www.environment.act.gov.au/heritage/development-at-heritage-sites>

General information about ACT Heritage and the ACT Heritage Council can be found at:

<http://www.environment.act.gov.au/heritage/about-us>

Happy to discuss if required.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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www.environment.act.gov.au

From: Craig-Barry, Matt

Sent: Wednesday, 17 August 2016 9:14 AM

To: Moore, FionaF

Subject: 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]

Importance: High

Hi Fiona,

Thank you for your time yesterday.

I have attached a copy of the agenda for this meeting.

I would appreciate as much information as possible to assist me in addressing the issues raised by the complainants.

I understand that ACT Heritage engages with the builder to provide direction to them and not to community groups.

Kind Regards

Matt

Matt Craig-Barry | Senior Manager | Enforcement

Phone: 02 6205 4284 | Mobile: 0434 851 138 | Email: matt.craig-barry@act.gov.au

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GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



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From: [Russell, Meaghan](#)
To: [Moore, Fiona](#)
Subject: Tomislav returned your call.... [SEC=UNCLASSIFIED]
Date: Wednesday, 17 August 2016 1:39:26 PM
Attachments: image001.png

....could you please call him back later this afternoon.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

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From: Moore, FionaF
To: "tomislav"
Cc: [Harrison, Kate](#)
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 17 August 2016 1:00:00 PM
Attachments: 20160817135716933.pdf

Hi Tomislav,

Please find attached, a copy of the stamped plans.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [redacted]
Sent: Wednesday, 17 August 2016 12:44 PM
To: Moore, FionaF
Cc: Harrison, Kate
Subject: Re: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]

Hi Fiona,

Last time Pamela approved plans she stamped them with a heritage stamp and signed etc.

Are you able to do this for me? I so that the plans on notification will have the heritage insignia.

I can send you the prior plans if you liked so you can see what I'm referring to?

Regards

Tomislav Kasunic

On 17 Aug 2016, at 12:30 PM, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

Good afternoon Tomislav,

Please find attached advice issued in relation to your emails of 16/17 August.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [REDACTED]
Sent: Wednesday, 17 August 2016 11:34 AM
To: Moore, FionaF
Cc: Harrison, Kate
Subject: FW: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Sorry forgot to cc Fiona per your request.

Hi Fiona please see below and attached.

thanks

From: tomislav
Sent: Wednesday, 17 August 2016 11:33 AM
To: 'Harrison, Kate'
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Hi Kate,

As discussed please see attached amended set. I've also included two new plans which are the public notification plans because it is these plans that will be made available to the public.

Kind Regards
Tom Kasunic

From: Harrison, Kate [<mailto:Kate.Harrison@act.gov.au>]
Sent: Wednesday, 17 August 2016 10:18 AM
To: tomislav
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Hi Tomislav,

Sorry, the last email I sent was meant to go to Fiona!
Thank you for providing revised drawings. Could you please revise the elevations and roof plans in the latest drawing set so that they illustrate the revised setback for the first floor addition.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)
Phone: 6207 5917 | Email: kate.harrison@act.gov.au
ACT Heritage | Environment and Planning | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au

<image001.png>

From: Harrison, Kate
Sent: Wednesday, 17 August 2016 10:16 AM
To: 'tomislav'
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Hi Fiona,

If you do talk to Tomislav/respond to his email, could you please ask him to revise the elevations and roof plans to illustrate the revised setback for the first floor addition.

Cheers

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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<image001.png>

From: tomislav [REDACTED]
Sent: Tuesday, 16 August 2016 6:57 PM
To: Moore, FionaF
Cc: Harrison, Kate
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Hi Fiona,

Please see amended plans. The wall "front wall has now been set back.

Can you please issue a letter of approval. I have meeting at 5pm with my neighbours and access Canberra.....I won't explain why but I was hoping to have endorsed plans by then to facilitate aspects of the mediation.

thanks

From: Moore, FionaF [<mailto:FionaF.Moore@act.gov.au>]
Sent: Tuesday, 16 August 2016 4:41 PM
To: tomislav
Cc: Harrison, Kate
Subject: Heritage advice: revised drawings 2 Fitzroy Street Forrest
[SEC=UNCLASSIFIED]

Dear Tomislav,

Thank you for providing revised drawings, numbered A02 – A07 and dated 12/8/16, for consideration of the ACT Heritage Council. The documentation has been reviewed and the following comments are provided:

1. The proposed entry gate has been set back behind the adjacent front wall of the original building in accordance with Heritage Council (Council) advice dated 11 August 2016;
2. The proposed timber screen garage door has been removed from the proposal, providing an open cantilevered carport structure in accordance with Council advice dated 11 August 2016; and
3. The proposed first floor addition has only partially been set back behind the existing external access door to the balcony above the existing garage. To ensure that the addition allows the original building form to remain dominant (Part iii)e) of the Guidelines and conserves the original existing external appearance of the building (Part ii)a) of the Guidelines), the whole of the North-Eastern (front) wall to the first floor addition above the garage is to be set back a minimum of 1510mm from the adjacent North-Eastern corner of the existing building.

Subject to revisions of the setback for the first floor addition, the ACT Heritage Council has no outstanding concerns regarding the proposal.

Regards,

Fiona Moore | A/g Manager (as delegate for the ACT Heritage Council)

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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<20160817132715492.pdf>

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From: Moore, FionaF
To: [Harrison, Kate](#)
Cc: [Russell, Meaghan](#)
Subject: FW: 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 17 August 2016 9:23:00 AM
Attachments: Agenda - 2 Fitzroy St, Forrest.doc
Importance: High

Hi Kate,

As discussed yesterday, could you please prepare some dot points for Matt in relation to the agenda items. It may also assist Matt if we provide a few general dot points outlining the Council and the process of seeking/obtaining heritage advice.

The meeting is 5pm this afternoon.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Craig-Barry, Matt
Sent: Wednesday, 17 August 2016 9:14 AM
To: Moore, FionaF
Subject: 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]
Importance: High

Hi Fiona,

Thank you for your time yesterday.

I have attached a copy of the agenda for this meeting.

I would appreciate as much information as possible to assist me in addressing the issues raised by the complainants.

I understand that ACT Heritage engages with the builder to provide direction to them and not to community groups.

Kind Regards

Matt

Matt Craig-Barry | Senior Manager | Enforcement

Phone: 02 6205 4284 | Mobile: 0434 851 138 | Email: matt.craig-barry@act.gov.au

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GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



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From: Moore, FionaF
To: [Harrison, Kate](#)
Subject: FW: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 17 August 2016 8:46:00 AM
Attachments: 8.35f HERITAGE SET 160816.pdf

Hi Kate,

Could you please coordinate for my signature.

Thank you,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [REDACTED]
Sent: Tuesday, 16 August 2016 6:57 PM
To: Moore, FionaF
Cc: Harrison, Kate
Subject: RE: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]

Hi Fiona,

Please see amended plans. The wall "front wall has now been set back.

Can you please issue a letter of approval. I have meeting at 5pm with my neighbours and access Canberra.....I won't explain why but I was hoping to have endorsed plans by then to facilitate aspects of the mediation.

thanks

From: Moore, FionaF [<mailto:FionaF.Moore@act.gov.au>]
Sent: Tuesday, 16 August 2016 4:41 PM
To: tomislav
Cc: Harrison, Kate
Subject: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]

Dear Tomislav,

Thank you for providing revised drawings, numbered A02 – A07 and dated 12/8/16, for consideration of the ACT Heritage Council. The documentation has been reviewed and the following comments are provided:

1. The proposed entry gate has been set back behind the adjacent front wall of the original building in accordance with Heritage Council (Council) advice dated 11 August 2016;
2. The proposed timber screen garage door has been removed from the proposal, providing an open cantilevered carport structure in accordance with Council advice dated 11 August 2016; and

3. The proposed first floor addition has only partially been set back behind the existing external access door to the balcony above the existing garage. To ensure that the addition allows the original building form to remain dominant (Part iii)e) of the Guidelines and conserves the original existing external appearance of the building (Part ii)a) of the Guidelines), the whole of the North-Eastern (front) wall to the first floor addition above the garage is to be set back a minimum of 1510mm from the adjacent North-Eastern corner of the existing building.

Subject to revisions of the setback for the first floor addition, the ACT Heritage Council has no outstanding concerns regarding the proposal.

Regards,

Fiona Moore | A/g Manager (as delegate for the ACT Heritage Council)

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: [Moore, FionaF](#)
To: [tomislav](#)
Cc: [Harrison, Kate](#)
Subject: Heritage advice: revised drawings 2 Fitzroy Street Forrest [SEC=UNCLASSIFIED]
Date: Tuesday, 16 August 2016 4:41:28 PM

Dear Tomislav,

Thank you for providing revised drawings, numbered A02 – A07 and dated 12/8/16, for consideration of the ACT Heritage Council. The documentation has been reviewed and the following comments are provided:

1. The proposed entry gate has been set back behind the adjacent front wall of the original building in accordance with Heritage Council (Council) advice dated 11 August 2016;
2. The proposed timber screen garage door has been removed from the proposal, providing an open cantilevered carport structure in accordance with Council advice dated 11 August 2016; and
3. The proposed first floor addition has only partially been set back behind the existing external access door to the balcony above the existing garage. To ensure that the addition allows the original building form to remain dominant (Part iii)e) of the Guidelines and conserves the original existing external appearance of the building (Part ii)a) of the Guidelines), the whole of the North-Eastern (front) wall to the first floor addition above the garage is to be set back a minimum of 1510mm from the adjacent North-Eastern corner of the existing building.

Subject to revisions of the setback for the first floor addition, the ACT Heritage Council has no outstanding concerns regarding the proposal.

Regards,

Fiona Moore | A/g Manager (as delegate for the ACT Heritage Council)

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Harrison, Kate
To: ["tomislay"](#)
Subject: Heritage advice: 2 Fitzroy Street Forrest - Alterations and Additions [SEC=UNCLASSIFIED]
Date: Friday, 12 August 2016 11:16:00 AM
Attachments: image001.png
20160810 - advice - 2 Fitzroy Forrest.pdf

Dear Tom,

Please see attached heritage advice from the Chair of the Heritage Council.
If you have any questions please call Fiona Moore on 6205 9974.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: ["David Flannery"](#)
Subject: 2 Fitzroy Street Forrest - heritage advice [SEC=UNCLASSIFIED]
Date: Wednesday, 10 August 2016 1:55:00 PM

Hi David,

Please see attached heritage advice for your signature. Let me know if you would like to make any changes.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [John Kenworthy](#)
To: [David Flannery](#); [Harrison, Kate](#); [Dianne.Firth](#)
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Wednesday, 10 August 2016 9:01:24 AM

I agree.

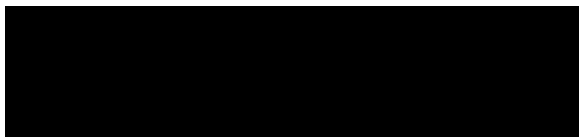
Regards

John Kenworthy



John Kenworthy
General Manager - Land Development

Village Building Co.



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From: David Flannery [REDACTED]
Sent: Tuesday, 9 August 2016 3:30 PM
To: 'Harrison, Kate'; John Kenworthy; Dianne.Firth
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

It's still a garage!

David Flannery
[REDACTED]

From: Harrison, Kate [<mailto:Kate.Harrison@act.gov.au>]
Sent: Tuesday, August 9, 2016 12:27 PM
To: David Flannery; [REDACTED] Dianne.Firth
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Tomislav, the applicant for 2 Fitzroy Street, Forrest, has asked that I forward you the attached images of timber screens similar to the proposed carport gate/door. Please see attached and provide comments (should your position regarding an open car-port have changed).

Thanks,

Kate Harrison | Conservation Officer (Advice)
Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [David Flannery](#)
To: [Harrison, Kate](#); [REDACTED] [Dianne.Firth](#)
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Tuesday, 9 August 2016 3:30:00 PM

It's still a garage!

David Flannery
[REDACTED]

From: Harrison, Kate [mailto:Kate.Harrison@act.gov.au]
Sent: Tuesday, August 9, 2016 12:27 PM
To: David Flannery; [REDACTED] [Dianne.Firth](#)
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Tomislav, the applicant for 2 Fitzroy Street, Forrest, has asked that I forward you the attached images of timber screens similar to the proposed carport gate/door. Please see attached and provide comments (should your position regarding an open car-port have changed).

Thanks,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: "Dianne.Firth"
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Tuesday, 9 August 2016 12:43:00 PM

Thanks Dianne,

Do you have any other comments on the revised drawings?

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Dianne.Firth [REDACTED]
Sent: Tuesday, 9 August 2016 12:42 PM
To: Harrison, Kate; David Flannery; [REDACTED]
Subject: Re: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Dear Taskforce,

NO. Even though it might be a permeable screen, the view from the street still makes it appear as a continuous surface rather than a void. It diminishes the ability to read the original form.

Regards,
Dianne

From: Harrison, Kate <Kate.Harrison@act.gov.au>
Sent: Tuesday, 9 August 2016 12:27:16 PM
To: David Flannery; [REDACTED] Dianne.Firth
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Tomislav, the applicant for 2 Fitzroy Street, Forrest, has asked that I forward you the attached images of timber screens similar to the proposed carport gate/door. Please see attached and

provide comments (should your position regarding an open car-port have changed).

Thanks,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [Dianne.Firth](#)
To: [Harrison, Kate](#); [David Flannery](#); [REDACTED]
Subject: Re: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Tuesday, 9 August 2016 12:42:22 PM

Dear Taskforce,

NO. Even though it might be a permeable screen, the view from the street still makes it appear as a continuous surface rather than a void. It diminishes the ability to read the original form.

Regards,
Dianne

From: Harrison, Kate <Kate.Harrison@act.gov.au>
Sent: Tuesday, 9 August 2016 12:27:16 PM
To: David Flannery; [REDACTED] Dianne.Firth
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Tomislav, the applicant for 2 Fitzroy Street, Forrest, has asked that I forward you the attached images of timber screens similar to the proposed carport gate/door. Please see attached and provide comments (should your position regarding an open car-port have changed).

Thanks,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: "David Flannery"; [REDACTED] "Dianne.Firth"
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Tuesday, 9 August 2016 12:27:00 PM
Attachments: image001.png

Dear DA Taskforce members,

Tomislav, the applicant for 2 Fitzroy Street, Forrest, has asked that I forward you the attached images of timber screens similar to the proposed carport gate/door. Please see attached and provide comments (should your position regarding an open car-port have changed).

Thanks,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: "tomislav"
Cc: Moore, FionaF
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Tuesday, 9 August 2016 10:27:00 AM

Dear Tom,

Thank you for your comments. We will take these under consideration when preparing our advice. However, you should be aware that our advice must reflect the concerns of the Heritage Council taskforce, who are the decision makers for this matter.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: tomislav [REDACTED]
Sent: Monday, 8 August 2016 5:36 PM
To: Harrison, Kate
Cc: Moore, FionaF
Subject: RE: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]

Kate,

Following our discussion in relation to the balcony this morning I have further investigated clause ii) a which you refer to in your letter of 14 July 2016.

You infer that this clause outlines support for retaining the rooftop balcony. Upon review and consultation with [REDACTED] we are of the opinion that clause in fact relates only to retaining detailing on the building such as the balustrade and not the balcony itself. See below;

*“The original existing external appearance of the buildings including brickwork and their colours, original timber windows and doors, stairs and planter boxes, **original balustrades over balconies** and incorporated garages, original rain water head and down pipes and the internal staircase and banister of the Fire Station building are to be conserved.”*

As is evident the clause deals with detailing for items such as rain heads windows etc not form of buildings. The redeveloped corner property at 37 Canberra avenue has completely built over and enclosed the balcony and removed the original railing.

Further you have advised that a screen around the carport wouldn't be supported as it would

appear as a solid mass thereby screening the existing dwelling at the ground floor. How could this be the case when the carport is detached from the existing by 1.2m therefore the existing external wall will always be visible from the streetscape. Further I attach photographs of the timber screening in which I propose to use which clearly **doesn't** obstruct a line of sight yet would provide me with security and some form of privacy. Hence, why I put forward this proposal as I thought it would be most sensitive to the heritage values. I hope you can convey this to the council members commenting on the assessment.

I understand that there is a difficult position to assess planning issues in relation to heritage values but there must surely be a compromise whereby I can have an enclosed secure garage and privacy/fencing along the boundary in an architectural manner rather than a typical timber paling fence. .

Kind Regards,
Tom Kasunic

From: Harrison, Kate [<mailto:Kate.Harrison@act.gov.au>]

Sent: Thursday, 14 July 2016 3:30 PM

To: tomlav

Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest.

[SEC=UNCLASSIFIED]

Dear Tomislav,

Please see attached preliminary heritage advice. Following our discussion onsite on Tuesday, additional advice from all three members of the Heritage Council DA Taskforce was sought, which is reflected in the advice.

If you have any questions, feel free to give me a call.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: [David Flannery](#)
To: [Harrison, Kate](#); [Dianne.Firth](#); [REDACTED]
Cc: [Moore, FionaF](#)
Subject: RE: Preliminary advice - 2 Fitzroy Street (B8 S35) - Revised drawings [SEC=UNCLASSIFIED]
Date: Wednesday, 3 August 2016 1:48:04 PM

Thanks Kate.. I support the draft advice hereunder.

David

David Flannery
[REDACTED]

From: Harrison, Kate [mailto:Kate.Harrison@act.gov.au]
Sent: Wednesday, August 3, 2016 11:18 AM
To: David Flannery; [Dianne.Firth](#); [REDACTED]
Cc: Moore, FionaF
Subject: Preliminary advice - 2 Fitzroy Street (B8 S35) - Revised drawings [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

We have received a revised preliminary drawing set for the proposed alterations and additions at 2 Fitzroy Street, please see attached.

ACT Heritage have reviewed the drawings and raise the following concerns:

1. The proposed carport will be enclosed by a screen door and adjacent gate projecting forward of the front setback recommended in Council's previous advice. The carport would read as a solid garage structure rather than the cantilevered open carport, previously supported by Council. An open cantilevered carport structure with entry gate setback behind the adjacent front wall of the original building is a preferred design solution that would reduce dominance of the proposed addition (Part iii)e) of the guidelines).
2. The proposed first floor addition above the existing garage would have a minimal setback from the front wall of the original building. The addition has not been setback behind the existing door as recommended by previous ACT Heritage advice. The proposed addition does not allow the original building form to remain dominant (Part iii)e) of the guidelines) or conserve the original door, garage roof-top balcony with original balustrade (Part ii)a) of the guidelines).

Please provide comments on the revised proposal by Wed 10th August. If you would like to discuss any of the issues raised please call me on 6207 5917.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [John Kenworthy](#)
To: [Harrison, Kate](#); [David Flannery](#); [Dianne.Firth](#)
Cc: [Moore, FionaF](#)
Subject: RE: Preliminary advice - 2 Fitzroy Street (B8 S35) - Revised drawings [SEC=UNCLASSIFIED]
Date: Wednesday, 3 August 2016 12:02:39 PM

Good afternoon Kate,

Thanks for your note.

The impact of this latest proposal is to effectively create an enclosed garage that is about 150 mm behind the existing building line along Fitzroy Street rather than the 0.5m heritage setback.

I agree with your two comments and as such do not support the revised proposal.

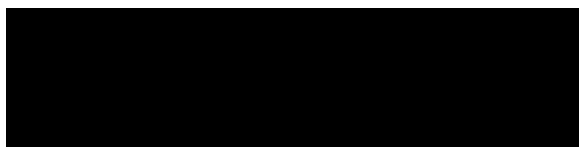
Regards

John Kenworthy



John Kenworthy
General Manager - Land Development

Village Building Co.



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From: Harrison, Kate [mailto:Kate.Harrison@act.gov.au]
Sent: Wednesday, 3 August 2016 11:18 AM
To: David Flannery; Dianne.Firth; John Kenworthy
Cc: Moore, FionaF
Subject: Preliminary advice - 2 Fitzroy Street (B8 S35) - Revised drawings [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

We have received a revised preliminary drawing set for the proposed alterations and additions at 2 Fitzroy Street, please see attached.

ACT Heritage have reviewed the drawings and raise the following concerns:

1. The proposed carport will be enclosed by a screen door and adjacent gate projecting forward of the front setback recommended in Council's previous advice. The carport would read as a solid garage structure rather than the cantilevered open carport, previously supported by Council. An open cantilevered carport structure with entry gate setback behind the adjacent front wall of the original building is a preferred design solution that would reduce dominance of the proposed addition (Part iii)e) of the

guidelines).

2. The proposed first floor addition above the existing garage would have a minimal setback from the front wall of the original building. The addition has not been setback behind the existing door as recommended by previous ACT Heritage advice. The proposed addition does not allow the original building form to remain dominant (Part iii)e) of the guidelines)or conserve the original door, garage roof-top balcony with original balustrade (Part ii)a) of the guidelines).

Please provide comments on the revised proposal by Wed 10th August. If you would like to discuss any of the issues raised please call me on 6207 5917.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: [Moore, Fiona](#)
Subject: FW: preliminary design for additions at 2 Fitzroy Street, Forrest [SEC=UNCLASSIFIED]
Date: Tuesday, 2 August 2016 2:32:00 PM
Attachments: 8.35f DA HERITAGE 160802.pdf

FYI

From: tomlslav [REDACTED]
Sent: Tuesday, 2 August 2016 1:09 PM
To: Harrison, Kate
Cc: David Flannery
Subject: preliminary design for additions at 2 Fitzroy Street, Forrest

Hi Kate,

Please see attached revised plans post site meeting. I hope we can transfer these to commenting parties asap. Last round I waiting 6 weeks before my email was actioned. I hope we can get a quick response this time round and given that all but the terrace addition seems to be resolved.

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: Harrison, Kate
To: ["tomislav"](#)
Subject: Heritage advice re. preliminary design for additions at 2 Fitzroy Street, Forrest. [SEC=UNCLASSIFIED]
Date: Thursday, 14 July 2016 3:29:00 PM

Dear Tomislav,

Please see attached preliminary heritage advice. Following our discussion onsite on Tuesday, additional advice from all three members of the Heritage Council DA Taskforce was sought, which is reflected in the advice.

If you have any questions, feel free to give me a call.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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www.environment.act.gov.au



From: Harrison, Kate
To: ["David Flannery"](#); ["John Kenworthy"](#)
Cc: [Dianne.Firth](#)
Subject: RE: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]
Date: Thursday, 14 July 2016 3:08:00 PM

Thank you all for your responses. I will amend the advice to reference a carport rather than new garage and incorporate Dianne's other comments.

Thanks again,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [REDACTED]
Sent: Thursday, 14 July 2016 2:45 PM
To: 'John Kenworthy'; Harrison, Kate
Cc: Dianne.Firth
Subject: RE: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]

Thanks Kate
I support the comment of John and Dianne.

D

David Flannery

[REDACTED]

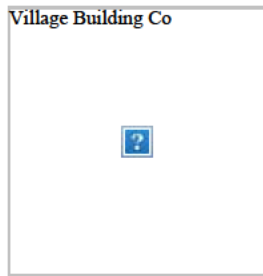
From: John Kenworthy [REDACTED]
Sent: Thursday, July 14, 2016 1:31 PM
To: Harrison, Kate
Cc: David Flannery; Dianne.Firth
Subject: RE: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]

Good afternoon Kate,

I have read your draft and generally agree with its content. However, we need to be clear with respect to the terminology of garage vs. carport. Previous advice was based on a carport and not an enclosed garage.

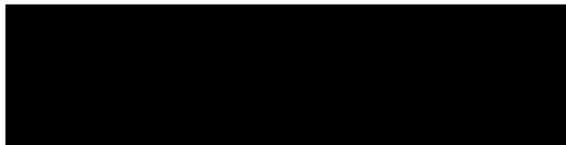
Regards

John Kenworthy



John Kenworthy
General Manager - Land Development

Village Building Co.



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From: Harrison, Kate [<mailto:Kate.Harrison@act.gov.au>]
Sent: Tuesday, 12 July 2016 3:47 PM
To: David Flannery; Dianne.Firth; John Kenworthy
Subject: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Following the on-site meeting today, I have put together some preliminary advice for Tomislav and attached for your review.

Please have comments back to me by the end of this week (COB Friday 15th July).

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [Dianne Firth](#)
To: [Harrison, Kate](#); [David Flannery](#); [REDACTED]
Subject: Re: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]
Date: Wednesday, 13 July 2016 2:02:42 AM

Dear Kate,

Thank you for the text. I will do my best to respond from my little hotel in Paris. Because I can't do it as track changes I have made my comments/questions in capitals on your text.

- The proposed rear addition as seen from Manuka Circle is sufficiently setback in the streetscape and would not unreasonably dominate the original building form or adjacent dwelling. The front of the addition would align with the side porch of the adjacent dwelling. The drawings should be revised to demonstrate that the existing and adjacent building form project forward of the proposed addition. THERE NEEDS TO BE SOMETHING ON THE HEIGHT - SUCH AS NOT BEING HIGHER THAN ...
- The proposed glazed addition above the original garage is too dominant in form and character. The addition should be setback from the front face of the nearest original masonry facade. Setback behind the existing door is preferred. IS THE DOOR ACCESS TO THE GARAGE ROOF PART OF THE ORIGINAL? IF SO IT MUST REMAIN VISIBLE. EVEN IF IT WAS A WINDOW THAT WAS CONVERTED TO A DOOR THEN THE DOORWAY PENETRATION IN THE WALL SHOULD REMAIN VISIBLE. However, alternative setbacks may be put forward for consideration. If the glazing were to have sufficient setback from the adjacent original wall of the building, the addition would not dominate the original building form or character, and non-compliance with Part iii)f) of the heritage guidelines (window types) would be acceptable. THE PREVIOUS SENTENCES ARE NOT NECESSARY. A drawing illustrating the proposed northern elevation should also be provided to demonstrate how the proposed addition will read in the surrounding context.
- The original roof top balconies are evident at Nos. 31 Canberra Avenue, 14 Empire Circuit and 2 Fitzroy Street. Three of the four corner blocks with this original detail. The drawings should illustrate how the proposed addition over the original garage will facilitate retention/interpretation of the original roof top balcony and its balustrade, in accordance with Part ii)a) of the heritage guidelines. Solutions for waterproofing of the remaining patio area should be included in any development application documentation.
- The proposed materiality is generally consistent with the existing addition and is considered to be acceptable.
- Further details regarding the garage door and gate are required. DO YOU MEAN CARPORT? The drawings should be updated to illustrate the proposed columns that will support the garage CARPORT? roof. Previous advice issued by the Council, dated 27 May 2015, supported the carport on the proviso that the structure was cantilevered (forward of the original garage), would have a light weight profile and corbelled parapet to match the existing. DOORS AND GATE ON THE CARPORT WILL TURN IT INTO A GARAGE AND THIS HAS NOT BEEN APPROVED.
- Brick corbelling (to match the existing brick on flat/header course) should be used to

delineate between the ground and first floor levels on the Fitzroy Street and Northern elevations.

- Details of the proposed plant species for the roof top planters have not been provided. To ensure compliance with Part ii)a) of the heritage guidelines, a species that does not cause damage to the brickwork should be nominated.

It is recommended that the above issues be addressed prior to submission of a development application for the proposed works.

From: Harrison, Kate <Kate.Harrison@act.gov.au>

Sent: Tuesday, 12 July 2016 3:47:28 PM

To: David Flannery; Dianne.Firth; [REDACTED]

Subject: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Following the on-site meeting today, I have put together some preliminary advice for Tomislav and attached for your review.

Please have comments back to me by the end of this week (COB Friday 15th July).

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: "David Flannery"; [REDACTED]
Subject: Preliminary advice - 2 Fitzroy Street (B8 S35) [SEC=UNCLASSIFIED]
Date: Tuesday, 12 July 2016 3:47:00 PM
Attachments: 20160712 - prelim advice - 2 Fitzroy Street, Forrest.pdf
image001.png

Dear DA Taskforce members,

Following the on-site meeting today, I have put together some preliminary advice for Tomislav and attached for your review.

Please have comments back to me by the end of this week (COB Friday 15th July).

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: [David Flannery](#); [REDACTED]
Subject: Site visit - Block 8 Section 35 Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 6 July 2016 11:49:00 AM

Dear Taskforce,

Thank you for your responses regarding the proposed addition at Block 8 Section 35 Forrest. I have provided some preliminary verbal advice to the applicant, Tomislav, who would like to make some amendments to the design and discuss at an onsite meeting. Could you please let me know your availability for the following dates:

Friday 8th July between 10.30am and 4pm

Monday 11th between 10am and 4pm

Tuesday 12th between 9am and 4pm

Wednesday 13th between 9am and 4pm

Friday 15th between 10.30am and 4pm

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: RE: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]
Date: Tuesday, 5 July 2016 1:42:26 PM
Attachments: image001.png

As an update, I have already spoken to and emailed Tomislav today, as Council comments were requested by cob today and he is looking for an advance update.....

Cheers,
Meaghan

From: Moore, FionaF
Sent: Tuesday, 5 July 2016 1:41 PM
To: Russell, Meaghan
Subject: FW: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]

FYI

Fiona Moore | A/g Manager
Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Tuesday, 5 July 2016 12:08 PM
To: Harrison, Kate
Cc: Moore, FionaF
Subject: RE: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]

Hi Kate,

Have any comments come through on this assessment?

I was originally advised the assessment period would be a week or two. It has now been 4 weeks. I understanding that you have other commitments but I have been contacted by actpla on several occasions about the location of my outdoor air conditioning unit due to neighbour complaints.

As such I need to submit a DA for the aircon unit and would like to submit it with the proposal in one DA. So due to the complaint time is of the essence.

thanks

From: Harrison, Kate [<mailto:Kate.Harrison@act.gov.au>]
Sent: Thursday, 30 June 2016 9:39 AM
To: tomislav
Cc: Moore, FionaF
Subject: RE: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]

Hi Tomislav,

The DA Taskforce for the Heritage Council are expected to provide their comments back to us by mid next week.

I will let you know as soon as we receive their comments.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: tomislav [REDACTED]
Sent: Thursday, 30 June 2016 6:49 AM
To: Moore, FionaF
Subject: Block 8 Section 35 Forrest - Planning assessment

Hi Fiona,

Have the heritage council provided feedback for the plans that were sent on the 8/06/16?

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: Harrison, Kate
To: [REDACTED]
Cc: [Moore, FionaF](#)
Subject: RE: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]
Date: Thursday, 30 June 2016 9:38:00 AM

Hi Tomislav,

The DA Taskforce for the Heritage Council are expected to provide their comments back to us by mid next week.

I will let you know as soon as we receive their comments.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: tomislav [REDACTED]
Sent: Thursday, 30 June 2016 6:49 AM
To: Moore, FionaF
Subject: Block 8 Section 35 Forrest - Planning assessment

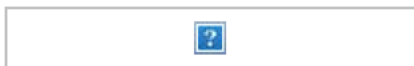
Hi Fiona,

Have the heritage council provided feedback for the plans that were sent on the 8/06/16?

Kind Regards,

Tomislav Kasunic |

Project Manager



From: Moore, FionaF
To: [Harrison, Kate](#)
Subject: FW: Block 8 Section 35 Forrest - Planning assessment [SEC=UNCLASSIFIED]
Date: Thursday, 30 June 2016 9:07:00 AM

Hi Kate,

I understand you have previously conveyed a timeframe to Mr Kasunic. Can you please respond to his further email below.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [REDACTED]
Sent: Thursday, 30 June 2016 6:49 AM
To: Moore, FionaF
Subject: Block 8 Section 35 Forrest - Planning assessment

Hi Fiona,

Have the heritage council provided feedback for the plans that were sent on the 8/06/16?

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: Harrison, Kate
To: "David Flannery"; [REDACTED]
Subject: DA Taskforce Referral - Alterations and additions Block 8 Section 35 Forrest (WITH ATTACHMENTS) [SEC=UNCLASSIFIED]
Date: Wednesday, 22 June 2016 3:30:00 PM
Attachments: image001.png
Taskforce referral brief - Forrest Fire Station Precinct B8 S35.pdf
ACT Heritage Register Entry - Forrest Fire Station Precinct.pdf
Pages from Heritage advice Email.pdf
8.35F CS 160608.pdf

Apologies, the previous email did not contain all attachments for the referral.
Please see attached.

From: Harrison, Kate
Sent: Wednesday, 22 June 2016 3:23 PM
To: 'David Flannery'; [REDACTED]
Subject: DA Taskforce Referral - Alterations and additions Block 8 Section 35 Forrest [SEC=UNCLASSIFIED]

Dear DA Taskforce members,

Please see attached referral for preliminary advice (B8 S35 Forrest). Could you please provide advice by 5 July 2016.

If you would like any further information or clarification regarding issues raised, please call me on 6207 5917.

Kind Regards,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: Harrison, Kate
To: [REDACTED]
Subject: Block 8 Section 35 Forrest [SEC=UNCLASSIFIED]
Date: Wednesday, 22 June 2016 10:31:00 AM

Dear Tomislav,

ACT Heritage are currently undertaking a review of your preliminary plans for a rear addition at Block 8 Section 35 Forrest. We have referred the plans to the Heritage Council DA Taskforce for additional advice. Receipt of advice from DA Taskforce should not take more than 15 days from today's date.

If you have any questions about this process, please call me on 6207 5917.

Regards

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: OConnell, Jennifer
Sent: Wednesday, 8 June 2016 10:45 AM
To: tomislav
Subject: RE: Block 8 Section 35 Forrest

Dear Tomislav

Thank you for seeking early advice and we are happy to go over the plans and provide some preliminary advice.

One of our Conservation Officers will have a look at the plans and we will be back in touch with you soon. Please note, that due to heavy workloads at the moment it may be a week or two.

Regards

Jen

Jennifer O'Connell | Manager | ACT Heritage

Phone: +61 2 6207 2179 | Email: jennifer.oconnell@act.gov.au

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From: tomislav [REDACTED]
Sent: Wednesday, 8 June 2016 9:55 AM
To: OConnell, Jennifer
Cc: Moore, FionaF
Subject: FW: Block 8 Section 35 Forrest

Hi Jennifer,

Please read below.

In the absence of Fiona are you able to get the ball rolling on this matter or is it best we wait for Fiona's return?

From: tomislav
Sent: Wednesday, 8 June 2016 9:50 AM
To: 'Moore, FionaF'
Cc: [REDACTED]
Subject: Block 8 Section 35 Forrest

Hi Fiona,

Thank you for sending across the advice in relation to the umbrella and carport. It's a relief to have good news for a change.

Given our discussions and the sense of positivity that I gauged from the current council and yourself I have further developed the planning for the above mentioned site in the hope to build an office addition at the rear for my business as well as a dining room and master bedroom extension to the home as it is somewhat cramped at the moment when entertaining.

I believe the concept fits the cubic functionalist style of the precinct and is in keeping with the guidelines. However prior to finalising the concept for development approval I would like to engage yourself and the council for commentary and ultimately endorsement of the planning in principal prior to lodging a DA.

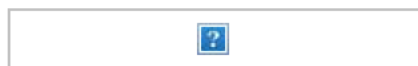
I have attached a set of plans for your assessment.

I look forward to hearing from you.

Kind Regards,
Tomislav Kasunic

Tomislav Kasunic |

Project Manager





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From: Moore, FionaF
To: [Russell, Meaghan](#)
Subject: FW: Block 8 Section 35 Forrest [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Monday, 20 June 2016 10:22:00 AM
Attachments: 8.35F CS 160608.pdf

Hi Meaghan,

For coordination of pre-DA advice with the DA Taskforce.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [REDACTED]
Sent: Wednesday, 8 June 2016 9:55 AM
To: OConnell, Jennifer
Cc: Moore, FionaF
Subject: FW: Block 8 Section 35 Forrest

Hi Jennifer,

Please read below.

In the absence of Fiona are you able to get the ball rolling on this matter or is it best we wait for Fiona's return?

From: tomislav
Sent: Wednesday, 8 June 2016 9:50 AM
To: 'Moore, FionaF'
Cc: [REDACTED]
Subject: Block 8 Section 35 Forrest

Hi Fiona,

Thank you for sending across the advice in relation to the umbrella and carport. It's a relief to have good news for a change.

Given our discussions and the sense of positivity that I gauged from the current council and yourself I have further developed the planning for the above mentioned site in the hope to build an office addition at the rear for my business as well as a dining room and master bedroom extension to the home as it is somewhat cramped at the moment when entertaining.

I believe the concept fits the cubic functionalist style of the precinct and is in keeping with the guidelines. However prior to finalising the concept for development approval I would like to engage yourself and the council for commentary and ultimately endorsement of the planning in principal prior to lodging a DA.

I have attached a set of plans for your assessment.

I look forward to hearing from you.

Kind Regards,
Tomislav Kasunic

Tomislav Kasunic |

Project Manager

KASCON



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From: Dunn, Jennifer
To: ["tomislay"](#)
Subject: 2 Fitzroy Street, Forrest
Date: Friday, 27 May 2016 3:19:00 PM
Attachments: 20160527 - Advice.pdf
image001.png

Tomi,

ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [Dianne.Firth](#)
To: [David Flannery](#); [Dunn, Jennifer](#); "[John Kenworthy](#)"
Cc: [Moore, FionaF](#); [Russell, Meaghan](#)
Subject: Re: 2 Fitzroy Street, Forrest - proposed carport extension
Date: Friday, 27 May 2016 2:50:32 PM
Attachments: image001.png

Dear Jen,

Following on my phone call from yesterday I also support the letter going out. However, now that I can open the attached image, I wonder why he needs an air conditioner in an open carport. Or am I seeing the photo incorrectly.

Regards,
Dianne

From: David Flannery [redacted]
Sent: Thursday, 26 May 2016 3:17:20 PM
To: 'Dunn, Jennifer'; Dianne.Firth; 'John Kenworthy'
Cc: 'Moore, FionaF'; 'Russell, Meaghan'
Subject: RE: 2 Fitzroy Street, Forrest - proposed carport extension

Thanks Jen
I support the letter going out.

David Flannery
[redacted]

From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]
Sent: Thursday, May 26, 2016 3:13 PM
To: David Flannery; Dianne.Firth; 'John Kenworthy'
Cc: Moore, FionaF; Russell, Meaghan
Subject: 2 Fitzroy Street, Forrest - proposed carport extension

Dear DA Taskforce,

Please find attached draft HC advice in response to the on site meeting last week at 2 Fitzroy Street, Forrest; for your consideration. Also attached is an email from the proponent seeking heritage advice regarding an existing air conditioning unit in the new carport. Advice on this matter has been incorporated into the attached draft response.

Any comments would be appreciated by COB Friday 27 May, 2016. If anyone has any questions please give me a call on 6207 9392.

Jen D

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

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From: [Dianne.Firth](#)
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Subject: RE: 2 Fitzroy Street, Forrest - proposed carport extension

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David Flannery
[redacted]

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Sent: Thursday, May 26, 2016 3:13 PM
To: David Flannery; Dianne.Firth; 'John Kenworthy'
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Jen D

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

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From: [John Kenworthy](#)
To: [Dunn, Jennifer](#); [David Flannery](#); [Dianne.Firth](#)
Cc: [Moore, FionaF](#); [Russell, Meaghan](#)
Subject: RE: 2 Fitzroy Street, Forrest - proposed carport extension
Date: Thursday, 26 May 2016 3:17:46 PM
Attachments: image001.png

Hi Jennifer,

I'm OK with the draft HC advice.

Regards

John Kenworthy

John Kenworthy
General Manager, Land

The Village Building Co. Limited



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From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Thursday, 26 May 2016 3:13 PM
To: David Flannery; Dianne.Firth; John Kenworthy
Cc: Moore, FionaF; Russell, Meaghan
Subject: 2 Fitzroy Street, Forrest - proposed carport extension

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Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

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From: [David Flannery](#)
To: [Dunn, Jennifer](#); [Dianne.Firth](#); "John Kenworthy"
Cc: [Moore, FionaF](#); [Russell, Meaghan](#)
Subject: RE: 2 Fitzroy Street, Forrest - proposed carport extension
Date: Thursday, 26 May 2016 3:17:28 PM
Attachments: image001.png

Thanks Jen
I support the letter going out.

David Flannery

m [REDACTED]

From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Thursday, May 26, 2016 3:13 PM
To: David Flannery; [Dianne.Firth](#); 'John Kenworthy'
Cc: Moore, FionaF; Russell, Meaghan
Subject: 2 Fitzroy Street, Forrest - proposed carport extension

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Jen D

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: Moore, FionaF
To: ["tomislav"](#)
Subject: RE: 2 Fitzroy street Forrest site inspection
Date: Thursday, 26 May 2016 9:06:00 AM

Hi Tomislav,

On my list to follow up today.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning Directorate | ACT Government

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www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Thursday, 26 May 2016 8:27 AM
To: Moore, FionaF
Subject: Re: 2 Fitzroy street Forrest site inspection

Hi Fiona,

How are you progressing with the advice?

Regards

Tomislav Kasunic

On 16 May 2016, at 1:43 PM, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

Hi Tomislav,

I'm happy for you to phone and discuss. I don't have your mobile number before me.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomislav [REDACTED]
Sent: Monday, 16 May 2016 1:38 PM
To: Moore, FionaF
Subject: RE: 2 Fitzroy street Forrest site inspection

Did the taskforce members make a decision post this morning inspection or is a decision yet to be made?

From: Moore, FionaF [<mailto:FionaF.Moore@act.gov.au>]
Sent: Monday, 16 May 2016 1:36 PM
To: tomlslav
Subject: RE: 2 Fitzroy street Forrest site inspection

Hi Tomislav,

I would anticipate issuing the advice within the week.

Regards,

Fiona Moore | A/g Manager
Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

From: tomlslav [REDACTED]
Sent: Monday, 16 May 2016 1:34 PM
To: Moore, FionaF
Subject: RE: 2 Fitzroy street Forrest site inspection

HI Fiona,

What is the anticipated timeframe for the outcome of today's meeting to be determined?

From: Moore, FionaF [<mailto:FionaF.Moore@act.gov.au>]
Sent: Friday, 29 April 2016 9:42 AM
To: tomlslav
Subject: RE: 2 Fitzroy street Forrest site inspection

Good morning Tomislav,

Thank you for your email.

I will coordinate an available date/time with members of the ACT Heritage Council and be in contact once confirmed.

Regards,

Fiona Moore | A/g Manager
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning | ACT Government
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

From: tomlav [REDACTED]
Sent: Friday, 29 April 2016 9:31 AM
To: Moore, FionaF
Subject: 2 Fitzroy street Forrest site inspection

Hi Fiona,

Thanks for discussing the issue with me this morning.

As discussed, I would like to invite the authority to site to inspect and discuss the issues at hand. In particular;

1. The umbrella
2. The carport addition (refer to attached email)

If you could please make a time and advise I will make myself available. Whilst I appreciate that you are busy I think the sooner we can meet and resolve the better.

Kind Regards,

Tomislav Kasunic |

Project Manager

<image001.jpg>



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From: [Moore, FionaF](#)
To: [Dunn, Jennifer](#)
Subject: FW: 2 Fitzroy street Forrest site inspection
Date: Thursday, 26 May 2016 9:00:07 AM

Jen,

How far off is this advice? We need to email to DA TF for clearance before I can sign, and remembering David and Dianne are taking leave.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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How are you progressing with the advice?

Regards

Tomislav Kasunic

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Hi Tomislav,

I'm happy for you to phone and discuss. I don't have your mobile number before me.

Regards,

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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From: tomlslav [REDACTED]
Sent: Monday, 16 May 2016 1:34 PM
To: Moore, FionaF
Subject: RE: 2 Fitzroy street Forrest site inspection

HI Fiona,

What is the anticipated timeframe for the outcome of today's meeting to be determined?

From: Moore, FionaF [<mailto:FionaF.Moore@act.gov.au>]
Sent: Friday, 29 April 2016 9:42 AM
To: tomlslav
Subject: RE: 2 Fitzroy street Forrest site inspection

Good morning Tomislav,

Thank you for your email.

I will coordinate an available date/time with members of the ACT Heritage Council and be in contact once confirmed.

Regards,

Fiona Moore | A/g Manager
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
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www.environment.act.gov.au

From: tomlslav [REDACTED]
Sent: Friday, 29 April 2016 9:31 AM
To: Moore, FionaF
Subject: 2 Fitzroy street Forrest site inspection

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1. The umbrella
2. The carport addition (refer to attached email)

If you could please make a time and advise I will make myself available. Whilst I appreciate that you are busy I think the sooner we can meet and resolve the better.

Kind Regards,

Tomislav Kasunic |

Project Manager

<image001.jpg>



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From: [Moore, FionaF](#)
To: [Dunn, Jennifer](#)
Subject: FW: 2 Fitzroy street forest air-conditioning unit
Date: Monday, 16 May 2016 4:06:27 PM
Attachments: acran-100-series-ga.pdf

FYI – as discussed.

Fiona Moore | A/g Manager

Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au

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www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Monday, 16 May 2016 3:37 PM
To: Moore, FionaF
Subject: 2 Fitzroy street forest air-conditioning unit

Hi Fiona,

Since this morning my neighbour has lodged a complaint about the air conditioning unit located at the carport. See attached image.

In order to address their concerns in relation to visual appearance I was hoping to install an acoustic type louver in front of the unit to screen it from their side.

See attached pdf for the details on the screen. This would be painted black to match the other aluminium screen approved on the boundary as well as the steel carport structure.

I was hoping we could be proactive on this and you could contain this all within the one lot of advice rather than having to burden you in a week's time for the air con. See what you can do.

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: [Harrison, Kate](#)
To: [Moore, FionaF](#)
Subject: Missed call from Tom Kasunic
Date: Monday, 16 May 2016 3:39:49 PM
Attachments: image001.png

Following your site inspection this morning, Tom's neighbour has made a complaint about the location of the AC unit.

The unit is in the carport under construction, but is not marked on the approved plans. Tom asked if we could provide a comment about the AC unit location in our revised advice. Please call him on [REDACTED] to discuss.

Cheers,

Kate Harrison | Conservation Officer (Advice)

Phone: 6207 5917 | Email: kate.harrison@act.gov.au

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From: [tomislav](#)
To: [Moore, FionaF](#)
Subject: RE: 2 Fitzroy street Forrest site inspection
Date: Monday, 16 May 2016 2:33:58 PM

Hi Fiona,

You would have noticed in your site meeting today that my outdoor unit for the air-conditioned is on the boundary at the carport.

Can you confirm in your correspondence that the aircon on the boundary isn't an heritage issue.

From: Moore, FionaF [mailto:FionaF.Moore@act.gov.au]
Sent: Monday, 16 May 2016 1:43 PM
To: tomislav
Subject: RE: 2 Fitzroy street Forrest site inspection

Hi Tomislav,

I'm happy for you to phone and discuss. I don't have your mobile number before me.

Regards,

Fiona Moore | A/g Manager
Phone: 02 6205 9974 | Email: fionaf.moore@act.gov.au
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To: Moore, FionaF
Subject: RE: 2 Fitzroy street Forrest site inspection

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Regards,

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Sent: Monday, 16 May 2016 1:34 PM
To: Moore, FionaF
Subject: RE: 2 Fitzroy street Forrest site inspection

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Sent: Friday, 29 April 2016 9:42 AM
To: tomislav
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I will coordinate an available date/time with members of the ACT Heritage Council and be in contact once confirmed.

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In particular;

1. The umbrella
2. The carport addition (refer to attached email)

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Kind Regards,

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Project Manager

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From: [tomislav](#)
To: [Moore, FionaF](#)
Subject: RE: 2 Fitzroy street Forrest site inspection
Date: Monday, 16 May 2016 1:37:13 PM

Ok thanks.

From: Moore, FionaF [mailto:FionaF.Moore@act.gov.au]
Sent: Monday, 16 May 2016 1:36 PM
To: tomislav
Subject: RE: 2 Fitzroy street Forrest site inspection

Hi Tomislav,

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Subject: RE: 2 Fitzroy street Forrest site inspection

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ACT Heritage | Environment and Planning | ACT Government

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Tomislav Kasunic |

Project Manager

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From: [tomislav](#)
To: [Moore, FionaF](#)
Subject: RE: 2 Fitzroy street Forrest site inspection
Date: Monday, 9 May 2016 2:34:19 PM

Hi Fiona,

Thanks for getting back to me. I accept the proposed time.

From: Moore, FionaF [mailto:FionaF.Moore@act.gov.au]
Sent: Monday, 9 May 2016 2:31 PM
To: tomislav
Subject: RE: 2 Fitzroy street Forrest site inspection

Good afternoon Tomislav,

The ACT Heritage Council accepts your invitation to attend site and inspect the umbrellas and proposed carport addition.

Mr David Flannery, Ms Dianne Firth, and Mr John Kenworthy have made themselves available to attend on:

Monday, 16 May, at 10.30am.

I will also attend on behalf of ACT Heritage.

If this date and time is suitable to you, receipt of this email would be appreciated.

Regards,

Fiona Moore | A/g Manager

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Friday, 29 April 2016 9:31 AM
To: Moore, FionaF
Subject: 2 Fitzroy street Forrest site inspection

Hi Fiona,

Thanks for discussing the issue with me this morning.

As discussed, I would like to invite the authority to site to inspect and discuss the issues at hand. In particular;

1. The umbrella
2. The carport addition (refer to attached email)

If you could please make a time and advise I will make myself available. Whilst I appreciate that you are busy I think the sooner we can meet and resolve the better.

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: [Ramesh, Meena](#)
To: [Dunn, Jennifer](#)
Subject: RE: Block 8 Section 35 Forrest - 2 Fitzroy Street proposed carport extension
Date: Monday, 2 May 2016 3:25:12 PM
Attachments: image001.png

Hi Jennifer

I have discussed this matter with my Manager Mr Ray Brown who concurs with me that a development approval is required for the proposed carport extension.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - South
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment and Planning Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 |
www.environment.act.gov.au

Meena

From: Dunn, Jennifer
Sent: Monday, 2 May 2016 12:54 PM
To: Ramesh, Meena
Subject: FW: Block 8 Section 35 Forrest - 2 Fitzroy Street proposed carport extension

Meena,

Further to my email below, could you please advise if the proposed carport extension requires an amended DA.

With thanks

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au





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From: Dunn, Jennifer
Sent: Monday, 2 May 2016 12:46 PM
To: Dang, Rachel
Subject: Block 8 Section 35 Forrest - 2 Fitzroy Street proposed carport extension

Hi Rachel,

Please see attached plan. The proponent is proposing an extension of the existing approved carport forward towards Fitzroy Street. The approved carport is setback 0.5m from the nearest front face of the dwelling.

Can you please advise if this proposed work requires an amended DA?

Thanks

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au





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From: [Dunn, Jennifer](#)
To: [Moore, FionaF](#)
Subject: RE: Umbrellas - 2 Fitzroy Street
Date: Friday, 29 April 2016 9:04:00 AM
Attachments: 20160422 - Advice.pdf
image001.png

From: Moore, FionaF
Sent: Friday, 29 April 2016 9:02 AM
To: Dunn, Jennifer
Subject: RE: Umbrellas - 2 Fitzroy Street

Jen,

Can you please email me a copy of our correspondence.

Regards,

Fiona

From: Dunn, Jennifer
Sent: Friday, 29 April 2016 8:50 AM
To: Moore, FionaF; Russell, Meaghan
Subject: FW: Umbrellas - 2 Fitzroy Street

Lets discuss.....he has called multiple time again since I left yesterday afternoon

From: tomlslav [REDACTED]
Sent: Thursday, 28 April 2016 5:11 PM
To: Dunn, Jennifer
Subject: RE: Umbrellas - 2 Fitzroy Street

Hi Jennifer,

In relation to the attached letter I can advise the following;

1. Kascon should not be mentioned as Kascon did not install and umbrella.
2. An umbrella is not and external alteration or addition. It is a piece of furniture that is not fixed to the building and can be moved at any point in time. Hence iii)a is no applicable. In any instance;
3. The umbrellas can be closed as they have been for some time and can transition from a closed to open position. Therefore it is not a fixed element.
4. The umbrella is not fixed to the building in any way.

I don't believe you will be able to obtain expert advice that the umbrella in any manner is in breach of the heritage guidelines let alone detracts the original building form from being dominant. I find it comical that you would state such, intuitively how could a double story brick home be over dominated by an umbrella 1.8m in height in 500mm in with? Furhter from the ground pending the viewpoint the umbrella is not visible in its closed form.

I do believe that the council is acting under pressure from the complainant and therefore will provide you with an opportunity to retract your letter.

Given the difficulties that I have and continue to experience on a daily basis at my home to the point where you feel that an occupant cannot enjoy their amenity by shading themselves with an umbrella, I am now forced to escalate this matter. Enough is enough and I am not going to be continually tormented at my home to the point where I cannot live in without conflict and enjoy my amenity.

The land regulation unit has outlined that I am not in breach of the *Planning and Deregulation ACT* nor do a require approval for such an element.

From the tone of your letter, one can infer that you that “further action” may result in a heritage direction as I am purportedly in breach of the *Heritage Act*, by way of noncompliance with the guidelines for the precinct. Disrespectfully I disagree and therefore will not remove the umbrella.

As such I put your department on notice that you do not have reasonable grounds to issue such a direction on the basis that there is not;

- A. a serious or immanent threat that would harm the place or object or aboriginal values; and
- B. For reasons outlined above installation of an umbrella is not in breach of the guidelines.

As such should you issue a direction pursuant to the *Heritage Act*, I reserve my right without further notice to instruct my solicitor to move the ACT supreme court to lapse such an order and seek and order for costs against your department.

I hope that you can reassess your purported breach of the guidelines, retract your position and put an end to this silly matter.

Kind Regards,

Tom Kasunic



From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]

Sent: Thursday, 28 April 2016 4:31 PM

To: tomlslav

Subject: Umbrellas - 2 Fitzroy Street

Tomi

ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: [tomislav](#)
To: [Moore, FionaF](#)
Subject: Umbrellas - 2 Fitzroy Street Forrest
Date: Friday, 29 April 2016 8:58:41 AM
Attachments: RE Umbrellas - 2 Fitzroy Street.msg
RE Umbrellas - 2 Fitzroy Street.msg

Hi Fiona,

Jennifer has advised that she is no longer the best point of contact on this matter. She has advised that moving forward that all communication/discussion is to be with yourself.

Can you please contact me on [REDACTED] to discuss.

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: [Dunn, Jennifer](#)
To: [Moore, FionaF](#)
Subject: FW: Umbrellas - 2 Fitzroy Street
Date: Friday, 29 April 2016 8:50:31 AM
Attachments: image001.png

From: tomislav [REDACTED]
Sent: Thursday, 28 April 2016 5:19 PM
To: Dunn, Jennifer
Subject: RE: Umbrellas - 2 Fitzroy Street

Jennifer,

I have left 4 messages over the course of this week prior to the issue of this letter and you have failed to return my call.

I ask that you please return my call on [REDACTED]

From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]
Sent: Thursday, 28 April 2016 4:31 PM
To: tomislav
Subject: Umbrellas - 2 Fitzroy Street

Tomi

ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

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From: [tomislav](#)
To: [Dunn, Jennifer](#)
Subject: RE: Umbrellas - 2 Fitzroy Street
Date: Thursday, 28 April 2016 5:35:16 PM
Attachments: image001.png

For your benefit I have provided photos of the residence as is. If your assessment was made without a site visit which I suspect it was, these photos will demonstrate to you that the closed umbrella is barely visible let alone “over dominating” or an alteration or addition.

From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Thursday, 28 April 2016 4:31 PM
To: tomislav
Subject: Umbrellas - 2 Fitzroy Street

Tomi

ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: [tomislav](#)
To: [Dunn, Jennifer](#)
Subject: RE: Umbrellas - 2 Fitzroy Street
Date: Thursday, 28 April 2016 5:11:25 PM
Attachments: image001.png

Hi Jennifer,

In relation to the attached letter I can advise the following;

1. Kascon should not be mentioned as Kascon did not install an umbrella.
2. An umbrella is not an external alteration or addition. It is a piece of furniture that is not fixed to the building and can be moved at any point in time. Hence iii)a is not applicable. In any instance;
3. The umbrellas can be closed as they have been for some time and can transition from a closed to open position. Therefore it is not a fixed element.
4. The umbrella is not fixed to the building in any way.

I don't believe you will be able to obtain expert advice that the umbrella in any manner is in breach of the heritage guidelines let alone detracts the original building form from being dominant. I find it comical that you would state such, intuitively how could a double story brick home be over dominated by an umbrella 1.8m in height in 500mm in width? Further from the ground pending the viewpoint the umbrella is not visible in its closed form.

I do believe that the council is acting under pressure from the complainant and therefore will provide you with an opportunity to retract your letter.

Given the difficulties that I have and continue to experience on a daily basis at my home to the point where you feel that an occupant cannot enjoy their amenity by shading themselves with an umbrella, I am now forced to escalate this matter. Enough is enough and I am not going to be continually tormented at my home to the point where I cannot live in without conflict and enjoy my amenity.

The land regulation unit has outlined that I am not in breach of the *Planning and Deregulation ACT* nor do I require approval for such an element.

From the tone of your letter, one can infer that you that "further action" may result in a heritage direction as I am purportedly in breach of the *Heritage Act*, by way of noncompliance with the guidelines for the precinct. Disrespectfully I disagree and therefore will not remove the umbrella.

As such I put your department on notice that you do not have reasonable grounds to issue such a direction on the basis that there is not;

- A. a serious or imminent threat that would harm the place or object or aboriginal values; and
- B. For reasons outlined above installation of an umbrella is not in breach of the guidelines.

As such should you issue a direction pursuant to the *Heritage Act*, I reserve my right without further notice to instruct my solicitor to move the ACT supreme court to lapse such an order and seek and order for costs against your department.

I hope that you can reassess your purported breach of the guidelines, retract your position and put an end to this silly matter.

Kind Regards,

Tom Kasunic


From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Thursday, 28 April 2016 4:31 PM
To: tomislav
Subject: Umbrellas - 2 Fitzroy Street

Tomi

ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

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From: [tomislav](#)
To: [Dunn, Jennifer](#)
Cc: [Moore, Fiona](#); [Russell, Meaghan](#)
Subject: RE: Block 8 Section 35 Forrest
Date: Tuesday, 26 April 2016 3:02:30 PM
Attachments: image002.png
20160426151620.pdf

Hi Jennifer,

Please see attached concept sketches. Given that the carport is a class 10 structure it won't require a full DA.

I attach sketches initially, however once an amicable resolution of "massing" is obtained than I will finalise architectural drawings. However as it stand is seek clarification of the guidelines in particular application to the carport structure.

The carport in its current length does not fit a regular vehicle in length. We were constricted to this length because heritage advice at the time outlined that we must be set back 0.5m from the adjacent façade, a characteristic derived/ similar to requirement iii)(d) of the heritage guidelines for the area. We have recently purchased a new vehicle and I want to protect it from the elements, theft etc, which is an essential amenity to the dwelling. From the assessment of experts I have initially engaged, the proposal that I put forward is compliant with the heritage guidelines. I have sought such interpretation because it is apparent that this may be the sticking point in obtaining endorsement. Advice from the heritage expert architect that I used for the DA from Sydney, a barrister and local planning solicitor and all are of the opinion that guideline iii)(b) is applicable because iii)(h) outlines that iii)(D) is not applicable to corner sites and that a single storey carport detached for the dwelling could not detract from the dominance of the existing building form. I hope in your assessment that you extract the same interpretation of the published guidelines, so that we can quickly come to a resolve.

Sorry to be a pain but the sooner I can get resolution on this the better to allow completion of the work.

Kind Regards,

Tom Kasunic

From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Tuesday, 2 February 2016 9:56 AM
To: tomislav
Subject: RE: Block 8 Section 35 Forrest

Hi Tomi,

Thanks. I'm happy to look at the plans in the first instance and if there are any concerns I'll give you a call and/or arrange a time to meet.

Jenny

From: tomislav [REDACTED]
Sent: Tuesday, 2 February 2016 8:14 AM
To: Dunn, Jennifer
Subject: RE: Block 8 Section 35 Forrest

Hi Jenifer,

We would like to make some changes to the approved plans for 8/35 Forrest. Prior to lodging an amended DA I would like to run these changes by heritage.

Would you prefer I email you a set of plans for assessment or would you like to meet to discuss prior to assessment?

Kind regards,

Tomislav Kasunic |

Project Manager

KASCON



From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]

Sent: Tuesday, 12 January 2016 10:51 AM

To: tomislav [REDACTED]

Cc: Moore, FionaF <FionaF.Moore@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: Block 8 Section 35 Forrest

Thanks Tomi,

The proposed planter boxes and plantings are detached from the building and removable and do not raise any heritage concerns.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au





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From: tomislav [REDACTED]
Sent: Tuesday, 12 January 2016 9:58 AM
To: Dunn, Jennifer
Subject: RE: Block 8 Section 35 Forrest

Can you confirm that the heritage unit is ok with the installation of these planterboxes.

Tomislav Kasunic |

Project Manager

KASCON



From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]
Sent: Tuesday, 12 January 2016 9:50 AM
To: tomislav [REDACTED]
Subject: RE: Block 8 Section 35 Forrest

Tom,

Thanks for the images.

Jenny

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

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GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: tomlav [REDACTED]
Sent: Tuesday, 12 January 2016 9:36 AM
To: Dunn, Jennifer
Subject: Block 8 Section 35 Forrest

Hi Jennifer,

As discussed this morning the screens on the rooftop are in fact planter boxes, refer to the attached images a and b. These planters have a screen attached to facilitate the growth of a climber, refer to image c. The intent is to establish a green wall as depicted in images

Kind regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: [Dunn, Jennifer](#)
To: [REDACTED]
Subject: 2 Fitzroy Street Forrest
Date: Friday, 22 April 2016 3:29:00 PM
Attachments: roof top garden 2.jpg
roof top garden 3.jpg
roof top garden.jpg
image001.png
20160422 - Advice.pdf

David,

As discussed, FYI in case you receive any media queries. Please note that the existing planter boxes and roof top garden were not opposed by ACT Heritage.

Also attached is advice to owners requesting removal of the umbrellas.

Jen

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: [Apps, Peter](#)
To: [Dunn, Jennifer](#)
Subject: FW: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]
Date: Wednesday, 20 April 2016 11:20:49 AM
Attachments: 20160324 - Action notification to complainant after investigation 345 1....doc
image004.png

Hi Jen

FYI

Peter Apps | Inspector | Enforcement Unit
Phone 02 6207 7898 | Email peter.apps@act.gov.au
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr

From: Peffer, Dave
Sent: Tuesday, 19 April 2016 8:37 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED] Phillips, Brett; Apps, Peter
Subject: RE: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

Hi [REDACTED]

These emails can sometimes get stuck in spam filters.

Please see the email re-presented below that was sent to you by Peter yesterday afternoon. Attached is also the written correspondence that I understand was posted to you in hard copy in March.

There's been no change our end. We've had Worksafe inspectors attend the site every month so far this year, in response to concerns raised by residents. Our inspectors have identified no breaches that were significant enough to warrant notices being issued. All matters were easily fixed immediately.

Separately we've had building inspectors attend on a number of occasions this year. Again, our inspectors have been comfortable that all works are consistent with approvals that've been issued.

We've spoken with the owner about the temporary umbrella on the roof. At this stage we won't be taking any further action.

I'll ask Roger to line up a meeting when he returns from leave so he can talk you through the investigation in greater detail if that'd be useful.

Regards

Dave

DAVE PEFFER



From: Apps, Peter
Sent: Monday, 18 April 2016 4:06 PM
To: [REDACTED]
Subject: Blk 8 Sec 35 Forrest

Dear [REDACTED]

Please see attached notice in relation to your complaint of 18 January 2016. The outcome of the investigation was posted to your mailing address on 24 March 2016.

Please be advised that works may be continuing at the address under the current building approval until all work is finalised and a completion certificate is issued by a private certifier.

Regards

Peter Apps | Inspector | Enforcement Unit
Phone 02 6207 7898 | Email peter.apps@act.gov.au
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesschr

From: [REDACTED]
Sent: Monday, 18 April 2016 10:12 PM
To: Peffer, Dave
Cc: [REDACTED]

Subject: Re: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

Hello Dave

I have not received any correspondence on the issues raised, was this via email or in hard copy?

Nor did I speak with Peter today.

The foliage is nowhere near the air conditioning plant and surrounds the edge of the building on the opposite side. The first attached photo shows where the foliage is placed, the air conditioning units are to the back left hand corner looking at this photo and there is no foliage near these whatsoever. There is a gap of more than 5 metres between the units and any foliage. No other buildings in the heritage listed block have foliage to provide protection to their air conditioning units.

There is now a rooftop garden that we believe breaches the heritage regulations of having

no structure above the parapet. The attached photos show the garden foliage which is metres away from the air condition unit and the current use of the foliage as part of a roof top garden.

This is unacceptable, there was no DA and no consultation with neighbours.

The works currently underway breached several work safe and possibly immigration rules last week. May we inquire what is now to happen with this? Again I have attached some photos.

I request to have a formal meeting with yourself and Roger in relation to No 2 Fitzroy Street and for this to be extended to our neighbours if they are interested in attending.

This has been ongoing for more than two years, and has even been in the Canberra Times. Every time we speak with an ACT official they appear outraged at the breach of the rules yet nothing ever comes out of this.

We look forward to meeting with you.

Thanks

[REDACTED]

Hi there

[REDACTED]

Thanks for your email.

I understand my team has communicated the outcome of our investigation to you but you remain concerned with the work underway.

To recap, our investigation found:

- The works on the site involved the location of underground rain water tanks, and a garage constructed on top of the tanks;
- The foliage on the roof was placed to provide protection for air conditioning plant;
- The works had DA and BA approvals.

This remains our position, and consistent with correspondence you received last month, there is no further action we propose to take.

Roger is on leave at the moment, but I understand you've been dealing with Peter Apps and he confirmed all of this with you on the phone this morning.

Peter remains your best point of contact until Roger returns from leave.

Thanks

Dave

On Mon, Apr 18, 2016 at 7:39 PM, Peffer, Dave <Dave.Peffer@act.gov.au> wrote:
Hi there [REDACTED]

Thanks for your email.

I understand my team has communicated the outcome of our investigation to you but you remain concerned with the work underway.

To recap, our investigation found:

- The works on the site involved the location of underground rain water tanks, and a garage constructed on top of the tanks;
- The foliage on the roof was placed to provide protection for air conditioning plant;
- The works had DA and BA approvals.

This remains our position, and consistent with correspondence you received last month, there is no further action we propose to take.

Roger is on leave at the moment, but I understand you've been dealing with Peter Apps and he confirmed all of this with you on the phone this morning.

Peter remains your best point of contact until Roger returns from leave.

Thanks

Dave

From: [REDACTED]
Sent: Monday, 18 April 2016 11:28 AM
To: Peffer, Dave
Cc: [REDACTED]
Subject: FW: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Dave

I am writing in relation to No 2 Fitzroy Street Forrest (Block 8, Section 35 Forrest).

Roger Gibson was assigned to investigate our concerns, and initial discussions with Roger gave us comfort that No 2 Fitzroy Street was finally being reviewed comprehensively through a single point of contact.

However we have not been able to get hold of Roger in recent weeks via email or phone, his line is

disconnected.

There is a long history to No 2 Fitzroy Street that has involved multiple noise complaints, at least two stop work orders, missing public DA notifications, removal of a roof structure that had no DA approval and breached heritage, retrospective approval of a second story extension and now the current situation.

At our last discussion with Roger we were assured that the current excavation works being conducted were in fact for two 10,000 L water tanks as per the DA approval.

We had heard at the time it was for a hoist for a car park but the owner assured the immediate neighbour this was not the case and again reproduced the plans for the water tanks. The ACT Government also assured us this had the correct approvals.

We had our doubts noting there appeared to be no inputs for water collection and the extent of the works for these tanks.

On Friday 15 April a City Ranger visited to site after we reported unsafe work practices and work to public property. The work involved removing curb side guttering and cutting into the road. There was no traffic management plan, no pedestrian management plan and absolutely zero PPE being worn by the workers.

When the City Ranger arrived two of the workers asked if he was from Immigration. They disappeared from site after he left and have not been back. They have been on the site for the past six weeks at least.

The Ranger stopped this work from continuing. I understand the Ranger will also issue a notice to remove building material that has been stored for nearly two months on the nature strip without approval.

Subsequently on Saturday 16 April we called Work Safe and the City Ranger again. Yet again work commenced before 7am, there was a concrete truck and pour happening, again with no road or pedestrian management. Work Safe stayed on site while the pour was completed.

Evidence of the final product of this work clearly indicates this excavation is not for two large water tanks as per the DA approval, but more likely an additional room or hoist for a two storey garage (none of which is not approved, we believe could not be done without breaching heritage, and would also significantly impact the nearest neighbour and us).

The DA approvals for all of the work is through the company Kascon (owned by the owner of the residence), which no longer has a web presence and we believe has closed operations.

There is still a massive 'site office' on site used at all hours and the issue of the roof top garden, that has no DA approval is still outstanding. Both ourselves and the immediate neighbour are extremely unhappy with the roof top garden and seek urgent resolution of this issue.

The work at this site has been ongoing for more than two years, almost always at weekends, and as mentioned has had a couple of stop work orders, and multiple noise complaints.

Some of the broad areas of concern are:

- windows raised by five rows of bricks at the front of the house which is heritage listed, no approval or DA for this work
- the splitting of the property into possibly three (rather than the approved two) purposes. The designs submitted for the DA indicate that the residential area could be further sub-divided into a unit and granny flat
- retrospective approval of works including for a second story extension at the rear of the building

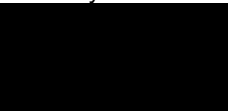
- the current works and what the actual purpose of these works are
- the roof top garden breaching heritage sky lines, privacy and noise considerations of neighbours. The heritage listing applies to the entire block and being allowed to break this sets a precedent for the entire block which we believe is unacceptable and ruins the purpose of the listing
- the ongoing use of the site office as a business, while only one business is approved to be on site (the office is rented to Mullion Group)
- shipping container with rubbish on its roof on site for nearly two years
- unapproved removal of several large trees, again breaching OHS while the works were being completed

We would like to see a comprehensive review of the site and to see the enforcement of the rules. We understand that several fines can be issued just for the work safe issues from Friday and would like to see these enforced.

As the owner runs a building company and is an architect there is no excuse for the blatant disregard to the heritage value of the site, ACT Government regulations and a general respect to nearby neighbours with noise and starting work before set times.

We look forward to hearing how our concerns will be addressed.

Thank you



From: [REDACTED]
Sent: Monday, 11 April 2016 09:10
To: 'Gibson, Roger'
Cc: [REDACTED]
Subject: RE: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Roger

I am hoping for an update on your investigation into No 2 Fitzroy St Forrest.

The 'site office' at the back of the property is still being used frequently and into the evenings. The shipping container holding building material is also still present with material also stored on its roof.

Building materials for the water tank have been sitting on the nature strip now for several weeks as work appears to be at a standstill.

As mentioned we are primarily concerned with the roof top garden. When you and I last spoke you said the ACT can make a decision to order its removal, deem it as an unapproved work and request that a Development Application be lodged.

I have been monitoring the DA app site and note that no DA has been listed for the roof top garden. I also understand that the Heritage Trust has concerns with the structure being above the parapet.

Can we please have an update on your investigations.

Thanks

[REDACTED]

From: Gibson, Roger [<mailto:Roger.Gibson@act.gov.au>]

Sent: Thursday, 3 March 2016 12:12

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

Good afternoon [REDACTED]

Thank you for your detailed paper relating to your concerns with the development at 2 Fitzroy Street Forrest.

Your concerns are being investigated as a priority and I hope to be in a position to deliver a concise determination shortly.

I would also appreciate you dealing with me directly in the future as the main point of contact as all the answers you seek will be as a result of the investigation myself and my team are conducting.

Please feel free to contact me if you have any further comments.

Kind regards

Roger

ROGER GIBSON

Manager | Planning Enforcement |

Phone 02 6207 8575 | Fax 02 6207 1856

Constructions Services | Access Canberra | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 |

roger.gibson@act.gov.au



*From little things,
BIG things grow!*



From [REDACTED]

Sent: Thursday, 3 March 2016 11:23 AM

To: Gibson, Roger

Cc: [REDACTED]

Subject: No 2 Fitzroy Street Forrest - Block 8, Section 35. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Roger

Thank you for taking my call the other day in relation to No 2 Fitzroy Street Forrest.

As mentioned we are concerned with some of the work and compliance at No 2 Fitzroy Street.

The attached DA submission from last year highlights and summarises our concerns up until the end of 2015. It also provides a copy of the local residents' Group letter to the Architect Board that has gone unanswered.

Also as mentioned - we submitted a Controlled Activity Complaint form on 18 Jan in relation to the roof top garden and have received no acknowledgement or response. It is very frustrating that this form cannot be submitted on line and that no read receipt or letter is issued to those who submit such a form.

The main concerns we have at the moment with No 2 include:

- **Noise**

- we have made several noise complaints and I know that an EPA officer has written, and on occasion visited the site, in response to these. As you cannot be issued with a reference number for 'out of hours' complaints I do not have a record or reference numbers for these but did make a noise complaint as recently as last week for work beginning before 7am.
- there have been continual breaches of compliance to hours of operation
- it is not unusual for work to start 10-20 minutes before 7am or start before 8am on Sundays.
- on the Tuesday night just gone they were using power tools after 9pm which we heard when walking home, I am not sure if this is compliant given they are working to a DA rather than just some minor work
- significant amounts of this entire build has been on weekends
- the builders have very little regard for the impact on neighbours who have dealt with this for nearly 2 years

- **Roof top garden - see attached photos**

- we believe this breaches the heritage listing, while not a permanent structure the trellises are welded into place, and ruin the sky line which is part of the heritage aspect of the entire block
- the permanent and fixed umbrella, tables and chairs and BBQ also ruin the skyline and suggest a degree of permanency
- the heritage listing is for the entire precinct and should be observed, the ramifications of not complying to the intent or rules of a heritage order has broader ramifications when it is a block listing rather than an individual building. If allowed this sets a precedent for the entire block
- the roof top garden impacts nearby residents both with privacy and noise, if lighting were to be used/installed than there will also be issues with light spill
- one of the many reasons for purchasing in a heritage block was the listing which meant

we would not be built out or 'over' due to the height restrictions

- if buildings on Canberra Avenue follow the example of the roof top garden this would significantly impact those on the lower side of Fitzroy Street
- there are also safety concerns for this access
- it was clearly noted by the owners in their DA (20158816) that roof access was only for utilities and then after the approval came through they subsequently did the garden. This denies any local resident, neighbour or heritage person an opportunity to have valid input into the proposal
- we clearly raised concerns in our submission based on the installation of a flat roof, a permanent staircase and very large skylight/door access that was installed very early on as part of works that were subsequently not approved as they breached heritage regulations
- part of the approval of the DA considered the available GFA, this is increasing the GFA (informally if not formally) that the owners have to tenant or live in. This increased use of the site impacts the amenity of others nearby

- **Shipping container site office**

- this has been on site for more than 18 months and we believe is used by Kascon for their normal business operation
- Kascon builders arrive, often prior to 7am to meet at the office, and park on the verge, wrong side of the street and in two hour parking spots for extended periods of time
- again there can be noise issues with the builders talking, car radios and loading up material from the other shipping container on site (prior to 7am)
- the lease variation that was approved indicated only one home office and one residence for the building, we consider that as they have tenanted the office space to the Mullion Group that this constitutes two business on site rather than one
- the shipping container office is unsightly and has been there for some time, noting the majority of the works are now completed it would be good to have a confirmation date of its removal

- **Shipping container for storage**

- this container stores material that is used off site and therefore we assume as part of the Kascon business
- again this is unsightly and has been in location for more than 18 months
- there is material frequently sorted on the roof and hanging over and this may be an OHS risk if it were to fall, especially noting it is near the footpath

- **Total accommodation on site - noting the offices are rented to the Mullion Group**

- they have eight staff listed on their website and frequently have cars parked in short term parking on Fitzroy street throughout the entire business day.
- cars also park on the verge and in the driveway access to the property
- the DA application, in relation to waste management, noted there would be no more than four staff in the office generating waste. Having more than four staff, another business and residents all using this location impacts nearby timed parking. The site is also meant to have formalised visitor parking for the business that has not been finalised

As you can appreciate by the list above there is a degree of frustrating around the development of No 2 Fitzroy.

We are happy to work towards a mediated solution. We are however extremely unhappy about the roof top garden and I understand our immediate neighbours will also be submitting a formal complaint. Several heritage people have also raised concerns with the impact on the heritage listing.

We really appreciate that you are reviewing this with fresh eyes and a new approach.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Dunn, Jennifer
To: [Moore, FionaF](#)
Cc: [Russell, Meaghan](#)
Subject: FW: Block 8 Section 35 Forrest
Date: Wednesday, 20 April 2016 11:15:00 AM

Fi,

FYI. I will respond is due course

From: tomlslav [REDACTED]
Sent: Wednesday, 20 April 2016 10:59 AM
To: Dunn, Jennifer
Subject: Block 8 Section 35 Forrest

Hi Jenifer,

I seek clarification of an issue in relation to a umbrella that I have at my dwelling on the existing roof terrace.

ACTPLA have provided the complainants with a response citing that an umbrella does not fit the definition of development and therefore does not require approval.

Form my understating discussions that I have had with you earlier suggest that furniture items that are not fixed to the building, are not subject to the heritage guidelines as it can be removed, laid flat and erected upon use. A similar interpretation was provided in relation to the planter boxes which are removable. Are you able to confirm this.

In your assessment note that this is an umbrella and not a fixed shade structure as you may have been falsely advised by the complainants.

Kind Regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: Dunn, Jennifer
To: [Apps, Peter](#)
Cc: [Moore, Fiona](#); [Russell, Meaghan](#)
Subject: RE: Blk 8 Sec 35 Forrest 2 Fitzroy St
Date: Wednesday, 20 April 2016 9:44:00 AM
Attachments: image001.png

Peter,

Thanks for referring this matter to us for consideration.

Any consideration of whether the shade structure requires approval rests with the planning authority, ACT Heritage can only provide advice under the provisions of the *Heritage Act 2004*. We would expect that such a structure may require approval however defer to the authority for a decision on that issue.

Requirement iii) of the Heritage Guidelines for the Forrest Fire Station Precinct state that *"The original building form is to remain dominant"*

The existing shade structure is significantly higher than the parapet to the roof of the building and is highly visible. ACT Heritage does not support the structure as it presents as an additional storey to the roof of the building and is not complementary to the form or architectural character of the building.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: Apps, Peter
Sent: Tuesday, 19 April 2016 4:27 PM
To: Dunn, Jennifer
Subject: Blk 8 Sec 35 Forrest 2 Fitzroy St

Hi Jen

Please see attached photos for your comments and if Heritage are concerned or approval is required. [REDACTED] has complained yet again. Thanks

Kind regards

Peter Apps | Inspector | Enforcement Unit
Phone 02 6207 7898 | Email peter.apps@act.gov.au
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesschr

From: [Gibson, Roger](#)
To: [REDACTED]
Cc: [Dunn, Jennifer](#); [Apps, Peter](#)
Subject: RE: 2 Fitzroy Street Forrest
Date: Tuesday, 15 March 2016 2:54:32 PM

Hi [REDACTED]

Reference. 2 Fitzroy Street Forrest.

Placement of a garden pot and trellis on the roof of the property (2 Fitzroy Street Forrest) whereby the trellis can be viewed from the street is not something covered by legislation. In addition, as the Heritage Branch of the Environment and Planning Directorate had stated in writing that they did not have any issues with this, we will not be investigated further. As these (pot / trellis) are not attached to the building these are not structures and there for do not come under the provisions of the *Planning and Development Act 2007*.

I hope this explains the position for you.

Kind regards

Roger

ROGER GIBSON

Manager | Planning Enforcement |

Phone **02 6207 8575** | Fax 02 6207 1856

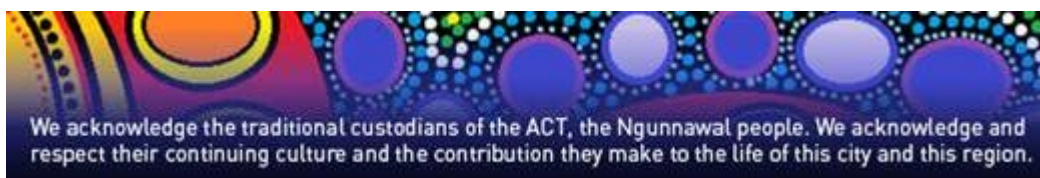
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**From little things,
BIG things grow!**



From: [REDACTED]
Sent: Tuesday, 15 March 2016 12:47 PM
To: Gibson, Roger
Subject: 2 Fitzroy Street Forrest

Hello Roger

I have been given your email address by the owner of [REDACTED] Rather than go through our concerns re 2 Fitzroy street. Could you read the below email trail which we sent to ACT Heritage a few months ago. We are still waiting on a response from ACT Planning.

Thank you in anticipation.

Regards

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: 12 January 2016 2:25:05 pm AEDT
To: "Dunn, Jennifer" <Jennifer.Dunn@act.gov.au>
Cc: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>, "Moore, FionaF" <FionaF.Moore@act.gov.au>
Subject: Re: 2 Fitzroy Street Forrest

Hello Jennifer

Thank you for your quick response. We will await contact by ACT Planning. Just a question, why is this not a heritage issue given the height restriction on heritage buildings?

Thank you in anticipation.

Regards

[REDACTED]

Sent from my iPad

On 12 Jan 2016, at 1:12 pm, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:

[REDACTED]

Thank you for your email. ACT Heritage understands that the proponent seeks to provide a roof top garden with detached planter boxes to provide a green space.

Your concerns regarding privacy are noted. The ACT Planning Authority, as the approval authority has been requested to provide a response to such concerns as this is not a heritage matter.

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

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GPO Box 158 Canberra ACT 2601
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-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 12 January 2016 12:53 PM
To: Dunn, Jennifer
Subject: 2 Fitzroy Street Forrest

Dear Jennifer

We are speaking on behalf of [REDACTED] who is the owner of [REDACTED] (we have power of attorney) our concerns are the privacy of [REDACTED] if a garden is added to the roof of 2 Fitzroy Street which undoubtedly will need regular access.

Could you please give details and address our concerns.

Regards

[REDACTED]

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attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: [Carmichael, Tony](#)
To: [Moore, FionaF](#)
Subject: RE: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest
Date: Tuesday, 1 March 2016 2:21:34 PM

Thanks Fi

From: Moore, FionaF
Sent: Tuesday, 1 March 2016 2:20 PM
To: Carmichael, Tony
Subject: RE: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest

Tony,

To close this loop, ACT Heritage visited the two properties earlier today and the following update has been provided to me:

- 2 Fitzroy Street, Forrest: Works to driveway appear to be in accordance with approved Landscape plan which proposes a realignment of driveway in front of proposed new carport.
- 21 Bougainville Street, Forrest: No evidence of windows having been removed. All windows visible to both Furneaux and Bougainville Street appear to be original (with the exception of several aluminium windows to the upper floor, likely circa 1970s)

Regards,

Fiona Moore | A/g Manager
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment and Planning | **ACT Government**
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Carmichael, Tony
Sent: Tuesday, 1 March 2016 11:32 AM
To: Moore, FionaF
Subject: RE: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest

Many thanks Fi

From: Moore, FionaF
Sent: Tuesday, 1 March 2016 10:44 AM
To: Carmichael, Tony
Subject: RE: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest

Yes. 2 Fitzroy St, Forrest, located within the heritage 'Forrest Fire Station Precinct' has been the subject of multiple Development Applications and complaints from community members.

More recently, the proponent sought to provide a roof top garden with detached planter boxes to provide a green space. This did not raise any Heritage concerns as the planter boxes are detached and can be removed at any time. A Controlled Activity Complaint was lodged by a member of the community with Access Canberra in relation to privacy concerns.

[REDACTED], on this occasion, was concerned with the planter boxes and works occurring within the vicinity of the driveway (holes). [REDACTED] also raised secondary concerns in relation to a house on the corner of Furneaux and Bougainville Street, Griffith (removal of windows).

Fiona Moore | A/g Manager

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Carmichael, Tony
Sent: Tuesday, 1 March 2016 10:02 AM
To: Moore, FionaF
Subject: FW: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest

Hi Fi

Can you do a dot point on this please

Thanks

tony

From: Ekelund, Dorte
Sent: Tuesday, 1 March 2016 9:55 AM
To: Carmichael, Tony
Subject: Re: Difficult phone call: [REDACTED] and 2 Fitzroy St, Forrest

So this is the one doing stuff on the roof?

Sent from my iPhone

On 1 Mar 2016, at 8:00 AM, Carmichael, Tony <Tony.Carmichael@act.gov.au> wrote:

Ongoing concerns about the owner undertaking renovations that [REDACTED] believes is impacting on its heritage values.

Sent from my iPad

On 1 Mar 2016, at 7:17 AM, Ekelund, Dorte <Dorte.Ekelund@act.gov.au> wrote:

Thanks Tony. What is the issue at this property?

Cheers

D

On 29 Feb 2016, at 5:30 pm, "Carmichael, Tony"

<Tony.Carmichael@act.gov.au> wrote:

Colleagues

There was an animated conversation between one of the heritage staff and [REDACTED] late today about the 2 Fitzroy St.

[REDACTED] became very annoyed that the staff member would not share with her the detailed conversations they are having with the owners of the property.

This is just heads up if [REDACTED] happens to ring someone else.

tony

Tony Carmichael | Executive-Director

Phone 02 6207 7226 | Mobile 0417415790

Strategic Planning | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908

Canberra ACT 2601 | www.environment.act.gov.au

From: Dunn, Jennifer
To: [Moore, Fiona](#); [Russell, Meaghan](#)
Subject: FW: Call from Anne Forrest
Date: Tuesday, 1 March 2016 2:14:00 PM

Inspected both sites this morning

2 Fitzroy Street, Forrest: Works to driveway appear to be in accordance with approved Landscape plan which proposes a realignment of driveway in front of proposed new carport.

21 Bougainville Street, Forrest: No evidence of windows having been removed. All windows visible to both Furneaux and Bougainville Street appear to be original (with the exception of several aluminium windows to the upper floor, likely circa 1970s)

From: Dunn, Jennifer
Sent: Monday, 29 February 2016 4:34 PM
To: Moore, Fiona; Russell, Meaghan
Subject: Call from [REDACTED]

FYI.

Lets talk tomorrow.....

[REDACTED] rang to complain about 2 Fitzroy Street and house on corner of Furneaux and Bougainville Street in Griffith (windows removed, no Da in place)

From: [Ramesh, Meena](#)
To: [Gibson, Roger](#)
Cc: [Dang, Rachel](#); [Jamaly, Rumana](#); [Dunn, Jennifer](#); [Brown, Ray](#)
Subject: 8/35 Forrest - No 2 Fitzroy Street (heritage)
Date: Thursday, 4 February 2016 10:39:59 AM
Attachments: image001.png
intent of plannters - green wall.jpg
planters on roof.jpg
Planters on roof#2.jpg

Hi Roger

Since this is a mixed use development, the matter has now been referred to me by Rachel. I understand Rachel has forwarded [REDACTED] email below to you for investigation in conjunction with the complaint you have received directly from [REDACTED]. As advised by you, we will not contact or respond to [REDACTED] and leave it to you to do so.

I understand you have concluded that the planter boxes and trellis by virtue of being located at the upper level are not exempt structures and require development approval.

As advised, the lessee Mr Tomislav Kasunic has contacted us regarding some proposed amendments. He will email the drawings to me and I will keep you informed. If he has not included these structures, I will ask him to do so.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - South
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment and Planning Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 |
www.environment.act.gov.au

From: Dang, Rachel
Sent: Wednesday, 3 February 2016 9:36 AM
To: Ramesh, Meena
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)

Dear Meena,

Please find the following emails received from Jennifer Dunn and [REDACTED] FYI.

Best regards,
Rachel

From: Dunn, Jennifer
Sent: Tuesday, 12 January 2016 12:51 PM
To: Dang, Rachel
Cc: Moore, FionaF; Russell, Meaghan
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)

Rachel,

See below email from [REDACTED] regarding works to the roof at 2 Fitzroy Street, Forrest.
Can you please respond to the questions raised as these are not heritage matters.

I have spoken to the proponent who has advised that the planter boxes with attached screens are to be planted out with climbing plants to provide a green wall. The works are to the roof of the main part of the building, which falls outside of the most recent DA. I'm not sure whether approval is required for these works – could you please clarify? As noted in our response below, we do not have any concerns given that the planters are detached and removable.

Photos attached.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: [REDACTED]
Sent: Tuesday, 12 January 2016 12:10 PM
To: Dunn, Jennifer
Cc: [REDACTED]
Subject: Re: Work on the roof of No 2 Fitzroy Street (heritage)

Hello Jennifer

Can I seek clarification if this constitutes another accessible space for residents?

This adds a new dimension to the development that was not listed in the DA and has ramifications for neighbours and the interpretation of the Heritage Order about structures above the parapet. Especially noting that the heritage order is a precinct order not just an individual property so changes in heights impacts the overall heritage.

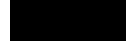
If this is a new open space (and there is a very large access door to the roof space that was cited as only for accessing utilities) then should this have been included in the DA so that neighbours and residents could comment?

Planter boxes for privacy was only listed for the space above the original garage which was listed as meeting the open space requirement for the second residence.

Thank you



On Tuesday, 12 January 2016, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:



Thank you for your email.

ACT Heritage understands that the structures on the roof of 2 Fitzroy Street are a series of planting boxes with attached trellises to support climbing plants. The planters are detached from the building and removable. The planters do not raise any heritage concerns.

Thank you for raising the matter with us.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: [REDACTED]
Sent: Monday, 11 January 2016 7:57 AM
To: Sharifi, Sam; Heritage; Hubert, Pamela
Cc: [REDACTED]
Subject: Work on the roof of No 2 Fitzroy Street (heritage)

Good Morning Sam, Pamela and the Heritage unit

Over the weekend the owners of No 2 Fitzroy have installed a structure on the roof (photos attached). This work was not listed in the DA and sits well above the parapet in its current form. The structures look fixed at their current height.

The DA approved having utilities on the roof such as air conditioning units. These were installed late last year and only take up a small footprint.

Noting the heritage order for the precinct and its consideration of work above the parapet I ask that you investigate the work please.

Thank you
[REDACTED]

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From: [csbinvestigations](#)
To: [Dunn, Jennifer](#)
Subject: FW: Controlled Activity Complaint Form Block 8, Section 35
Date: Monday, 18 January 2016 2:13:31 PM

Hi Jenny

As discussed.

Kind regards,

Glenys Tetley | Enforcement Unit

Phone 02 6207 1923 | Email [csbinvestigations](#)

Construction, Environment and Workplace Protection | **Access Canberra**

GPO Box 158 Canberra ACT 2601 | Email www.act.gov.au/accesscbr



From: EPD, Customer Services
Sent: Monday, 18 January 2016 1:50 PM
To: csbinvestigations
Subject: FW: Controlled Activity Complaint Form Block 8, Section 35

From: [REDACTED]
Sent: Monday, 18 January 2016 12:55 PM
To: EPD, Customer Services
Subject: Controlled Activity Complaint Form Block 8, Section 35

Hello

Please see my attached Controlled Activity Complaint Form. As I am unable to submit on line and I am interstate please accept this photograph form I will post the hard copy.

My husband and I have several concerns with the installation of a rooftop garden on No 2 Fitzroy Street:

* Firstly, the heritage order states there is to be no structure above the parapet. We understand heritage has approved the trellises as they are not a permanent structure however it is a long term fixture that will be permanent into the foreseeable future. We believe that a rooftop garden is not in the spirit and intent of the heritage order.

* We bought in a heritage area to both respect the heritage and enjoy the privacy it brings us by not having anything more than the original structure in height. If one building in the Fire Precinct is allowed to build a rooftop garden then this sets a precedent for all of the other occupants to follow suit. This will impact the privacy and amenity of neighbours especially noting the precinct block is not flat and those on the southern side (Fitzroy Steet) would see a greater impact.

* The rooftop garden will allow access to the rooftop at all times of the day and night - this impacts the amenity of No2's neighbours, with light, noise and privacy all being concerns.

* There is no guarantee that the vines on the trellises will be maintained. As such this impacts privacy and will look unattractive on top of a heritage listed building.

* The trellises are not along the entire length of the roof top and there are possible safety concerns with this.

* The submission by the owner late last year DA20152816, clearly stated the extensive roof access (internal staircase and large skylight) was purely to allow access to utilities on the roof. The DA submission from my husband and me raised our concern about this but this was not addressed in the assessment.

* By the owners not being clear on their intentions the DA, residents and neighbours have not had an opportunity to submit any concerns in a formal manner to the rooftop garden.

* The rooftop access increases the GFA of the building which has already had approval to increase substantially in terms of plot ratio.

* Our submission to the recent DA raised concerns that the extension's design can in fact allow for three separate units rather than two. The rooftop extension raises concerns this may be the case and that there will be an increased number of people both residing and working on this site.

* The office component of the site was stated as only having a maximum of four occupants (listed in the DA in relation to parking and waste production), this is currently exceeded with several cars parked all day across the road in the two hour parking zone. We believe any increased use of the site will increase the use of timed street parking and continue to impact our amenity with noise and other pressures. It is also worth noting there is an office being operated out of temporary office space at the rear of the building adding additional pressure to the site and local parking.

* The owners have had several stop work orders issued for breaching the heritage order and work without an approved DA, one of the decisions from this was that the owner had to remove an extension that has been partially constructed on the roof that was done without an approved DA or heritage approval.

The current structures have been erected over the past fortnight. We ask that you address our concerns immediately before the work is finalised and used as a 'selling' point for tenants.

Thank you



From: [Heritage Referrals](#)
To: [Dunn, Jennifer](#)
Subject: FW: LAAN-FORREST-TELSTRA-TEAM TELSTRA-REF 10945296-2 FITZROY ST-REF
Date: Wednesday, 13 January 2016 4:32:00 PM
Attachments: LAAN-FORREST-TELSTRA-TEAM TELSTRA-REF 10945296-2 FITZROY ST-01.obr

Hi Jen - a LAAN notification for 2 Fitzroy Street for you....do you just want to check details?

Thanks,
Meaghan

-----Original Message-----

From: EPD, Customer Services
Sent: Wednesday, 13 January 2016 11:43 AM
To: McKeown, Helen; EPAPlanningLiaison; TAMS CIS ASG DA; Gianakis, Steven; Heritage Referrals
Subject: LAAN-FORREST-TELSTRA-TEAM TELSTRA-REF 10945296-2 FITZROY ST-REF

Dear Sir/Madam

Please find attached LAAN notice.

Kind Regards,

Cassandra Phillips | Customer Services Officer
Phone: 02 6207 1923
Access Canberra | Environment & Planning | ACT Government
8 Darling Street Mitchell ACT | Dame Pattie Menzies House 16 Challis Street Dickson ACT | GPO Box 1908
Canberra ACT 2601 |

From: [Dunn, Jennifer](#)
To: [REDACTED]
Cc: [Russell, Meaghan](#); [Moore, FionaF](#)
Subject: RE: 2 Fitzroy Street Forrest
Date: Wednesday, 13 January 2016 8:43:00 AM

Thanks [REDACTED]

The planter boxes are not attached to the building and can be removed. Your concerns regarding privacy have been referred to the planning authority for a response.

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson
GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 12 January 2016 2:25 PM
To: Dunn, Jennifer
Cc: Russell, Meaghan; Moore, FionaF
Subject: Re: 2 Fitzroy Street Forrest

Hello Jennifer

Thank you for your quick response. We will await contact by ACT Planning. Just a question, why is this not a heritage issue given the height restriction on heritage buildings?

Thank you in anticipation.

Regards

[REDACTED]

Sent from my iPad

> On 12 Jan 2016, at 1:12 pm, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:

>

> [REDACTED]

>

> Thank you for your email. ACT Heritage understands that the proponent seeks to provide a roof top garden with detached planter boxes to provide a green space.

>

> Your concerns regarding privacy are noted. The ACT Planning Authority, as the approval authority has been requested to provide a response to such concerns as this is not a heritage matter.

>

>

> Jennifer Dunn
> Conservation Officer | Advice
> Phone 02 6207 9392
>
> ACT Heritage| Environment and Planning Directorate| ACT Government
> Dame Pattie Menzies House, Challis Street Dickson
> GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

> -----Original Message-----

> From: [REDACTED]
> Sent: Tuesday, 12 January 2016 12:53 PM
> To: Dunn, Jennifer
> Subject: 2 Fitzroy Street Forrest

> Dear Jennifer

> We are speaking on behalf of [REDACTED] who is the owner of [REDACTED] (we have power of attorney) our concerns are the privacy of [REDACTED] if a garden is added to the roof of 2 Fitzroy Street which undoubtedly will need regular access.

> Could you please give details and address our concerns.

> Regards

> [REDACTED]

> -----
> - This email, and any attachments, may be confidential and also
> privileged. If you are not the intended recipient, please notify the sender and delete all copies of this
> transmission along with any attachments immediately. You should not copy or use it for any purpose, nor
> disclose its contents to any other person.

> -----
> -

From: [Dunn, Jennifer](#)
To: [Park, Ada](#)
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)
Date: Tuesday, 12 January 2016 1:25:00 PM
Attachments: image001.png

Ada,

FYI. [REDACTED] has also raised concerns regarding privacy and safety

Jenny

From: [REDACTED]
Sent: [REDACTED]
To: Dunn, Jennifer
Cc: Moore, FionaF; Russell, Meaghan
Subject: Re: Work on the roof of No 2 Fitzroy Street (heritage)

Thanks Jennifer

This was not listed in the DA application - will this sit above the parapet?

This also raises the privacy and safety concerns that were listed in our submission on the DA if it requires people to be regularly in the roof.

Thanks
[REDACTED]

On Tuesday, 12 January 2016, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:
[REDACTED]

Thank you for your email.

ACT Heritage understands that the structures on the roof of 2 Fitzroy Street are a series of planting boxes with attached trellises to support climbing plants. The planters are detached from the building and removable. The planters do not raise any heritage concerns.

Thank you for raising the matter with us.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au





www.themouattree.org.au

From: [REDACTED]
Sent: Monday, 11 January 2016 7:57 AM
To: Sharifi, Sam; Heritage; Hubert, Pamela
Cc: [REDACTED]
Subject: Work on the roof of No 2 Fitzroy Street (heritage)

Good Morning Sam, Pamela and the Heritage unit

Over the weekend the owners of No 2 Fitzroy have installed a structure on the roof (photos attached). This work was not listed in the DA and sits well above the parapet in its current form. The structures look fixed at their current height.

The DA approved having utilities on the roof such as air conditioning units. These were installed late last year and only take up a small footprint.

Noting the heritage order for the precinct and its consideration of work above the parapet I ask that you investigate the work please.

Thank you
[REDACTED]

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From: Dunn, Jennifer
To: [Park, Ada](#)
Cc: [Russell, Meaghan](#); [Moore, FionaF](#)
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)
Date: Tuesday, 12 January 2016 1:03:00 PM
Attachments: image001.png
intent of plannters - green wall.jpg
planters on roof.jpg
Planters on roof#2.jpg

Hello Ada,

In the absence of Rumana and Rachel can you please provide a response to the concerns raised below by [REDACTED] in relation to 2 Fitzroy Street, Forrest?

With thanks

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: Dunn, Jennifer
Sent: Tuesday, 12 January 2016 12:51 PM
To: Dang, Rachel
Cc: Moore, FionaF; Russell, Meaghan
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)

Rachel,

See below email from [REDACTED] regarding works to the roof at 2 Fitzroy Street, Forrest.
Can you please respond to the questions raised as these are not heritage matters.

I have spoken to the proponent who has advised that the planter boxes with attached screens are to be planted out with climbing plants to provide a green wall. The works are to the roof of the main part of the building, which falls outside of the most recent DA. I'm not sure whether approval is required for these works – could you please clarify? As noted in our response below, we do not have any concerns given that the planters are detached and removable.

Photos attached.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [REDACTED]
Sent: Tuesday, 12 January 2016 12:10 PM
To: Dunn, Jennifer
Cc: Moore, FionaF; Russell, Meaghan; [REDACTED] Sharifi, Sam; [REDACTED] csbinvestigations
Subject: Re: Work on the roof of No 2 Fitzroy Street (heritage)

Hello Jennifer

Can I seek clarification if this constitutes another accessible space for residents?

This adds a new dimension to the development that was not listed in the DA and has ramifications for neighbours and the interpretation of the Heritage Order about structures above the parapet. Especially noting that the heritage order is a precinct order not just an individual property so changes in heights impacts the overall heritage.

If this is a new open space (and there is a very large access door to the roof space that was cited as only for accessing utilities) then should this have been included in the DA so that neighbours and residents could comment?

Planter boxes for privacy was only listed for the space above the original garage which was listed as meeting the open space requirement for the second residence.

Thank you



On Tuesday, 12 January 2016, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:



Thank you for your email.

ACT Heritage understands that the structures on the roof of 2 Fitzroy Street are a series of planting boxes with attached trellises to support climbing plants. The planters are detached from the building and removable. The planters do not raise any heritage concerns.

Thank you for raising the matter with us.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [REDACTED]
Sent: Monday, 11 January 2016 7:57 AM
To: Sharifi, Sam; Heritage; Hubert, Pamela
Cc: [REDACTED]
Subject: Work on the roof of No 2 Fitzroy Street (heritage)

Good Morning Sam, Pamela and the Heritage unit

Over the weekend the owners of No 2 Fitzroy have installed a structure on the roof (photos attached). This work was not listed in the DA and sits well above the parapet in its current form. The structures look fixed at their current height.

The DA approved having utilities on the roof such as air conditioning units. These were installed late last year and only take up a small footprint.

Noting the heritage order for the precinct and its consideration of work above the parapet I ask that you investigate the work please.

Thank you
[REDACTED]

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From: Dunn, Jennifer
To: [REDACTED]
Cc: [Russell, Meaghan](#); [Moore, FionaF](#)
Subject: RE: Work on the roof of No 2 Fitzroy Street (heritage)
Date: Tuesday, 12 January 2016 12:33:00 PM
Attachments: image001.png

[REDACTED]

The matters you have raised below are for the consideration of the planning authority, not ACT Heritage. Accordingly I will refer to them for a response to your questions.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: [REDACTED]
Sent: Tuesday, 12 January 2016 12:10 PM
To: Dunn, Jennifer
Cc: Moore, FionaF; Russell, Meaghan; [REDACTED] Sharifi, Sam; [REDACTED]; csbinvestigations
Subject: Re: Work on the roof of No 2 Fitzroy Street (heritage)

Hello Jennifer

Can I seek clarification if this constitutes another accessible space for residents?

This adds a new dimension to the development that was not listed in the DA and has

ramifications for neighbours and the interpretation of the Heritage Order about structures above the parapet. Especially noting that the heritage order is a precinct order not just an individual property so changes in heights impacts the overall heritage.

If this is a new open space (and there is a very large access door to the roof space that was cited as only for accessing utilities) then should this have been included in the DA so that neighbours and residents could comment?

Planter boxes for privacy was only listed for the space above the original garage which was listed as meeting the open space requirement for the second residence.

Thank you
[REDACTED]

On Tuesday, 12 January 2016, Dunn, Jennifer <Jennifer.Dunn@act.gov.au> wrote:
[REDACTED]

Thank you for your email.

ACT Heritage understands that the structures on the roof of 2 Fitzroy Street are a series of planting boxes with attached trellises to support climbing plants. The planters are detached from the building and removable. The planters do not raise any heritage concerns.

Thank you for raising the matter with us.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [REDACTED]
Sent: Monday, 11 January 2016 7:57 AM
To: Sharifi, Sam; Heritage; Hubert, Pamela
Cc: [REDACTED]
Subject: Work on the roof of No 2 Fitzroy Street (heritage)

Good Morning Sam, Pamela and the Heritage unit

Over the weekend the owners of No 2 Fitzroy have installed a structure on the roof (photos attached). This work was not listed in the DA and sits well above the parapet in its current form. The structures look fixed at their current height.

The DA approved having utilities on the roof such as air conditioning units. These were installed late last year and only take up a small footprint.

Noting the heritage order for the precinct and its consideration of work above the parapet I ask that you investigate the work please.

Thank you

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From: Dunn, Jennifer
To: "tomislav"
Cc: Moore, Fiona; Russell, Meaghan
Subject: RE: Block 8 Section 35 Forrest
Date: Tuesday, 12 January 2016 10:51:00 AM
Attachments: image002.png

Thanks Tomi,

The proposed planter boxes and plantings are detached from the building and removable and do not raise any heritage concerns.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: tomislav [REDACTED]
Sent: Tuesday, 12 January 2016 9:58 AM
To: Dunn, Jennifer
Subject: RE: Block 8 Section 35 Forrest

Can you confirm that the heritage unit is ok with the installation of these planterboxes.

Tomislav Kasunic |

Project Manager

KASCON

From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]
Sent: Tuesday, 12 January 2016 9:50 AM
To: tomlav [REDACTED]
Subject: RE: Block 8 Section 35 Forrest

Tomi,

Thanks for the images.

Jenny

Jennifer Dunn

Conservation Officer | Advice
Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government
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GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: tomlav [REDACTED]
Sent: Tuesday, 12 January 2016 9:36 AM

To: Dunn, Jennifer
Subject: Block 8 Section 35 Forrest

Hi Jennifer,

As discussed this morning the screens on the rooftop are in fact planter boxes, refer to the attached images a and b. These planters have a screen attached to facilitate the growth of a climber, refer to image c. The intent is to establish a green wall as depicted in images

Kind regards,

Tomislav Kasunic |

Project Manager

KASCON



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From: [Heritage](#)
To: [Russell, Meaghan](#); [Dunn, Jennifer](#)
Subject: FW: Work on the roof of No 2 Fitzroy Street (heritage)
Date: Monday, 11 January 2016 8:58:00 AM

Meaghan/Jen,

Please see below email in relation to 2 Fitzroy Street – I am available to discuss with you and Jen if required.

Regards,

Fiona Moore | A/g Manager

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From [REDACTED]
Sent: Monday, 11 January 2016 7:57 AM
To: Sharifi, Sam; Heritage; Hubert, Pamela
Cc: [REDACTED]
Subject: Work on the roof of No 2 Fitzroy Street (heritage)

Good Morning Sam, Pamela and the Heritage unit

Over the weekend the owners of No 2 Fitzroy have installed a structure on the roof (photos attached). This work was not listed in the DA and sits well above the parapet in its current form. The structures look fixed at their current height.

The DA approved having utilities on the roof such as air conditioning units. These were installed late last year and only take up a small footprint.

Noting the heritage order for the precinct and its consideration of work above the parapet I ask that you investigate the work please.

Thank you
[REDACTED]

From: [Dang, Rachel](#)
To: [Dunn, Jennifer](#)
Subject: RE: Comm: Heritage Block 8 Section 35 forrest DA201528116 - S144F
Date: Wednesday, 14 October 2015 11:25:46 AM
Attachments: image001.png

Thank you so much, Jennifer.

Best regards,
Rachel

From: Dunn, Jennifer
Sent: Wednesday, 14 October 2015 11:23 AM
To: EPD, Customer Services
Cc: Dang, Rachel
Subject: Comm: Heritage Block 8 Section 35 forrest DA201528116 - S144F

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

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GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: Dunn, Jennifer
To: [EPD, Customer Services](#)
Cc: [Dang, Rachel](#)
Subject: Comm: Heritage Block 8 Section 35 forrest DA201528116 - S144F
Date: Wednesday, 14 October 2015 11:23:00 AM
Attachments: 20151014 - Advice S144F.pdf
image001.png

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: [Heritage Referrals](#)
To: [Dunn, Jennifer](#)
Subject: FW: REFERRAL-HERITAGE-201528116-S144F-8/35 FORREST-01
Date: Tuesday, 13 October 2015 2:54:25 PM
Attachments: ObjRef.obr

From: EPD, Customer Services
Sent: Tuesday, 13 October 2015 1:44 PM
To: Heritage Referrals
Subject: REFERRAL-HERITAGE-201528116-S144F-8/35 FORREST-01

MANDATORY REFERRAL

DEVELOPMENT APPLICATION NO: 201528116-S144F
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description: MULTI DWELLING-CARPARK-HOME BUSINESS. Proposed two storey addition to rear of existing building. Addition of Single storey car park to side of existing residence.

Further Information: 1. 1.8m high Landscape screen added to the northwest side of the existing terrace to prevent overlooking of the north west boundary. Please note the proposal does not seek to change the position of the terrace as existing.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**03/11/2015**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services - EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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community organisations and individuals to work with ACT Government and deliver a more seamless experience.

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From: Dunn, Jennifer
To: [EPD, Customer Services](#)
Cc: [Dang, Rachel](#); [tomislav](#); "[Dane.Kasunic](#)"
Subject: Further Heritaeg advice - Landscape screening Block 8 Section 35 Forrest
Date: Tuesday, 13 October 2015 12:34:00 PM
Attachments: 20151013 - Advice.pdf
image001.png

Please find attached, ACT Heritage Council advice

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [Dane Kasunic](#)
To: [Dunn Jennifer](#)
Subject: 8-35 Forrest - Landscape Screen to existing terrace
Date: Monday, 12 October 2015 2:43:35 PM
Attachments: A02-Site Plan.pdf
A03-Ground Floor Plan.pdf
A04-Upper Floor Plan.pdf
A05-Roof Plan.pdf
A06-Elevations.pdf
A07-Elevations.pdf
A08-Sectional Elevations.pdf
A09-Section A-A.pdf

Jennifer

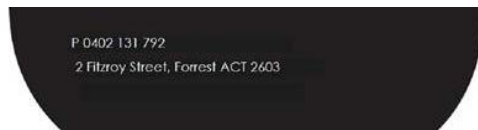
Please find attached revised drawings lodged with ACTPLA this morning in relation to the requirement of a landscape visual screen to the existing terrace on the North west side.

Can you provide Feedback to Rachel Dang at ACTPLA as soon as possible please??? I'm not sure if this needs to be done formally (given that this is a planning issue and Heritage have already provided advice in support of the application) or whether a simple email is enough to support the planting proposed.

The owners are keen to have a Notice of Decision issued by ACTPLA by weeks end.


Thankyou

Dane Kasunic
Architect



E: [\[REDACTED\]](#) | W: www.kasunicandco.com.au

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 Save a tree - please do not print this email unless you really need to.

From: [Dang, Rachel](#)
To: [Dunn, Jennifer](#)
Subject: 1.7m high screen along the north-western side of the rooftop deck
Date: Monday, 12 October 2015 10:28:28 AM
Attachments: image001.png
Importance: High

Hi Jennifer,

Thanks for the attachment. Please confirm whether it is acceptable from the ACT Heritage Council's perspective for the applicant to install a 1.7m high screen along the north-western side of the rooftop deck or not.

Your comments on this issue much be much appreciated,

Best regards,

Rachel

From: Dunn, Jennifer
Sent: Thursday, 8 October 2015 9:27 AM
To: EPD, Customer Services
Cc: Dang, Rachel; tomlav
Subject: Comm: Heritage Block 8 Section 35 forrest DA 2015 28116 - S141B

Good morning,

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: Dunn, Jennifer
To: [EPD, Customer Services](#)
Cc: [Dang, Rachel](#); [tomislav](#)
Subject: Comm: Heritage Block 8 Section 35 forrest DA 2015 28116 - S141B
Date: Thursday, 8 October 2015 9:27:00 AM
Attachments: 20151008 - Advice.pdf
image001.png

Good morning,

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: [EPD, Customer Services](#)
To: [Heritage Referrals](#)
Subject: REFERRAL-HERITAGE-201528116-S141B-8/35 FORREST-01
Date: Wednesday, 7 October 2015 12:02:03 PM
Attachments: ObjRef.obr

MANDATORY REFERRAL

DEVELOPMENT APPLICATION NO: 201528116-S141B
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description: MULTI DWELLING-CARPARK-HOME BUSINESS. Proposed two storey addition to rear of existing building. Addition of Single storey car park to side of existing residence.

Further Information: Revised drawings in response to Heritage advice dated 18.9.15. Liased with Jennifer Dunn at ACT Heritage and was advised that 750mm offset from the north west boundary to the carport roof would be sufficient to meet Heritage requirements to provide visual separation between the existing dwelling and the side boundary. Attached drawings include this revision.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**28/10/2015**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services - EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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From: [Hosseini, Sam](#)
To: [Dunn, Jennifer](#)
Subject: FW: Revised Plans; Block 8, Section 35 Forrest - Attention Sam
Date: Tuesday, 6 October 2015 2:40:31 PM
Attachments: 20150918 - Advice.pdf
A02 - Site Plan.pdf
A03 - Proposed Ground Floor Plan.pdf
A04 - Proposed Upper Floor Plan.pdf
A05 - Roof Plan.pdf
A06 - Elevations.pdf
A07 - Elevations.pdf
A08 - Sectional Elevations.pdf
A09 - Section A-A.pdf
A10 - Composite Streetscape.pdf
image002.png

FYI

Sam Hosseini

Conservation Officer

ACT Heritage | Environment and Planning Directorate | ACT Government
Phone: 6205 4512 | Email: sam.hosseini@act.gov.au
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au



From: Dane.Kasunic [REDACTED]
Sent: Thursday, 24 September 2015 2:44 PM
To: Heritage
Cc: Dang, Rachel
Subject: Revised Plans; Block 8, Section 35 Forrest - Attention Sam

Sam

In the absence of Jennifer Dunn please find attached revised plans for 8/35 Forrest showing the Fitzroy street carport roof off the north west boundary.

Please note that Jennifer and I discussed an offset from the boundary of 750mm as being sufficient to provide visual separation between the carport roof and the side boundary (See attached Letter of Advice). A planting bed was also introduced along this boundary to provide an additional visual buffer.

So all Heritage requirements should now be met. Can you please provide a recommendation to Rachael Dang at ACTPLA to this effect at your earliest convenience please.

Should you require anything further I can be contacted on the number below or alternatively via email.

Thankyou

Dane Kasunic
Architect



P 0402 131 792
2 Fitzroy Street, Forrest ACT 2603

E: [REDACTED] | W: www.kasunicandco.com.au

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From: [Heritage Referrals](#)
To: [Dunn, Jennifer](#)
Subject: FW: REFERRAL-HERITAGE-S141A-201528116-8/35 FORREST-01
Date: Thursday, 24 September 2015 1:39:54 PM
Attachments: ObjRef.obr

From: EPD, Customer Services
Sent: Thursday, 24 September 2015 1:24 PM
To: Heritage Referrals
Subject: REFERRAL-HERITAGE-S141A-201528116-8/35 FORREST-01

DEVELOPMENT APPLICATION NO: 201528116
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description - Revised plans showing changes requested by Heritage on 2nd September 2015. Plans received 23 September 2015.

Pursuant to Section 148(1) of the *Planning and Development Act 2007* the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice **(19/10/2015)**.

In accordance with Section 150 of the *Planning and Development Act 2007* If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services
EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20140XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-TAMS-201401234-10/10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

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From: [Dane Kasunic](#)
To: [Dunn Jennifer](#)
Cc: [Dang Rachel](#)
Subject: 8/35 Forrest - Revised Drawings
Date: Tuesday, 22 September 2015 5:15:32 PM
Attachments: A01- Demolition Plan.pdf
A02- Site Plan.pdf
A03- Ground Floor Plan.pdf
A04- Upper Floor Plan.pdf
A05- Roof Plan.pdf
A06- Elevations.pdf
A07- Elevations.pdf
A08- Sectional Elevations.pdf
A09- Section A-A.pdf
A10- Composite Streetscape.pdf

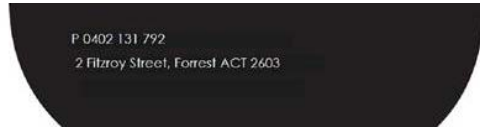
Jennifer

As discussed please find attached revised plans as per your letter 18.9.15 showing planter bed between the boundary and north east boundary.

Please let me know if you require anything further.


Thankyou

Dane Kasunic
Architect



E: [\[REDACTED\]](#) | W: www.kasunicandco.com.au

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From: Dunn, Jennifer
To: [EPD, Customer Services](#)
Subject: Comm: Heritage Block 8 Section 35 Forrest DA2015 28116 - S141A
Date: Friday, 18 September 2015 11:10:00 AM
Attachments: 20150918 - Advice.pdf
image001.png

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [Heritage Referrals](#)
To: [Dunn, Jennifer](#)
Subject: FW: REFERRAL-HERITAGE-201528116-S141A-01
Date: Tuesday, 8 September 2015 3:37:14 PM
Attachments: ObjRef.obr

-----Original Message-----

From: Fricker, Louise
Sent: Tuesday, 8 September 2015 10:48 AM
To: Heritage Referrals
Subject: REFERRAL-HERITAGE-201528116-S141A-01

MANDATORY REFERRAL

DEVELOPMENT APPLICATION NO: 201528116-S141A
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description: Revised plans showing changes requested by Heritage on 2nd September 2015.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than 15 working days after the date of this notice (23/09/2015).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services – EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

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From: [EPD, Customer Services](#)
To: [Heritage Referrals](#)
Subject: REFERRAL-HERITAGE-201527835-26/4 FORREST-02
Date: Thursday, 3 September 2015 12:15:17 PM
Attachments: LSCAPE-201527835-01.pdf
LSCAPE-201527835-02.pdf
SITE-201527835-01.pdf

Note for Referral: Revised Plans.

DEVELOPMENT APPLICATION NO: **201527835**

BLOCK: **26** SECTION: **4** DIVISION: **FORREST**

Description: **SINGLE RESIDENTIAL-ADDITIONS. Proposed extension to existing residence including bedrooms, bathroom, laundry and double garage.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than 15 working days after the date of this notice **(24/9/2015)**.

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services – EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards,

Customer Services

Phone 02 6207 1923

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

From: Dunn, Jennifer
To: [EPD, Customer Services](#)
Subject: Comm: Heritage Block 8 Section 35 Griffith SA 201528116
Date: Wednesday, 2 September 2015 2:20:00 PM
Attachments: 20150902 - Advice.pdf
image001.png

Please find ACT Heritage Council advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



www.themouattree.org.au

From: [REDACTED]
To: [Dunn, Jennifer](mailto:Dunn.Jennifer)
Subject: Re: Proposed development - 2 Fitzroy Street, Forrest
Date: Tuesday, 1 September 2015 5:27:40 PM
Attachments: image001.png

I haven't had chance to review Jen... but you call it as you see it.

David Flannery
sent from my mobile

----- Original message -----

From: "Dunn, Jennifer" <Jennifer.Dunn@act.gov.au>

Date: 01/09/2015 11:06 am (GMT+09:30)

To: [REDACTED]

Subject: Proposed development - 2 Fitzroy Street, Forrest

Dear Taskforce,

I have not received any comments regarding the proposed two storey/ two carport development.

ACT Heritage Council advice on the current DA for 2 Fitzroy Street is due tomorrow.

ACT Heritage and the Council have expressed ongoing concerns regarding proposed development on this block for some time and there have been ongoing compliance issues. Any comments you may wish to make are required by **COB today** so that advice can be finalised.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



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From: [REDACTED]
To: [Dunn, Jennifer](mailto:Jennifer.Dunn@act.gov.au)
Cc: [REDACTED]
Subject: RE: Proposed development - 2 Fitzroy Street, Forrest
Date: Tuesday, 1 September 2015 5:18:17 PM

Dear Jen
I will defer to David's and John's comments on this one.
Thanks
Hanna

--- Original message ---

Subject: RE: Proposed development - 2 Fitzroy Street, Forrest

From: [REDACTED]

To: "Dunn, Jennifer" <Jennifer.Dunn@act.gov.au>

Cc: [REDACTED]

Date: Tuesday, 01/09/2015 2:54 PM

Good afternoon Jennifer,

My apologies for not responding earlier.

I've looked at the current plans and have no further useful comment.

Regards

John Kenworthy

John Kenworthy
General Manager, Land

The Village Building Co. Limited

[REDACTED]
www.villagebuilding.com.au

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[Image]

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From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]

Sent: Tuesday, 1 September 2015 11:37 AM

To: [REDACTED]

Subject: Proposed development - 2 Fitzroy Street, Forrest

Dear Taskforce,

I have not received any comments regarding the proposed two storey/ two carport

development.

ACT Heritage Council advice on the current DA for 2 Fitzroy Street is due tomorrow.

ACT Heritage and the Council have expressed ongoing concerns regarding proposed development on this block for some time and there have been ongoing compliance issues. Any comments you may wish to make are required by **COB today** so that advice can be finalised.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

[Image] [\[Image \]](#)

[Image]

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From: [REDACTED]
To: [Dunn, Jennifer](mailto:Jennifer.Dunn@act.gov.au)
Cc: [REDACTED]
Subject: RE: Proposed development - 2 Fitzroy Street, Forrest
Date: Tuesday, 1 September 2015 5:18:17 PM

Dear Jen
I will defer to David's and John's comments on this one.
Thanks
Hanna

--- Original message ---

Subject: RE: Proposed development - 2 Fitzroy Street, Forrest
From: [REDACTED]
To: "Dunn, Jennifer" <Jennifer.Dunn@act.gov.au>
Cc: [REDACTED]
Date: Tuesday, 01/09/2015 2:54 PM

Good afternoon Jennifer,

My apologies for not responding earlier.

I've looked at the current plans and have no further useful comment.

Regards

John Kenworthy

John Kenworthy
General Manager, Land

The Village Building Co. Limited

[REDACTED]
www.villagebuilding.com.au

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From: Dunn, Jennifer [<mailto:Jennifer.Dunn@act.gov.au>]
Sent: Tuesday, 1 September 2015 11:37 AM
To: [REDACTED]
Subject: Proposed development - 2 Fitzroy Street, Forrest

Dear Taskforce,

I have not received any comments regarding the proposed two storey/ two carport

development.

ACT Heritage Council advice on the current DA for 2 Fitzroy Street is due tomorrow.

ACT Heritage and the Council have expressed ongoing concerns regarding proposed development on this block for some time and there have been ongoing compliance issues. Any comments you may wish to make are required by **COB today** so that advice can be finalised.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

[Image] [\[Image \]](#)

[Image]

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any other person.

From: [REDACTED]
To: [Dunn, Jennifer](mailto:Dunn.Jennifer)
Cc: [REDACTED]
Subject: RE: Proposed development - 2 Fitzroy Street, Forrest
Date: Tuesday, 1 September 2015 2:55:32 PM
Attachments: image001.png

Good afternoon Jennifer,

My apologies for not responding earlier.

I've looked at the current plans and have no further useful comment.

Regards

John Kenworthy

John Kenworthy
General Manager, Land

The Village Building Co. Limited

[REDACTED]

www.villagebuilding.com.au

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From: Dunn, Jennifer [mailto:Jennifer.Dunn@act.gov.au]
Sent: Tuesday, 1 September 2015 11:37 AM
To: [REDACTED]
Subject: Proposed development - 2 Fitzroy Street, Forrest

Dear Taskforce,

I have not received any comments regarding the proposed two storey/ two carport development.

ACT Heritage Council advice on the current DA for 2 Fitzroy Street is due tomorrow.

ACT Heritage and the Council have expressed ongoing concerns regarding proposed development on this block for some time and there have been ongoing compliance issues. Any comments you may wish to make are required by **COB today** so that advice can be finalised.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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From: [Heritage](#)
To: [Russell, Meaghan](#); [Dunn, Jennifer](#)
Subject: FW: No 2 Fitzroy street
Date: Monday, 31 August 2015 8:58:26 AM

FYI

Fiona Moore I A/g Manager
Phone: +61 2 6205 9974 I Email: fionaf.moore@act.gov.au
ACT Heritage I Environment and Planning I ACT Government
Dame Pattie Menzies House, Dickson I GPO Box 158 Canberra ACT 2601 I www.environment.act.gov.au

-----Original Message-----

From [REDACTED]
Sent: Saturday, 29 August 2015 8:57 AM
To: GENTLEMAN
Cc: info@isccc.org.au; Gary Kent; [REDACTED]; [REDACTED]; Sharifi, Sam; [csbinvestigations](#); EPD, Customer Services; Heritage; DOSZPOT
Subject: No 2 Fitzroy street

Hello Minister

I am writing in frustration over the lack of resources for the ACT Government to take reports and enforce stop work orders or inspect sites on weekends.

No 2 Fitzroy Street in Forrest is a case in point - for more than 18 months the owner, a registered architect, has competed illegal work on weekends. In recent times this has included tree removal without a permit and the erection of a two story extension without an appropriate DA. In fact he has worked every weekend since a stop work order was issued on the site in late July.

There is extensive work going on today that started at 8am while the DA notification is out the front.

Almost the entire extension including internal works will be completed before the DA closes. Given this has been reported every weekend it is disappointing that the ACT Government has made no effort to come and stop the work.

The owner has a blatant disregard for heritage, ACT planning rules and his neighbours.

I ask that you review a system that allows this to happen.

Thank you
[REDACTED]

Sent from my iPhone

From: [Russell, Meaghan](#)
To: [Dunn, Jennifer](#)
Subject: FW: Fitzroy St Heritage concerns
Date: Friday, 28 August 2015 9:32:14 AM
Attachments: 2Fitzroy st0715.doc
ATT00001.htm
image001.png
Importance: High

Hello Jen,

Could you please see the below – which is a request for information on the Fireman’s Cottages, to be provided by Tuesday. Dot points only are needed – could you have a look at this on Monday?

Many thanks,
Meaghan

Meaghan Russell | Conservation Officer (Archaeology) | Acting Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



From: Moore, FionaF
Sent: Friday, 28 August 2015 9:30 AM
To: Russell, Meaghan
Subject: FW: Fitzroy St Heritage concerns

Meaghan,

Could you please prepare some dot points providing background and current considerations of this issue for Dorte.

No timeframe is provided, I suggest we ensure our advice is provided by early next week (**COB Tuesday**).

Regards,

Fiona Moore | A/g Manager

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Carmichael, Tony
Sent: Friday, 28 August 2015 7:50 AM
To: Moore, FionaF; McKeown, Brianna
Subject: Fwd: Fitzroy St Heritage concerns

Hi Fiona

For advice please

Ta

Tony

Begin forwarded message:

From: "Ekelund, Dorte" <Dorte.Ekelund@act.gov.au>
Date: 27 August 2015 9:21:07 pm AEST
To: "Carmichael, Tony" <Tony.Carmichael@act.gov.au>
Cc: "Rake, Gary" <Gary.Rake@act.gov.au>
Subject: Fwd: Fitzroy St Heritage concerns

Tony,

Can you please check out our understanding of this issue.

Many thanks

Dorte

Begin forwarded message:

From: [REDACTED]
Date: 27 August 2015 7:51:00 pm AEST
To: "Ekelund, Dorte" <Dorte.Ekelund@act.gov.au>
Cc: [REDACTED]
[REDACTED]
Subject: Fitzroy St Heritage concerns

Dorte

Included in attachment are concerns about building work in the Fireman's Cottages Heritage area that I mentioned today

I have included [REDACTED] from Kingston Barton Residents Group (KBRG). Please get back to them if you need more info.

It would be good if you could update them about compliance action

and notifications.

Regards

[Redacted]

[Redacted]



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antivirus software.

www.avast.com

From: [Heritage Referrals](#)
To: [Dunn, Jennifer](#)
Subject: FW: REFERRAL-HERITAGE-201528116-8/35 FORREST-01
Date: Friday, 14 August 2015 4:14:08 PM
Attachments: ObjRef.obr

From: EPD, Customer Services
Sent: Wednesday, 12 August 2015 2:10 PM
To: Heritage Referrals
Subject: REFERRAL-HERITAGE-201528116-8/35 FORREST-01

MANDATORY REFERRAL

DEVELOPMENT APPLICATION NO: 201528116
BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description: MULTI DWELLING-CARPARK-HOME BUSINESS. Proposed two storey addition to rear of existing building. Addition of Single storey car park to side of existing residence.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**02/09/2015**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services - EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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ACT
Government

**Access
Canberra.**

From: [Heritage](#)
To: [Peter Moore](#)
Subject: RE: Compliance and Heritage issues concerning 2 Fitzroy St Forrest
Date: Tuesday, 28 July 2015 11:30:00 AM

Peter,

Thank you for copying your email to ACT Heritage.

Noting the complexities of the statutory processes relating to this matter, we appreciate your concerns and will be interested in the response from the Institute of Architects.

Regards

Pamela Hubert B. Arch RAlA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Peter Moore [REDACTED]
Sent: Tuesday, 28 July 2015 11:19 AM
To: ArchitectsBoard
Cc: Heritage; [REDACTED]
Subject: Compliance and Heritage issues concerning 2 Fitzroy St Forrest

Attached is a submission relating to compliance and heritage issues associated with building activities at the above address. The reference matters have been brought to the attention of the Kingston Barton Residents Group by concerned residents. Your urgent attention and response would be much appreciated.

Regards

Peter Moore

Secretary

Kingston Barton Residents Group

From: [Heritage](#)
To: [Dunn, Jennifer](#); [Moore, Fiona](#)
Subject: FW: Compliance and Heritage issues concerning 2 Fitzroy St Forrest
Date: Tuesday, 28 July 2015 11:27:43 AM
Attachments: 2Fitzroy st0715.docx

FYI.

I will send an email to Peter Moore thanking him for keeping us informed.

Regards

Pamela Hubert B. Arch RAlA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Peter Moore [REDACTED]
Sent: Tuesday, 28 July 2015 11:19 AM
To: ArchitectsBoard
Cc: Heritage; [REDACTED]
Subject: Compliance and Heritage issues concerning 2 Fitzroy St Forrest

Attached is a submission relating to compliance and heritage issues associated with building activities at the above address. The reference matters have been brought to the attention of the Kingston Barton Residents Group by concerned residents. Your urgent attention and response would be much appreciated.

Regards

Peter Moore

Secretary

Kingston Barton Residents Group

From: [Sharifi, Sam](#)
To: [Hubert, Pamela](#)
Subject: RE: Controlled Activity Complaint
Date: Monday, 13 July 2015 9:34:06 AM

Morning Pamela

Thank you for your email.

There are some complaints lodged in regard to the mentioned block. Your complaint was about a steel structure on the roof which was removed after Construction Services issued a notice to the builder, so technically we had to close the case. After removing the steel structure the remaining building was in accordance to the approved plans at the time.

Currently we have issued a “stop work notice” to the builder, due to an unapproved building work on the rear side of the block. We have warned the builder and the certifier to lodge a DA ASAP. Meanwhile I have inspected the site three times so far, just to make sure everything is under control.

If you need more information please feel free to contact me.

Regards,

Sam Sharifi | Investigator

Phone: 02 6207 3022 | Email: Sam.Sharifi@act.gov.au |

Construction Services | **Access Canberra** | **ACT Government**

Dame Pattie Menzies House, Challis St., Dickson, ACT, 2602 |

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au>



From: Hubert, Pamela
Sent: Wednesday, 8 July 2015 2:35 PM
To: Sharifi, Sam
Subject: Controlled Activity Complaint

Sam,

Thank you for your letter of 30 June 2015 in relation to the Controlled Activity Complaint of 3 November 2014 for Block 8 Section 35 Forrest.

Your letter states that “no further action is required in relation to your complaint because the structure has the required development approval”. ACT Heritage is not aware for any development application for the rooftop structure and believes that the structure was removed in March 2015.

Could you please confirm that the structure has development approval and, if so, provide additional details of the approval?

Thanks.

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [Heritage](#)
To: [Dunn, Jennifer](#)
Subject: FW: Work up to the boundary of the extension has been happening this morning.
Date: Monday, 13 July 2015 8:40:37 AM
Attachments: ATT00001.txt
ATT00002.txt

FYI

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]

Sent: Saturday, 11 July 2015 10:54 AM

To: Sharifi, Sam; [REDACTED]

Cc: Heritage

Subject: Work up to the boundary of the extension has been happening this morning.

Morning both

This work happening this morning suggests an assumption the extension will get approval.

Part of the original lease variation for one home office was based on six or so off site parks. This has been reduced significantly.

In addition kascon branded vehicles , including a large truck, frequently park all day in Two hour parking.

I am unsure how this complies with the variation for a home office.

With relation to a submission regarding shipping containers that I made previously - at least one of these is set up as an office which again I thought would breach the lease variation.

Thank you

[REDACTED]

From: [REDACTED]
To: [Sharifi, Sam](#); [REDACTED]
Cc: [Heritage](#)
Subject: Re: Work up to the boundary of the extension has been happening this morning.
Date: Sunday, 12 July 2015 2:04:11 PM

Hello all

This work is also continuing today.

Thanks
[REDACTED]

Sent from my iPhone

> On 11 Jul 2015, at 10:54 am, [REDACTED] wrote:
>
> Morning both
>
> This work happening this morning suggests an assumption the extension will get approval.
>
> Part of the original lease variation for one home office was based on six or so off site parks. This has been reduced significantly.
>
> In addition kascon branded vehicles , including a large truck, frequently park all day in Two hour parking.
>
> I am unsure how this complies with the variation for a home office.
>
> With relation to a submission regarding shipping containers that I made previously - at least one of these is set up as an office which again I thought would breach the lease variation.
>
> Thank you
> [REDACTED]
>
>
>
> <IMG_1960.JPG>
>
>
>
> <IMG_1961.JPG>
>
>
>
> Sent from my iPhone

From: Hubert, Pamela
To: [Sharifi, Sam](#)
Subject: Controlled Activity Complaint
Date: Wednesday, 8 July 2015 2:34:00 PM

Sam,

Thank you for your letter of 30 June 2015 in relation to the Controlled Activity Complaint of 3 November 2014 for Block 8 Section 35 Forrest.

Your letter states that “no further action is required in relation to your complaint because the structure has the required development approval”. ACT Heritage is not aware for any development application for the rooftop structure and believes that the structure was removed in March 2015.

Could you please confirm that the structure has development approval and, if so, provide additional details of the approval?

Thanks.

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
To: [Sharifi, Sam](#)
Cc: [Heritage](#); [REDACTED]
Subject: Re: B8 S35 Forrest
Date: Saturday, 4 July 2015 5:13:43 PM

Hello Sam

Having just gotten home from holidays I can confirm work is going on in site now.

Thanks
[REDACTED]

Sent from my iPhone

> On 4 Jul 2015, at 3:54 pm, [REDACTED] wrote:
>
> Hello Sam
>
> As mentioned in previous email - work going on today post stop work order.
>
> Given this continued behaviour I hope the is a penalty enforced.
>
> Thanks
> [REDACTED]
>
> <IMG_1919.JPG>
>
>
>
> Sent from my iPhone

From: [REDACTED]
To: [Heritage](#)
Subject: Re: Quick question
Date: Friday, 19 June 2015 5:23:27 PM

Thanks - will do

Sent from my iPhone

> On 19 Jun 2015, at 5:01 pm, Heritage <Heritage@act.gov.au> wrote:

>

> [REDACTED]

>

> ACT Heritage is aware of a proposal for an addition to the existing building that the Heritage Council has provided advice on to the effect that the Council has no objections. However, we are unable to advise of whether or not a DA is necessary for the work.

>

> I suggest that you contact the Investigations Team in Access Canberra (phone 132281) if you are concerned that work is being done without appropriate approvals in place.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager

> Phone 02 6205 3195

> ACT Heritage | Environment and Planning | ACT Government

> Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

> www.environment.act.gov.au

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Friday, 19 June 2015 4:35 PM

> To: Hubert, Pamela; Heritage

> Subject: Quick question

>

> Hello

>

> No 2 is doing an extension out the back . While I know this does not breach the heritage order does a DA need to be lodged for such work?

>

> I have not seen a DA or any building notifications out the front advising of the building work.

>

> I appreciate this should be directed to another area but not sure where.

>

> Cheers

> [REDACTED]

>

> Sent from my iPhone

> -----

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> -----

From: Dunn, Jennifer
To: [REDACTED] [Hubert, Pamela](#)
Subject: RE: No 2 fitzroy st - painted concrete
Date: Monday, 15 June 2015 10:16:00 AM

[REDACTED]

Thanks for your email. My apologies for the delay in responding.

In relation to your query regarding established trees, the Register Entry for the Precinct (the Guidelines) identifies the original plantings in Fitzroy Street (street trees, verges and remaining hedges) as features intrinsic to the significance of the place to be retained. This does not apply to the trees that have been removed and trimmed.

The Guidelines do not specify paint colours. The painting of the concrete hood over the front door in the cream colour does not raise any heritage concerns. We have observed that other door hoods and window frames have been painted over time in a range of colours from bright white to Indian red. The cream colour is not offensive and does not detract from the existing face brick to the external walls.

Regards

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson
GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 9 June 2015 7:51 AM
To: Hubert, Pamela
Cc: Dunn, Jennifer
Subject: Re: No 2 fitzroy st - painted concrete

Thanks Pamela

Also I was reading the heritage order on the weekend and it mentions established trees - does that mean the two trees they have removed and one they have trimmed would sit under the heritage order ?

Thanks
[REDACTED]

Sent from my iPhone

> On 9 Jun 2015, at 7:46 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>

[REDACTED]

> Thank you for your email.

>

> I have asked Jennifer Dunn to look into this. Jennifer will let you know when she has more information.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager Phone 02 6205 3195 ACT

> Heritage | Environment and Planning | ACT Government Dame Pattie

> Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

> | www.environment.act.gov.au

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Sunday, 7 June 2015 7:44 AM

> To: Hubert, Pamela

> Cc: Heritage

> Subject: No 2 fitzroy st - painted concrete

>

> Hello Pamela

>

> No 2 has painted the concrete feature above the door cream.

>

> While it looks tidy what are the rules for this? I did not notice if they have also painted above the garage.

>

> Can anyone paint the concrete and if so are there colour restrictions?

>

> We don't have any concrete detail on our house but the corner properties do, including the one used by the fire emergency personnel. I thought the frontage was under the heritage order so any changes would require approval.

>

> This work is new - it is just being finished and they were working on this this morning. I noticed as I had to go and ask them to stop working at 7.15 on a Sunday morning - again. Hence the early email.

>

> Thanks

[REDACTED]

>

> Sent from my iPhone

> -----

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> privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

> -----

> -

From: [REDACTED]
To: [Hubert, Pamela](#)
Cc: [Dunn, Jennifer](#)
Subject: Re: No 2 fitzroy st - painted concrete
Date: Tuesday, 9 June 2015 7:51:24 AM

Thanks Pamela

Also I was reading the heritage order on the weekend and it mentions established trees - does that mean the two trees they have removed and one they have trimmed would sit under the heritage order ?

Thanks

Sent from my iPhone

> On 9 Jun 2015, at 7:46 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>

> [REDACTED]

>

> Thank you for your email.

>

> I have asked Jennifer Dunn to look into this. Jennifer will let you know when she has more information.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager

> Phone 02 6205 3195

> ACT Heritage | Environment and Planning | ACT Government

> Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

> www.environment.act.gov.au

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Sunday, 7 June 2015 7:44 AM

> To: Hubert, Pamela

> Cc: Heritage

> Subject: No 2 fitzroy st - painted concrete

>

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>

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> Can anyone paint the concrete and if so are there colour restrictions?

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>

> Thanks

> [REDACTED]

>

> Sent from my iPhone

> -----

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> -----

From: [REDACTED]
To: [Hubert, Pamela](mailto:Hubert.Pamela)
Cc: [Dunn, Jennifer](mailto:Dunn.Jennifer)
Subject: Re: No 2 fitzroy st - painted concrete
Date: Tuesday, 9 June 2015 7:51:24 AM

Thanks Pamela

Also I was reading the heritage order on the weekend and it mentions established trees - does that mean the two trees they have removed and one they have trimmed would sit under the heritage order ?

Thanks

Sent from my iPhone

> On 9 Jun 2015, at 7:46 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>

> [REDACTED]

>

> Thank you for your email.

>

> I have asked Jennifer Dunn to look into this. Jennifer will let you know when she has more information.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager

> Phone 02 6205 3195

> ACT Heritage | Environment and Planning | ACT Government

> Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

> www.environment.act.gov.au

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Sunday, 7 June 2015 7:44 AM

> To: Hubert, Pamela

> Cc: Heritage

> Subject: No 2 fitzroy st - painted concrete

>

> Hello Pamela

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> No 2 has painted the concrete feature above the door cream.

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> While it looks tidy what are the rules for this? I did not notice if they have also painted above the garage.

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> Can anyone paint the concrete and if so are there colour restrictions?

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> This work is new - it is just being finished and they were working on this this morning. I noticed as I had to go and ask them to stop working at 7.15 on a Sunday morning - again. Hence the early email.

>

> Thanks

> [REDACTED]

>

> Sent from my iPhone

> -----

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> -----

From: [Hubert, Pamela](#)
To: [REDACTED]
Cc: [Dunn, Jennifer](#)
Subject: RE: No 2 fitzroy st - painted concrete
Date: Tuesday, 9 June 2015 7:46:25 AM

[REDACTED]

Thank you for your email.

I have asked Jennifer Dunn to look into this. Jennifer will let you know when she has more information.

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 7 June 2015 7:44 AM
To: Hubert, Pamela
Cc: Heritage
Subject: No 2 fitzroy st - painted concrete

Hello Pamela

No 2 has painted the concrete feature above the door cream.

While it looks tidy what are the rules for this? I did not notice if they have also painted above the garage.

Can anyone paint the concrete and if so are there colour restrictions?

We don't have any concrete detail on our house but the corner properties do, including the one used by the fire emergency personnel. I thought the frontage was under the heritage order so any changes would require approval.

This work is new - it is just being finished and they were working on this this morning. I noticed as I had to go and ask them to stop working at 7.15 on a Sunday morning - again. Hence the early email.

Thanks

[REDACTED]

Sent from my iPhone

From: [Hubert, Pamela](#)
To: [Dunn, Jennifer](#)
Subject: FW: No 2 fitzroy st - painted concrete
Date: Tuesday, 9 June 2015 7:45:20 AM

Jen,

Can you please look into this and reply to [REDACTED]

Thanks

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]

Sent: Sunday, 7 June 2015 7:44 AM

To: Hubert, Pamela

Cc: Heritage

Subject: No 2 fitzroy st - painted concrete

Hello Pamela

No 2 has painted the concrete feature above the door cream.

While it looks tidy what are the rules for this? I did not notice if they have also painted above the garage.

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This work is new - it is just being finished and they were working on this this morning. I noticed as I had to go and ask them to stop working at 7.15 on a Sunday morning - again. Hence the early email.

Thanks

[REDACTED]

Sent from my iPhone

From: Dunn, Jennifer
To: [REDACTED]
Cc: [Hubert, Pamela](#)
Subject: RE: Tree removal no 2 Fitzroy st Forrest
Date: Wednesday, 27 May 2015 4:40:00 PM

[REDACTED]

Thanks for your further question regarding shipping containers. The current Heritage Guidelines for the Forrest Fire Station Precinct do not specifically cover the issue of shipping containers. The Investigations Team of Access Canberra have advised that shipping containers may be in place for 12 months or longer. The matters you raised earlier this week have been forwarded to the Investigations Team for consideration.

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson
GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

-----Original Message-----

From: Hubert, Pamela
Sent: Monday, 25 May 2015 9:59 AM
To: Dunn, Jennifer
Subject: FW: Tree removal no 2 Fitzroy st Forrest

Jen,

Could you please look into the issue of storage containers before responding to [REDACTED]

Regards

Pamela Hubert B. Arch RAlA | Acting Manager Phone 02 6205 3195 ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Monday, 25 May 2015 9:58 AM
To: Hubert, Pamela
Subject: Re: Tree removal no 2 Fitzroy st Forrest

Thanks Pamela

Also you may be able to answer this - no two now has three shipping containers on site and it looks like paving is being laid up to the boundary of them, possibly suggesting longer term storage.

Are there any rules on storage containers, particularly for a heritage precinct?

Cheers
[REDACTED]

Sent from my iPhone

> On 25 May 2015, at 8:31 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>

> [REDACTED]

>

> I have forwarded your email to the Tree Protection Unit in Territory and Municipal Services Directorate who are the most appropriate agency to deal with this matter.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager Phone 02 6205 3195 ACT

> Heritage | Environment and Planning | ACT Government Dame Pattie

> Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

> | www.environment.act.gov.au

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Sunday, 24 May 2015 1:51 PM

> To: Tree Protection

> Cc: <kingstonandbarton@gmail.com>; Hubert, Pamela

> Subject: Tree removal no 2 Fitzroy st Forrest

>

> Hello

>

> Today I noticed No2 Fitzroy removing a large tree near their corner entrance on Manuka Circle.

>

> There was no notification of the tree removal posted anywhere.

>

> Also no pedestrian blocks or safety notifications are on the footpath.

>

> These trees look like they would meet the requirement for a permit and they also block light from Manuka Oval.

>

> Access Canberra said no one could investigate today. It will be a shame if several trees are lost.

>

> No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

>

>

> Thank you

> [REDACTED]

> [REDACTED]

>

>

> -----

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> -----

> -

From: [Allen, Richard](#)
To: [Hubert, Pamela](#)
Cc: [Dunn, Jennifer](#)
Subject: RE: Tree removal no 2 Fitzroy st Forrest
Date: Wednesday, 27 May 2015 9:01:13 AM

Not covered by Tree Protection legislation,

Thanks

richard

-----Original Message-----

From: Hubert, Pamela
Sent: Monday, 25 May 2015 8:31 AM
To: Allen, Richard
Cc: Dunn, Jennifer
Subject: FW: Tree removal no 2 Fitzroy st Forrest

Hi Richard,

This complaint was sent to ACT Heritage but is probably more appropriately dealt with by Tree Protection. I have also attached two photos from December 2014 to show the trees viewed from Fitzroy Street.

Our guidelines for the Forrest Fires Station Precinct do not cover trees on private land.

Could you please look into the removal and report back to Jennifer Dunn on any progress?

Regards

Pamela Hubert B. Arch RAlA | Acting Manager Phone 02 6205 3195 ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 24 May 2015 1:51 PM
To: Tree Protection
Cc: [REDACTED]; Hubert, Pamela
Subject: Tree removal no 2 Fitzroy st Forrest

Hello

Today I noticed No2 Fitzroy removing a large tree near their corner entrance on Manuka Circle.

There was no notification of the tree removal posted anywhere.

Also no pedestrian blocks or safety notifications are on the footpath.

These trees look like they would meet the requirement for a permit and they also block light from Manuka Oval.

Access Canberra said no one could investigate today. It will be a shame if several trees are lost.

No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

Thank you

[REDACTED]



From: Dunn, Jennifer
To: [Tomlinson, Glenn](#); [Gerrard, Darren](#)
Cc: [Hubert, Pamela](#)
Subject: 2 Fitzroy Street, Forrest (Block 8 Section 35) - materials storage on verge
Date: Monday, 25 May 2015 1:41:00 PM
Attachments: image001.png

Glenn/Darren,

For your consideration.

2 Fitzroy Street (corner of Manuka Circle and Fitzroy St), Forrest is located within the Forrest Fire Station Precinct.

In response to a complaint regarding tree removal and unapproved works on the block, ACT Heritage this morning also observed materials and machinery and vehicles parked /stored on the verges of both Manuka Circle and Fitzroy Streets.

Specific Requirement ia) of the Heritage Guidelines for the Precinct, in relation to Streetscape states: *“ Existing street trees, remaining original planting and fences and the existing streetscape setting shall be conserved and appropriately maintained. The Fitzroy Street trees, which relate to the first school in the area, are to be retained.”* In the absence of a Verge Management Plan, there is concern that use of the verge for storage of materials, machinery and vehicles will detrimentally impact upon the existing street trees.

No photos unfortunately. We would appreciate your consideration of this matter as soon as possible.

Jenny

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



From: Dunn, Jennifer
To: [Allen, Richard](#)
Subject: RE: Tree removal no 2 Fitzroy st Forrest
Date: Monday, 25 May 2015 12:49:00 PM

Richard,

Further to Pamela's email below, I drove past this morning. A shipping container has been placed directly under one of the trees and the area up to it paved. Don't expect that this will do the tree any good. No photos I'm afraid.

Jennifer Dunn
Conservation Officer | Advice
Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson
GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

-----Original Message-----

From: Hubert, Pamela
Sent: Monday, 25 May 2015 8:31 AM
To: Allen, Richard
Cc: Dunn, Jennifer
Subject: FW: Tree removal no 2 Fitzroy st Forrest

Hi Richard,

This complaint was sent to ACT Heritage but is probably more appropriately dealt with by Tree Protection. I have also attached two photos from December 2014 to show the trees viewed from Fitzroy Street.

Our guidelines for the Forrest Fires Station Precinct do not cover trees on private land.

Could you please look into the removal and report back to Jennifer Dunn on any progress?

Regards

Pamela Hubert B. Arch RAIA | Acting Manager Phone 02 6205 3195 ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 24 May 2015 1:51 PM
To: Tree Protection
Cc: [REDACTED] Hubert, Pamela
Subject: Tree removal no 2 Fitzroy st Forrest

Hello

Today I noticed No2 Fitzroy removing a large tree near their corner entrance on Manuka Circle.

There was no notification of the tree removal posted anywhere.

Also no pedestrian blocks or safety notifications are on the footpath.

These trees look like they would meet the requirement for a permit and they also block light from Manuka Oval.

Access Canberra said no one could investigate today. It will be a shame if several trees are lost.

No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

Thank you

[REDACTED]

[REDACTED]

From: [Hubert, Pamela](#)
To: [Dunn, Jennifer](#)
Subject: FW: Tree removal no 2 Fitzroy st Forrest
Date: Monday, 25 May 2015 9:59:04 AM

Jen,

Could you please look into the issue of storage containers before responding to [REDACTED]

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Monday, 25 May 2015 9:58 AM
To: Hubert, Pamela
Subject: Re: Tree removal no 2 Fitzroy st Forrest

Thanks Pamela

Also you may be able to answer this - no two now has three shipping containers on site and it looks like paving is being laid up to the boundary of them, possibly suggesting longer term storage.

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Cheers

[REDACTED]

Sent from my iPhone

> On 25 May 2015, at 8:31 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

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> [REDACTED]

>

> I have forwarded your email to the Tree Protection Unit in Territory and Municipal Services Directorate who are the most appropriate agency to deal with this matter.

>

> Regards

> Pamela Hubert B. Arch RAIA | Acting Manager Phone 02 6205 3195 ACT

> Heritage | Environment and Planning | ACT Government Dame Pattie

> Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

> | www.environment.act.gov.au

>

>

> -----Original Message-----

> **From:** [REDACTED]
> **Sent:** Sunday, 24 May 2015 1:51 PM
> **To:** Tree Protection
> **Cc:** [REDACTED] Hubert, Pamela
> **Subject:** Tree removal no 2 Fitzroy st Forrest

>

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>
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> These trees look like they would meet the requirement for a permit and they also block light from Manuka Oval.
>
> Access Canberra said no one could investigate today. It will be a shame if several trees are lost.
>
> No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

>
>
> Thank you
> [REDACTED]
> [REDACTED]

>
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transmission along with any attachments immediately. You should not copy or use it for any purpose, nor
disclose its contents to any other person.
> -----
> -

From: [Hubert, Pamela](#)
To: [REDACTED]
Cc: [Dunn, Jennifer](#)
Subject: RE: Tree removal no 2 Fitzroy st Forrest
Date: Monday, 25 May 2015 8:31:29 AM

[REDACTED]

I have forwarded your email to the Tree Protection Unit in Territory and Municipal Services Directorate who are the most appropriate agency to deal with this matter.

Regards

Pamela Hubert B. Arch RAlA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 24 May 2015 1:51 PM
To: Tree Protection
Cc: [REDACTED] Hubert, Pamela
Subject: Tree removal no 2 Fitzroy st Forrest

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No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

Thank you

[REDACTED]

[REDACTED]

From: [Hubert, Pamela](#)
To: [Allen, Richard](#)
Cc: [Dunn, Jennifer](#)
Subject: FW: Tree removal no 2 Fitzroy st Forrest
Date: Monday, 25 May 2015 8:30:33 AM
Attachments: ATT00001.txt
ATT00002.txt
Forrest 8-35 - 20141209 - 1 (1).JPG
Forrest 8-35 - 20141209 - 1 (2).JPG

Hi Richard,

This complaint was sent to ACT Heritage but is probably more appropriately dealt with by Tree Protection. I have also attached two photos from December 2014 to show the trees viewed from Fitzroy Street.

Our guidelines for the Forrest Fires Station Precinct do not cover trees on private land.

Could you please look into the removal and report back to Jennifer Dunn on any progress?

Regards

Pamela Hubert B. Arch RAIA | Acting Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 24 May 2015 1:51 PM
To: Tree Protection
Cc: [REDACTED]; Hubert, Pamela
Subject: Tree removal no 2 Fitzroy st Forrest

Hello

Today I noticed No2 Fitzroy removing a large tree near their corner entrance on Manuka Circle.

There was no notification of the tree removal posted anywhere.

Also no pedestrian blocks or safety notifications are on the footpath.

These trees look like they would meet the requirement for a permit and they also block light from Manuka Oval.

Access Canberra said no one could investigate today. It will be a shame if several trees are lost.

No2 has started several works without appropriate DA approval or building notifications so I wanted to report this as possible additional work without permission.

[REDACTED]

[REDACTED]

From: Hubert, Pamela
To: ["Ted Streatfeild"](#)
Cc: [tomislav](#)
Subject: RE: Forrest S35 Block 8 - proposed additions
Date: Monday, 30 March 2015 1:33:00 PM

Hi Ted & Tomislav,

Thank you for the revised plans. I have just two brief questions.

1. What colour is proposed for the steelwork of the garage?
2. How does the door from the laundry addition work if the stair to the first floor runs across it?

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Tuesday, 24 March 2015 11:15 AM
To: Hubert, Pamela
Cc: tomislav
Subject: RE: Forrest S35 Block 8 - proposed additions

Pamela

The plans have been revised as per the request below.

The correct size of the carport with front setback 500 from the garage is shown on the site plan.

A detail of a proposed metal louvre screen is provided along with a picture of colour and finish in the materials pics.

A section through the carport has been provided.

Details of the zinc cladding is provided. It will have the appearance indicated in the materials pics. The roof will sit behind the zinc which will be level and flush with the brickwork as shown on the drawings and the top will be capped as per the indicative picture.

The location of the internal stair appears on the floor plan.

The elevations are now correctly labelled.

The new brickwork will be Canberra Reds to match existing as closely as possible as noted on the plans and shown on the materials pics.

We hope that these plans will be sufficient for you to provide your clearance.

Regards

Ted Streatfeild MPIA CPP

Resolution Planning

Town Planning Consultancy
[REDACTED]
[REDACTED]

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Monday, 23 March 2015 9:36 AM
To: tomlslav
Cc: Ted Streatfeild
Subject: RE: Forrest S35 Block 8 - proposed additions

Tomislav,

I have now received comments on the proposed additions from members of the DA Taskforce of the Heritage Council (the Taskforce). The Taskforce has requested the following additional information and amendments to the proposal.

Carport

The details of the "metal screen" to the side of the carport need to be provided e.g. is it flat metal, profiled metal, perforated metal? At this stage, the Taskforce have indicated that the metal wall cladding seems inappropriate in the Forrest Fire Station Precinct.

The roof of the carport needs to be setback 500mm from the adjacent front wall of the original dwelling.

A section through the carport would be helpful in clarifying its construction.

Laundry and storeroom addition

The Taskforce have asked for details of the zinc cladding to be provided. e.g. Is it proposed to have flat seams, standing seams, long sheets, random widths, equal widths.... Will the zinc walls cladding continue past the roof as a parapet wall or will the roof have flashing over the zinc wall?

Sections would be very useful in explaining this.

Plans

Noting that the plans presented to the Taskforce last year included a new stair, the Taskforce have requested that the plans show where the stair is located so that they can understand how the first floor will be accessed.

Drawing A05

The south west elevation appears to be the southeast elevation.

The northeast elevation needs to indicate the material and finish for the door to the laundry/storeroom.

Drawing A06

The two elevations on this drawing are from the same direction but are labelled South-West and West-North.

Other

The elevations should clearly indicate the finish of new face brickwork walls. e.g. A notation such as "New face brickwork to match existing brickwork to main walls."

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Monday, 16 March 2015 12:20 PM
To: Hubert, Pamela
Cc: Ted Streatfeild
Subject: RE: Forrest S35 Block 8 - proposed additions

Pamela,

Please see attached revised drawings.

In relation to your comments;

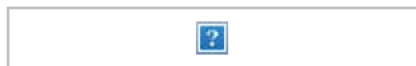
1. New walls have now been hatched in solid
2. A support column has been introduced for structural purposes
3. Drawing A04 has been updated to note;
 - a. The existing wall on the boundary
 - b. The line of the driveway

This demonstrates what the drawn structures are and furthers compliance with your requirements.

4. Drawing A03 shows the existing brick wall on the boundary which is notated on drawing A07
5. Material on fascia shown
6. East west elevation changed
7. Cladding is nominated as zinc
8. Notation updated on A06
9. Elevation A07 has been updated to show roof line set back as per roof/first floor plan
10. The steel is to be painted onyx metallic to match the existing as built windows
11. The timber cladding notation has been amended to timber door. The new door to the carport is proposed to be Australian hardwood with a Routed profile as shown in the image.

Tomislav Kasunic |

Project Manager



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From: [Dianne.Firth](#)
To: [Hubert, Pamela](#)
Subject: RE: 2 Fitzroy Street, Forrest - proposed additions
Date: Saturday, 21 March 2015 3:17:54 PM

Dear Pamela,

Sorry for the late response. As well as the issues you list below, the single storey addition at the back seems to go right to the boundary and there appears to be very high brick wall on that side boundary too. Is this allowed?

Otherwise I think it is almost there.

Regards,

Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Friday, 20 March 2015 12:00 PM
To: Dianne.Firth; Doug Williams [REDACTED] John Kenworthy
[REDACTED]
Subject: FW: 2 Fitzroy Street, Forrest - proposed additions

Dear Taskforce members,

I have not yet received comments from you in relation to the above proposal.

Could you please provide any comments you may wish to make by COB today? Alternatively, could you let me know if you have no issues.

Thanks.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)
Phone 02 6205 3195
ACT Heritage | Environment and Planning | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

From: Hubert, Pamela
Sent: Monday, 16 March 2015 10:44 AM
To: 'David Flannery'; Dianne Firth [REDACTED] Doug Williams
[REDACTED] John Kenworthy [REDACTED]
Cc: Gurnhill, Anna; OConnell, Jennifer
Subject: 2 Fitzroy Street, Forrest - proposed additions

Dear Taskforce,

Late last year the owner of 2 Fitzroy Street Forrest presented a proposal for additions and alterations to a meeting of the DA Taskforce. Minutes of the DA Taskforce meeting where this was presented are attached as well as the drawings presented at that meeting (20141125 – drawings – proposed carport and laundry

addition#6) and the advice that was sent to the owner (20141217 – Advice#3). I have also attached the Forrest Fire Station Heritage Guidelines for information.

The owner has now revised the proposal to partially address concerns raised by the DA Taskforce. The most recent version of the proposal is attached (Roof mark up.pdf and 8.35 DA SET 150218).

The “east-west” elevation on drawing A05 suggests the wall material for the laundry addition will be kliplock. The owner has advised that this will be zinc cladding and that it is the roof that will be kliplock. There are other inconsistencies with the drawings that I will ask the owner to address before Heritage Council advice is provided.

Noting that there is likely to be concern from the local community in relation to this work, I would like to have the input of DA Taskforce before we provide formal Heritage Council advice. The main concerns I still have at this stage are:

- the roof at the front of the proposed carport is not setback 500mm from the adjacent front wall of the original dwelling,
- the proposed metal screen on the side of the carport, and
- the garage is not free standing, it is relying on the original garage for support. This will reduce the potential for this structure to be removed without damage to the original garage,

I note that Dianne Firth has previously queried where the stair proposed in November 2014 will be. This has been deleted and the internal stair will remain the connection between floors.

Could you please indicate by COB Thursday 19 March 2015 if the DA Taskforce will accept this proposal?

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

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From: [John Kenworthy](#)
To: [Hubert, Pamela](#)
Cc: [David Flannery](#); [REDACTED]; [Dianne Firth](#); [REDACTED]; [Doug Williams](#)
Subject: RE: 2 Fitzroy Street, Forrest - proposed additions
Date: Friday, 20 March 2015 4:06:30 PM

Good afternoon Pamela,

Thanks for your notes on this proposal.

Before endorsement we should ask for further details of the “zinc cladding” – this could mean anything as currently described. Does the 0.50 m setback apply in this instance as it is a corner lot with 2 apparent frontages?

Subject to the above I would agree to the proposal.

Regards

John Kenworthy

John Kenworthy
General Manager, Land

The Village Building Co. Limited

[REDACTED]
[REDACTED]

www.villagebuilding.com.au

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From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Monday, 16 March 2015 10:44 AM
To: David Flannery; Dianne Firth; [REDACTED]; Doug Williams
[REDACTED]; John Kenworthy
Cc: Gurnhill, Anna; OConnell, Jennifer
Subject: 2 Fitzroy Street, Forrest - proposed additions

Dear Taskforce,

Late last year the owner of 2 Fitzroy Street Forrest presented a proposal for additions and alterations to a meeting of the DA Taskforce. Minutes of the DA Taskforce meeting where this was presented are attached as well as the drawings presented at that meeting (20141125 – drawings – proposed carport and laundry addition#6) and the advice that was sent to the owner (20141217 – Advice#3). I have also attached the Forrest Fire Station Heritage Guidelines for information.

The owner has now revised the proposal to partially address concerns raised by the DA

Taskforce. The most recent version of the proposal is attached (Roof mark up.pdf and 8.35 DA SET 150218).

The “east-west” elevation on drawing A05 suggests the wall material for the laundry addition will be kliplock. The owner has advised that this will be zinc cladding and that it is the roof that will be kliplock. There are other inconsistencies with the drawings that I will ask the owner to address before Heritage Council advice is provided.

Noting that there is likely to be concern from the local community in relation to this work, I would like to have the input of DA Taskforce before we provide formal Heritage Council advice. The main concerns I still have at this stage are:

- the roof at the front of the proposed carport is not setback 500mm from the adjacent front wall of the original dwelling,
- the proposed metal screen on the side of the carport, and
- the garage is not free standing, it is relying on the original garage for support. This will reduce the potential for this structure to be removed without damage to the original garage,

I note that Dianne Firth has previously queried where the stair proposed in November 2014 will be. This has been deleted and the internal stair will remain the connection between floors.

Could you please indicate by COB Thursday 19 March 2015 if the DA Taskforce will accept this proposal?

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

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From: [Gurnhill, Anna](#)
To: [Hubert, Pamela](#); [OConnell, Jennifer](#); [Dunn, Jennifer](#)
Subject: RE: 2 Fitzroy street [SEC=UNOFFICIAL]
Date: Friday, 20 March 2015 8:02:04 AM

Pam – well done for all your hard work on this one.

That's a fantastic outcome, and appears wholly due to your consistent and persistent efforts in protecting heritage values.

Regards,
Anna

From: Hubert, Pamela
Sent: Thursday, 19 March 2015 1:59 PM
To: OConnell, Jennifer; Gurnhill, Anna; Dunn, Jennifer
Subject: FW: 2 Fitzroy street [SEC=UNOFFICIAL]

FYI – it appears that the owner is removing the structure on the roof.

I will update the Council.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: O'Neill, Brendan
Sent: Thursday, 19 March 2015 10:18 AM
To: [REDACTED] Hubert, Pamela
Subject: RE: 2 Fitzroy street [SEC=UNOFFICIAL]

Hi [REDACTED]

A class 10 structure is exempt from requiring a DA, but as the structure would never have approval from the heritage department, the owner conceded.

From: [REDACTED]
Sent: Thursday, 19 March 2015 9:59 AM
To: O'Neill, Brendan; [REDACTED] Hubert, Pamela
Subject: RE: 2 Fitzroy street [SEC=UNOFFICIAL]

UNOFFICIAL

Hello Brendan

By the time I left for work this morning it looked like the builders were removing the structure.

Thanks for your support with this one, I think this avoided a dangerous precedent for a Heritage listed block. There has been a lot of community interest in this.

I assume this means that a DA for the structure is not on the horizon?

cheers

From: O'Neill, Brendan [mailto:Brendan.O'Neill@act.gov.au]
Sent: Thursday, 19 March 2015 09:40
To: [REDACTED] Hubert, Pamela; [REDACTED]
Subject: RE: 2 Fitzroy street [SEC=UNOFFICIAL]

Good Morning,

I had a chat with the owner of the site last week, who was suggesting that he may remove the structure on the roof.

I do not know what is going on at the moment but it may be that they are preparing to remove the structure. I will talk to the lessee again.

Kind regards

Brendan O'Neill | Building Inspector | Compliance Auditor
Phone 02 6207 4589 | Fax 02 6207 1862 | Email actpla@act.gov.au
Construction Services | ACTPLA | Environment and Planning | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601
www.actpla.act.gov.au

From: [REDACTED]
Sent: Thursday, 19 March 2015 7:46 AM
To: Hubert, Pamela; [REDACTED]
Subject: Fwd: 2 Fitzroy street [SEC=UNOFFICIAL]

Hello Pamela

I noticed they are working on the structure this morning but cannot tell what they are doing.

If we see anything significant before leaving for work or when we get home I will let you know.

I haven't seen a DA go in yet for the site.

Cheers

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 10 March 2015 5:41:54 pm AEDT
To: [REDACTED]
Subject: FW: 2 Fitzroy street [SEC=UNOFFICIAL]

UNOFFICIAL

-----Original Message-----

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

Sent: Tuesday, 10 March 2015 11:48

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: 2 Fitzroy street

[REDACTED]

The Heritage Council has agreed that the matter is best dealt with now by the Investigations Team in the Environment and Planning Directorate as their legislation has clearer powers in relation to such issues and because the Planning and Development Act 2007 is also relevant in this matter.

The Investigations Team issued a prohibition notice to the owners on 25 February 2015. The notice prevents further work on the structure until the notice has been lifted or a development application (DA) for the structure has been approved.

Under the relevant legislation, the owners have 30 working days from the date of the prohibition notice to submit a DA. If a DA is not submitted, the Investigations Team can then issue an order to have the structure removed.

If a DA is submitted, the normal process has to be followed for the planning and land authority to make a decision on whether or not the DA is approved or refused. If the DA is refused, the Investigations Team will have to wait for the statutory time allowed (normally 28 days) for the proponent to appeal the decision to refuse before issuing an order to remove the structure.

I understand that this could be a rather lengthy process but the legislation is written to allow for the owner to have an opportunity to have their proposal fully considered.

Please do not hesitate to ring me if you have any additional questions in relation to this.

Regards

Pamela Hubert B. Arch RAlA | Team Leader (Advice) Phone 02 6205 3195
ACT Heritage | Environment and Planning | ACT Government Dame Pattie
Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

-----Original Message-----

From: [REDACTED]

Sent: Tuesday, 10 March 2015 7:05 AM

To: Hubert, Pamela

Cc: [REDACTED]

Subject: 2 Fitzroy street

Hello Pamela

What happens with no 2 now? The proposed extension is covered in a heavy green tarp and has been since the stop work order .

I have had people asking me about it through the KBRG and several immediate residents ask about it to.

Thanks



Sent from my iPhone

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From: [REDACTED]
To: [Hubert, Pamela](mailto:Hubert.Pamela@[REDACTED]); [REDACTED]
Subject: Fwd: 2 Fitzroy street [SEC=UNOFFICIAL]
Date: Thursday, 19 March 2015 7:46:16 AM

Hello Pamela

I noticed they are working on the structure this morning but cannot tell what they are doing.

If we see anything significant before leaving for work or when we get home I will let you know.

I haven't seen a DA go in yet for the site.

Cheers

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 10 March 2015 5:41:54 pm AEDT
To: [REDACTED]
Subject: FW: 2 Fitzroy street [SEC=UNOFFICIAL]

UNOFFICIAL

-----Original Message-----

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Tuesday, 10 March 2015 11:48
To: [REDACTED]
Cc: Gurnhill, Anna; OConnell, Jennifer
Subject: RE: 2 Fitzroy street

[REDACTED]

The Heritage Council has agreed that the matter is best dealt with now by the Investigations Team in the Environment and Planning Directorate as their legislation has clearer powers in relation to such issues and because the Planning and Development Act 2007 is also relevant in this matter.

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Please do not hesitate to ring me if you have any additional questions in relation to this.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice) Phone 02 6205 3195
ACT Heritage | Environment and Planning | ACT Government Dame Pattie
Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

-----Original Message-----

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To: Hubert, Pamela
Cc: [REDACTED]
Subject: 2 Fitzroy street

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[REDACTED]

Sent from my iPhone

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From: [David Flannery](#)
To: [Hubert, Pamela](#); [Dianne.Firth](#); "[Doug Williams](#)"; "[John Kenworthy](#)"
Cc: [Gurnhill, Anna](#); [OConnell, Jennifer](#)
Subject: RE: 2 Fitzroy Street, Forrest - proposed additions
Date: Tuesday, 17 March 2015 9:31:15 AM

Pamela

Further to Dianne's query about the internal stair, I cannot see it on any of the drawings, and the plans are thus difficult to understand. The labelling of the elevations is also confusing, especially Drawing A06 which has the same façade of the building labelled both South-West and West-North. I too agree that the metal wall cladding seems inappropriate in this precinct and the drawings are unclear as to from what it is made.

David Flannery

[REDACTED] twitter @FlanneryDavid

From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Monday, 16 March 2015 10:44 AM
To: David Flannery; Dianne Firth [REDACTED] Doug Williams [REDACTED]
[REDACTED] John Kenworthy [REDACTED]
Cc: Gurnhill, Anna; OConnell, Jennifer
Subject: 2 Fitzroy Street, Forrest - proposed additions

Dear Taskforce,

Late last year the owner of 2 Fitzroy Street Forrest presented a proposal for additions and alterations to a meeting of the DA Taskforce. Minutes of the DA Taskforce meeting where this was presented are attached as well as the drawings presented at that meeting (20141125 – drawings – proposed carport and laundry addition#6) and the advice that was sent to the owner (20141217 – Advice#3). I have also attached the Forrest Fire Station Heritage Guidelines for information.

The owner has now revised the proposal to partially address concerns raised by the DA Taskforce. The most recent version of the proposal is attached (Roof mark up.pdf and 8.35 DA SET 150218).

The "east-west" elevation on drawing A05 suggests the wall material for the laundry addition will be kliplock. The owner has advised that this will be zinc cladding and that it is the roof that will be kliplock. There are other inconsistencies with the drawings that I will ask the owner to address before Heritage Council advice is provided.

Noting that there is likely to be concern from the local community in relation to this work, I would like to have the input of DA Taskforce before we provide formal Heritage Council advice. The main concerns I still have at this stage are:

- the roof at the front of the proposed carport is not setback 500mm from the adjacent front wall of the original dwelling,
- the proposed metal screen on the side of the carport, and
- the garage is not free standing, it is relying on the original garage for support. This will reduce the potential for this structure to be removed without damage to the original garage,

I note that Dianne Firth has previously queried where the stair proposed in November 2014 will be. This has been deleted and the internal stair will remain the connection between floors.

Could you please indicate by COB Thursday 19 March 2015 if the DA Taskforce will accept this proposal?

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

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From: [tomislav](#)
To: [Hubert, Pamela](#)
Cc: [Ted Streatfeild](#)
Subject: RE: Forrest S35 Block 8 - proposed additions
Date: Wednesday, 11 March 2015 6:42:12 PM

Hi Pamela,

In the interest of proving you the information as quick as possible I have provided a response at this late hour of the working day in lieu of disturbing Ted after hours.

Please refer to attached amended drawings.

1. The door to the rear addition is a full height door. The material above the door is to match the door.
2. Off form concrete has been removed and as suggested the structure is built from steel

In relation to some of the other points you have raised;

1. If you refer to plan A04 the roof sheeting is shown to be 424mm behind the line of the existing brickwork. I have highlighted this in the attached extract. The column is set back 500mm.
2. The wall on the boundary as shown on A07 is the existing wall.
3. The klip lok note that you refer to on drawing A05 Manuka circle elevation is referring to the roof material, as indicated by "*sheeting on timber roof trusses*"
4. All elevations have been checked and naming is correct

In relation to your comments about a DA;

1. These are separate structures to the existing residence and are classed as class 10 structures.
2. The private certifier has provided an assessment that the works are compliant with the general exemption criteria and schedule 1 of the Planning and Development Regulation 2008, provided that heritage endorse/support the works.
3. Ted Streatfield also forms the same view as the certifier.

I spoke with a technical officer at ACTPLA by the name of Andrew earlier today who agrees with the above on the basis that the works are exempt from a development approval being class 10 structures, compliant with the relevant criteria and requirements at Schedule 1 of the Planning and Development Regulation 2008, upon heritage endorsement.

We don't intend to focus this forum on arguing on what is and isn't exempt from development approval as this is for the assessment and the discretion of the planning authority and the certifier for the works. Our focus in dealing with yourself as a delegate of the heritage council in order to obtain support for the proposed planning.

In light of the above can you please reassess the revised planning proposal.

Regards,

Tomislav Kasunic |

Project Manager



From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Wednesday, 11 March 2015 4:37 PM
To: tomislav
Cc: Ted Streatfeild
Subject: RE: Forrest S35 Block 8 - proposed additions

Tomislav,

Thank you for the revised plans and structural engineer's advice.

I had not noticed on the previous drawings that the garage posts are now proposed as being off-form concrete. These should be either simple timber or steel posts or face brick posts, similar to the original brickwork of the dwelling.

The roof of the carport is still not set back 500mm from the adjacent street facing wall of the former garage or from the side boundary as requested by the DA Taskforce of the Council.

The north-east elevation suggests that the existing low brick wall on the side boundary is being extended in height. The DA Taskforce of the Council does not support this or the off form concrete wall that is indicated on the elevation drawing A07. The off-form concrete wall should be a face brick wall, similar to the original brickwork of the dwelling.

The material being used over the new door from the garage to the rear addition is not clear. This should be face brick, similar to the original brickwork of the dwelling.

The material on Manuka Circle side of the proposed rear elevation (drawing A05) is indicated as colorbond kliplock. Should this be zinc cladding as shown on the elevations on drawing A06?

All elevations should be checked for correct naming.

I am awaiting further advice from Planning Delivery on whether a DA is required for this work. Their preliminary advice is that this is not a class 10 structure as it is part of an office/residential building.

Heritage Council advice cannot be provided to support this proposal until these matters are resolved.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomlav [REDACTED]
Sent: Friday, 6 March 2015 2:30 PM
To: Hubert, Pamela; Ted Streatfeild
Subject: RE: Forrest S35 Block 8 - proposed additions

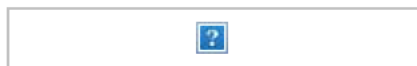
Hi Pamela,

I have had issues emailing this directly to Ted. Hence my direct line of communication with yourself.

Please see attached revised plans and Structural engineer endorsement.

Tomislav Kasunic |

Project Manager



From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Friday, 6 March 2015 12:29 PM
To: Ted Streatfeild
Cc: tomlav
Subject: RE: Forrest S35 Block 8 - proposed additions

Ted,

Thank you for the revised drawings and my apologies for not responding earlier.

While it is noted that the column of the proposed garage is now shown as being setback 500mm from the nearest front facing wall of the dwelling, the roof remains aligned with the nearest front face of the dwelling.

Similarly, while the side wall of the proposed garage is now shown 1.13m from the boundary, the roof is shown as extending to the boundary.

The setbacks requested by the DA Taskforce of the Council need to apply to the whole of the garage structure.

The DA Taskforce of the Council will request structural engineering certification that the construction of the proposed new rainwater tanks will not impact the structural integrity of the

original building on the block.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Friday, 20 February 2015 3:16 PM
To: Hubert, Pamela
Cc: tomislav
Subject: RE: Forrest S35 Block 8 - proposed additions

Hi Pamela

Thank you for your reply.

The attached revised plans are provided in response to the advice.

The carport wall has been moved to 1.130m from the side boundary.

The laundry is remaining on the boundary and will align with the neighbours existing carport which is now shown on the site plan as will the carport roof to provide protection to the walkway to the laundry.

The front pillars to the carport are set back 500mm.

The existing planter on the boundary will be maintained as shown on the side boundary elevation.

The materials of the carport wall and pillars are proposed to be off form concrete to demonstrate the difference from the original materials however we would be pleased to take advice on the materials proposed.

There are no parapets proposed with the carport just the lightweight flat roof structure which is now very much secondary to the prominence of the original building.

Please also note that there are two water tanks proposed to be placed under the driveway and carport.

The works are definitely Class 10 structures (as confirmed by the certifier) and will be exempt once a Heritage clearance is obtained. If you receive advice to the contrary please advise who provides the advice and we will take it up with them. In any event we would like your support before submitting as a DA or an exempt work.

We hope this version is able to be supported.

Thanks and regards

Ted Streatfeild MPIA CPP
Resolution Planning

www.resolutionplanning.com.au

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Wednesday, 18 February 2015 8:18 AM
To: Ted Streatfeild
Cc: tomlav
Subject: Forrest S35 Block 8 - proposed additions

Ted,

My apologies for not replying earlier but, given that an earlier version of this proposal had previously been discussed with the DA Taskforce of the Heritage Council (the Taskforce) and that the proposal does not appear to meet the heritage guidelines for the Forrest Fire Station Precinct, I have sought input from the Taskforce prior to providing further advice. I have also sought some additional advice from my colleagues in the Planning Delivery division of the Environment and Planning Directorate regarding whether this would be considered to be exempt development and am awaiting confirmation of their opinion that it is not exempt development.

The Taskforce have indicated that they are not willing to support the proposal in its current form and have requested the following amendments.

Proposed carport

The Taskforce do not agree that the carport needs to be built to the side boundary. This structure should be narrowed to the three metres width that is needed for a carport. Access from the carport to the laundry would still be achievable.

A lightweight flat roofed structure without parapet walls would also be preferred so that the form of the original building can be clearly distinguished. The proposal appears to show the existing parapet walls to the former garage being continued compromising the original massing of the building. Requirement iii)e) of the Heritage Guidelines that states "The original building form is to remain dominant" needs to be met.

The plans provided still appear to show the front of the carport aligning with the front of the former garage rather than being set back 500mm. The minimum 500mm setback is requested by the Taskforce.

Laundry and storeroom addition

The Taskforce accept the use of zinc cladding in this instance noting that the proposed addition is of low scale compared to the adjacent original building and will not dominate views from Manuka Circle.

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Monday, 2 February 2015 10:36 AM
To: Hubert, Pamela
Cc: tomlslav
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Pamela

Thank you for your quick response. We have revised the plans to respond to some of the issues that you have raised (please see attached). The matters are addressed below:

1. The certifier advises that the buildings are class 10 (please see attached email from CBS). The lease use is residential and the laundry and carport are for residential use.
2. The large tree to the rear yard has already been removed. The lessee advised that he confirmed that the tree was not regulated prior to its removal consistent with the advice he received from the [REDACTED] pre app meeting of 17th December 2014 (copy attached).
3. Access from the Manuka Circle side is not preferred as it will compromise the principal private open space area on the block. The client intends to provide a large grassed area with some protection from the street at that location.
4. The carport front piers have been setback 500mm from the front face of the garage and the wall on the side boundary has been reduced to a 1.8m high brick fence. The wall is preferred as the client advises that neighbours often carry out noisy works in that location and the brick wall will assist in increasing the amenity of the residence.
5. The existing original building will retain its prominence due to its two storey nature and the increase in setback and the lowering of the wall on the boundary and the new carport roof will be a brick course below the existing garage. The brickwork is more consistent with the citation as materials that match existing than an open metal structure which would not provide for any increase in noise privacy.
6. It is not practical to set the carport side back further from the boundary as this will interfere with the function of the carport, allow more weather under the carport roof and will close down access to the laundry through the carport.
7. The zinc cladding is out of the way as a minor rear structure and is consistent with other zinc clad features on the nearby property at 37 Canberra Ave (please see the attached photos from the neighbouring business website).

Can you please provide further consideration of the above and provide a Heritage clearance for the work.

Thanks and regards

Ted Streatfeild MPIA CPP

Resolution Planning

Town Planning Consultancy
[REDACTED]

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Wednesday, 28 January 2015 3:38 PM
To: Ted Streatfeild; Heritage
Cc: tomislav; Gurnhill, Anna
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Ted,

Thank you for sending these through for Heritage Council advice.

I have spoken to an officer in the ACT planning authority who has advised that, even if there are no heritage concerns, the proposal would not be exempt from a development application as the storeroom and laundry component relates to an office/residential building which is not a class 10 structure.

I note that a previous version of this proposal was discussed with the DA Taskforce of the Heritage Council (the Taskforce) in November 2014. At that time the Taskforce was advised that a large tree would need to be removed for the proposed additions and that consequently, advice should be sought from Urban Treescapes in the Territory and Municipal Services Directorate. This tree does not appear to be shown on the drawings.

The Taskforce also suggested that they would prefer that the proposed carport be located with access from Manuka Circle and, if it must be located as indicated in the current drawings, that it be setback a minimum of 0.5m from the Fitzroy Street face of the original garage. Further, the carport should be reduced in width to retain open space between the dwelling and the side boundary. This will assist in meeting requirement iii)e) of the heritage guidelines that states "The original building form is to remain dominant".

The current drawings do not clearly show what is proposed for the section through the carport and the former garage. The first floor plan suggests that the carport roof is below the roof and parapet of the garage but the elevations suggest it is at the same level. To ensure the former garage remains the dominant form, the roof of the garage should be lower than the parapet of the former garage. Additionally, as noted in the letter to Mr Kasunic on 17 December 2014, a more lightweight, flat roofed carport structure with corner posts would be preferred. The current proposal with a brick wall and heavy masonry pier does not meet this guidance. This will also assist in meeting requirement iii)e) of the heritage guidelines that cited above.

The proposed zinc cladding to part of the storeroom laundry addition is not consistent with requirement iii)f) of the heritage guidelines for the precinct which states "The roof pitch, walls, materials, window types and materials shall be as similar to the existing dwellings as is feasible." The "East West Elevation" shown on drawing A05 also shows Colorbond Klip Lock sheeting which is also not consistent with requirement iii)f) cited above.

In consideration of these issues, we are unable to provide Heritage Council advice supporting this proposal as it is currently presented.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Tuesday, 27 January 2015 3:52 PM
To: Heritage
Cc: Hubert, Pamela; tomislav
Subject: Class 10 - Heritage Clearance Request 8-35 Forrest

Attention ACT Heritage Unit/Pamela Hubert

Pamela

Attached is a plan for laundry and carport additions and modifications to a rear shed on Block 8 Section 35 Forrest.

The work is otherwise exempt from a Development Application subject to clearance of the proposal against the Heritage Act.

Can you please review the attached plans and provide an endorsement that the work is consistent with the citation for the area.

8-35 Forrest is within the Forrest Fire Station Precinct - Citation 20015 on the ACT Heritage Register.

The single storey proposal is consistent in form with the existing two storey building. The additions are setback more than 500mm from the front line of the building and the roof pitch (flat roof), walls and materials are as similar to the existing dwelling as is feasible and the existing original dwelling remains dominant.

The external metal cladding to the store area in the laundry is set well back from the front boundary and the building frontage and the minor nature of the addition would appear to have no significant impact on heritage values.

The rear shed is not an original garage building. It appears to have been constructed in 70s or 80s so there is no demolition of any original buildings.

The land is zoned CZ5 Mixed Use and has an area of 608m². There is no site coverage or plot

ratio restriction applying from the specific requirements of the Citation or the Territory Plan.

Please let me know if there is anything else that you need to make a decision.

Thanks and regards

Ted Streatfeild MPIA CPP

Resolution Planning

Town Planning Consultancy



www.resolutionplanning.com.au

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From: [O'Neill, Brendan](#)
To: [Hubert, Pamela](#)
Subject: RE: Forrest S35 B8
Date: Friday, 20 February 2015 11:16:23 AM

Hi Pamela,

We will issue a stop work notice that will be indefinite. After that we'll need to consult the lessee as to whether he will attempt dispute the DA refusal for the structure. If a DA is obtained they can continue work but if it is denied once more (or not disputed), we can issue a Section 62 notice, which is an order to perform work, in this case demolish the additional structure.

I will issue the Stop Work Notice next week.

Kind regards

Brendan O'Neill | Building Inspector | Compliance Auditor
Phone 02 6207 4589 | Fax 02 6207 1862 | Email actplaru@act.gov.au
Construction Services | ACTPLA | Environment and Planning | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601
www.actpla.act.gov.au

From: Hubert, Pamela
Sent: Friday, 20 February 2015 10:45 AM
To: O'Neill, Brendan
Cc: Connors, Brian
Subject: Forrest S35 B8

Hi Brendan,

I understand that you are the case officer for the controlled activity complaint at Forrest Section 35 Block 8.

I am conscious that the Heritage Direction to cease work on the rooftop structure expires on 28 February and wondered if there is any chance of a controlled activity order being issued before that date.

Could you please advise?

Regards

Pamela Hubert B. Arch RAIA | Team Leader (Advice)

Phone 02 6205 3195

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From: [Duncan Marshall](#)
To: [Hubert, Pamela](#)
Cc: [Dianne Firth](#); [Douglas Williams](#); [John Kenworthy](#)
Subject: Re: 2 Fitzroy Street, Forrest - New carport and rear addition
Date: Monday, 9 February 2015 2:21:43 PM

Hi Pamela

I generally support the comments you have made... with a couple of observations...

- Ted's comments obviously respond to a number of your earlier comments, and in some cases they appear to be conclusive (e.g. the tree issue).
- Side setback — I guess the question is how much should this be, noting that a small setback will be not very usable space. At 4.7 metres wide internally, it is a very generous carport... and I would have thought it could be a lot narrower. Access to a laundry does not seem a good reason for such a generous width. At least a 1.2 metre setback looks possible.
- Carport — I am not sure how the front piers are setback as claimed by Ted, as they do not seem to be on the drawings. I assume they could seek to build a 1.8 metre high side fence anyway, under normal planning regs, and our guidelines appear silent on such matters. The overall issue seems to be related to the original building form remaining dominant... and this could be assessed just in relation to the one house, or in relation to the precinct. Either way, the carport might be considered a minor intrusion on its own, but what happens if everyone builds up to the boundary line in this way? The use of brickwork does seem more consistent with the guidelines, rather than a lightweight structure. But I guess this is a matter of competing requirements — matching the materials versus minimising the structure to allow the original form to dominate. I don't have a strong view on this (noting the guidelines might be promoting slavish imitation contrary to Burra), but there is a need for some care in our advice to ensure we don't look inconsistent, or we explain why if we depart from the guidelines.
- Zinc cladding — clearly not consistent with the guidelines... but as above... I am not sure the guidelines fully reflect the right practice in such cases.

Hope this helps.

D

On 4 Feb 2015, at 1:39 pm, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

Dear Taskforce,

Noting that the DA Taskforce met with proponents for the development at 2 Fitzroy Street, Forrest late last year to discuss proposed works, and that any development on that block will be subject to a high level of scrutiny by concerned members of the public, I am seeking your comments on the revised proposal for a new carport and rear addition. I understand that the proponent presented a scheme for this to the Taskforce in November last year.

I have forwarded the email correspondence to date with Ted Streatfeild who is providing planning consultancy services to the proponent and have attached the documentation he has submitted. Ignoring the issue of whether a DA is needed or not, I would like to advise the proponent of whether the Council would object to this proposal or not. If there is an objection, I will need to provide a clear explanation of any such objection.

My initial thoughts are contained in the email of 28 January to Ted Streatfeild.

Could you please provide your thoughts/comments by COB Monday 8 February 2015 or let me know if you need additional time to respond?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Monday, 2 February 2015 10:36 AM
To: Hubert, Pamela
Cc: tomlslav
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Pamela

Thank you for your quick response. We have revised the plans to respond to some of the issues that you have raised (please see attached). The matters are addressed below:

- <!--[if !supportLists]-->1. <!--[endif]-->The certifier advises that the buildings are class 10 (please see attached email from CBS). The lease use is residential and the laundry and carport are for residential use.
- <!--[if !supportLists]-->2. <!--[endif]-->The large tree to the rear yard has already been removed. The lessee advised that he confirmed that the tree was not regulated prior to its removal consistent with the advice he received from the [REDACTED] pre app meeting of 17th December 2014 (copy attached).
- <!--[if !supportLists]-->3. <!--[endif]-->Access from the Manuka Circle side is not preferred as it will compromise the principal private open space area on the block. The client intends to provide a large grassed area with some protection from the street | that location.
- <!--[if !supportLists]-->4. <!--[endif]-->The carport front piers have been setback 500mm from the front face of the garage and the wall on the side boundary has been reduced to a 1.8m high brick fence. The wall is preferred as the client advises that neighbours often carry out noisy works in that location and the brick wall will assist in increasing the amenity of the residence.
- <!--[if !supportLists]-->5. <!--[endif]-->The existing original building will retain its prominence due to its two storey nature and the increase in setback and

the lowering of the wall on the boundary and the new carport roof will be a brick course below the existing garage. The brickwork is more consistent with the citation as materials that match existing than an open metal structure which would not provide for any increase in noise privacy.

6. It is not practical to set the carport side back further from the boundary as this will interfere with the function of the carport, allow more weather under the carport roof and will close down access to the laundry through the carport.

7. The zinc cladding is out of the way as a minor rear structure and is consistent with other zinc clad features on the nearby property at 37 Canberra Ave (please see the attached photos from the neighbouring business website).

Can you please provide further consideration of the above and provide a Heritage clearance for the work.

Thanks and regards

Ted Streatfeild MPIA CPP
Resolution Planning

Town Planning Consultancy



www.resolutionplanning.com.au

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Wednesday, 28 January 2015 3:38 PM
To: Ted Streatfeild; Heritage
Cc: tomlav; Gurnhill, Anna
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Ted,

Thank you for sending these through for Heritage Council advice.

I have spoken to an officer in the ACT planning authority who has advised that, even if there are no heritage concerns, the proposal would not be exempt from a development application as the storeroom and laundry component relates to an office/residential building which is not a class 10 structure.

I note that a previous version of this proposal was discussed with the DA Taskforce of the Heritage Council (the Taskforce) in November 2014. At that time the Taskforce was advised that a large tree would need to be removed for the proposed additions and that consequently, advice should be sought from Urban Treescapes in the Territory and Municipal Services Directorate. This tree does not appear to be shown on the drawings.

The Taskforce also suggested that they would prefer that the proposed carport be located with access from Manuka Circle and, if it must be located as indicated in the current drawings, that it be setback a minimum of 0.5m from the Fitzroy Street face of the original garage. Further, the carport should be reduced in width to retain open space between the dwelling and the side boundary. This will assist in meeting requirement iii)e) of the heritage guidelines that states "The original building form is to remain dominant".

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The proposed zinc cladding to part of the storeroom laundry addition is not consistent with requirement iii)f) of the heritage guidelines for the precinct which states "The roof pitch, walls, materials, window types and materials shall be as similar to the existing dwellings as is feasible." The "East West Elevation" shown on drawing A05 also shows Colorbond Klip Lock sheeting which is also not consistent with requirement iii)f) cited above.

In consideration of these issues, we are unable to provide Heritage Council advice supporting this proposal as it is currently presented.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: Ted Streatfeild [REDACTED]
Sent: Tuesday, 27 January 2015 3:52 PM
To: Heritage
Cc: Hubert, Pamela; tomlav
Subject: Class 10 - Heritage Clearance Request 8-35 Forrest

Attention ACT Heritage Unit/Pamela Hubert

Pamela

Attached is a plan for laundry and carport additions and modifications to a rear shed on Block 8 Section 35 Forrest.

The work is otherwise exempt from a Development Application subject to clearance of the proposal against the Heritage Act.

Can you please review the attached plans and provide an endorsement that the work is consistent with the citation for the area.

8-35 Forrest is within the Forrest Fire Station Precinct - Citation 20015 on the ACT Heritage Register.

The single storey proposal is consistent in form with the existing two storey building. The additions are setback more than 500mm from the front line of the building and the roof pitch (flat roof), walls and materials are as similar to the existing dwelling as is feasible and the existing original dwelling remains dominant.

The external metal cladding to the store area in the laundry is set well back from the front boundary and the building frontage and the minor nature of the addition would appear to have no significant impact on heritage values.

The rear shed is not an original garage building. It appears to have been constructed in 70s or 80s so there is no demolition of any original buildings.

The land is zoned CZ5 Mixed Use and has an area of 608m². There is no site coverage or plot ratio restriction applying from the specific requirements of the Citation or the Territory Plan.

Please let me know if there is anything else that you need to make a decision.

Thanks and regards

Ted Streatfeild MPIA CPP

Resolution Planning

Town Planning Consultancy



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<Mail Attachment.eml><20141217 - Heritage pre app Advice.pdf><Zinc
cladding in area.pdf><Zinc cladding used in area.pdf>

From: [Dianne.Firth](#)
To: [Hubert, Pamela](#); [Doug Williams](#); [REDACTED] [Duncan Marshall](#); [John Kenworthy](#)
Subject: RE: 2 Fitzroy Street, Forrest - New carport and rear addition
Date: Thursday, 5 February 2015 12:07:00 PM

Dear Pamela,

The plans we saw before Christmas had an external stair to the terrace above the garage that provided independent access to the residential unit above.

Regards,
Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Thursday, 5 February 2015 11:56 AM
To: [Dianne Firth](#); [Doug Williams](#); [REDACTED] [Duncan Marshall](#); [John Kenworthy](#)
Subject: RE: 2 Fitzroy Street, Forrest - New carport and rear addition

Diane,

The plans do not show the existing internal layout. I expect we are meant to assume that the existing stair between floors will continue to be used.

The "roof garden" is not part of this proposal.

Regards
Pamela Hubert | Team Leader (Advice)
Phone 02 6205 3195
ACT Heritage | Environment and Planning | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

-----Original Message-----

From: [Dianne.Firth](#); [REDACTED]
Sent: Thursday, 5 February 2015 11:05 AM
To: [Hubert, Pamela](#); [Doug Williams](#); [REDACTED] [Duncan Marshall](#); [John Kenworthy](#)
Subject: RE: 2 Fitzroy Street, Forrest - New carport and rear addition

Dear Pamela,

I am having difficulty finding the stair to access the first floor. Also, I am not sure where the roof garden is. Do any of the drawings show these?

Regards,
Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Thursday, 5 February 2015 9:15 AM
To: [Dianne.Firth](#); [Doug Williams](#); [REDACTED] [Duncan Marshall](#); [John Kenworthy](#)
Subject: RE: 2 Fitzroy Street, Forrest - New carport and rear addition

Dear Taskforce,

My apologies for not sending the most useful piece of information - the drawings of the proposal.

They are attached. Noting this error, could I have your comments by COB Tuesday 10 February 2015 please?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street,
Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

From: Hubert, Pamela

Sent: Wednesday, 4 February 2015 1:39 PM

To: Dianne Firth [REDACTED] Doug Williams [REDACTED]

Duncan Marshall; John Kenworthy [REDACTED]

Subject: 2 Fitzroy Street, Forrest - New carport and rear addition

Dear Taskforce,

Noting that the DA Taskforce met with proponents for the development at 2 Fitzroy Street, Forrest late last year to discuss proposed works, and that any development on that block will be subject to a high level of scrutiny by concerned members of the public, I am seeking your comments on the revised proposal for a new carport and rear addition. I understand that the proponent presented a scheme for this to the Taskforce in November last year.

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My initial thoughts are contained in the email of 28 January to Ted Streatfeild.

Could you please provide your thoughts/comments by COB Monday 8 February 2015 or let me know if you need additional time to respond?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

From: Ted Streatfeild [REDACTED]

Sent: Monday, 2 February 2015 10:36 AM

To: Hubert, Pamela

Cc: tomlslav

Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Pamela

Thank you for your quick response. We have revised the plans to respond to some of the issues that you have raised (please see attached). The matters are addressed below:

1. The certifier advises that the buildings are class 10 (please see attached email from CBS). The lease use is residential and the laundry and carport are for residential use.
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5. The existing original building will retain its prominence due to its two storey nature and the increase in setback and the lowering of the wall on the boundary and the new carport roof will be a brick course below the existing garage. The brickwork is more consistent with the citation as materials that match existing than an open metal structure which would not provide for any increase in noise privacy.
6. It is not practical to set the carport side back further from the boundary as this will interfere with the function of the carport, allow more weather under the carport roof and will close down access to the laundry through the carport.
7. The zinc cladding is out of the way as a minor rear structure and is consistent with other zinc clad features on the nearby property at 37 Canberra Ave (please see the attached photos from the neighbouring business website).

Can you please provide further consideration of the above and provide a Heritage clearance for the work.

Thanks and regards

Ted Streatfeild MPIA CPP
Resolution Planning
Town Planning Consultancy

Ph [REDACTED]
www.resolutionplanning.com.au<<http://www.resolutionplanning.com.au/>>

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Wednesday, 28 January 2015 3:38 PM
To: Ted Streatfeild; Heritage
Cc: tomlav; Gurnhill, Anna
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest

Ted,

Thank you for sending these through for Heritage Council advice.

I have spoken to an officer in the ACT planning authority who has advised that, even if there are no heritage concerns, the proposal would not be exempt from a development application as the storeroom and laundry component relates to an office/residential building which is not a class 10 structure.

I note that a previous version of this proposal was discussed with the DA Taskforce of the Heritage Council (the Taskforce) in November 2014. At that time the Taskforce was advised that a large tree would need to be removed for the proposed additions and that consequently, advice should be sought from Urban Treescapes in the Territory and Municipal Services Directorate. This tree does not appear to be shown on the drawings.

The Taskforce also suggested that they would prefer that the proposed carport be located with access from Manuka Circle and, if it must be located as indicated in the current drawings, that it be setback a minimum of 0.5m from the Fitzroy Street face of the original garage. Further, the carport should be reduced in width to retain open space between the dwelling and the side boundary. This will assist in meeting requirement iii)e) of the heritage guidelines that states "The original building form is to remain dominant".

The current drawings do not clearly show what is proposed for the section through the carport and the former garage. The first floor plan suggests that the carport roof is below the roof and parapet of the garage but the elevations suggest it is at the same level. To ensure the former garage remains the dominant form, the roof of the garage should be lower than the parapet of the former garage. Additionally, as noted in the letter to Mr Kasunic on 17 December 2014, a more lightweight, flat roofed carport structure with corner posts would be preferred. The current proposal with a brick wall and heavy masonry pier does not meet this guidance. This will also assist in meeting requirement iii)e) of the heritage guidelines that cited above.

The proposed zinc cladding to part of the storeroom laundry addition is not consistent with requirement iii)f) of the heritage guidelines for the precinct which states "The roof pitch, walls, materials, window types and materials shall be as similar to the existing dwellings as is feasible." The "East West Elevation" shown on drawing A05 also shows Colorbond Klip Lock sheeting which is also not consistent with requirement iii)f) cited above.

In consideration of these issues, we are unable to provide Heritage Council advice supporting this proposal as it is currently presented.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

From: Ted Streatfeild [REDACTED]

Sent: Tuesday, 27 January 2015 3:52 PM

To: Heritage

Cc: Hubert, Pamela; tomlslav

Subject: Class 10 - Heritage Clearance Request 8-35 Forrest

Attention ACT Heritage Unit/Pamela Hubert

Pamela

Attached is a plan for laundry and carport additions and modifications to a rear shed on Block 8 Section 35 Forrest.

The work is otherwise exempt from a Development Application subject to clearance of the proposal against the Heritage Act.

Can you please review the attached plans and provide an endorsement that the work is consistent with the citation for the area.

8-35 Forrest is within the Forrest Fire Station Precinct - Citation 20015 on the ACT Heritage Register.

The single storey proposal is consistent in form with the existing two storey building. The additions are setback more than 500mm from the front line of the building and the roof pitch (flat roof), walls and materials are as similar to the existing dwelling as is feasible and the existing original dwelling remains dominant.

The external metal cladding to the store area in the laundry is set well back from the front boundary and the building frontage and the minor nature of the addition would appear to have no significant impact on heritage values.

The rear shed is not an original garage building. It appears to have been constructed in 70s or 80s so there is no

demolition of any original buildings.

The land is zoned CZ5 Mixed Use and has an area of 608m². There is no site coverage or plot ratio restriction applying from the specific requirements of the Citation or the Territory Plan.

Please let me know if there is anything else that you need to make a decision.

Thanks and regards

Ted Streatfeild MPIA CPP
Resolution Planning
Town Planning Consultancy



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From: [Hubert, Pamela](#)
To: [Dianne Firth](#); [Doug Williams](#); [Duncan Marshall](#); [Ekelund, Dorte](#); [George Bailey](#); [Hanna Jaireth](#); [John Kenworthy](#); [Lane, Annie](#); [Mary Hutchison](#); [Pamela O'Neil](#); [Sharon Payne](#)
Cc: [Gurnhill, Anna](#); [Dunn, Jennifer](#); [Carmichael, Tony](#)
Subject: 2 Fitzroy Street, Forrest
Date: Wednesday, 4 February 2015 9:54:40 AM

Dear Council,

I would like to update you on what is happening with the unapproved structure on the roof of 2 Fitzroy Street, Forrest.

The Investigations Team in the Environment and Planning Directorate are intending to issue a warning letter to the owners later this week. The letter would give them 30 days to submit a development application (a DA) for the structure. If a DA is not submitted, the Investigations Team can then issue a controlled activity order to remove the structure.

If a DA is submitted and is subsequently refused, the applicant would have the normal opportunities to appeal the refusal. Once the period to lodge an appeal has expired, the Investigations Team can then issue a controlled activity order to remove the structure.

I have agreed with the Investigations Team that, while this process will take longer than issuing a heritage direction to remove the structure, this action is appropriate in this case. Noting that the proponents have indicated to the Investigations Team that they would be submitting a development application for the structure, it will avoid any potential for appeal of a heritage direction.

The Investigations Team will advise when they have issued a warning letter and I will update you further at that time.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Hubert, Pamela
To: ["Ted Streatfeild"; Heritage](#)
Cc: [tomislav; Gurnhill, Anna](#)
Subject: RE: Class 10 - Heritage Clearance Request 8-35 Forrest
Date: Wednesday, 28 January 2015 3:37:00 PM

Ted,

Thank you for sending these through for Heritage Council advice.

I have spoken to an officer in the ACT planning authority who has advised that, even if there are no heritage concerns, the proposal would not be exempt from a development application as the storeroom and laundry component relates to an office/residential building which is not a class 10 structure.

I note that a previous version of this proposal was discussed with the DA Taskforce of the Heritage Council (the Taskforce) in November 2014. At that time the Taskforce was advised that a large tree would need to be removed for the proposed additions and that consequently, advice should be sought from Urban Treescapes in the Territory and Municipal Services Directorate. This tree does not appear to be shown on the drawings.

The Taskforce also suggested that they would prefer that the proposed carport be located with access from Manuka Circle and, if it must be located as indicated in the current drawings, that it be setback a minimum of 0.5m from the Fitzroy Street face of the original garage. Further, the carport should be reduced in width to retain open space between the dwelling and the side boundary. This will assist in meeting requirement iii)e) of the heritage guidelines that states "The original building form is to remain dominant".

The current drawings do not clearly show what is proposed for the section through the carport and the former garage. The first floor plan suggests that the carport roof is below the roof and parapet of the garage but the elevations suggest it is at the same level. To ensure the former garage remains the dominant form, the roof of the garage should be lower than the parapet of the former garage. Additionally, as noted in the letter to Mr Kasunic on 17 December 2014, a more lightweight, flat roofed carport structure with corner posts would be preferred. The current proposal with a brick wall and heavy masonry pier does not meet this guidance. This will also assist in meeting requirement iii)e) of the heritage guidelines that cited above.

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In consideration of these issues, we are unable to provide Heritage Council advice supporting this proposal as it is currently presented.

Regards

Pamela Hubert | Team Leader (Advice)
Phone 02 6205 3195

From: Ted Streatfeild [REDACTED]
Sent: Tuesday, 27 January 2015 3:52 PM
To: Heritage
Cc: Hubert, Pamela; tomislav
Subject: Class 10 - Heritage Clearance Request 8-35 Forrest

Attention ACT Heritage Unit/Pamela Hubert

Pamela

Attached is a plan for laundry and carport additions and modifications to a rear shed on Block 8 Section 35 Forrest.

The work is otherwise exempt from a Development Application subject to clearance of the proposal against the Heritage Act.

Can you please review the attached plans and provide an endorsement that the work is consistent with the citation for the area.

8-35 Forrest is within the Forrest Fire Station Precinct - Citation 20015 on the ACT Heritage Register.

The single storey proposal is consistent in form with the existing two storey building. The additions are setback more than 500mm from the front line of the building and the roof pitch (flat roof), walls and materials are as similar to the existing dwelling as is feasible and the existing original dwelling remains dominant.

The external metal cladding to the store area in the laundry is set well back from the front boundary and the building frontage and the minor nature of the addition would appear to have no significant impact on heritage values.

The rear shed is not an original garage building. It appears to have been constructed in 70s or 80s so there is no demolition of any original buildings.

The land is zoned CZ5 Mixed Use and has an area of 608m². There is no site coverage or plot ratio restriction applying from the specific requirements of the Citation or the Territory Plan.

Please let me know if there is anything else that you need to make a decision.

Thanks and regards

Ted Streatfeild MPIA CPP

Resolution Planning

Town Planning Consultancy



www.resolutionplanning.com.au

From: [Duncan Marshall](#)
To: [Hubert, Pamela](#); [Gurnhill, Anna](#)
Subject: Re: 2 Fitzroy Street, Forrest
Date: Saturday, 17 January 2015 3:23:32 PM

For what it is worth... I drove passed this place today and there was no work happening on the topmost roof, but there did seem to be activity around the door to the lower terrace.

D

On 16 Jan 2015, at 9:38 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

Dear Council members,

You will recall that Council agreed at its meeting of 13 November 2014 to

make a heritage direction under section 62 of the Heritage Act 2004 to the owners to: immediately cease construction of the new structure on the roof of the existing building; and submit documents within three weeks of the date of the heritage direction for the consideration of the Council showing the proposed addition for which the structure is being erected; and

*** delegate to the DA Taskforce to decide on behalf of the Council whether the proposed addition will harmfully affect the heritage significance of the place.**

If the DA Taskforce determines that the proposed addition will harmfully affect the heritage significance of the place, that the Council agreed that an additional heritage direction under section 65 of the Act be made to the owners of 2 Fitzroy, Street Forrest to remove the new structure on the roof of the existing building within six weeks of the date of the heritage direction.

The attached Heritage Direction (20141117 – Heritage Direction) was issued on 17 November 2014.

The DA Taskforce of the Council met with representatives of the owners on 27 November 2014 after which the attached advice of 17 December 2014 (20141217 – Advice) was sent to the owners. No further documentation has been received to support the structure.

I was advised by the complainant yesterday morning that work had apparently recommenced on the roof. On inspecting the property from the street, it was apparent that work was being undertaken on the roof. This is shown in the

attached photograph (20150115 – view from north). I subsequently telephoned the owner who stated that the work being done was in relation to the replacement of a door to the lower terrace over the original garage which had been the subject of a previous complaint.

The matter has been discussed with the Investigations Team in the Environment and Planning Directorate who are pursuing the matter to consider whether further action can be taken under other relevant legislation and whether there is indeed additional work on the roof structure being undertaken that would constitute failure to comply with a Heritage Direction.

I am advising you of this primarily for your information but note that there remains the question of whether the owners of 2 Fitzroy Street, Forrest should be issued with an additional Heritage Direction to remove the roof structure. I note that the advice of 17 December 2014 gives the owners until 22 January 2015 to provide further documentation in this matter. An agenda paper for the Council meeting of 12 February 2015 will be prepared depending on what if anything is received.

Please let me know if you have any questions in relation to this matter.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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<20141117 - Heritage Direction.pdf><20141217 - Advice.pdf><20150115 - view from north 4.JPG>

From: [Duncan Marshall](#)
To: [Hubert, Pamela](#); [Gurnhill, Anna](#)
Subject: Fwd: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]
Date: Friday, 16 January 2015 3:05:56 PM

FYI...

D

Begin forwarded message:

From: Duncan Marshall [REDACTED]
Subject: Re: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]
Date: 16 January 2015 3:03:32 pm AEDT
To: [REDACTED]

Thanks [REDACTED]

The Council has been briefed on this latest development... and I think the actions taken or underway, including contact with the owner, seem the right path. There are other options as well, if needed.

All the best

Duncan

On 16 Jan 2015, at 10:00 am, [REDACTED] wrote:

Dear Duncan,

Believe you me, you appear to be our last resort..... See short email trail below!

This type of scenario is becoming more and more common.
Any ideas as to what can be done?

Meanwhile, happy new year to you and yours,

[REDACTED]

Sent from my iPad

Begin forwarded message:

From: [REDACTED]

Date: 16 January 2015 9:24:52 am AEDT

To: [REDACTED]

[REDACTED] **concerns with 2
Fitzroy Street Forrest - extra story / level
[SEC=UNCLASSIFIED]**

UNCLASSIFIED

[An update on 2 Fitzroy.](#)

I assume a lot of this is going on unnoticed in the Inner South. Once the structures have been completed I imagine there is little appetite to force the owners to remedy the situation.

From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

Sent: Friday, 16 January 2015 09:16

To: [REDACTED]

Cc: [REDACTED] Gurnhill, Anna

Subject: RE: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

Hi [REDACTED]

As promised yesterday, I went to Fitzroy Street yesterday to view what was happening on the roof and take photographs for our records.

When the Heritage Council (the Council) agreed to issue a Heritage Direction to cease construction, they also agreed to provide the owners with an opportunity to provide documentation showing the proposed addition for which the structure has been commenced before considering whether to issue a heritage direction to remove the structure. The DA Taskforce of the Council are not yet received documentation to their satisfaction and area awaiting further information.

The matter has been discussed with the Investigations Team in the Environment and Planning Directorate (the EPD) who are now escalating the Controlled Activity Complaint (the Complaint) that we submitted to them in November last year with a view to considering what action is appropriate under other relevant legislation. I note that when the Complaint was submitted last year, the Investigations Team agreed that they would not take additional action to that being taken by the Heritage Council until further advised of whether the Heritage Council are likely to agree to the proposed structure. This was consistent with the view of the Heritage Council of how the matter should be dealt with.

I have also spoken to the owner of the property who has given his explanation of the work being undertaken. This explanation has been forwarded to the Investigations Team who will consider it while undertaking their investigation.

The Executive in the EPD are also aware of this issue and are being kept informed of any changes.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]

Sent: Thursday, 15 January 2015 9:43 AM

To: Hubert, Pamela

Cc: [REDACTED]

Subject: FW: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Pamela

Thank you for taking my call today regarding No 2 Fitzroy St Forrest.

As mentioned we noticed building materials on the property this morning and work had already begun before 9 am. This

work is in extension of the previous work already present.

Cheers

[REDACTED]

[REDACTED]

From: Hubert, Pamela
[mailto:Pamela.Hubert@act.gov.au]
Sent: Friday, 14 November 2014 12:16
To: [REDACTED]
Cc: Gurnhill, Anna
Subject: RE: RE: Heritage concerns with 2
Fitzroy Street Forrest - extra story / level
[SEC=UNCLASSIFIED]

[REDACTED]

Thanks for your email.

As an update, the Heritage Council resolved yesterday to make a heritage direction to the owners to stop construction at 2 Fitzroy Street, Forrest. The DA Taskforce of the Heritage Council will be meeting with the owners in two weeks to discuss the proposal with the owner before determining any further action.

I will be on leave for the next three weeks, returning 8 December 2014. If you do observe additional work being undertaken, please contact Anna Gurnhill (phone 6207 7302) during that time.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
Sent: Thursday, 13 November 2014 6:22 PM
To: Hubert, Pamela
Cc: [REDACTED]
Subject: FW: RE: Heritage concerns with 2 Fitzroy Street
Forrest - extra story / level [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Pamela

I will be out of town for one week and so unable to monitor the works at 2 Fitzroy Street.

Please feel free to call if you require information. I will have access to my Gmail account.

thanks

From: [REDACTED]
Sent: Monday, 3 November 2014 12:45
To: [REDACTED]
Subject: Fwd: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

----- Forwarded message -----

From: [REDACTED]
Date: Nov 3, 2014 12:43 PM
Subject: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level
To: "Hubert, Pamela" <Pamela.Hubert@act.gov.au>
Cc: "Gurnhill, Anna" <Anna.Gurnhill@act.gov.au>

Hello Pamela

Thank you for your swift action.

This work began about a month ago but was not obvious until the structure was erected on Saturday.

There has been no public notifications of the work at the property on either Fitzroy St or Manuka CCT.

We are concerned how this will impact the streetscape of the heritage precinct if this is allowed.

Thanks

On Nov 3, 2014 12:06 PM, "Hubert, Pamela" <Pamela.Hubert@act.gov.au> wrote:

Thank you for your email bringing to our attention the most recent building work at 2 Fitzroy Street, Forrest.

ACT Heritage are investigating this work in consideration of the *ACT Heritage Act 2004* and, as we are not aware of any development approval for any new structures at the place, will also submit a Construction Activity Complaint to the Investigations Team in Environment and Planning Directorate.

We note that details of any investigation are kept confidential until the investigation is completed.

However, we will let you know of the outcome of the investigation in due course.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]

Sent: Saturday, 1 November 2014 1:37 PM

To: EPDCAB; Environment; Heritage; EPD, Customer Services; Russell, Meaghan

Cc: [REDACTED]

[REDACTED] Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

Hello

I am writing again regarding 2 Fitzroy Street which is under the 2004 Heritage Order for the Fire Station Precinct (Order).

There is currently significant work going on at this site. There is also DA201425608 (29 Manuka Circle/2 Fitzroy Street Forrest) which I made a submission on, and was recently told had still not been actioned.

The entire roof was removed about three to four weeks ago. Today I note there is a structure going on the roof of the house (see attached photo). There has been no DA notifications on the property at all to indicate ANY work of this nature being conducted, I have also checked the ACT website. The only DA for this site in recent years has been DA20142508. In addition I am wondering how this complies/meets the Heritage Order for the Precinct. This will impact the heritage street scape of the entire block where this is visible. The heritage significance of this Precinct is the block in its entirety. If one property makes too many changes it impacts the entire significance of the block.

I ask for urgent information on this site including; if there was a DA why there was no notification on the property, or notification to immediate neighbours (for a heritage block I would assume we should all have been notified), information on how this complies to the heritage of this block, what can be done to make a

submission on such significant work given there was no DA notification.

This is very disappointing. The owners of No 2 Fitzroy Street have already introduced rendered fencing to the block which many feel is not in the spirit of the Heritage Order. Now again they are making changes that will impact all owners.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [Gilbert, Euroka](#)
To: [Gurnhill, Anna](#); [Hubert, Pamela](#); [Dunn, Jennifer](#)
Subject: 2 Fitzroy St [REDACTED] phone call
Date: Friday, 16 January 2015 2:37:13 PM

Hi team.

I answered a phone call on Pamela's phone.

The Caller was [REDACTED]

[REDACTED] queried if I was aware of the situation at 2 Fitzroy St, I replied that I worked in the Aboriginal advise area but that it was a subject of office conversation.

[REDACTED] stated that [REDACTED] had "been walking past" the address and that work was "proceeding at full pace". I asked if [REDACTED] could clarify the location of the works.

[REDACTED] replied "men are using ladders and are accessing the outside balcony to work in the original garage"

[REDACTED] also complained that [REDACTED] view is obscured by "Black cyclone fencing" and that no other buildings in the area have cyclone mesh.

[REDACTED] stated that "Land regulation, need to act. And the "if they had this would not be an issue".

[REDACTED] also said that at "some point heritage needs to act"

[REDACTED] also stated that "You haven't the money to deal with the issues" and the proponent "would just get a \$1000 dollar lawyer, to get the DPP to roll over."

I asked [REDACTED] if [REDACTED] would like Pamela to call [REDACTED] back.

[REDACTED] reiterated that "heritage need to do something" but then declined the offer with "no that won't be necessary but heritage needs to do more"

If further information is required please don't hesitate to contact me.

Cheers

Mr. Euroka Gilbert | Aboriginal Liaison Officer

Phone 02 6207 5724 |

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I acknowledge the traditional custodians of the ACT and region, their continuing connection to land and community. I pay my respect to them and their culture, and to the elders past, present and future.

From: [David Hobbes](#)
To: [Hubert, Pamela](#)
Subject: Heritage Advisory Service
Date: Friday, 16 January 2015 2:06:53 PM

Pamela,

Just a heads up on my phone call from [REDACTED] yesterday.

She was put through to us by Canberra Connect. On realising it was us she exclaimed that the CC service was poor because she wanted to speak to ACT Heritage, not the Advisory Service. She opined that too many callers would be put through to us and we would provide unnecessary advice and that it was a waste of taxpayer's money*. (I really don't know what she meant by unnecessary advice) I told her that incorrect connections were rare. She said it had happened to her twice! She then opined that the Advisory Service acts in the interests of proponents and the government and not in the best interests of ACT Heritage. I did not respond to this. She further said that what was occurring at 2 Fitzroy St was a disgrace and what were we going to do about it. I simply said I knew nothing about it. I gave her your number. End of call.

She called our office a few months ago demanding to what how much we were paid for the Advisory Service. We refused to say.

Regards
David

David Hobbes
Associate ARAIA

PHILIPLEESONARCHITECTS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

W www.philipleeson.com.au

From: [REDACTED]
To: [Hubert, Pamela](#)
Cc: [REDACTED] [Gurnhill, Anna](#)
Subject: RE: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]
Date: Friday, 16 January 2015 9:23:41 AM

UNCLASSIFIED

Hello Pamela

Thank you Pamela for your swift action.

I noticed that the structure present yesterday, and last night at 7pm, was not there this morning.

Again however there are extensive works going on today with sawing of beams starting from 7 am this morning.

I hope that a sensible resolution is found that preserves the amazing architectural heritage of the precinct.

Cheers

[REDACTED]

From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Friday, 16 January 2015 09:16
To: [REDACTED]
Cc: [REDACTED] Gurnhill, Anna
Subject: RE: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

Hi [REDACTED]

As promised yesterday, I went to Fitzroy Street yesterday to view what was happening on the roof and take photographs for our records.

When the Heritage Council (the Council) agreed to issue a Heritage Direction to cease construction, they also agreed to provide the owners with an opportunity to provide documentation showing the proposed addition for which the structure has been commenced before considering whether to issue a heritage direction to remove the structure. The DA Taskforce of the Council are not yet received documentation to their satisfaction and area awaiting further information.

The matter has been discussed with the Investigations Team in the Environment and Planning Directorate (the EPD) who are now escalating the Controlled Activity Complaint (the Complaint) that we submitted to them in November last year with a view to considering what action is appropriate under other relevant legislation. I note that when the Complaint was submitted last year, the Investigations Team agreed that they would not take additional action to that being taken by the Heritage Council until further advised of whether the Heritage Council are likely to agree to the proposed structure. This was consistent with the view of the Heritage Council of how the matter should be dealt with.

I have also spoken to the owner of the property who has given his explanation of the work being

undertaken. This explanation has been forwarded to the Investigations Team who will consider it while undertaking their investigation.

The Executive in the EPD are also aware of this issue and are being kept informed of any changes.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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From: [REDACTED]
Sent: Thursday, 15 January 2015 9:43 AM
To: Hubert, Pamela
Cc: [REDACTED]
Subject: FW: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Pamela

Thank you for taking my call today regarding No 2 Fitzroy St Forrest.

As mentioned we noticed building materials on the property this morning and work had already begun before 9 am. This work is in extension of the previous work already present.

Cheers

[REDACTED]

[REDACTED]

From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Friday, 14 November 2014 12:16
To: [REDACTED]
Cc: Gurnhill, Anna
Subject: RE: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

[REDACTED]

Thanks for your email.

As an update, the Heritage Council resolved yesterday to make a heritage direction to the owners to stop construction at 2 Fitzroy Street, Forrest. The DA Taskforce of the Heritage Council will be meeting with the owners in two weeks to discuss the proposal with the owner before determining any further action.

I will be on leave for the next three weeks, returning 8 December 2014. If you do observe additional work being undertaken, please contact Anna Gurnhill (phone 6207 7302) during that time.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
Sent: Thursday, 13 November 2014 6:22 PM
To: Hubert, Pamela
Cc: [REDACTED]
Subject: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Pamela

I will be out of town for one week and so unable to monitor the works at 2 Fitzroy Street.

Please feel free to call if you require information. I will have access to my Gmail account.

thanks

[REDACTED]

From: [REDACTED]
Sent: Monday, 3 November 2014 12:45
To: [REDACTED]
Subject: Fwd: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

----- Forwarded message -----

From: [REDACTED]
Date: Nov 3, 2014 12:43 PM
Subject: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level
To: "Hubert, Pamela" <Pamela.Hubert@act.gov.au>
Cc: "Gurnhill, Anna" <Anna.Gurnhill@act.gov.au>

Hello Pamela

Thank you for your swift action.

This work began about a month ago but was not obvious until the structure was erected on Saturday.

There has been no public notifications of the work at the property on either Fitzroy St or Manuka CCT.

We are concerned how this will impact the streetscape of the heritage precinct if this is allowed.

Thanks

[REDACTED]

On Nov 3, 2014 12:06 PM, "Hubert, Pamela" <Pamela.Hubert@act.gov.au> wrote:

[REDACTED]

Thank you for your email bringing to our attention the most recent building work at 2 Fitzroy

Street, Forrest.

ACT Heritage are investigating this work in consideration of the *ACT Heritage Act 2004* and, as we are not aware of any development approval for any new structures at the place, will also submit a Construction Activity Complaint to the Investigations Team in Environment and Planning Directorate.

We note that details of any investigation are kept confidential until the investigation is completed. However, we will let you know of the outcome of the investigation in due course.

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Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]

Sent: Saturday, 1 November 2014 1:37 PM

To: EPDCAB; Environment; Heritage; EPD, Customer Services; Russell, Meaghan

Cc: [REDACTED]

Subject: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

Hello

I am writing again regarding 2 Fitzroy Street which is under the 2004 Heritage Order for the Fire Station Precinct (Order).

There is currently significant work going on at this site. There is also DA201425608 (29 Manuka Circle/2 Fitzroy Street Forrest) which I made a submission on, and was recently told had still not been actioned.

The entire roof was removed about three to four weeks ago. Today I note there is a structure going on the roof of the house (see attached photo). There has been no DA notifications on the property at all to indicate ANY work of this nature being conducted, I have also checked the ACT website. The only DA for this site in recent years has been DA20142508. In addition I am wondering how this complies/meets the Heritage Order for the Precinct. This will impact the heritage street scape of the entire block where this is visible. The heritage significance of this Precinct is the block in its entirety. If one property makes too many changes it impacts the entire significance of the block.

I ask for urgent information on this site including; if there was a DA why there was no notification on the property, or notification to immediate neighbours (for a heritage block I would assume we should all have been notified), information on how this complies to the heritage of this block, what can be done to make a submission on such significant work given there was no DA notification.

This is very disappointing. The owners of No 2 Fitzroy Street have already introduced rendered fencing to the block which many feel is not in the spirit of the Heritage Order. Now again they are making changes that will impact all owners.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Dunn, Jennifer
To: [REDACTED]
Cc: [tomislav](#)
Subject: 2 Fitzroy Street, Forrest
Date: Wednesday, 17 December 2014 2:56:00 PM
Attachments: 20141217 - Advice.pdf
image001.png

Dane,

Heritage advice attached.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



From: [John Kenworthy](#)
To: [Dianne.Firth](#); [REDACTED] [Dunn, Jennifer](#); [REDACTED]
Subject: RE: DATF Minutes
Date: Sunday, 7 December 2014 10:54:14 AM

Good morning all,

I also support Duncan's additions.

Regards

John Kenworthy

Disclaimer added by CodeTwo Exchange Rules 2010
<http://www.codetwo.com>

From: Dianne.Firth [REDACTED]
Sent: Sunday, 7 December 2014 10:25 AM
To: [REDACTED] John Kenworthy
Subject: RE: DATF Minutes

Hi,

I support Duncan's additions.

Regards,
Dianne

From: [REDACTED]
Sent: Saturday, 6 December 2014 12:28 AM
To: Jennifer.Dunn@act.gov.au; Dianne.Firth; [REDACTED]
Subject: DATF Minutes

Hi Jen

Thanks for this. A few suggestions...

Cheers

D

On 05/12/2014, at 6:46 AM, Dunn, Jennifer wrote:

Dear TF,

Minutes from DA TF last week.

Jen D

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

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Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

<image001.png> <image002.gif><<http://www.australianalps.environment.gov.au/>>

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<20141127 - Minutes - DA Taskforce.docx>

From: [Dianne.Firth](#)
To: [REDACTED] [Dunn, Jennifer](#); [REDACTED]
Subject: RE: DATF Minutes
Date: Sunday, 7 December 2014 10:25:09 AM

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Regards,
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Conservation Officer | Advice

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<20141127 - Minutes - DA Taskforce.docx>

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<20141127 - Minutes - DA Taskforce.docx>

From: [Gurnhill, Anna](#)
To: [Dunn, Jennifer](#)
Cc: [Duncan, Marshall](#)
Subject: FW: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]
Date: Tuesday, 2 December 2014 1:42:58 PM

FYI only at this stage.

Regards,
Anna

From: [REDACTED]
Sent: Tuesday, 2 December 2014 9:21 AM
To: Gurnhill, Anna
Cc: [REDACTED] Hubert, Pamela
Subject: FW: FW: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Anna

Just a quick email to let you know that there were several people on the roof of no 2 this morning (at 7 am) discussing the structure.

thanks

[REDACTED]

From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Friday, 14 November 2014 12:16
To: [REDACTED]
Cc: Gurnhill, Anna
Subject: RE: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level [SEC=UNCLASSIFIED]

[REDACTED]

Thanks for your email.

As an update, the Heritage Council resolved yesterday to make a heritage direction to the owners to stop construction at 2 Fitzroy Street, Forrest. The DA Taskforce of the Heritage Council will be meeting with the owners in two weeks to discuss the proposal with the owner before determining any further action.

I will be on leave for the next three weeks, returning 8 December 2014. If you do observe additional work being undertaken, please contact Anna Gurnhill (phone 6207 7302) during that time.

Regards
Pamela Hubert | Team Leader (Advice)
Phone 02 6205 3195

From: [REDACTED]
Sent: Thursday, 13 November 2014 6:22 PM
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UNCLASSIFIED

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Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]

Sent: Saturday, 1 November 2014 1:37 PM

To: EPDCAB; Environment; Heritage; EPD, Customer Services; Russell, Meaghan

Cc: [REDACTED]

Subject: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

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This is very disappointing. The owners of No 2 Fitzroy Street have already introduced rendered fencing to the block which many feel is not in the spirit of the Heritage Order. Now again they are making changes that will impact all owners.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [Dunn, Jennifer](#)
To: [Duncan Marshall](#); [Dianne Firth](#); [Doug Williams](#); ["John Kenworthy"](#)
Subject: DA Taskforce - Thursday 27 November 2014
Date: Monday, 24 November 2014 12:11:00 PM
Attachments: image001.png

Dear Taskforce,

A reminder that we are scheduled to meet at 12.30pm, Level 1 North, DPMH on Thursday 27 November 2014, to discuss the existing unapproved works at 2 Fitzroy Street Forrest. At this time I do not have any documentation for you to consider as the proponent has not responded to our request to provide this material prior to the meeting

Jen D

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



From: [Dunn, Jennifer](#)
To: [tomislav](#)
Subject: RE: 2 Ftizroy Street, Forrest
Date: Tuesday, 18 November 2014 4:21:00 PM
Attachments: image001.png

Tomislav,

Further to Pamela's email below, I would appreciate if you could forward to me any documentation you wish the DA Taskforce to consider by COB Friday 21 November 2014, to enable the Taskforce sufficient time to consider it prior to the meeting at 12.30pm on Thursday 27 November, 2014.

Jennifer Dunn

Conservation Officer | Advice

Phone 02 6207 9392

ACT Heritage | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson

GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au



From: Hubert, Pamela
Sent: Wednesday, 12 November 2014 3:16 PM
To: tomislav
Cc: Dunn, Jennifer
Subject: RE: 2 Ftizroy Street, Forrest

Tomislav,

A meeting has been scheduled for 12.30pm on Thursday 27th November 2014 at Dame Pattie Menzies House, north building.

Jennifer Dunn will be the contact for the meeting as I will be on leave. Her phone number is 6207 9392. When you arrive for the meeting you can ring her from the internal telephone in the lobby on extension 79392 to get access to the building.

Could you please forward any documentation you want considered to Jennifer as soon as possible so that the DA Taskforce has an opportunity to consider it prior to the meeting?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomlav [REDACTED]
Sent: Tuesday, 11 November 2014 12:09 PM
To: Hubert, Pamela
Subject: Re: 2 Ftizroy Street, Forrest

Ok thanks.

Any day and we will accomodate.

Regards

Tomislav Kasunic

On 11 Nov 2014, at 12:05 pm, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

Tomislav,

I have not yet been able to check with all members of the DA Taskforce of the Council, but the likely dates that are available are in the week beginning 24 November 2014. Would you like me to try for a day in that week and, if so, is there a date you would prefer?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: tomlav [REDACTED]
Sent: Tuesday, 11 November 2014 9:23 AM
To: Hubert, Pamela
Subject: RE: 2 Ftizroy Street, Forrest

I would be in a position for the consultants to present on 21/11/14.

Does this work in with your team?

Tomislav Kasunic |

Project Manager

<image001.jpg>



From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Tuesday, 11 November 2014 8:18 AM
To: tomlslav
Subject: RE: 2 Ftizroy Street, Forrest

Tomislav,

Thursday's meeting will be the last meeting of the Heritage Council until February.

At this stage the Heritage Council are been asked to consider whether to issue a Heritage Direction to stop work until the DA Taskforce of the Council can consider what is being proposed and to determine any further actions on behalf of the Council. I am sure the DA Taskforce will be pleased to meet with you and provide an opportunity for you to present the proposal.

Could you please advise when you might have sufficient information available for this to happen?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: tomlslav [REDACTED]
Sent: Monday, 10 November 2014 7:49 AM
To: Hubert, Pamela
Subject: RE: 2 Ftizroy Street, Forrest

When will the next heritage council meeting be held?

Tomislav Kasunic |

Project Manager

<image001.jpg>



From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Monday, 10 November 2014 7:42 AM
To: tomlslav
Cc: Gurnhill, Anna
Subject: RE: 2 Ftizroy Street, Forrest

Tomislav,

Thank you for the clarification regarding Kascon.

Unfortunately, there is a full meeting agenda for Thursday's Heritage Council meeting already so it is unlikely that there will be an opportunity for an additional presentation. As previously suggested, the DA Taskforce would welcome the opportunity to review drawings showing what is proposed if these can be provided as soon as possible.

Regards
Pamela Hubert

From: tomislav [REDACTED]
Sent: Monday 10 November 2014 06:59
To: Hubert, Pamela
Subject: RE: 2 Fitzroy Street, Forrest

Hi Pamela,

Thanks for your email.

Please do not implicate Kascon. The company has an office on premise but hasn't been engaged to perform any works.

With regards to the exempt mechanical installations on the roof this has been performed under the direction of the owners.

Would it be possible to book a time slot for the architect to discuss planning with the heritage council at this Tuesday's meeting?

Regards,

Tomislav Kasunic |

Project Manager

<image002.jpg>



From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Thursday, 6 November 2014 2:24 PM
To: tomislav
Subject: 2 Fitzroy Street, Forrest

Tomi,

Please find attached a letter from the Heritage Council sent yesterday to the Kascon Group as occupants of 2 Fitzroy Street, Forrest.

I have forwarded the letter to you as we have been advised that you and Natasia George are the current lessees of the property.

Regards
Pamela Hubert | Team Leader (Advice)
Phone 02 6205 3195
ACT Heritage | Environment and Planning | **ACT Government**

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From: [Gurnhill, Anna](#)
To: [Duncan Marshall](#)
Cc: [Dunn, Jennifer](#)
Subject: RE: 2 Fitzroy Street, Forrest
Date: Monday, 17 November 2014 8:14:13 AM

I think we should leave the meeting date for 24 November, to save having to go back and reschedule with the owners/developers.

They are planning to have the documentation in time for this meeting anyway.

From: Duncan Marshall [REDACTED]
Sent: Monday, 17 November 2014 8:05 AM
To: Gurnhill, Anna
Subject: Re: 2 Fitzroy Street, Forrest

Thanks Anna. I was just wanting to make sure the direction matched the actual Council decision... which seems to be 3 weeks... in which case... maybe the meeting can be aligned for whenever the documentation is available... which can be sooner if the owners are ready or after the 3 weeks if not?

D

On 17 Nov 2014, at 7:17 am, Gurnhill, Anna <Anna.Gurnhill@act.gov.au> wrote:

Hi Duncan,

The meeting with the developers is scheduled for 27 November.
The date of 24 Nov allows for the documentation to be provided ahead of the meeting for Council's consideration.
Alternatively, we could align the date to the same as the meeting.
Or, the three weeks as you suggest below, which would enable them to provide documentation after the scheduled meeting.

My preference would be either of the two former options, but am happy for you to amend the Direction to whichever date you think best.

Regards,
Anna

From: Duncan Marshall [REDACTED]
Sent: Friday, 14 November 2014 5:14 PM
To: Hubert, Pamela
Cc: Dunn, Jennifer; Gurnhill, Anna
Subject: Re: 2 Fitzroy Street, Forrest

Thanks Pamela.

Happy to sign... but is the date of 24 November correct? The Council draft minutes refer to 3 weeks.

D

On 14/11/2014, at 4:11 PM, Hubert, Pamela wrote:

Sorry Duncan,

I forgot the attachment.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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| www.environment.act.gov.au

From: Hubert, Pamela

Sent: Friday, 14 November 2014 4:40 PM

To: 'Duncan Marshall'

Cc: Dunn, Jennifer; Gurnhill, Anna

Subject: 2 Fitzroy Street, Forrest

Duncan,

Following the Council meeting yesterday, we have prepared a heritage direction for 2 Fitzroy Street, Forrest.

Could you please sign the attached direction and return the signed document to Anna or Jen Dunn so that they can serve this?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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From: [Hubert, Pamela](#)
To: [Duncan Marshall](#)
Cc: [Dunn, Jennifer](#); [Gurnhill, Anna](#)
Subject: FW: 2 Fitzroy Street, Forrest
Date: Friday, 14 November 2014 4:41:36 PM
Attachments: 20141114 - Heritage Direction.docx

Sorry Duncan,

I forgot the attachment.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

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From: [Hubert, Pamela](#)
To: [Duncan Marshall](#)
Cc: [Dunn, Jennifer](#); [Gurnhill, Anna](#)
Subject: 2 Fitzroy Street, Forrest
Date: Friday, 14 November 2014 4:39:50 PM

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To: [tomislav](#)
Cc: [Dunn, Jennifer](#)
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<image001.jpg>

a PO BOX 3218 Manuka ACT 2603



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To: tomlslav
Subject: RE: 2 Ftizroy Street, Forrest

Tomislav,

Thursday's meeting will be the last meeting of the Heritage Council until February.

At this stage the Heritage Council are been asked to consider whether to issue a Heritage Direction to stop work until the DA Taskforce of the Council can consider what is being proposed and to determine any further actions on behalf of the Council. I am sure the DA Taskforce will be pleased to meet with you and provide an opportunity for you to present the proposal.

Could you please advise when you might have sufficient information available for this to happen?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: tomlslav [REDACTED]
Sent: Monday, 10 November 2014 7:49 AM
To: Hubert, Pamela
Subject: RE: 2 Ftizroy Street, Forrest

When will the next heritage council meeting be held?

Tomislav Kasunic |

Project Manager

<image001.jpg>



From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

Sent: Monday, 10 November 2014 7:42 AM

To: tomislav

Cc: Gurnhill, Anna

Subject: RE: 2 Ftizroy Street, Forrest

Tomislav,

Thank you for the clarification regarding Kascon.

Unfortunately, there is a full meeting agenda for Thursday's Heritage Council meeting already so it is unlikely that there will be an opportunity for an additional presentation. As previously suggested, the DA Taskforce would welcome the opportunity to review drawings showing what is proposed if these can be provided as soon as possible.

Regards
Pamela Hubert

From: tomislav [REDACTED]
Sent: Monday 10 November 2014 06:59
To: Hubert, Pamela
Subject: RE: 2 Ftizroy Street, Forrest

Hi Pamela,

Thanks for your email.

Please do not implicate Kascon. The company has an office on premise but hasn't been engaged to perform any works.

With regards to the exempt mechanical installations on the roof this has been performed under the direction of the owners.

Would it be possible to book a time slot for the architect to discuss planning with the heritage council at this Tuesdays meeting?

Regards,

Tomislav Kasunic |

Project Manager

<image002.jpg>





From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

Sent: Thursday, 6 November 2014 2:24 PM

To: tomislav

Subject: 2 Ftizroy Street, Forrest

Tomi,

Please find attached a letter from the Heritage Council sent yesterday to the Kascon Group as occupants of 2 Fitzroy Street, Forrest.

I have forwarded the letter to you as we have been advised that you and Natasia George are the current lessees of the property.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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From: [Hubert, Pamela](#)
To: [Dianne Firth](#); [Doug Williams](#); [Duncan Marshall](#); [John Kenworthy](#)
Cc: [Gurnhill, Anna](#); [Dunn, Jennifer](#)
Subject: 2 Fitzroy Street, Forrest
Date: Tuesday, 11 November 2014 1:00:01 PM

Dear Taskforce,

Further to my recent emails regarding the construction work being undertaken at 2 Fitzroy Street, Forrest, Tomislav Kasunic, one of the two lessees of 2 Fitzroy Street, Forrest has requested a meeting with the DA Taskforce of the Council to present his proposals in relation to the roof top structure that has commenced construction. He has indicated he will be bringing consultants to the meeting.

Can I please ask for the availability of members of the DA Taskforce on the dates 25-27 November?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [Haby, Jane](#) on behalf of [RevenueAccounts](#)
To: [Hubert, Pamela](#)
Subject: RE: Forresst block 8 section 35
Date: Wednesday, 5 November 2014 3:21:23 PM

Dear Ms Hubert

Thank you for your email of 5 November 2014 regarding the Information Discovery Order Under Section 95(2) of the *Heritage Act 2004*.

As requested, the current lessees of the property at Forrest, Section 35, Block 8 are:

██████████ and ██████████
██████████
██████████

If you have any further enquiries please do not hesitate to contact me.

Regards

Jane Haby

Ph 02 62052637 | Fax 02 62070036

Revenue Accounts | ACT Revenue Office

Canberra Nara Centre | 1 Constitution Avenue, Canberra, ACT 2601

PO Box 252, Civic Square, ACT 2608

Email: jane.haby@act.gov.au



From: Hubert, Pamela
Sent: Wednesday, 5 November 2014 2:10 PM
To: RevenueAccounts
Subject: Forresst block 8 section 35

Please find attached an information discovery order in relation to the above property.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [John Kenworthy](#)
To: [Hubert, Pamela](#)
Subject: FW: Forrest Section 35 Block 8 (2 Fitzroy Street)
Date: Tuesday, 4 November 2014 6:11:50 PM

Hi Pamela,

I concur with Duncan's note.

Regards

John Kenworthy

Disclaimer added by CodeTwo Exchange Rules 2010
<http://www.codetwo.com>

-----Original Message-----

From: Duncan Marshall [REDACTED]
Sent: Tuesday, November 04, 2014 3:57 PM
To: Pamela Hubert
Cc: Douglas Williams; Dianne Firth; John Kenworthy; Gurnhill, Anna
Subject: Re: Forrest Section 35 Block 8 (2 Fitzroy Street)

Thanks Pamela.

My suggestion would be to write to the owner seeking their agreement to stop further work and to submit a DA, and to ask for a response by COB of the 12th, because Council will consider the matter the following day. In the meantime, you can prepare a paper for Council to consider issuing a heritage direction for its next meeting on the 13th.

I would like to try to persuade the owner first, rather than opting for a heritage direction first.

D

On 4 Nov 2014, at 3:01 pm, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

> Dear all,
>
> As Duncan has noted, it is possible for the planning and land authority to take compliance action in relation to this matter. However, there is nothing to stop both the Heritage Council and the planning and land authority to take concurrent action. I would also note the following:
>
> The Investigations team in the planning and land authority has an extensive backlog of investigations. As a result, they are not giving priority to matters that can be dealt with by other means or that they consider to be minor. They have also indicated that in this case they will await the Heritage Council's opinion before proceeding with any investigation.
>
> The recent amendments to the Heritage Act 2004 have provided a much easier mechanism for the Council to undertake compliance action in relation to heritage places and objects. This is consistent with a number of recommendations of the 2010 Heritage Act Review relating to compliance and enforcement. These include:
>
> Recommendation 70. The Heritage Act should be used as the primary mechanism to achieve compliance and enforcement related to heritage places and objects.
>

> Recommendation 74. The penalty provisions of the Heritage Act should be initialised to enable them to be used.

>

> Recommendation 77. The Heritage Council should seek to use Heritage Directions in all cases of a breach of the Act, where an action can be reversed or mitigated and the conservation situation of the place or object redeemed. This approach should be adopted especially in the case of minor breaches.

>

> Noting Doug William's comments, I have asked the owners to submit details of what they are proposing (which they did offer to provide yesterday).

>

> The Council has the ability to make a heritage direction to either 1.

> stop work until the proposal can be assessed by the Council, or 2. to

> remove the structure that has been erected.

>

> Could I please seek further direction in this matter so that an agenda paper can be prepared within five working days of the Council meeting of 13 November 2014?

>

> Regards

> Pamela Hubert | Team Leader (Advice)

> Phone 02 6205 3195

> ACT Heritage | Environment and Planning | ACT Government Dame Pattie

> Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

> | www.environment.act.gov.au

>

>

> -----Original Message-----

> From: Duncan Marshall [REDACTED]

> Sent: Tuesday, 4 November 2014 10:51 AM

> To: Hubert, Pamela

> Cc: Douglas Williams; Dianne Firth; John Kenworthy; Gurnhill, Anna

> Subject: Re: Forrest Section 35 Block 8 (2 Fitzroy Street)

>

> Thanks.

>

> In that case... why doesn't ACTPLA require the work to stop (because it requires a DA), then submission of a DA, and we can respond through a normal process?

>

> D

>

>

>

> On 4 Nov 2014, at 10:29 am, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>

>> Duncan,

>>

>> This work would require development approval, hence the submission of a Controlled Activity Complaint. The Investigations Team are awaiting the Council's response before deciding how to action the complaint.

>>

>> Despite being told yesterday that he would be sending some further information about what is being built, I have not yet received anything.

>>

>> Noting that the lessee of this block has previously been advised on at least two occasions to consult with the Council before undertaking works, I believe it is appropriate for the Council to take some action.

>>

>> Regards

>> Pamela Hubert | Team Leader (Advice)

>> Phone 02 6205 3195

>> ACT Heritage | Environment and Planning | ACT Government Dame Pattie

>> Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT

>> 2601

>> | www.environment.act.gov.au

>>

>> -----Original Message-----

>> From: Duncan Marshall [REDACTED]

>> Sent: Tuesday, 4 November 2014 10:17 AM

>> To: Hubert, Pamela

>> Cc: Douglas Williams; Dianne Firth; John Kenworthy; Gurnhill, Anna

>> Subject: Re: Forrest Section 35 Block 8 (2 Fitzroy Street)

>>

>> Thanks Pamela, and others for your thoughts. I am not in favour of such a structure and if a DA was lodged would argue against it - though the full nature of the structure is not yet clear it seems (e.g. is it to have a roof?).

>>

>> Pamela - is this work that would normally require a DA (leaving aside the heritage interest), is a DA likely to be required, and would ACTPLA approve such a structure if there were no heritage issues?

>>

>> What I am wondering is whether Council needs to play any role, that a DA will be required and that perhaps ACTPLA will not approve the structure in any circumstances?

>>

>> D

>>

>>

>>

>>

>>

>>

>> On 3 Nov 2014, at 3:44 pm, Hubert, Pamela <Pamela.Hubert@act.gov.au> wrote:

>>

>>> Dear all,

>>>

>>> I have attached the Heritage Guidelines for the Forrest Fire Station Precinct for the information of the DA Taskforce. As one of our older sets of Guidelines, they are not as comprehensive as some others such as those for garden city precincts. I also note that some guidelines are ambiguous. This is an issue that we are aware of and, in part for this reason, the previous Council agreed to revising the guidelines. ACT Heritage are currently working on this revision.

>>>

>>>

>>> Regards

>>> Pamela Hubert | Team Leader (Advice) Phone 02 6205 3195 ACT Heritage

>>> | Environment and Planning | ACT Government Dame Pattie Menzies

>>> House, Challis Street, Dickson | GPO Box 158 Canberra ACT

>>> 2601

>>> | www.environment.act.gov.au

>>>

>>> -----Original Message-----

>>> From: Doug Williams [REDACTED]

>>> Sent: Monday, 3 November 2014 3:16 PM

>>> To: 'Dianne.Firth'; Hubert, Pamela; 'Duncan Marshall'; 'John Kenworthy'

>>> Cc: Gurnhill, Anna

>>> Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

>>>

>>> I think that the immediate demand for removal of the structure is unnecessarily adversarial. Work DOES need to be stopped for sure. But I think we should determine whether the structure is allowable or not (with regard to heritage conservation) in our council meeting. Pamela has suggested an opinion, with which I think I agree (ie, it is not allowable).

>>> However I have not seen the listing for the building and I would like to before we start to issue demands for removal.

>>>

>>> For example, we know the listing says things CAN be done to the sides and rear, but I don't know whether it says things CAN NOT be done to the front.

>>> If it is specific that the front cannot be altered but the sides and

>>> rear may be, where does that in fact leave the roof, if the document is silent on it?

>>>

>>> To issue demands like that now without the HC giving due

>>> consideration seems like a good way to get the HC into court. Retrospective approval is completely undesirable, but not unheard of, and it is clear the protective measures in place do allow a degree of sympathetic modification of the building. At the very least the HC should be seen to consider the facts before issuing demands to remove. Just because this particular proponent seems to have scant regard for due process, that should not mean the Heritage Council should follow such a lead.

>>>

>>> Regards

>>>

>>> Doug

>>>

>>>

>>>

>>>

>>> =====

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>>>

>>>

>>> -----Original Message-----

>>> From: Dianne.Firth [REDACTED]

>>> Sent: Monday, 3 November 2014 2:39 PM

>>> To: Doug Williams; 'Hubert, Pamela'; 'Duncan Marshall'; 'John Kenworthy'

>>> Cc: 'Gurnhill, Anna'

>>> Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

>>>

>>> Dear All,

>>>

>>> I disagree with Doug's approach. Work needs to be stopped immediately and the structure removed.

>>>

>>> Regards,

>>> Dianne

>>>

>>> From: Doug Williams [REDACTED]

>>> Sent: Monday, 3 November 2014 2:09 PM

>>> To: 'Hubert, Pamela'; Dianne.Firth; 'Duncan Marshall'; 'John Kenworthy'

>>> Cc: 'Gurnhill, Anna'

>>> Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

>>>

>>> I would be inclined to seek further documentation from the proponent

>>> and discuss it at our meeting, but I believe they should be advised

>>> (well,

>>> directed.) to discontinue work on the structure until a determination has been made.

>>>

>>> Regards

>>>

>>> Doug

>>>

>>> [emailReply]

>>> =====

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>>>

>>> From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

>>> Sent: Monday, 3 November 2014 1:31 PM

>>> To: Dianne Firth [REDACTED] Doug Williams

>>> [REDACTED] Duncan Marshall; John Kenworthy

>>>

>>> Cc: Gurnhill, Anna

>>> Subject: Forrest Section 35 Block 8 (2 Fitzroy Street)

>>>

>>> Dear Taskforce,

>>>

>>> We have received a complaint about building work being undertaken at 2 Fitzroy Street, Forrest. 2 Fitzroy Street, Forrest is in the Forrest Fire Station Precinct. The work includes a steel structure on the roof of the original dwelling and can be seen in the attached photographs. The proponent has indicated that he will send drawings to ACT Heritage of what he is proposing in relation to this work.

>>>

>>> The Heritage Guidelines for the Forrest Fire Station Precinct include requirement iii)d) that states:

>>>

>>> External alterations and additions may be permitted only to the sides and rear of buildings and only if the additions are set back 0.5m from the existing front of the building.

>>>

>>> I interpret this as not allowing any additions above a building. In view of this, I do not believe a structure on the roof can be supported.

>>>

>>> The work has been reported to the Investigations Team in Environment and Planning Directorate as there is no current approval for building work on this block. There is also potential under the Heritage Act for the Council to consider issuing a heritage direction to remove the structure.

>>>

>>> Could the members of the DA Taskforce please indicate by COB Tuesday 4 November if they wish to recommend to the Council that a Heritage Direction be issued to remove this structure or whether they wish to wait for further documentation from the proponent? This would allow for a late item to be added to the agenda for next Thursday's Council meeting. It would also allow for the Investigations Team to progress with their investigation as they will be seeking Council's advice about the structure.

>>>

>>> I note that the proponent is familiar with the heritage guidelines for the Forrest Fire Station Precinct and has previously been advised (following other complaints) to consult with ACT Heritage prior to undertaking work that involves changes to the existing building.

>>>

>>>

>>> Regards

>>> Pamela Hubert | Team Leader (Advice) Phone 02 6205 3195 ACT Heritage

>>> | Environment and Planning | ACT Government Dame Pattie Menzies

>>> House, Challis Street, Dickson | GPO Box 158 Canberra ACT

>>> 2601

>>> | www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

>>>

>>>

>>> -----

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>>> -----

>>> -

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>>> -

>>>

>>> <Forrest Fire Station Precinct Heritage Guidelines.pdf>

>>

>> -----

>> -

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>> -----

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> -----

> -

From: [Doug Williams](#)
To: ["Dianne.Firth"](#); [Hubert, Pamela](#); ["Duncan Marshall"](#); ["John Kenworthy"](#)
Cc: [Gurnhill, Anna](#)
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)
Date: Monday, 3 November 2014 4:52:09 PM

And I would read:

(iii) f) The roof pitch, walls, materials, window types and materials, shall be *as similar to the existing dwellings as is feasible* [my emphasis].

as meaning that alterations to the roof would be allowable in certain conditions. It certainly does not say, specifically or by omission, that NO alteration to the roof is permissible.

I think the intent of this was probably to refer to the fabric used to construct the additions and alterations to the sides and rear, but it is not terribly specific, and there is nothing to say that if a side or rear addition was added there wouldn't need to be modification of the original roof to accommodate.

So the conditions overall, within reasonably strict parameters, allow modification to the front (c), sides and rear (d) and roof (f). So I conclude, under these conditions, that alterations and additions to the roof are a very arguable proposition. I consider therefore that, notwithstanding the proponent flouting authority by proceeding without ANY approval, that the HC would be prudent to not only consider and word its response carefully, but be SEEN to do so - ie, take the issue, together with whatever submission the proponent makes, to the upcoming HC meeting, only 10 days away. We have not even begun to consider whether this unapproved structure actually represents a serious threat to the heritage significance of this building, or indeed the precinct.

Or is there a policy that if no approval has been sought the HC may require any alteration to be immediately removed regardless of its merit or otherwise.

Regards

Doug

=====
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-----Original Message-----

From: Dianne.Firth [REDACTED]
Sent: Monday, 3 November 2014 4:02 PM
To: Hubert, Pamela; Doug Williams; 'Duncan Marshall'; 'John Kenworthy'
Cc: Gurnhill, Anna

Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

Dear Pamela,

I would read:

'(iii) d) External alterations and additions may be permitted only to the sides and rear of buildings and only if the additions are set back 0.5m from the existing front of the building',

as excluding alterations and additions to the roof.

Regards,
Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Monday, 3 November 2014 3:44 PM
To: Doug Williams; Dianne.Firth; 'Duncan Marshall'; 'John Kenworthy'
Cc: Gurnhill, Anna
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

Dear all,

I have attached the Heritage Guidelines for the Forrest Fire Station Precinct for the information of the DA Taskforce. As one of our older sets of Guidelines, they are not as comprehensive as some others such as those for garden city precincts. I also note that some guidelines are ambiguous. This is an issue that we are aware of and, in part for this reason, the previous Council agreed to revising the guidelines. ACT Heritage are currently working on this revision.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House,
Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

-----Original Message-----

From: Doug Williams [REDACTED]
Sent: Monday, 3 November 2014 3:16 PM
To: 'Dianne.Firth'; Hubert, Pamela; 'Duncan Marshall'; 'John Kenworthy'
Cc: Gurnhill, Anna
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

I think that the immediate demand for removal of the structure is unnecessarily adversarial. Work DOES need to be stopped for sure. But I think we should determine whether the structure is allowable or not (with regard to heritage conservation) in our council meeting. Pamela has suggested an opinion, with which I think I agree (ie, it is not allowable). However I have not seen the listing for the building and I would like to before we start to issue demands for removal.

For example, we know the listing says things CAN be done to the sides and rear, but I don't know whether it says things CAN NOT be done to the front.

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To issue demands like that now without the HC giving due consideration seems like a good way to get the HC into court. Retrospective approval is completely undesirable, but not unheard of, and it is clear the protective measures in place do allow a degree of sympathetic modification of the building. At the very least the HC should be seen to consider the facts before issuing demands to remove. Just because this particular proponent seems to have scant regard for due process, that should not mean the Heritage Council should follow such a lead.

Regards

Doug

=====
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-----Original Message-----

From: Dianne.Firth [REDACTED]
Sent: Monday, 3 November 2014 2:39 PM
To: Doug Williams; 'Hubert, Pamela'; 'Duncan Marshall'; 'John Kenworthy'
Cc: 'Gurnhill, Anna'
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

Dear All,

I disagree with Doug's approach. Work needs to be stopped immediately and the structure removed.

Regards,
Dianne

From: Doug Williams [REDACTED]
Sent: Monday, 3 November 2014 2:09 PM
To: 'Hubert, Pamela'; Dianne.Firth; 'Duncan Marshall'; 'John Kenworthy'
Cc: 'Gurnhill, Anna'

Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

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Regards

Doug

[emailReply]

=====
==

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From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]

Sent: Monday, 3 November 2014 1:31 PM

To: Dianne Firth [REDACTED] Doug Williams

[REDACTED] Duncan Marshall; John Kenworthy

[REDACTED]

Cc: Gurnhill, Anna

Subject: Forrest Section 35 Block 8 (2 Fitzroy Street)

Dear Taskforce,

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The Heritage Guidelines for the Forrest Fire Station Precinct include requirement iii)d) that states:

External alterations and additions may be permitted only to the sides and rear of buildings and only if the additions are set back 0.5m from the existing front of the building.

I interpret this as not allowing any additions above a building. In view of this, I do not believe a structure on the roof can be supported.

The work has been reported to the Investigations Team in Environment and Planning Directorate as there is no current approval for building work on this block. There is also potential under the Heritage Act for the Council to consider issuing a heritage direction to remove the structure.

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Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government Dame Pattie Menzies House,
Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

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-----=

From: [Dianne.Firth](#)
To: [Doug Williams](#); [Hubert, Pamela](#); "[Duncan Marshall](#)"; "[John Kenworthy](#)"
Cc: [Gurnhill, Anna](#)
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)
Date: Monday, 3 November 2014 2:39:23 PM

Dear All,

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Regards,
Dianne

From: Doug Williams [redacted]
Sent: Monday, 3 November 2014 2:09 PM
To: 'Hubert, Pamela'; Dianne.Firth; 'Duncan Marshall'; 'John Kenworthy'
Cc: 'Gurnhill, Anna'
Subject: RE: Forrest Section 35 Block 8 (2 Fitzroy Street)

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Regards

Doug

[emailReply]

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From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Monday, 3 November 2014 1:31 PM
To: Dianne Firth [redacted] Doug Williams [redacted]
Duncan Marshall; John Kenworthy [redacted]
Cc: Gurnhill, Anna
Subject: Forrest Section 35 Block 8 (2 Fitzroy Street)

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External alterations and additions may be permitted only to the sides and rear of buildings and only if the additions are set back 0.5m from the existing front of the building.

I interpret this as not allowing any additions above a building. In view of this, I do not believe a structure on the roof can be supported.

The work has been reported to the Investigations Team in Environment and Planning Directorate as there is no current approval for building work on this block. There is also potential under the Heritage Act for the Council to consider issuing a heritage direction to remove the structure.

Could the members of the DA Taskforce please indicate by COB Tuesday 4 November if they wish to recommend to the Council that a Heritage Direction be issued to remove this structure or whether they wish to wait for further documentation from the proponent? This would allow for a late item to be added to the agenda for next Thursday's Council meeting. It would also allow for the Investigations Team to progress with their investigation as they will be seeking Council's advice about the structure.

I note that the proponent is familiar with the heritage guidelines for the Forrest Fire Station Precinct and has previously been advised (following other complaints) to consult with ACT Heritage prior to undertaking work that involves changes to the existing building.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au<<http://www.environment.act.gov.au/>>

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From: Hubert, Pamela
To: [Gaze, Reuben](#)
Subject: Forrest Section 35 Block 8 - Controlled Activity Complaint
Date: Monday, 3 November 2014 1:14:00 PM
Attachments: 20141103 - Controlled activity complaint.obr
Forrest 8-35 - 20141103 - 1.obr
Forrest 8-35 - 20141103 - 3.obr

Reuben,

As discussed earlier today, please find attached a controlled activity complaint in relation to work being undertaken at Forrest Section 35 Block 8.

I will be contacting the DA Taskforce of the Heritage Council to confirm their views on this.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [Heritage](#)
To: [Environment](#)
Subject: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level
Date: Monday, 3 November 2014 1:09:00 PM
Attachments: RE Heritage concerns with 2 Fitzroy Street Forrest - extra story level.msg

Alex,

I am taking the lead on this one. I have attached the email sent to [REDACTED] earlier today.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Environment
Sent: Monday, 3 November 2014 9:53 AM
To: EPD, Customer Services; Heritage; EPDCAB
Cc: [REDACTED]; Wilden, Karen; McEvoy, Justin; Carter, Tania; [REDACTED]
Subject: FW: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

Morning All,

Could you please provide advice on who is taking the lead on providing a response so we can advise the Minister's office, who have been included in the below email. **Please note:** this issue now falls under Minister Gentleman's portfolio responsibilities.

Please also note this has been sent to the Canberra Times.

Thanks

Alex

Alexandra Magee | Senior Communications Officer

Phone 02 6207 2464 | Mobile 0401 766 218

Communications | Environment and Planning Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

www.environment.act.gov.au

From: [REDACTED]
Sent: Saturday, 1 November 2014 1:37 PM
To: EPDCAB; Environment; Heritage; EPD, Customer Services; Russell, Meaghan
Cc: [REDACTED]
Subject: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

Hello

I am writing again regarding 2 Fitzroy Street which is under the 2004 Heritage Order for the Fire Station Precinct (Order).

There is currently significant work going on at this site. There is also DA201425608 (29 Manuka Circle/2 Fitzroy Street Forrest) which I made a submission on, and was recently told had still not been actioned.

The entire roof was removed about three to four weeks ago. Today I note there is a structure going on the roof of the house (see attached photo). There has been no DA notifications on the property at all to indicate ANY work of this nature being conducted, I have also checked the ACT website. The only DA for this site in recent years has been DA20142508. In addition I am wondering how this complies/meets the Heritage Order for the Precinct. This will impact the heritage street scape of the entire block where this is visible. The heritage significance of this Precinct is the block in its entirety. If one property makes too many changes it impacts the entire significance of the block.

I ask for urgent information on this site including; if there was a DA why there was no notification on the property, or notification to immediate neighbours (for a heritage block I would assume we should all have been notified), information on how this complies to the heritage of this block, what can be done to make a submission on such significant work given there was no DA notification.

This is very disappointing. The owners of No 2 Fitzroy Street have already introduced rendered fencing to the block which many feel is not in the spirit of the Heritage Order. Now again they are making changes that will impact all owners.

Thank you

[REDACTED]

[REDACTED]

From: Hubert, Pamela
To: [REDACTED]
Cc: [Gurnhill, Anna](#)
Subject: RE: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level
Date: Monday, 3 November 2014 12:05:00 PM

[REDACTED]

Thank you for your email bringing to our attention the most recent building work at 2 Fitzroy Street, Forrest.

ACT Heritage are investigating this work in consideration of the *ACT Heritage Act 2004* and, as we are not aware of any development approval for any new structures at the place, will also submit a Construction Activity Complaint to the Investigations Team in Environment and Planning Directorate.

We note that details of any investigation are kept confidential until the investigation is completed. However, we will let you know of the outcome of the investigation in due course.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
Sent: Saturday, 1 November 2014 1:37 PM
To: EPDCAB; Environment; Heritage; EPD, Customer Services; Russell, Meaghan
Cc: CORBELL; [REDACTED]
Subject: Heritage concerns with 2 Fitzroy Street Forrest - extra story / level

Hello

I am writing again regarding 2 Fitzroy Street which is under the 2004 Heritage Order for the Fire Station Precinct (Order).

There is currently significant work going on at this site. There is also DA201425608 (29 Manuka Circle/2 Fitzroy Street Forrest) which I made a submission on, and was recently told had still not been actioned.

The entire roof was removed about three to four weeks ago. Today I note there is a structure going on the roof of the house (see attached photo). There has been no DA notifications on the property at all to indicate ANY work of this nature being conducted, I have also checked the ACT website. The only DA for this site in recent years has been DA20142508. In addition I am wondering how this complies/meets the Heritage Order for the Precinct. This will impact the heritage street scape of the entire block where this is visible. The heritage significance of this Precinct is the block in its entirety. If one property makes too many changes it impacts the entire significance of the block.

I ask for urgent information on this site including; if there was a DA why there was no notification on the property, or notification to immediate neighbours (for a heritage block I would assume we should all have been notified), information on how this complies to the heritage of this block, what can be done to make a submission on such significant work

given there was no DA notification.

This is very disappointing. The owners of No 2 Fitzroy Street have already introduced rendered fencing to the block which many feel is not in the spirit of the Heritage Order. Now again they are making changes that will impact all owners.

Thank you

[REDACTED]

[REDACTED]

From: Hubert, Pamela
To: "tomislav"
Subject: RE: Block 8 Section 35 Forrest - Heritage advice
Date: Tuesday, 26 August 2014 2:58:00 PM

Tomislav,

Thank you for the latest drawings.

Given the overall scale of the proposed work, I will be forwarding these to the DA Taskforce of the Heritage Council for comment in due course. Before I do this, could you please include some additional information on the drawings including:

- the proposed materials and finishes of the additions;
- the extent of the excavations for the basement lightwells/courtyards to be shown on the ground floor plans;
- the extent of balustrades/courtyard walls to be shown on the elevations; and
- the extent of new hard surfacing for vehicle manoeuvring and parking.

I also suggest that the courtyard walls and balustrades for the basement courtyards should be set back 0.5m from the adjacent walls of the existing dwelling to assist with clearer definition of the original dwelling.

The drawings appear to show the removal of the existing door opening to the terrace over the original garage. This should be retained.

I also note the previous advice from the DA Taskforce that "The DA Taskforce suggests that a single storey form for the rear addition, possibly with minor two storey elements, should be explored." I believe that they will not consider the proposed side addition to be a minor two storey element.

Please let me know if you have any questions regarding this.

Regards

Pamela Hubert | Acting Assistant Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Thursday, 21 August 2014 11:13 AM
To: Hubert, Pamela
Subject: RE: Block 8 Section 35 Forrest - Heritage advice

Hi Pamela,

Please see attached plans. I look forward to hearing from you. If you would like to discuss please feel free to give me a call on 0411052 269.

Regards,

Tomislav Kasunic |

Senior Project Manager



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From: Hubert, Pamela [<mailto:Pamela.Hubert@act.gov.au>]
Sent: Monday, 18 August 2014 10:28 AM
To: tomislav
Subject: RE: Block 8 Section 35 Forrest - Heritage advice

Tomislav,

You should still send the revised designs through me. I can then make a preliminary review and forward to the DA Taskforce as appropriate. Depending on what issues are perceived with the design, the DA Taskforce may agree to meet for a discussion.

Please note that I will be out of the office from tomorrow until the end of the week and that other members of the advice team who would normally be able to deal with this are also away during this period so we may not be able to respond before next week.

Regards

Pamela Hubert | Acting Assistant Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomislav [REDACTED]
Sent: Monday, 18 August 2014 8:04 AM
To: Hubert, Pamela
Subject: Block 8 Section 35 Forrest - Heritage advice

Hi Pamela,

Following the advice of the heritage unit we have revised concepts for the proposed addition at the above said property.

At times prior dealing became heated and or frustrated, I don't intent for this to happen again. I would like to work with you within reason to achieve a positive planning outcome.

Having said that are you still the best contact to deal with? If so would you suggest we email plans across and leave you to discuss with your colleagues or would you prefer we attend another heritage taskforce meeting?

Regards,

Tomislav Kasunic |

Senior Project Manager



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From: [tomislav](#)
To: [Hubert, Pamela](#)
Subject: RE: Block 8 Section 35 Forrest - Heritage advice
Date: Thursday, 21 August 2014 11:13:18 AM

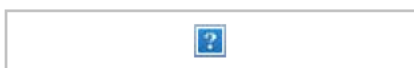
Hi Pamela,

Please see attached plans. I look forward to hearing from you. If you would like to discuss please feel free to give me a call on [REDACTED]

Regards,

Tomislav Kasunic |

Senior Project Manager



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From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Monday, 18 August 2014 10:28 AM
To: tomislav
Subject: RE: Block 8 Section 35 Forrest - Heritage advice

Tomislav,

You should still send the revised designs through me. I can then make a preliminary review and forward to the DA Taskforce as appropriate. Depending on what issues are perceived with the design, the DA Taskforce may agree to meet for a discussion.

Please note that I will be out of the office from tomorrow until the end of the week and that other members of the advice team who would normally be able to deal with this are also away during this period so we may not be able to respond before next week.

Regards

Pamela Hubert | Acting Assistant Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: tomlav [REDACTED]
Sent: Monday, 18 August 2014 8:04 AM
To: Hubert, Pamela
Subject: Block 8 Section 35 Forrest - Heritage advice

Hi Pamela,

Following the advice of the heritage unit we have revised concepts for the proposed addition at the above said property.

At times prior dealing became heated and or frustrated, I don't intent for this to happen again. I would like to work with you within reason to achieve a positive planning outcome.

Having said that are you still the best contact to deal with? If so would you suggest we email plans across and leave you to discuss with your colleagues or would you prefer we attend another heritage taskforce meeting?

Regards,

Tomislav Kasunic |

Senior Project Manager



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From: Hubert, Pamela
To: [ESDD, Customer Services](#)
Subject: COMM-HERITAGE-201425608-BLOCK 8 SECTION 35 FORREST-01
Date: Wednesday, 16 July 2014 2:01:00 PM

Please find Heritage Council advice attached.

Regards

Pamela Hubert | Acting Assistant Manager

Phone 02 6205 3195

ACT Heritage | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: ESDD, Customer Services
Sent: Wednesday, 16 July 2014 8:39 AM
To: Heritage Referrals
Subject: REFERRAL-HERITAGE-201425608-8/35-FORREST-01

DEVELOPMENT APPLICATION NO: 201425608

BLOCK: 8 SECTION: 35 DIVISION: FORREST

Description - LEASE VARIATION - Please see application form for description of the lease variation.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than 15 working days after the date of this notice (**6/8/14**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services – ESDDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

Client Services Branch | Environment and Planning Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601

www.actpla.act.gov.au | ESDDcustomerservices@act.gov.au

From: [REDACTED]
To: [Hubert, Pamela](#)
Subject: Forrest DA
Date: Friday, 18 April 2014 11:11:12 PM

Hi Pamela

On a quick review the advice provided seems okay to me.

Cheers

Duncan

On 15/04/2014, at 2:16 PM, Hubert, Pamela wrote:

Dear Taskforce,

As discussed at this morning's Council meeting, please find attached additional advice given to the proponent in relation to the interpretation of the Heritage Guidelines for the Forrest Fire Station Precinct.

This is provided for your information as this has been the subject of much discussion with the proponent in the past few weeks. I would be interested to know if you have a different interpretation of the relevant guidelines.

Regards

Pamela Hubert | Acting Assistant Manager

Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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<Mail Attachment.eml><20140320 - Unit Advice - alterations and additions.pdf>

From: [Dianne.Firth](#)
To: [Hubert, Pamela](#); [Duncan Marshall](#); [Michael Pearson](#) [REDACTED]
Subject: RE: Forrest 8-35 (2 Fitzroy Street)
Date: Tuesday, 15 April 2014 4:33:55 PM

Dear Pamela,

I agree with your interpretation.

Regards,

Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Tuesday, 15 April 2014 3:16 PM
To: Duncan Marshall; Dianne.Firth; Michael Pearson [REDACTED]
Subject: Forrest 8-35 (2 Fitzroy Street)

Dear Taskforce,

As discussed at this morning's Council meeting, please find attached additional advice given to the proponent in relation to the interpretation of the Heritage Guidelines for the Forrest Fire Station Precinct.

This is provided for your information as this has been the subject of much discussion with the proponent in the past few weeks. I would be interested to know if you have a different interpretation of the relevant guidelines.

Regards

Pamela Hubert | Acting Assistant Manager
Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
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From: [REDACTED]
To: [Hubert, Pamela](#); [Dianne Firth](#); [REDACTED]; [Duncan Marshall](#); [John Miller](#); [REDACTED]; [Michael Pearson](#)
Subject: Re: Forrest Section 35 Block 8 (2 Fitzroy Street)
Date: Monday, 17 March 2014 4:25:19 PM

Hi Pamela

I am happy with the draft response.

regards
Mike

Dr Michael Pearson AO
Heritage Management Consultant
84 Ballarat Street
FISHER, ACT, 2611
Australia
61 2 6288 4147

----- Original Message -----

From:
"Hubert Pamela" <Pamela.Hubert@act.gov.au>

To:
"Dianne Firth"; [REDACTED]; "Duncan Marshall"; [REDACTED]; "John Miller"; [REDACTED]; "Michael Pearson"; [REDACTED]; [REDACTED]

Cc:

Sent:
Mon, 17 Mar 2014 02:31:08 +0000
Subject:
Forrest Section 35 Block 8 (2 Fitzroy Street)

Dear Taskforce,

Please find attached draft advice following the DA Taskforce meeting last Thursday 13 March 2014.

Could you please review and forward any comments to me by COB Wednesday 19 March 2014?

Regards

Pamela Hubert | Acting Assistant Manager
Phone 02 6205 3195
ACT Heritage Unit | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

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From: [tomislav](#)
To: [Hubert, Pamela](#)
Cc: [REDACTED]
Subject: 8/35 Forrest Planning
Date: Friday, 14 March 2014 5:40:21 PM

Hi Pamela,

Further to the plans we have submitted please see attached. Can you please communicate this email to the heritage taskforce members that were present at yesterday's meeting.

Having reviewed the aerial photo graphs and plotted the forward most building on Manuka circle and Fitzroy street it is now clear why additions at blocks 10 and 3 were allowed to extend forward of the building, because the additions were inline or behind the forward most building.

Please note that both on Fitzroy and Manuka circle our proposal is behind the forward most building.

Tomislav Kasunic |

Senior Project Manager

KASCON



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From: [tomislav](#)
To: [Hubert, Pamela](#)
Cc: [REDACTED]
Subject: 8/35 Forrest Planning
Date: Thursday, 13 March 2014 7:39:49 PM

Hi Pamela,

Further to the topics we discussed today in your assessment can you please provide confirmation of the following:

Entry into the act heritage register 20015 Forrest fire station precinct

1. iii)(h) States that Requirement iii(d) does not apply where the block has two apparent street frontages (ie outside corner blocks). Considering the site is a corner block than iii)(d) is not applicable. If iii)(d) is not applicable than can you confirm what guideline governs development to the sides of the building, if we revert back to iii(b) assuming that the manuka circle side is in fact a secondary front, than development to the manuka circle side of the building is permitted if the proposed structure is erected between a line drawn from the forward most building and then directly to the nearest point on the side boundaries. The building located at 5/35 Forrest sits approximately 3.5m from the front (Manuka circle) boundary, if we extend this line to the nearest point on the side boundaries of the precinct than our proposed structure on manuka circle sits within the requirement. Similarly if we extend a line on Fitzroy street from the forward most building than the proposed extension sits within the permissible envelope.
2. Considering that iii(d) is not applicable to this site, can you confirm that we do not have to set back 0.5m from the front with additions.
3. Can you confirm the front boundary and what defines the front boundary. Can you also confirm whether there can be two front boundaries and if so what planning guidelines have assisted in this conclusion.
4. iii)(b) - Can you define 'entrance side'. Considering that this entry governs the whole precinct, can you confirm that 'a line drawn from the forward most building' is a line drawn from the forward most building within the precinct, ie a line drawn from the forward most building on Manuka circle and a line drawn from the forward most building on the Fitzroy side. Can you also confirm whether this line needs to contour the precinct footprint i.e contour of boundaries/road.
5. Can you confirm the definition of existing height. Is this the height of the highest point in the precinct?
6. Iii(a) can you please define 'shall be consistent with the existing'. Does existing include additions and alterations forward of the building line? Does it include the use of materials such as zinc, colourbond, render and steel which are already prominent within the precinct. For example there is zinc cladding used on a building erected on 5/35 Forrest, colourbond and large steel sections used at the fire station. Aluminium windows throughout.
7. Iii0(C) – can you confirm what is considered a 'minor external addition'

Regards,

Tomislav Kasunic |

Senior Project Manager

KASCON

[REDACTED]



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From: [tomislav](#)
To: [Hubert, Pamela](#)
Subject: 8/35 Fitzroy Planning - option 2
Date: Wednesday, 12 March 2014 11:02:57 AM
Attachments: 1514 dwg c1t 20140306090850270.pdf

Hi Pamela,

This is the alternate option that encloses the Manuka circle terrace but has less ground massing on the neighbours boundary to Fitzroy street.

This option is less preferred to the one sent across earlier today. I will leave it to your discretion whether to issue both sets of drawings for discussion or whether you will only issue option 1 sent earlier today.

Tomislav Kasunic |

Senior Project Manager

KASCON



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From: [tomislav](#)
To: [Hubert, Pamela](#)
Subject: 8/35 Forrest Sketch Plans
Date: Wednesday, 12 March 2014 10:30:59 AM
Attachments: 20140312101612.pdf

Hi Pamela,

Please see attached plans.

Tomislav Kasunic |

Senior Project Manager

KASCON



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From: [Kaucz, Alix](#)
To: [Jamaly, Rumana](#)
Cc: [Oshyer, Aaron](#); [Ridsdale, Janine](#)
Subject: CZ5 and one dwelling
Date: Tuesday, 28 January 2014 5:04:35 PM

Hi Rumana

I spoke to someone today about a development they are doing at 8/35 Forrest. It's in the CZ5 zone and has commercial space as well as one dwelling which they're extending. They are coming in for a pre app in a few weeks time to discuss the proposal further.

Under Part F of the commercial zones development code it refers you to either the single dwelling code or the multi unit code depending on the proposal. Looking at the definitions of single dwelling and multi unit showed that one dwelling on a block with commercial (mixed use) does not neatly meet the definitions of either.

I've just spoken to Aaron and he's advised that the multi unit code would apply. We will look into whether a technical amendment is required to the commercial zones code to make it clearer that the residential component of a mixed use development needs to comply with the multi unit code.

Let me know if you would like to discuss further

Kind regards

Alix Kaucz | Manager - Territory Plan Section

Phone 02 6205 0864

Planning Delivery Branch | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | PO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [Hubert, Pamela](#)
To: [ESDD, Customer Services](#)
Subject: Forrest 8-35
Date: Friday, 29 November 2013 3:08:45 PM
Attachments: 20131129 - Advice.pdf

Please find attached advice prepared in response to a request directly from the proponent.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [tomislav](#)
To: [Hubert, Pamela](#)
Subject: 2 Fitzroy Street Door
Date: Thursday, 28 November 2013 12:52:43 PM

Hi Pamela,

As discussed this morning I can confirm that the door to the upper floor will be replaced with a new door. The new door will be glazed and have horizontal bars to match the other doors and windows on the building.

The door was removed because it was rotten, warped and falling off its hinges. The door was not original and it was not suited for exterior application.

Once the door was removed it was discovered that the steel lintel supporting the brickwork was not structurally sound nor of the correct size or bearing on brickwork. I have commenced tooting the brickwork to replace with an appropriate size galvanised lintel. Once complete the new door will be installed.

Tomislav Kasunic |

Senior Project Manager

KASCON



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From: Hubert, Pamela
To: [REDACTED]
Cc: [OConnell, Jennifer](#)
Subject: RE: SECTION 35, FORREST (CORNER MANUKA CIRCLE & FITZROY ST)
Date: Friday, 12 July 2013 10:34:00 AM

[REDACTED]

Further to my email yesterday, the fence appears to have been constructed without development approval. I have been advised by ACTPLA that development approval is needed to construct a fence forward of the building line and to construct a fence on the boundary of unleased Territory land such as a street frontage.

Consequently, I have referred this matter to the Investigations Team of ACTPLA. I will advise you of the result of their investigation.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
Sent: Wednesday, 10 July 2013 5:28 PM
To: Heritage
Subject: SECTION 35, FORREST (CORNER MANUKA CIRCLE & FITZROY ST)

Dear Sir/Madam,

I am concerned that a fence has recently been erected along a side and part front boundary on a property located on the corner of Manuka Circle and Fitzroy St, Forrest and appears inappropriate and inconsistent with the heritage listing of the precinct.

The fence is black Colourbond, 2m high and resembles a Fyshwick construction depot. Hedges and gates would have been more appropriate.

Is there anything that can be done as this detracts from an otherwise intact treatment of this precinct?

Yours sincerely,

[REDACTED]

From: [Dianne.Firth](#)
To: [Hubert, Pamela](#)
Subject: RE: 2 Fitzroy Street, Forrest
Date: Tuesday, 2 July 2013 10:27:02 AM

Dear Pamela,

I am in agreement with you.

Regards,

Dianne

From: Hubert, Pamela [Pamela.Hubert@act.gov.au]
Sent: Tuesday, 2 July 2013 9:42 AM
To: Dianne.Firth; Michael Pearson [REDACTED]
Subject: FW: 2 Fitzroy Street, Forrest

Dianne and Mike,

As I need a consensus for taskforce decisions, can you please confirm your support or otherwise of the proposed action in relation to the matter below?

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | ACT Government

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From: Hubert, Pamela

Sent: Wednesday, 26 June 2013 1:25 PM

To: Dianne Firth [REDACTED]; Duncan Marshall; John Miller [REDACTED]

Michael Pearson [REDACTED]

Cc: OConnell, Jennifer

Subject: 2 Fitzroy Street, Forrest

Dear Taskforce,

I am writing to advise you of a compliance matter that has been raised with the Heritage Unit.

2 Fitzroy Street, Forrest is part of the Forrest Fire Station Precinct (the Precinct). The Heritage Guidelines for the precinct are attached.

The Unit was notified at 2.10pm Monday that walls at 2 Fitzroy Street, Forrest had recently been rendered. The complainant was concerned that rendering would be continuing in the coming week.

I visited the site on Monday afternoon. The walls of the garden planter box have been rendered (Attached photo 20130624 – S35 1). I spoke to the owner who advised that this had been done some time ago. His explanation for undertaking the work is attached (20130624 – Email – Kasunic). I have spoken to him and made him aware that he should seek Heritage Council approval prior to undertaking work that might impact on the significance of the precinct whether or not such work would normally be considered exempt from DA approval. He has also been given a copy of the Heritage Guidelines.

I spoke with the complainant today to confirm what work they were concerned about. The complainant also advised that an associated brick fence and letter box had also been demolished. These can be seen in the attached Photo 20120427 – Photo 2 – Allhomes.

I have confirmed by checking historic photos of the building that the brick fence and garden bed are not original work (attached undated photos Garnett photo and Garnett photo2). While I have not established a date for the construction of these elements, it is clear that they are not original to the fire station residences.

Guideline iii) a) for the Precinct does refer to alterations to finishes but in the context of existing dwellings and not to garden elements or outbuildings.

Guideline v) a) also states that “Any re-development shall match the proportions and materials of the original fabric.

I do not believe that either of these guidelines, or any other guidelines for the Precinct are sufficient to require removal of the render or other action. Could you please confirm by COB Friday 28th June if you are in agreement with this action.

Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

ACT Heritage Unit | Environment and Sustainable Development | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

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From: [John Miller](#)
To: [Hubert, Pamela](#)
Subject: RE: 2 Fitzroy Street, Forrest
Date: Monday, 1 July 2013 1:59:06 PM
Attachments: image001.png

Pamela,

I am supportive of your advice based on the research you have done and viewing the material presented.

Regards,
John

John Miller



From: Hubert, Pamela [mailto:Pamela.Hubert@act.gov.au]
Sent: Wednesday, 26 June 2013 1:25 PM
To: Dianne Firth [redacted]; Duncan Marshall; John Miller; Michael Pearson
Cc: OConnell, Jennifer
Subject: 2 Fitzroy Street, Forrest

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Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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From: [Duncan Marshall](#)
To: [Hubert, Pamela](#)
Cc: [Dianne Firth](#) [REDACTED] [John Miller](#) [REDACTED] [Michael Pearson](#)
[OConnell, Jennifer](#)
Subject: Re: 2 Fitzroy Street, Forrest
Date: Wednesday, 26 June 2013 1:39:44 PM

Thanks Pamela. Your course of action and conclusions seem okay to me.

D

On 26/06/2013, at 1:25 PM, Hubert, Pamela wrote:

Dear Taskforce,

I am writing to advise you of a compliance matter that has been raised with the Heritage Unit.

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Regards

Pamela Hubert | Team Leader (Advice)

Phone 02 6205 3195

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<Heritage Guidelines.pdf><20130624 - S35 1.JPG><Mail Attachment.eml><Garnett photo 2.jpg><Garnett photo.jpg><20120427 - Photo 2 - allhomes.jpg>

From: [tomislav](#)
To: [Hubert, Pamela](#)
Subject: 2 Fitzroy Street Forrest - Rendered Wall
Date: Monday, 24 June 2013 3:54:36 PM

Hi Pamela,

Thanks for coming in to see me today regarding the rendered wall.

As discussed we have rendered the front planter wall at 2 Fitzroy Street in Forest in early February this year.

The planter wall was constructed in the early 1990's. This planter walls aren't documented on any plans, I assume this is because at the time it was likely to be exempt from DA approval.

I have attached a photo of pre rendering which clearly shows the bricks are not in keeping with the original brickwork. Furthermore, parts of the wall were significantly cracked with loose bricks coming away. The consulting structural engineer Jan Van Der Veen inspected the wall and suggested we either install an additional external skin of brickwork as the wall was single skin or fill the structural cracks with duragrout, mesh over the top of the cracks and render the wall. The later was the cheaper option for my partner and I, we preceded with this work. We wanted to repair the cracking wall because it was a significant public health and safety risk especially given the proximity of the wall to the boundary, pedestrian footpath and onsite parking spaces.

We did not seek approval to do the works because we believed the works were exempt from approval. At the time of the works we researched the ACTPLA website and discovered under the refinishing external appearance section that "cement rendering of external bare – brick wall of a house" was DA exempt works. I appreciate that the property is heritage but again there wasn't a clear indication in the ACT heritage register 2015 document as to what was considered DA works. Hence we followed the guidelines on the ACTPLA website.

Your assessment of this matter and advice would be appreciated.

Tomislav Kasunic | BMedSci
Senior Project Manager

KASCON



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