



Australian Capital Territory Government

ACT Planning & Land Authority

# Land (Planning and Environment) Act 1991 - Form 1

## Development Application

TECHNICAL CHECK COMPLETED

### Type of Application (cross relevant box)

**New Application** *If you attended a Pre-application meeting, please provide the Proposal Number - (eg. 20021234)*

**Or Amendment** Original application Number - (eg. 20021234) }

**Minor amendment (S247)**

- to an application already approved where a Certificate of Occupancy has not been issued.

Has development commenced on the property?  
 No  yes If yes, what date did development commence.

DECEMBER 2004

**Conditional Approval (S245)** - satisfying conditions of approval

**More Information (S233)** - providing additional information to a current application which is in response to a written request from the Authority, or the Administrative Appeals Tribunal

**Alteration (S226(7))** - to a current application not yet approved

### Part 1: Lease/Site details

If more than one lease/site, attach the following details for each lease/site.

Block

Section

Unit (if applicable)

Suburb

District

Street Number

Postcode

Street Name

### Part 2: Applicant details

Surname

First Name

Australian Company Number (ACN)

Company Name

If a company, position held within the company

Postal Address

Suburb

State/Territory

Postcode

Phone Number (business hours)

Fax Number

Email

Unless otherwise specified your plan will be returned via email  Mail  Pick Up

Did you know? Development applications can be lodged electronically. The steps involved are detailed on our website at [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

#### OFFICE USE ONLY

Application number

Technical check

Public notification

Yes  No

Neighbour notification

Yes  No

Fees

Date received

Receipt number

Receiving officer

### Part 3: Lessee (Property Owner) details

#### 1st Lessee's details

\* See letter of authority

Surname

First Name

Company name

Australian Company Number (ACN)

If a company, position held within the company

Postal Address

Suburb

State/Territory

Postcode

Phone Number (business hours)

Fax Number

Email

\* Lessee must sign Part 7 of the application form.

### Part 3: Lessee (Property Owner) details

#### 2nd Lessee's details

Surname

First Name

Company name

Australian Company Number (ACN)

If a company, position held within the company

Postal Address

Suburb

State/Territory

Postcode

Phone Number (business hours)

Fax Number

Email

\* Lessee must sign Part 7 of the application form.

All lessees must sign authorising the lodgement, and in doing so give authority to the applicant to negotiate any dealings with the application through to its determination by the relevant authority, or a Power of Attorney must be attached. If there are more than two lessees, please ensure that details and authorisation are attached to the application for each lessee.

If the lessee is a registered company, organisation or government agency you must execute this application in the proper manner for that company, organisation or government agency. For example, if the lessee is a community organisation, the full name of the community organisation must be stated and the signatory must identify what position of authority he/she holds in the organisation.

To verify the signature of a lessee who is other than a registered company, i.e. a community, an organisation or government agency, a Letter of Authority must be supplied when lodging the application that empowers the signatory to sign on the behalf of that organisation or government agency.

Any application made over a site which has been Unit Titled will require Approval in accordance with the articles of association for that units plan.

**Part 4: Briefly describe your proposal**

Please contact The Authority to confirm the wording for all lease variations to avoid possible delays.

Signage/details to already approved building  
 (note: original application indicated the signs) Original application Number:  
 200309814

**Part 5: Type of Development**

Please cross all boxes relevant to your proposal.

Applications involving a variation to the lease may be subject to a change of use charge. You should consider the cost of this charge prior to lodging a development application.

More information on Tree protection (Interim Scheme) ACT 2001 is detailed on the back page of this application form.

Please note that the estimated cost to be stated here is to include the cost of all associated works such as landscaping, parking, etc. as well as off site works.

"GFA" means gross floor area

Class 10 structures include pergolas, sheds, carports & decks

- Single Dwelling
- Dual Occupancy
- Multiple Dwelling
- Commercial
- Industrial
- Rural
- Signage
- Lease Variation
- Consolidation
- Subdivision
- Home Business
- Estate Development Plan
- Public Works
- Encroachment

**HERITAGE:** Is your property registered on a Interim or Heritage Places Register?  No  yes

**TREES:** Will there be any groundwork \* within 2m of the edge of the canopy of any significant tree on the block or any adjoining block?  No  yes  
 (\* the ground work includes building, trenching, changing the soil level and compacting)

**ENVIRONMENTAL IMPACT:** Does the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 affect your proposal?  
 (Please refer to the back page)  No  yes

**VERGE DRIVEWAY:** Are you proposing to modify, construct or reconstruct the verge driveway crossing as part of this application?  No  yes (If yes, you will need to complete a verge driveway application form).

What is the estimated cost of the development as calculated in accordance with the Building Cost Guide? \$  .

Building details in brief (if and as applicable)

For mixed commercial developments, please indicate GFA break-up

Existing GFA	<input type="text"/>	m <sup>2</sup>	Restaurant/cafe	<input type="text"/>	m <sup>2</sup>
or					
Added GFA	<input type="text"/>	m <sup>2</sup>	Shop	<input type="text"/>	m <sup>2</sup>
Number of units	<input type="text"/>		Office	<input type="text"/>	m <sup>2</sup>
Number of storeys	<input type="text"/>		Residential	<input type="text"/>	m <sup>2</sup>
Other Class 10 structure	<input type="text"/>	m <sup>2</sup>	Other	<input type="text"/>	m <sup>2</sup>
			Total	<input type="text"/>	m <sup>2</sup>

**Part 6: Exempting parts of your application from Public Inspection**

The Land (Planning and Environment) Act 1991 requires all applications to be placed on a public register.

You may apply to exclude parts of your application from The Public Register (refer to section 228 *Land (Planning and Environment) Act 1991*), if you meet specific criteria.

I wish to apply for exemption  No  yes

**Information to be excluded**

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**Please give reasons in support of your request for confidentiality**

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**Part 7: Applicant's & Lessee's declaration**

I/we the undersigned, hereby apply for approval to carry out the development described in this application in the land specified in this application;

I/we hereby direct and authorise the ACT Planning and Land Authority to erect sign/s on the subject property(s);

I/we hereby authorise ACT Planning and Land Authority Officers to access the subject property(s) for the purpose of evaluating the proposal;

I/we understand that this application may be scanned and made available for public inspection via the internet;

I/we declare that all the information given on this form and its attachments is true and complete; and

I/we understand that the information submitted with this application form will undergo a validation process prior to the formal lodgement of the application (and payment of fees), and further information may be required prior to the acceptance of the development application.

**CONFLICT OF INTEREST DECLARATION:** Does the applicant or lessee have any association with ACT Planning and Land Authority staff?  
 No  yes

If yes, please provide details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature(s)

WDUNSTONE

Date

21/07/05

1st Lessee's Signature(s)

(REFER LETTER OF AUTHORITY)

Date

2nd Lessee's Signature(s)

Date



**ACT Planning &  
Land Authority**

## **NOTICE OF DECISION**

UNDER PART 6 OF THE *LAND (PLANNING AND ENVIRONMENT) ACT 1991*

**APPLICATION NO: 200503282**

**DATE LODGED: 21 July 2005**

**BLOCK: 1**

**SECTION: 10**

**SUBURB: GUNGAHLIN**

**ADDRESS: Hibbertson Street**

**APPLICANT: Dezign Team Pty Ltd – c/- Warwick Dunstone**

**LESSEE: Section 10 Pty Ltd – c/- Eric Koundouris**

### **1.0 THE PROPOSAL**

The application seeks approval for:

- (a) signage / details to already approved building;

### **2.0 THE DECISION**

The "relevant authority" in relation to this application as defined in section 222 of the *Land (Planning and Environment) Act 1991* (the Land Act), is the Planning and Land Authority.

I, **Ravi Singh**, delegate of the Planning and Land Authority, pursuant to section 230 of the Act hereby **approve** the application subject to the following conditions imposed pursuant to section 245 of the Act:

#### **General**

1. that the development is to be carried out only in accordance with the following:
  - (a) drawings by Dezign Team Pty Ltd; job number 332GUN:
    - Signage Location Plan, drawing number 710, issue 01;
    - Signage Elevation Sheet 1, drawing number 711, issue 01;
    - Signage Elevation Sheet 2, drawing number 712, issue 01;
  - (b) any amendments to those drawings and additional drawings or other items approved or accepted;

Where there is an inconsistency between the drawings and items listed above and any conditions, the conditions shall firstly prevail, then the amended or additional drawings or items, to the extent of that inconsistency;

### **Height of Sign "S3"**

2. that the height of sign "S3 – Aldi Entry, Pylon Sign" be reduced from the 10 metres shown on drawing 711, to be not higher than the highest level of roof of Block B.

### **Illumination of Signs**

3. that the illumination of signs on frontages facing north and east, is to be in accordance with the Australian Standard – AS 4282 "Control of Obtrusive Effects of Outdoor Light", with respect to the lighting intensity impacting on the properties located on the opposite side of the adjacent road reserves.

### **Consequential Signage**

4. that consequential signage [generally for future tenancies] is to be in accordance with this approval and shall be compliant with specific elements of the Territory Plan, Appendix IV, Signs Policies.

**Note:**

*An example of specific elements may include (but are not limited to):*

- (i) *traffic safety, such as the avoidance of red and green lit signage near traffic intersections where it may possibly create confusion for drivers;*
- (ii) *under awning signage is not to project beyond the awning line;*
- (iii) *Third Party Advertising is limited to the ground floor with a maximum area as stated.*

### **Commencement**

5. that installation shall not be commenced in respect of signage encroaching over, or outside of, the lease boundary, until the Unit's Plan has been registered, if any Unit Title application over the block is required;

### **Completion**

6. that the approved development shall be completed within 24 months from the date of this approval or within such further time as may be approved in writing by the Planning and Land Authority;

**Notes:**

- (i) *Under section 251 of the Land Act this approval will expire if the development is not commenced within two years after the date of*

approval. There is no provision in the Land Act to extend the period specified for commencement.

- (ii) Under section 252 the applicant may apply to the Planning and Land Authority for any extension to the period specified for completion, but such an application must be made within the original period specified for completion.

## **Encroachments**

### **- Approval to take effect**

7. that in respect of signage encroaching over, or outside of, the lease boundary, this **approval does not take effect** until:
  - (a) the lessee has been granted a **licence** by the Planning and Land Authority pursuant to section 217 of the Land Act and which will include a provision requiring the lessee to indemnify the Commonwealth, the Territory, the Authority, their officers, employees, servants or agents against all actions and claims that might result from the existence of signage *[and awnings – see note below]* encroaching over, or outside of, the lease boundary over the Ernest Cavanagh Street, East Street, Hibbertson Street and Gungahlin Place road reservation; and
  - (b) the lessee submits a copy of the Public Liability and Insurance Policy and Schedule for examination and approval by an insurance consultant nominated by the Planning and Land Authority;

### **Notes:**

- (i) *The lessee is required to lodge an application for the grant of a licence to occupy and use unleased Territory land with the ACT Planning and Land Authority and pay the appropriate fee.*
- (ii) *Although awnings are not a part of this development approval, the requirements of this section, including licence application/s, would also apply to awnings overhanging Territory Land.*

### **- Encroachment Plan**

8. that within 28 days from the date of approval, or within such further time as may be approved in writing by the Planning and Land Authority, but before the grant of the licence, the lessee shall submit to the Planning and Land Authority a plan (in A4 format) detailing all dimensions of the proposed encroachments including area, block boundaries and location of encroachment in relation to the building, adjacent unleased Territory land and/or public roads;

### **Note:**

*This plan will form part of the licence agreement and will detail the size and extent of the encroachments.*

**- Insurance**

9. that the lessee insures the land and all improvements thereon including the encroachments against public liability for an amount of \$20,000,000 or greater;

**- Transfer of Title**

10. that the lessee shall not transfer or assign its interest in the premises unless and until the proposed transferee or assignee:
- (a) is granted a licence by the Planning and Land Authority pursuant to section 217 of the Land Act under the same terms and conditions as the licence granted in accordance with condition No. 3(a);
  - (b) insures the land and all improvements thereon including the encroachment against public liability for an amount of \$20,000,000 or greater; and
  - (c) submits to an insurance consultant nominated by the Planning and Land Authority a copy of the Public Liability and Insurance Policy and Schedule for examination and approval;

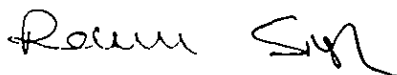
**Note:** refer to advice in Appendix 1 under the heading Public Liability Insurance.

**3.0 DATE THAT THIS APPROVAL TAKES EFFECT**

11. Unless a condition of approval provides for otherwise (*see licence requirements in "Encroachments" section*) this approval is effective from the date of this notice.

**4.0 REASONS FOR THE DECISION**

12. The application was approved because it was considered to be consistent with the Territory Plan. Conditions have been imposed to ensure that the proposal is consistent with the requirements of the Territory Plan and the licensing requirements for encroachments.



Ravi Singh  
Delegate of the Planning and Land Authority

30 August 2005



1. **Contact Telephone Numbers – Relevant Government Agencies**

**ACT PLANNING AND LAND AUTHORITY**

**Development Assessment**

DA Enquiries – Grant Thomas	6207 1851
Applications Secretariat	6207 1687

**DEPARTMENT OF URBAN SERVICES**

**City Management**

Asset Acceptance	6207 6594
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**CHIEF MINISTER'S DEPARTMENT**

**Environment ACT**

Environment Protection Unit	6207 9777
Significant trees helpline	6207 9777

**DEPARTMENT OF HEALTH AND COMMUNITY CARE**

Health Protection Service	6205 1700
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**OTHERS**

**Telstra**

Network Planning Engineer (Ted Murray)	6219 1213
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**ActewAGL**

Location of assets (Dial Before You Dig)	1100
Electricity reticulation (Doug Malcolm)	6293 5738

**TransACT**

Networks (Craig Seaton)	6229 8000
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2. **Public Liability and Insurance**

Before the release of the approved plans, the following information must be provided and accepted by an Insurance Consultant nominated by the Authority:

- (a) a copy of the Lessee's Public Liability and Insurance **Policy and Schedule**:
- (i) the public liability and insurance policy must contain policy wording including details of the proposed encroachment;
  - (ii) the sum insured must be in the amount of \$20,000,000.00 (twenty million dollars) or greater;
  - (iii) the public liability and insurance policy must name all interested parties;

- (iv) the public liability and insurance policy shall contain the following two endorsements:

"It is agreed and declared that in respect of Block 1 Section 10 Division of Gungahlin, the Australian Capital Territory is joint insured in respect of signage and awning encroachment/s only."

"It is also agreed and declared that the insurer will not allow cover to lapse or to be cancelled without the insurer first notifying the Australian Capital Territory through the Development and Building Administration Branch, ACT Planning and Land Authority, GPO Box 1908, CANBERRA ACT 2601."

*Note: A Certificate of Currency, Statement of Cover or policy booklet is not sufficient.*

This information is to be forwarded to:

Manager  
Leasing and Compliance Section  
Development and Building Administration Branch  
ACT Planning and Land Authority  
GPO Box 1908  
CANBERRA ACT 2601

Ph: (02) 6207 1814

Fax: (02) 6207 5548

### **3. Conditions of Approval**

Please read the conditions of your approval carefully. Some will require attention before the approved drawings will be released by the Authority, others before work commences and still others before the completion of building work.

### **4. Building Approval**

If this work requires Building Approval you should engage the services of a private building certifier to assess and approve the building plans. A list of private certifiers is available at the ACT Planning and Land Authority Customer Service Centre, 16 Challis Street Dickson. Office hours are 8.30am to 4.30pm, Monday to Friday. The list is also available on the Authority's website at [www.actpla.act.gov.au/bepcon](http://www.actpla.act.gov.au/bepcon).

## **5. Reconsideration of the Decision**

If you are not satisfied with this decision, you are entitled to apply to the Planning and Land Authority for reconsideration within four weeks of the date of this notice.

Applications forms are available from the Planning and Land Authority Customer Service Centre, 16 Challis Street, Dickson. The completed application, including grounds for the application and the lodgement fee may be lodged at the Customer Service Centre.

Within four weeks of receiving your application, or within such further time as agreed to by you, the Planning and Land Authority will either make a new decision or confirm the original decision.

An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Administrative Appeals Tribunal (AAT). You should be aware, however, that a reconsideration of the approval by the Planning and Land Authority will be suspended on the day an application for a review of the same decision is made to the AAT.

## **6. Review of decisions by the Administrative Appeals Tribunal**

*The following notes are provided in accordance with the ACT Administrative Appeals Tribunal (AAT) Code of Practice.*

### *Reasons*

If a decision has been made and you, as the applicant, have not already been given reasons for the decision, you are entitled to apply for a statement of reasons to explain why the decision was made. If you wish to obtain a statement of reasons you must make your request within 28 days of the date of this decision. Applications should be made to the Director, Development and Building Administration Branch, PO Box 1908, CANBERRA ACT 2601.

### *Review By The ACT Administrative Appeals Tribunal (AAT)*

If your interests are adversely affected by this decision you may apply to the Tribunal for a review.

Decisions that are reviewable by the AAT are identified in Schedule 4 of the *Land (Planning and Environment) Act 1991*.

Contact details for the Tribunal are as follows:

#### Location:

Tribunals Branch  
Magistrates Court  
4 Knowles Place  
CANBERRA ACT 2601

Postal Address:  
GPO Box 370  
CANBERRA ACT 2601

Telephone: 02 6217 4261

Facsimile: 02 6217 4505

Document Exchange: DX 5691

Web Address: [www.courts.act.gov.au](http://www.courts.act.gov.au)

#### *Powers of the AAT*

The Tribunal is an independent body. It can review on their merits a large number of decisions made by ACT Government ministers, officials and statutory authorities.

The Tribunal can agree with; change or reject the original decision; substitute its own decision or send the matter back to the decision maker for reconsideration in accordance with Tribunal recommendations.

#### *How to Apply to the AAT*

To apply for a review, simply obtain an application form from the Tribunal or from the web address above. It outlines all the information needed by the Tribunal to process a review promptly.

Generally you should make your request for a review within 28 days of receiving this notice of the decision, but there are some variations to this time limit. The time limit can be extended in some circumstances. Check with the Tribunal Registry for more details.

If you are applying on behalf of an organisation or association of persons, whether incorporated or not, the Tribunal in deciding whether to support this application will consider the effect of the decision being reviewed on the interests of the organisation or association in terms of its objects or purposes. A copy of the relevant documents will be required to be lodged with the Tribunal.

#### *Fees*

When lodging an application with the Tribunal you will be required to pay an application fee of not less than \$149 (the Tribunal Registry will advise of the current fee). However, no fee is payable if you are receiving legal or financial assistance from the Attorney-General (see below). If you are unable to pay the application fee you can apply to have the fee waived on the grounds of hardship, subject to approval. Ask at the Tribunal Registry for more details.

You will have to pay any costs involved in preparing or presenting your case.

The ACT Planning and Land Authority will be the Respondent to your case.

#### *Legal Assistance*

You may be able to get advice or legal aid from the ACT Legal Aid Office. They can be contacted on 02 6243 3411. You may also apply to the ACT Attorney General for legal or financial assistance. Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Write to: The Chief Executive, ACT Department of Justice and Community Safety, GPO Box 158, CANBERRA ACT 2601.

The following organisations can also provide advice and assistance if you are eligible.

- Aboriginal Legal Service: phone 02 6249 8488
- Legal Advice Bureau: phone 02 6247 5700
- ACT Council of the Ageing: phone 02 6282 3777
- Welfare Rights and Legal Centre: phone 02 6247 177

#### *Access To Documents*

You may apply for access to any documents you consider relevant to this decision under the ACT *Freedom of Information Act 1989*. For more information on how you can obtain these documents please send your request to: The Manager, Government and Assembly Relations, ACT Planning and Land Authority, PO Box 1908, Canberra ACT 2601 or phone the Customer Services Centre 02 6207 1923.

#### *What The AAT Will Do*

After an appeal has been lodged, the Tribunal will notify the decision-maker (respondent) and request that he/she provide a statement setting out his/her findings on material questions of fact, referring to the evidence or material on which those findings were based and giving the reasons for the decision. Also he/she will be required to provide copies of all the documents that were considered relevant to the review of the decision. If you are a party to the appeal (AAT applicant or party joined) the Tribunal will provide you with the decision-maker's statement and related documents (Tribunal Documents or 'T-docs') when they have been received.

#### *Party To A Proceeding*

The decision-maker, under direction from the Tribunal, may be required to give notice of the appeal to certain persons who will then be given an opportunity to apply to be joined as a party to the proceedings. Check with the Tribunal Registry for more information on whether your interests would be best served by becoming a party to a proceeding or lodging a separate appeal.

If a person whose interests are affected by the decision applies to be joined as a party, the tribunal may, **in its discretion**, by order, make that person a party to the proceeding.

### *Directions Hearing*

Each party to the appeal will be given notice of a directions hearing which they are required to attend personally or to be represented by another person. At the directions hearing, the Tribunal may refer the appeal to a registered mediator. The Tribunal will also give directions to the parties, which are to be followed by them if the matter is not referred to mediation or in the event that mediation is not successful in resolving the appeal. You should be in a position at the directions hearing to inform the Tribunal of any problem with your availability or that of your witnesses to attend the hearing of the appeal. Time limits will be fixed for compliance with the Tribunal's directions. In the event that any party other than the decision-maker fails to comply with the Tribunal's directions that party may be struck out as a party or, in the case of the applicant, the appeal may be dismissed.

### *Mediation*

It is now a requirement that before an appeal is heard the Tribunal must consider whether it is a suitable case for mediation and, if so, refer the appeal to a registered mediator and direct the parties to attend the mediation. You will be requested to indicate on a form provided to you by the Tribunal whether or not you wish to participate in mediation and to provide your reasons.

Mediation is a process by which an independent and neutral person helps you and other parties to identify concerns, evaluate options and reach agreement. The mediator will not make any judgement about who is right or wrong and if the mediation fails will not participate in the Tribunal hearing. If the Tribunal decides to refer your case to a mediator you will be informed of the place and time at which the mediation will be held.

### *Hearing*

The hearing will take place in a hearing room at the Magistrates Court Building.

Prior to the Hearing, a direction will have been issued requiring each party to provide to the Tribunal and the other parties a statement of facts and contentions, a copy of the statement of any witness proposed to be called to give evidence and any other material, such as plans and photographs, proposed to be presented to the Tribunal.

The statement of facts and contentions should set out the facts upon which each party relies, the evidence proposed to be presented to support those facts, the issues in the case to be resolved by the Tribunal and the submissions which each party wishes to make in support of the decision which they ask the Tribunal to make.

Ordinarily the person who lodged the appeal ("the applicant") will be asked to present his/her evidence first; then any other party supporting the applicant's case; then any party opposing the applicant's case ("the parties joined"); then the decision-maker ("the respondent"). Witnesses should be present, or by

application to the Tribunal, available to give evidence by phone hook up. If they are not present their evidence cannot be tested by cross-examination and may therefore be excluded.

For more detailed information on the hearing process please refer to the "Guide to the Hearing" on the Tribunal's web site.

#### *Time For Deciding Cases*

The Tribunal is required to decide appeals in land and planning and tree protection cases within 120 days after the lodging of the appeal, unless that period is extended by the Tribunal upon it being satisfied that it is in the interests of justice to do so.

The following table will give some guidance to the timeframes for an appeal (days are approximate):

<b>Day 1</b>	Application for review lodged at the AAT
<b>Day 16</b>	T-docs lodged and applications for Parties Joined processed
<b>Day 26</b>	Directions Hearing
<b>Day 33</b>	Mediation session
<b>Day 36</b>	Mediation result
<b>Day 50</b>	Mediation successful – consent agreement lodged, case finalised
	Mediation unsuccessful
<b>Day 57</b>	AAT Applicant, and Parties Joined supporting Applicant, Facts and Contentions to be lodged
<b>Day 78</b>	Respondent, and Parties Joined opposing Applicant, Facts and Contentions to be lodged
<b>Day 85</b>	Parties to lodge material in reply
<b>Day 95</b>	Hearing
<b>Day 120</b>	Delivery of Decision

#### *Costs*

The Tribunal also has the power to award costs against a party if the party contravenes a direction of the Tribunal and the Tribunal considers it in the interests of justice to make such an order. This power is in addition to the power of the Tribunal to strike out a party and to dismiss an application for failure to comply with the Tribunal's directions as outlined above.

## **7. Other Advice**

### ***Damage to Public Assets***

It is the responsibility of the applicant/lessee to properly repair any damage to ACT Government assets (including footpaths) caused by the development. The applicant is urged to notify Roads ACT of any existing damage to public

facilities before work commences, otherwise the applicant/lessee will be held responsible for all damage.

**ActewAGL**

The lessee should obtain a plant location advice from ActewAGL to avoid conflict with existing plant or electrical easements. The lessee will be responsible for the costs associated with the relocation of assets, if necessary.

The lessee is to ensure that the water service and water meter are retained in position and in good condition. ActewAGL water meters are accountable items and must not be removed from the site or otherwise disposed of.

**Drainage**

The *Building Code of Australia* contains provisions affecting surface drainage and the height of finished floor levels. These may apply to this proposal.

**Environment Protection**

All work shall be carried out in accordance with the *Environment Protection Act 1997*, particularly but not exclusively in relation to noise and pollution control. More Information may be obtained from Environment ACT.





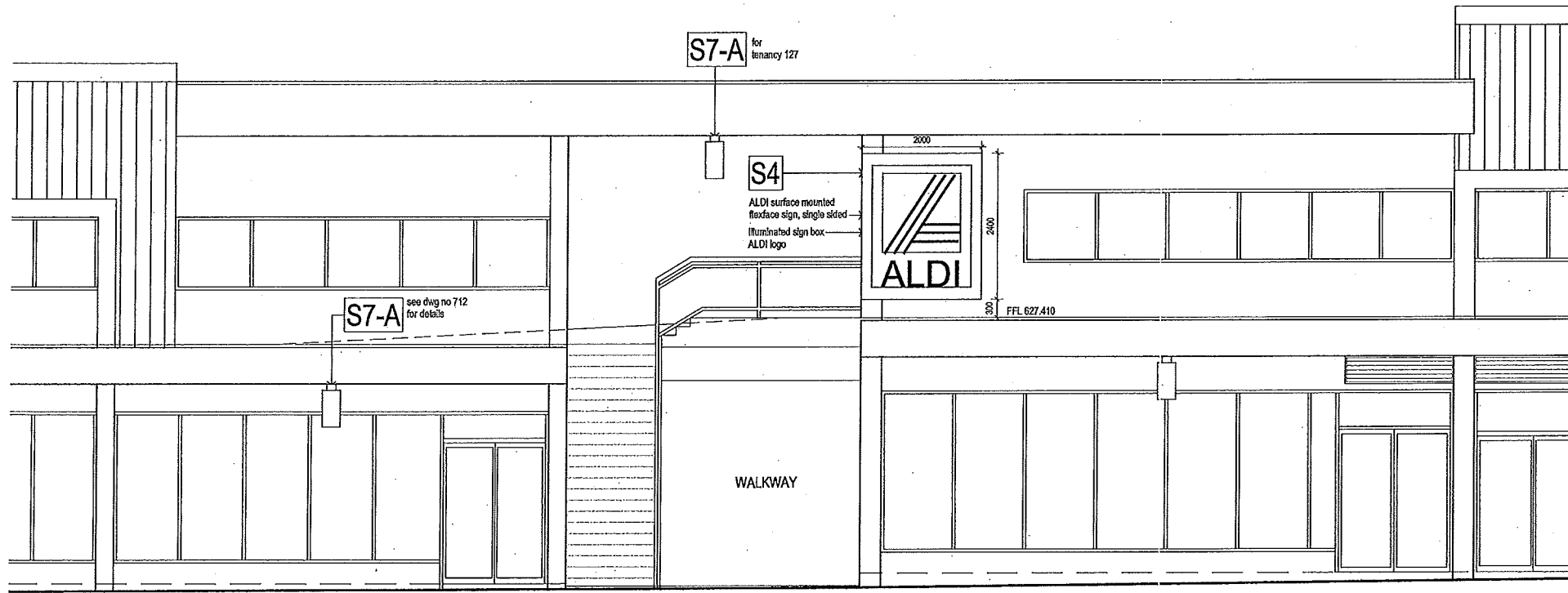
## 8. Translation and Interpretation Service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте.
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

### **TRANSLATING AND INTERPRETING SERVICE**

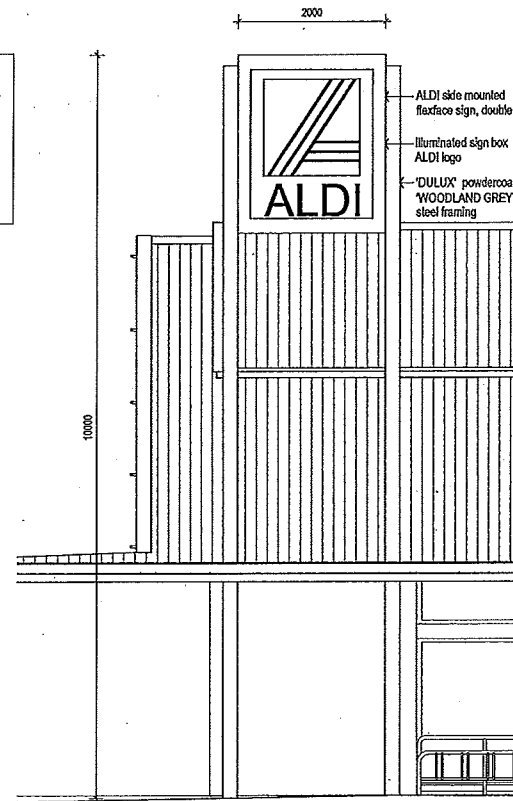
**131 450**

Canberra and District - 24 hours a day, 7 days a week

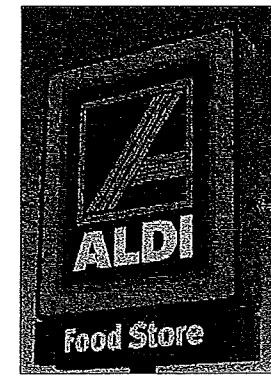
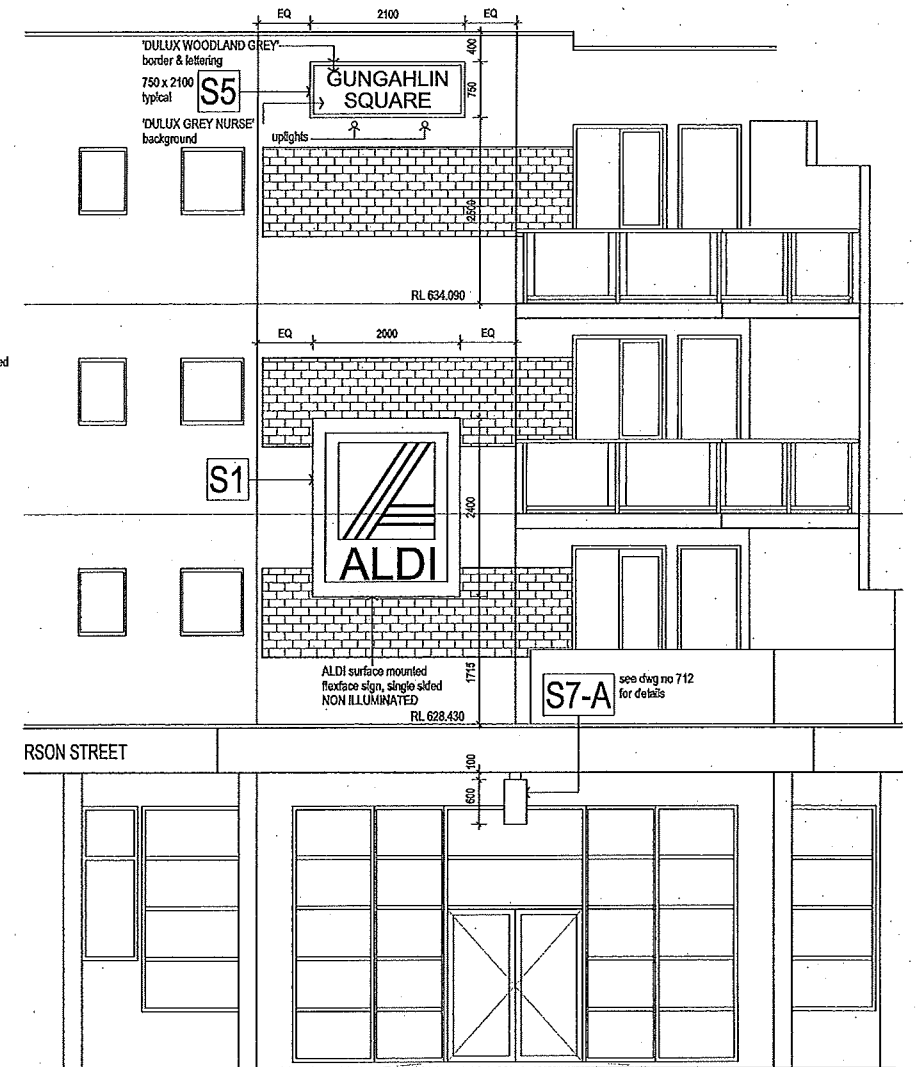


**S4** ALDI SIGNAGE; BLOCK 'B' HIBBERSON STREET

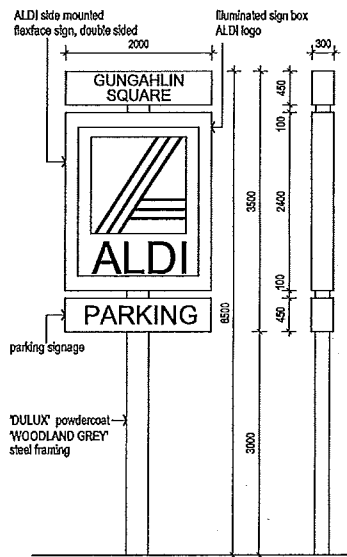
LAND (PLANNING AND ENVIRONMENT) ACT 1991  
**APPROVAL GRANTED**  
 PURSUANT TO SECTION 230  
 SUBJECT TO THE CONDITIONS SET OUT IN THE  
 NOTICE OF DECISION  
 PURSUANT TO SECTION 245  
 Delegate name **KEN HUNGERFORD**  
 Date **2/9/2005**



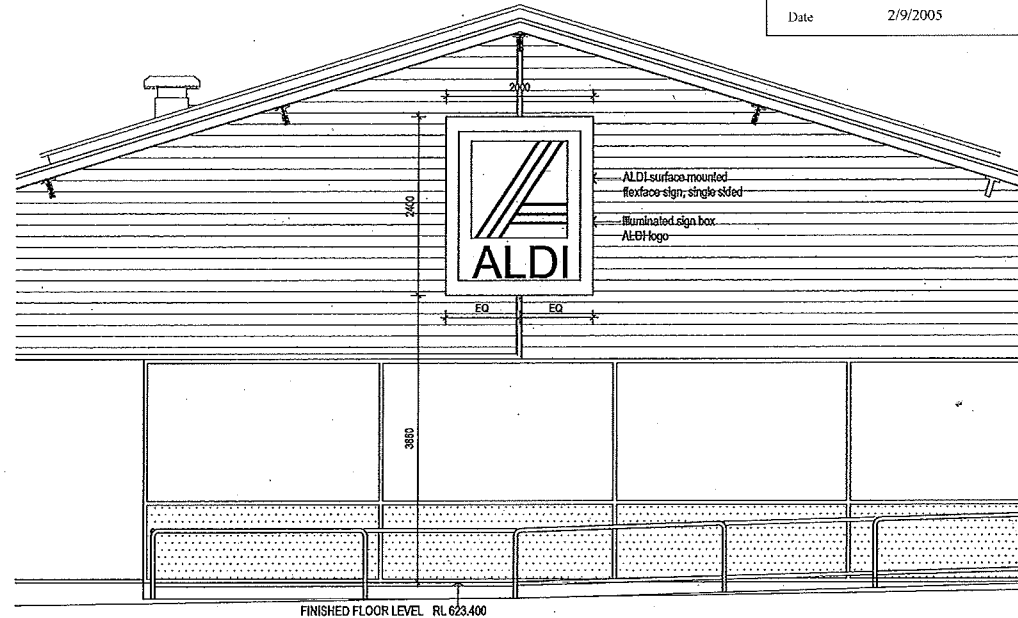
**S3** ALDI ENTRY; PYLON SIGN



NOTE: TYPICAL ALDI SIGNAGE COLOURS FOR SIGN TYPES S1 - S4



**S2** PYLON SIGN; ERNEST CAVANAGH STREET



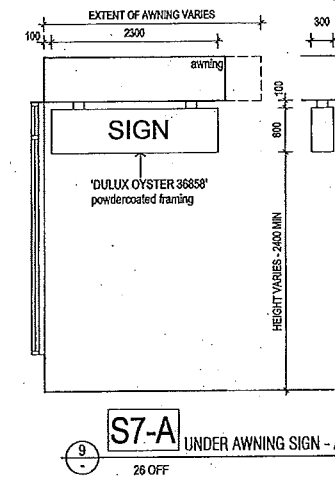
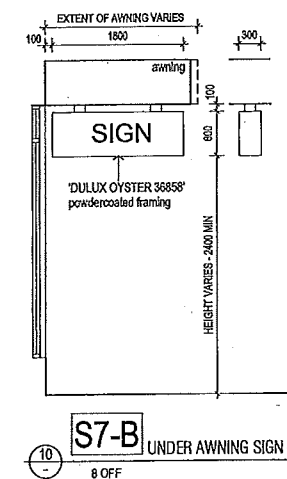
**S4** ALDI SIGNAGE; GABLE

SIGN	LETTERING
S8-A	GUNGAHLIN PLACE
S8-B	ERNEST CAVANAGH STREET
S8-C	EAST STREET
S8-D	HIBBERSON STREET

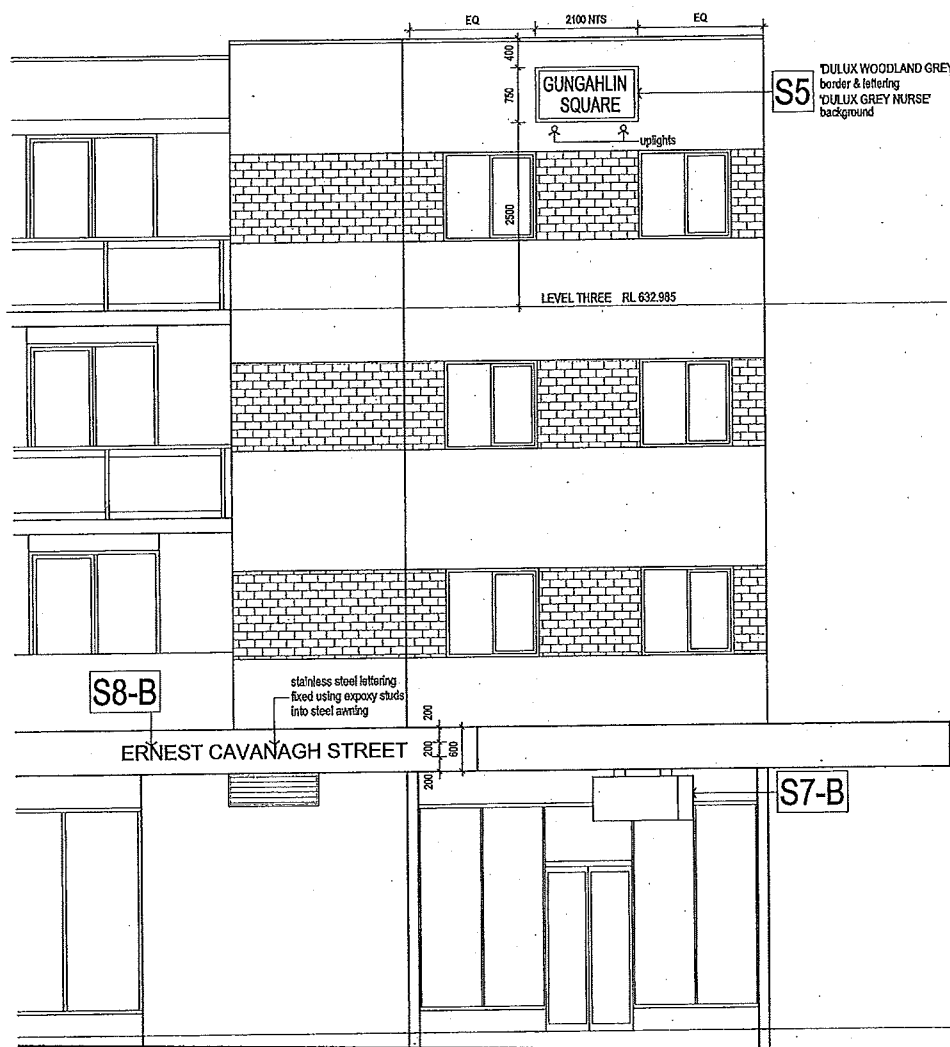
12 SIGN TYPE 8 SCHEDULE  
stainless steel lettering

SIGN	LETTERING
S6-A1	GUNGAHLIN SQUARE UNITS 1 - 21
S6-A2	GUNGAHLIN SQUARE UNITS 22 - 31
S6-A3	GUNGAHLIN SQUARE UNITS 32 - 49
S6-B1	GUNGAHLIN SQUARE OFFICES 116 - 119
S6-C1	GUNGAHLIN SQUARE UNITS 60 - 67
S6-C2	GUNGAHLIN SQUARE UNITS 68 - 73
S6-C3	GUNGAHLIN SQUARE UNITS 74 - 91
S6-D1	GUNGAHLIN SQUARE UNITS 92 - 101

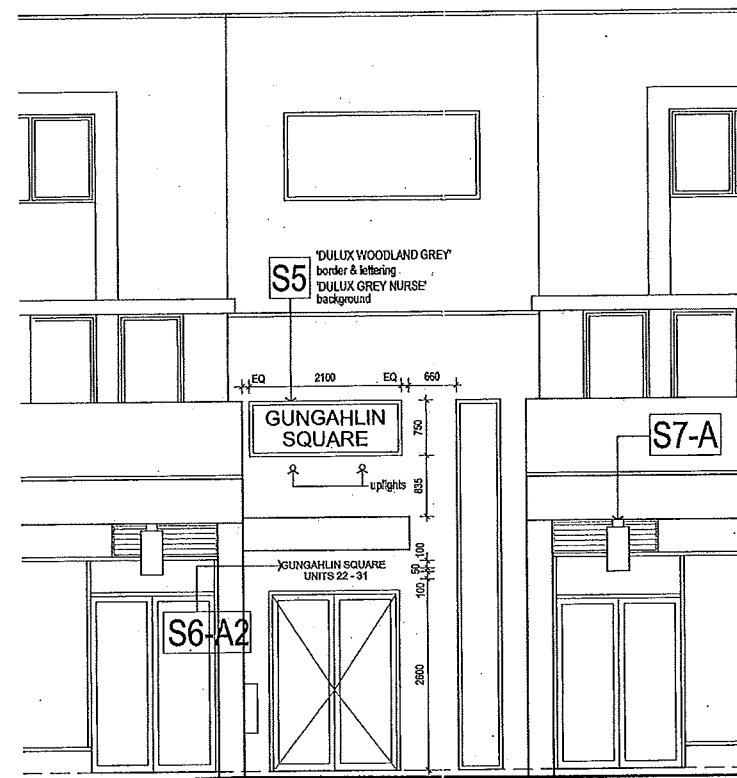
11 SIGN TYPE 6 SCHEDULE  
stainless steel lettering



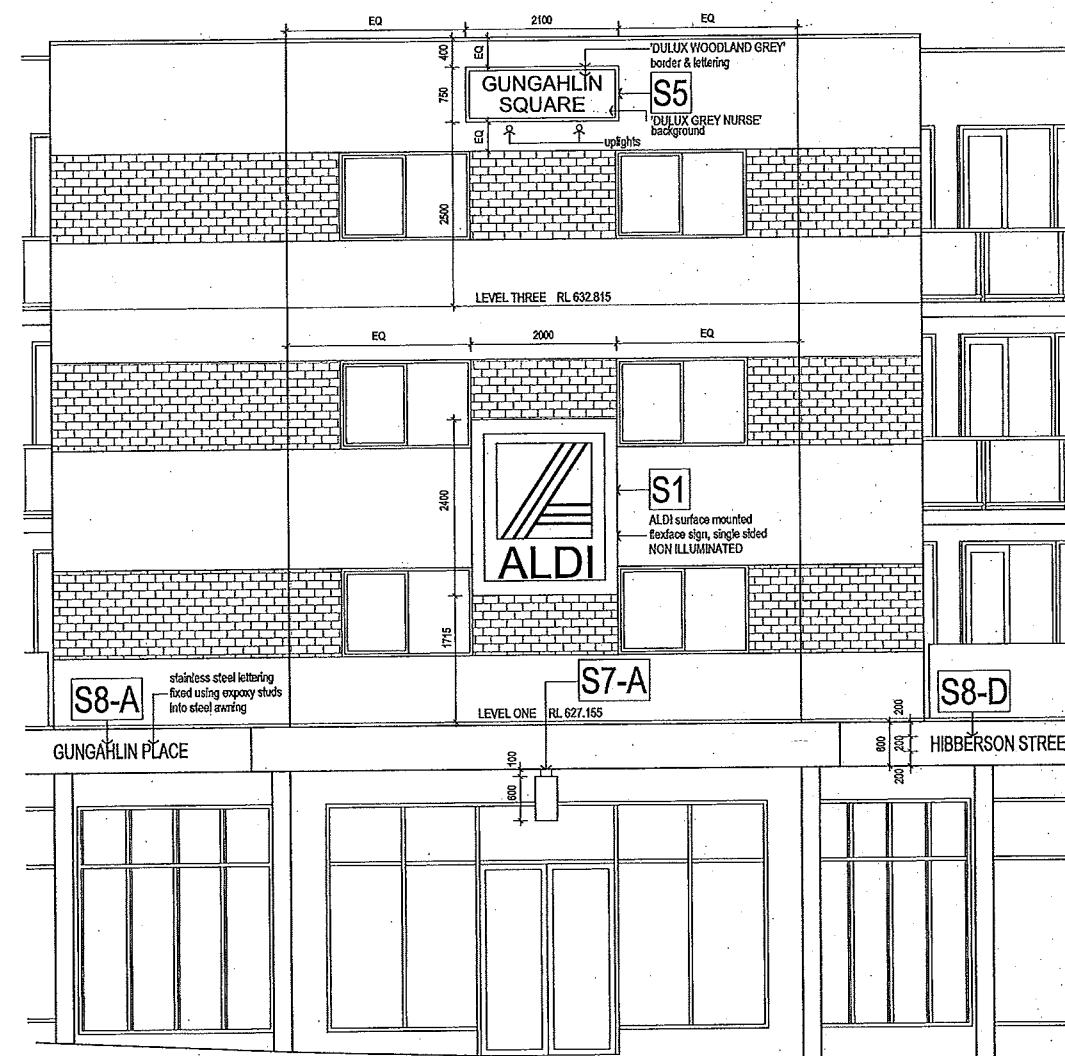
LAND (PLANNING AND ENVIRONMENT) ACT 1991  
**APPROVAL GRANTED**  
PURSUANT TO SECTION 230  
SUBJECT TO THE CONDITIONS SET OUT IN THE  
NOTICE OF DECISION  
PURSUANT TO SECTION 245  
Delegate name: KEN HUNGERFORD  
Date: 2/9/2005



8 BLOCK 'A' NORTH; CORNER SIGNAGE



7 BLOCK 'A' WEST; ENTRY FOYER SIGNAGE



6 BLOCK 'A' SOUTH; CORNER SIGNAGE

NO	DATE	ISSUED FOR
01	20/07/05	ISSUED FOR DA SUBMISSION

HYDRAULIC SERVICES  
CUSTOM PLUMBING SERVICES PTY. LTD.  
21 112 GLADSTONE ST. PYRMONT  
CANBERRA ACT 2609  
PH: 02 62975300 FAX: 02 62971931

ACOUSTIC ENGINEER  
ACOUSTIC LOGIC  
SUITE 3  
6-8 GREENE PL. ROSEBERY NSW 2198  
PH: 02 9617 9077 FAX: 02 9617 9011

STRUCTURAL & CIVIL ENGINEERS  
SELICK CONSULTANTS  
SUITE 15A 15  
14 LONGVIEW ST. BRADBOCK ACT 2612  
PH: 02 6257 2706 FAX: 02 6471 2233

ARCHITECTURAL DOCUMENTATION  
dezignteam  
ARCHITECTURAL PROJECTS  
ABN 33 055 578 051  
PO BOX 309, MARRUBA ACT 2603  
PH: 02 62051444 FAX: 02 62072344  
EMAIL: www.dezignteam.com.au

RESTIGE  
BUILDING SERVICES  
PYRMONT ACT 2609  
6745 GLADSTONE ST. PYRMONT  
PH: 6299 8222 FAX: 6299 8215

GUNGAHLIN SQUARE  
for SECTION 10  
GUNGAHLIN PTY. LTD.  
BLOCK 1  
GUNGAHLIN

SECTION 10  
ACT

SIGNAGE ELEVATIONS  
SHEET 2

date: 20/07/05  
scale: 1:50@A1

job no: 332GUN 712 01

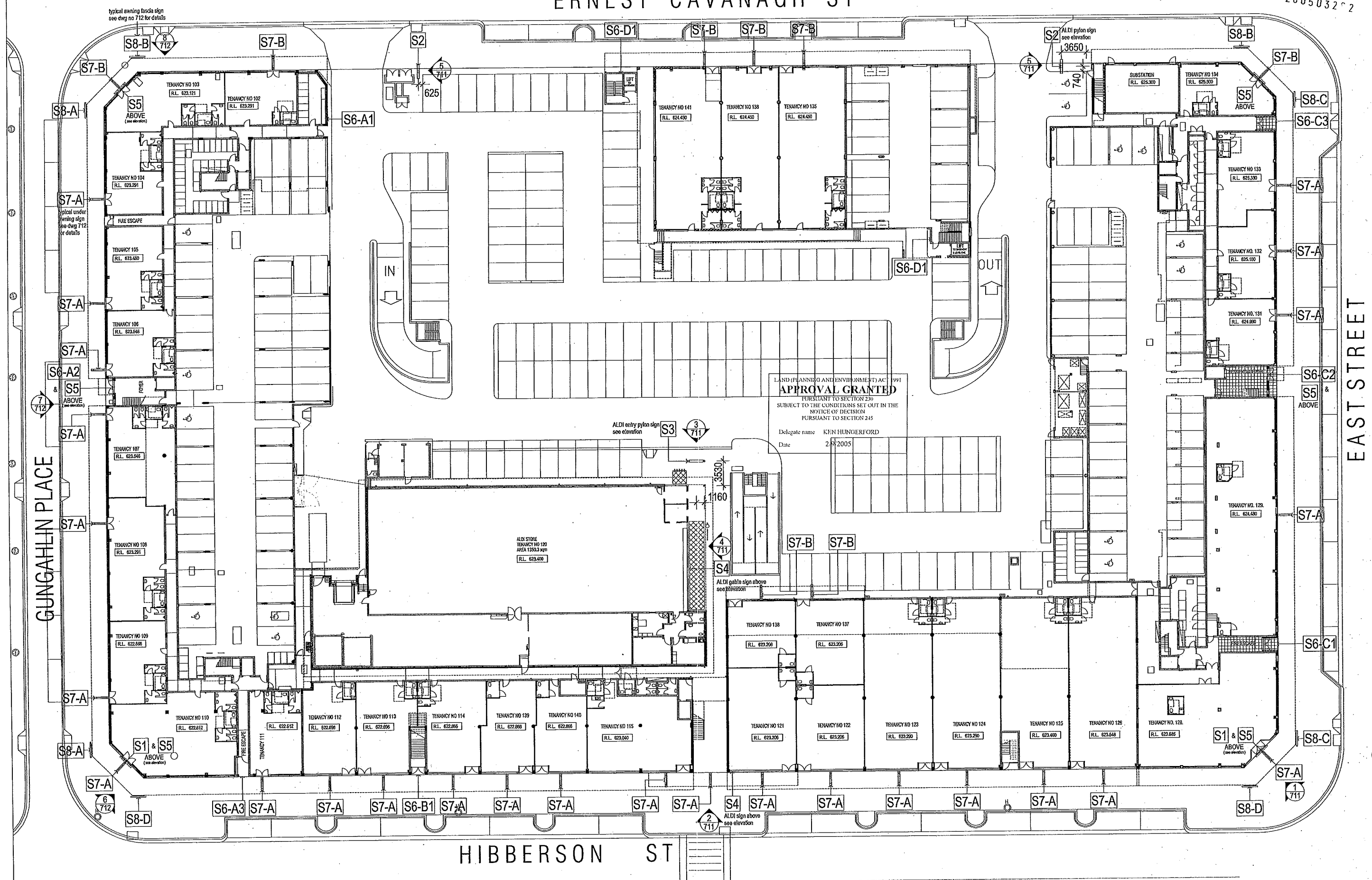
PRELIMINARY  
 HOSD  
 DA  
 REVIEW  
 TENDER  
 FOR CONSTRUCTION

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# ERNEST CAVANAGH ST

20050322

332-WD-SIGN-DETAILS.DWG Wed, 20 Jul 2005 06:18 pm



LAND (PLANNING AND ENVIRONMENT) ACT 1991  
**APPROVAL GRANTED**  
 PURSUANT TO SECTION 230  
 SUBJECT TO THE CONDITIONS SET OUT IN THE  
 NOTICE OF DECISION  
 PURSUANT TO SECTION 245  
 Delegate name: KEN HUNGERFORD  
 Date: 2/7/2005

GUNGAHLIN PLACE

EAST STREET

# HIBBERSON ST

<p>01 200705 ISSUED FOR DA SUBMISSION</p>	<p>HYDRAULIC SERVICES  <b>CUSTOM PLUMBING SERVICES PTY. LTD.</b>                  2/112 GLADSTONE ST. PYSHAWICK                  CANBERRA ACT 2603                  PH: 02 62926600 FAX: 02 62929181</p>	<p>ACOUSTIC ENGINEER  <b>ACOUSTIC LOGIC</b>                  SUITE 108/9                  8-11 CREWE PL. ROGEBERRY NSW 2019                  PH: 02 9977 9777 FAX: 02 9977 9011</p>	<p>STRUCTURAL &amp; CIVIL ENGINEERS  <b>SELLICK CONSULTANTS</b>                  SUITE 108/9                  11 LONGVALE ST. BRADDON ACT 2612                  PH: 02 6257 2706 FAX: 02 6247 2263</p>	<p>ARCHITECTURAL DOCUMENTATION  <b>dezignteam</b>                  ARCHITECTURAL PROJECTS                  A/N: 51 055 578 061                  P/O Box 3000, MARRICKVILLE ACT 2203                  PH: 02 62872444                  FAX: 02 62872444                  WWW: www.dezignteam.com.au</p>	<p><b>RESTIGE BUILDING SERVICES</b>                  PYSHWICK ACT 2600                  PYSHWICK                  PH: 6290 8222 FAX: 6290 8215</p>	<p><b>GUNGAHLIN SQUARE</b>                  SECTION 10                  GUNGAHLIN PTY. LTD.                  BLOCK 1                  GUNGAHLIN</p>	<p>drawing title  <b>SIGNAGE LOCATION PLAN</b></p>	<p>date 20/07/05                  scale 1:250@A1                  job no. 332GUN 710 01                  sheet no. 01</p>
<p>Amendments</p>	<p>Amendments</p>	<p>ACCESSIBILITY CONSULTANT  <b>ERIC MARTIN &amp; ASSOCIATES</b>                  SUITE 10                  66 JARVIS ST. WASHINGTON ACT 2604                  PH: 02 6250 6346 FAX: 02 6252 9413</p>	<p>DESIGN ARCHITECT  <b>BILLY VOLLER NIELD</b>                  LEVEL 1 SYDNEY BUILDING                  121 LONDON CIRCUIY CANBERRA ACT 2601</p>	<p> <input type="checkbox"/> PRELIMINARY  <input type="checkbox"/> HQSD  <input checked="" type="checkbox"/> DA                 </p>	<p> <input type="checkbox"/> REVIEW  <input type="checkbox"/> TENDER  <input checked="" type="checkbox"/> FOR CONSTRUCTION                 </p>	<p>ACT © This drawing remains the property of DezygnTeam. Any form of reproduction of this drawing without the prior written consent of DezygnTeam is strictly prohibited.</p>		

ALDI - SIGNS.

RELEVANT CLAUSES FROM TERRITORY PLAN	ASSESSMENT OFFICER COMMENTS
<p><b>1. OBJECTIVES</b>  <a href="#">Link to Signs Policy [V155] [V91]</a>            The objectives of the Signs Policies are:            (a) to ensure that advertisements and signs complement the attractiveness, safety, legibility and amenity, of the natural, modified and built environments both by day and night;            (b) to ensure that advertisements and signs do not compromise the role of the Territory as the setting of the National Capital and Seat of Government of the Commonwealth;            (c) to ensure that advertisements and signs are not incompatible with the existing or future desired character of the locality;            (d) to support the role of signs and advertising as an important factor in identifying the commercial character and vitality in locations such as at ground floor level in retail, mixed services and industrial areas; and,            (e) to ensure that signage on places registered on the interim Heritage Places Register and the Heritage Places Register appropriately recognises the heritage value of the site.</p>	<p>Not inconsistent -            *=considering large scale of development            Not inconsistent *             Not inconsistent *             Not inconsistent *             Not applicable</p>
<p><b>2. CONTROLS</b></p>	
<p><b>2.1 Permissible Signs</b>             Y = Permitted if complies with: Refer 2.3 – 2.14            Y1= Generally Permitted if complies with: Refer 2.3 – 2.14            Y2 = As above but limited especially: Refer 2.2 – 2.12 inc Signage MP</p>	<p>Pole Sign Y            or Pylon Sign Y1            Information Sign Y            Under Awning Sign Y            Awning Fascia Sign Y            Wall Sign ** Y</p>
<p><b>2.2 Signage Master Plan</b></p>	<p>This may be considered a signage master plan as is not detailed for Under Awning [future tenancy] Signs</p>
<p><b>2.3 Content of Sign</b></p>	<p>Not inconsistent</p>
<p><b>2.4 Scale and Location of Signs on Buildings</b></p>	<p>Not inconsistent (especially considering size of building)</p>
<p><b>2.5 Traffic Safety</b></p>	<p>Major lit signs are not on intersections.  <b>Condition:</b>            Under awning signs [all future detail of all] signs should observe [signs policy] restrictions near intersections eg: red/green lit signage.</p>
<p><b>2.6 Installation Fixings</b></p>	<p>Not inconsistent - given detail provided</p>
<p><b>2.7 Animated Signs</b></p>	<p>Not applicable</p>
<p><b>2.8 Clutter</b></p>	<p>Not inconsistent</p>
<p><b>2.9 Illumination</b></p>	<p><b>Condition:</b>            [Hours of illumination cannot be controlled unless on lease per AAT precedent.] Lighting intensity shall not unreasonably impact on residential properties</p>

RELEVANT CLAUSES FROM TERRITORY PLAN	ASSESSMENT OFFICER COMMENTS
<b>2.10 Heritage Places</b>	Not applicable
<b>2.11 Areas Subject to Special Requirements of the National Capital Plan</b>	Not applicable
<b>2.12 Environmental Controls</b>	Not applicable
<b>2.13 Performance Controls</b>	Not inconsistent
<b>Performance Criteria</b>	
<b>Acceptable Solution for Specific Sign Type</b>	
Awning Facia Sign - Maximum extent - Maximum thickness	Not inconsistent
Blind Sign - Minimum clearance - Maximum number	Not applicable
Business Plate - Maximum surface area	Not applicable
Canopy Sign - Minimum clearance - Maximum number	Not applicable
Changeable Message Sign - Maximum number - Maximum surface area	Not applicable
Construction Site Fence Sign - Maximum surface area	Not applicable
Display Home or Development Site Sales Sign - Maximum number - Maximum surface area	Not applicable
Event Sign - Maximum number - Maximum surface area	Not applicable
Fence Sign - Maximum number	Not applicable
Flag Pole Sign - Maximum surface area	Not applicable
Ground Sign - Setting - Maximum height - Maximum surface area - Minimum setback - Maximum number	Not applicable
Hamper Sign - Maximum thickness	Not applicable
High Rise Building Sign - Maximum extent - Character - Maximum number	Not applicable
Information Sign  - Maximum surface area - Maximum height	See Section 1* / Part of Pylon/Pole Sign
Lantern Sign - Maximum number - Maximum edge dimension - Maximum height	Not applicable
Mobile Sign - Maximum surface area - Maximum number	Not applicable

RELEVANT CLAUSES FROM TERRITORY PLAN	ASSESSMENT OFFICER COMMENTS
Pole Sign - Maximum number - Aspect - Maximum surface area - Maximum height - Minimum setback - Setting - Content	See Section 1* / Assessed as Pylon Signs
Projecting Sign - Minimum clearance - Maximum number - Orientation - Extent	Not applicable
Pylon/Column Sign – <b>x2 adjacent Ernest Cavanagh Street [S2]</b> - Aspect - Maximum surface area [0.6m]  - Maximum height  - Setting  - Maximum number - Content - Minimum setback	Not inconsistent Marginally over 6.6m but in scale / See Section 1* Not inconsistent at 6.5m wrt building height In keeping with urban setting – street trees will exist nearby Not inconsistent Not inconsistent Not applicable
Pylon/Column Sign – <b>front of Aldi Store / Tenancy no. 120 [S3]</b> - Aspect - Maximum surface area - Maximum height - Setting  - Maximum number - Content - Minimum setback	Not inconsistent Not inconsistent <b>INCONSISTENT See Below</b> In keeping with urban setting and previous approvals Not inconsistent Not inconsistent Not applicable
<i>.... Sign is considered to be unnecessarily and excessively high at 10m and does not meet requirement of no higher than building in close proximity which is the Aldi Store scaled at 7.7m high. Therefore a condition is required.</i>	
Roof Sign - Extent - Character - Maximum number	Not applicable
Stallboard Sign - Fixing	Not applicable
Temporary Inflatable Sign	Not applicable
Territory Sign	Not applicable
Under Awning Sign - Orientation - Minimum clearance - Extent - Location  - Maximum dimensions - Minimum setback	Not inconsistent Not inconsistent Not inconsistent Spacing appears considered and meets objectives (some are placed central to doors) Not inconsistent Not applicable
Vertical Banner Building Sign - Maximum height - Minimum clearance	Not applicable

RELEVANT CLAUSES FROM TERRITORY PLAN	ASSESSMENT OFFICER COMMENTS
Vertical Banner Freestanding Sign - Maximum height - Maximum width - Minimum setback - Maximum number	Not applicable
Wall Sign - Maximum thickness - Maximum number - Maximum surface area - Location	Not inconsistent See Section 1*. Not inconsistent Major signs are Not inconsistent; others are information signs
Window Sign - Maximum surface area	Not applicable
<b>PLANNING GUIDELINES</b>	
<a href="#">Click here to link to all Guideline documents in Territory Plan</a>	
<a href="#">Click here for Guidelines that may apply to the assessment</a>	
<b>SECTION MASTER PLAN</b>	
<a href="#">Click here to link to all Section Master Plans</a>	
<b>NEIGHBOURHOOD PLAN</b>	
<a href="#">Click here to link to all Plan documents</a>	
<b>HERITAGE PLACES</b>	
<a href="#">Click here to the Appendix V Heritage Places Register</a>	



## Decision Advice Checklist

DA Number: 200503282

Block(s): 1 Section: 10 District/Division: GUNGAHLIN

Case Officer: GRANT THOMAS Contact Number: 71851 Decision Date: 30-Aug-05

Despatch Plans: **Yes** Despatch by: **E-Mail**

Action Already Taken by Case Officer: **Not Applicable**

---

### Application Type

Design and Siting  Lease Variation  S247 Amendment  S245 Amendment

Type of Decision **Approved With Conditions**

Decision By **Delegate of the Authority**

Return File to Case Officer **No**

### Submissions

No Objections  Objections

### Appeal Rights

Applicant: **Yes** Objectors: **Not Applicable**

### Agencies to be advised

Agency Referral Required: **Yes (Please Select Below)**

Leasing Referral Required: **Yes**

<input type="checkbox"/> ActewAGL	<input type="checkbox"/> Building and Land Reg	<input type="checkbox"/> Registrar- Generals
<input type="checkbox"/> Environment ACT	<input type="checkbox"/> Heritage	<input checked="" type="checkbox"/> Asset Acceptance
<input type="checkbox"/> Finance Officer	<input type="checkbox"/> Territory Planning	<input type="checkbox"/> National Capital Auth.
<input type="checkbox"/> Others (Please List Below)	<input type="checkbox"/> LDA	

### Comments

Signage application for Aldi. Leasing referral to Debbie Willenbrecht - NOD is identical to BigW (1/14) and Coles-Myer (1/13) with respect to encroachments; also has installation commencement provision (to be not before unit titling)