



NOTICE OF DECISION

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

APPLICATION NO: 200706056 DATE LODGED: 17 December 2007

BLOCK: 3 SECTION: 64 SUBURB : O'CONNOR
ADDRESS: _____
APPLICANT: **Field Construction**
LESSEE:

1.0 THE PROPOSAL

The application seeks approval for the addition of a bathroom and walk in robe to the north end of the existing weatherboard residence.

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, Walid Elhassan, 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 lodged with the application and entitled:
 - (i) Site Plan
 - (ii) Floor plan, Elevations and Section
 - (iii) Elevations
 - (b) exterior finishes and materials as noted on the plans lodged in support of the application; and
 - (c) any amendments to those drawings or other items and additional drawings or other items approved or accepted in accordance with the following conditions;

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

Completion

2. 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:

1. *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.*
2. *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.*

Tree Protection

3. that the applicant/lessee shall protect and maintain in accordance with Canberra Landscape Guidelines all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and/or a Tree Management Plan. Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site;
4. that groundwork within the tree protection zone (drip line plus 2metres) of the regulated tree QUERCUS SP located next door at hack street shall be carried out in accordance with the following requirements of and to the satisfaction of Environment and Recreation, TAMS:

that tree roots from the *Quercus sp.* greater than 30cm are not cut when the peer footings are dug; and

that the footings are moved or the tree roots bridged if roots greater than 30cm are found.

3.0 DATE THAT THIS APPROVAL TAKES EFFECT

This approval is effective from the date of this notice. The effective date could be adjusted if the approval is reconsidered by the Planning and Land Authority or if an application is made to the ACT Administrative Appeals Tribunal.

4.0 REASONS FOR THE DECISION

The application was approved because, in the form modified by the imposed conditions, it was considered to be consistent with the territory plan.

Walid Elhassan
Delegate of the Planning and Land Authority

06 February 2008

APPENDIX 1

Contact Telephone Numbers – Relevant Government Agencies**ACT PLANNING AND LAND AUTHORITY****Development Assessment**

DA Enquiries – Walid Elhassan	6207 1848
Applications Secretariat	6207 1687

DEPARTMENT OF TERRITORY AND MUNICIPAL SERVICES**Asset Management Services Group**

Asset Acceptance	6207 6594
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Environment Protection and Heritage

Environment Protection Unit	132281
Water Resources Unit	132281
Heritage Unit	132281
Tree Protection Unit	132281

ACT HEALTH

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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5.0 Further Approvals

The attached notice of decision grants approval for those items listed at section 1.0. Further approvals from the Territory may be required, as follows:

Works on unleased Territory land - design acceptance

In accordance with the *Roads and Public Places Act 1937* no work is to be undertaken on unleased Territory Land without the approval of the Territory. Such approval is only given by way of a certificate of design acceptance from Asset Acceptance, Asset Management Services Group, TAMS. Unless a certificate of design acceptance is obtained, and the respective work

completed in accordance with this certificate, a certificate of compliance under s179 of the Land Act, may not be issued. This applies to works such as the construction or upgrading of driveway verge crossings, the replacement of public foot paths, street lighting and verge landscaping.

Use of verges or other unleased Territory land

In accordance with the *Roads and Public Places Act 1937* road verges and other unleased Territory land shall not be used for the carrying out of works, including the storage of materials or waste, without the prior approval of the Territory through Asset Acceptance, TAMS.

Approval required for "Tree Damaging Activity"

A Tree Management Plan under the Tree Protection Act 2005 is required for approval where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees by that Act. Consultation with Environment and Recreation is recommended in the preparation of the Tree Management Plan.

6.0 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.

a. Building Approval

Most building work requires Building Approval. If this applies to your proposal 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.

7.0 Reconsideration of the Decision

If you (the development applicant) 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.

Application 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.

8.0 Review of decisions by the Administrative Appeals Tribunal

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, GPO Box 1908, CANBERRA ACT 2601.

This provision does not apply to objectors.

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

Email: tribunals@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 \$165 (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. 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 may also apply to the ACT Attorney General for financial assistance (refer to section 62 of the *Administrative Appeals Tribunal Act 1989*). 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.

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

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

The ACT Legal Aid Office: phone 1300 654314

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, GPO 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. When lodging an application to be joined as a party to a proceeding you will be required to pay an application fee of not less than \$165 (the Tribunal Registry will advise of the current fee). 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):

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

9.0 Other Advice

Unit Titles Advice 1

Should this development have any effect on the unit entitlements of units plan No.2785, it is the responsibility of the Owner's Corporation to ensure that a revised Form 2 is lodged with the Registrar General's Office.

Unit Titles Advice 2

As this development is within a units plan, you are required to seek the approval of the Owner's Corporation prior to the commencement of any building work.

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.

Demolition and Asbestos Management

Demolition and asbestos management must be undertaken in accordance with relevant Territory laws, namely the Building Act 2004 (including the Building Code of Australia) and the Dangerous Substances Act 2004. Relevant information is contained in the Authority's advisory note titled *Demolition*, November 2000. This document is available from the Planning and Land Authority Customer Service Centre, 16 Challis Street Dickson (Office hours: 8.30am to 4.30pm, Monday to Friday), or from the Authority's website at <http://www.actpla.act.gov.au/actpla/bepcon/build/demolition.pdf>

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 and Recreation.

10.0 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 τηλεφωνήστε 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	Ako vam je potrebna pomoć prevodioca telefoniрајте:
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

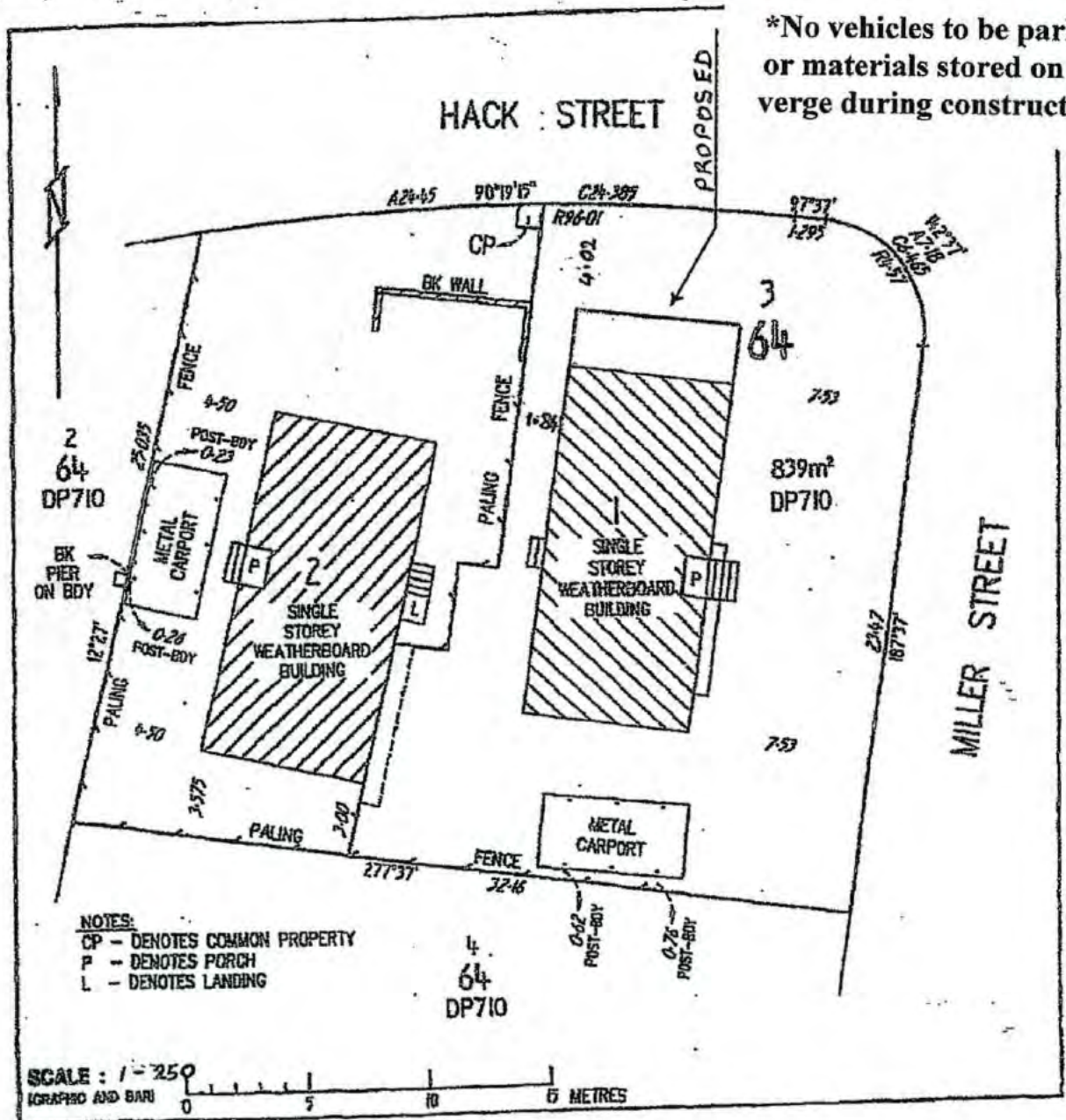
PROPOSED EXTENSION		
BEING 17.1 Square Meters		
FOR [REDACTED]		
1. LAND	DISTRICT/DIVISION	SECTION
	O'CONNOR	64
		BLOCK
		3

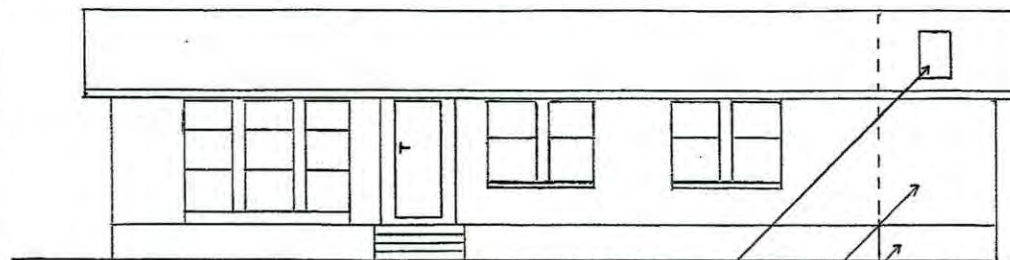
NOTICE OF DECISION
LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 or 245

Delegate name WALID ELHASSAN

Date 6/2/2008

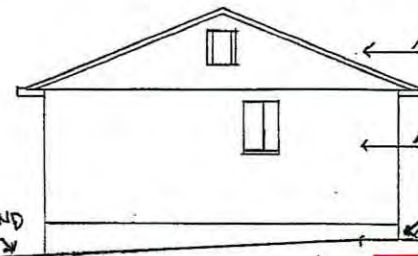
2. ☒ SITE PLAN





EAST ELEVATION

SKYLIGHT
WEATHERBOARD TO MATCH
BRICKWALL TO MATCH



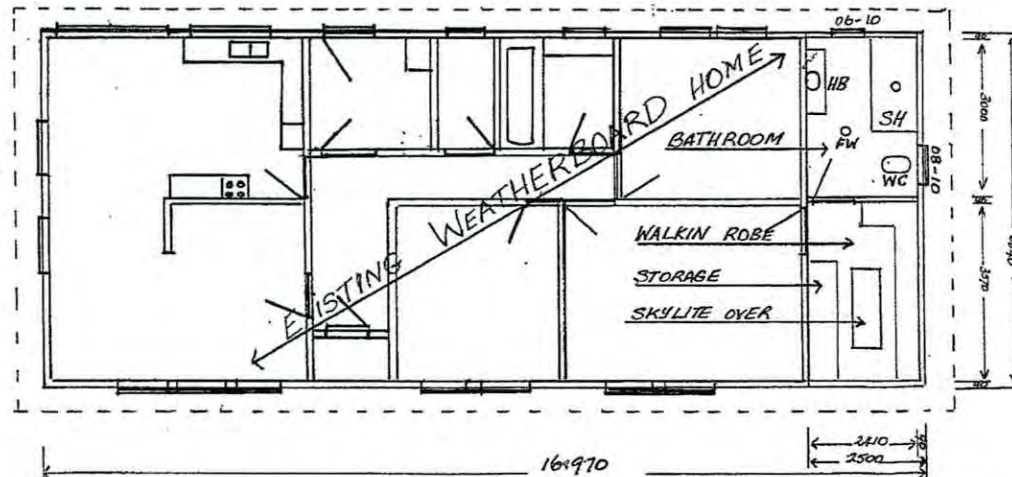
NORTH ELEVATION

METAL ROOF TO MATCH
WEATHERBOARD TO MATCH
GROUND LEVEL FALLS 300 TO FRONT
BRICKWALL TO MATCH

NATURAL GROUND LEVEL

EXTENT OF PROPOSED EXTENSION 17.1 SQ M

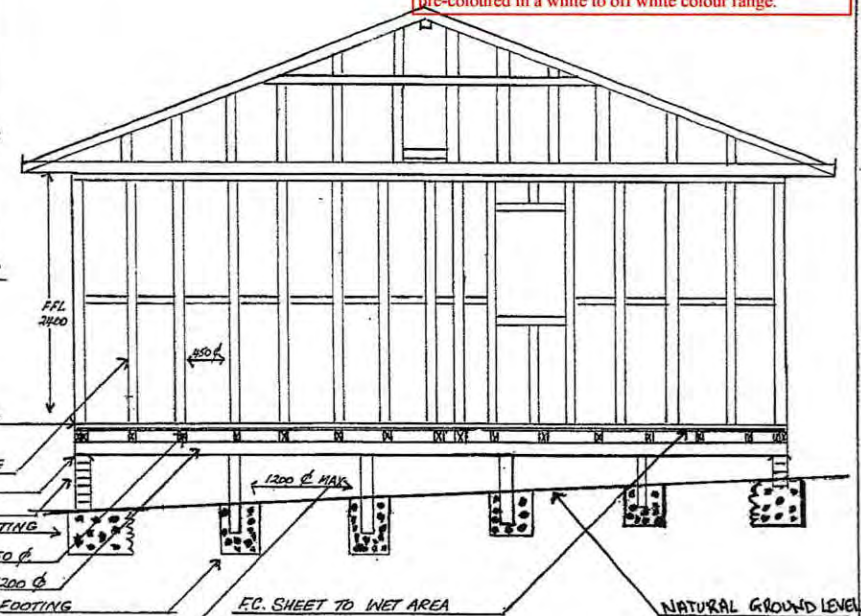
NOTICE OF DECISION
LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 or 245
Delegate name WALID ELHASSAN
Date 6/2/2008



FLOOR PLAN

ALL CONSTRUCTION TO BCA. ALL FRAMING TIE DOWN FIXING TO A.S. 1684.4
ALL WALL FRAMING 90x35 T2 MGP 10. AT 450 @ MAX
WALLS SARKED AND FITTED R-1.5 BATTS, CEILINGS R-4 BATTS.
METAL ROOF FITTED OVER VAPOUR BARRIER + R-1.5 ROLL
ALL CONCRETE 20 MPA
TRENCHED FOOTING 300x450 - 3 BAR FII TOP & BOTTOM, 6 MILL STYRUP 900
ALL WEATHERBOARD PROFILE MATCHED, FITTED + PAINTED TO EXISTING.
NO TREES OR GARDEN - REMOVED OR DISTURBED.
INTERNAL STUMPS 75x75x3 MILL GALVANISED R.H.S. STEEL.
BRICKWORK TO UNDERSIDE OF BEARERS TO ALL EXTERNAL WALLS.
TERMITE FLASHING AND CAPS TO ALL BRICKWORK.

27.10.2007.



30 MILL C/P/B FLOORING

90x35 T2 MGP 10 PINE

ANT CAP FLASHING

BRICKWORK TO MATCH

300 X 450 CONCRETE FOOTING

90 X 45 T2 FLOOR JOIST 450 @

2 X 90 X 45 T2 BEARERS 1200 @

350 X 350 X 350 GLOB FOOTING

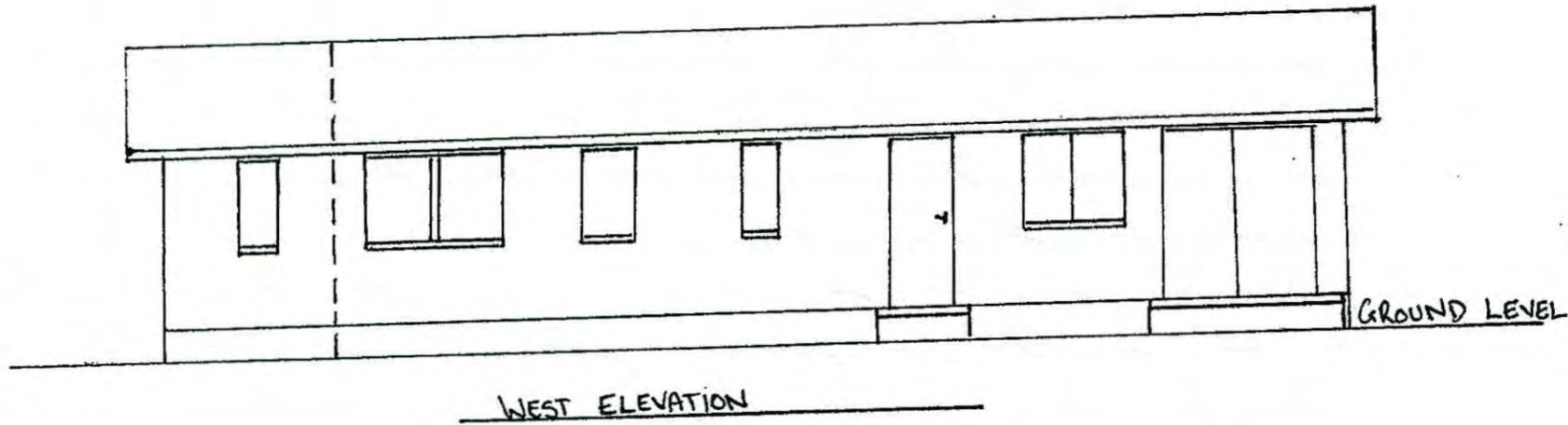
75 X 75 X 3 GAL. R.H.S. STEEL STUMPS.

FC. SHEET TO WET AREA

NATURAL GROUND LEVEL

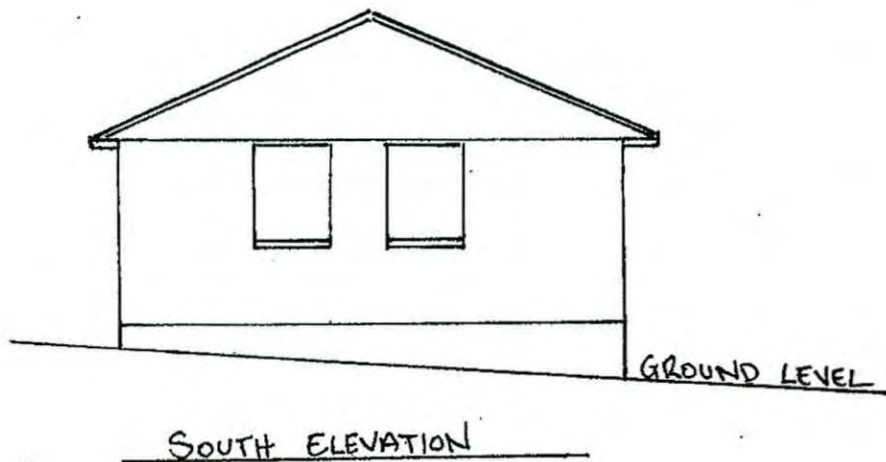
WEATHERBOARD EXTENSION - BATHROOM + WALKIN ROBE

SCALE 1-100 and 1-50
DRAWN BY C.J. FIELD - BUILDER.



300 FALL TO FRONT OVER FOOT PATH

Land (Planning and Environment) Act 1991
CONDITION OF APPROVAL
* Metal roofing or walling not to be unfinished, painted or pre-coloured in a white to off white colour range.



NOTICE OF DECISION
LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 or 245

Delegate name WALID ELHASSAN

Date 6/2/2008

WEATHERBOARD EXTENSION -

BATHROOM + WALKIN ROBE

(3)

NOTICE OF DECISION - PURSUANT TO PART VI OF THE *LAND (PLANNING AND ENVIRONMENT) ACT 1991*

APPLICATION NO: 975148

DATE LODGED: 19 December 1997

BLOCK: 3

SECTION: 64

SUBURB: O'CONNOR

STREET ADDRESS: _____

NAME OF APPLICANT: _____

NAME OF LESSEE: _____

1.0 THE PROPOSAL

The development application relates to a proposal for a dual occupancy.

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 Minister or the Commissioner for Land and Planning appointed under Section 274A of the Act.

I, *Adam Mills Delegate of the Minister*, pursuant to Section 230 of the Act hereby **approve the application subject to the following conditions imposed pursuant to Section 245 of the Act:**

1. Insulation is to be installed in the roof and floors of the proposed second dwelling so as to meet the insulation standards stated in the energy ratings report submitted with the application.
2. Screen planting of photinia or similar fast-growing hedge planting is to be undertaken along the northern boundary, other than the part of the boundary abutted by the proposed carport.
3. On-site stormwater detention shall be provided within the lease as either above or below ground storage or a combination of both. Sufficient storage will be required such that the 5 years ARI and 100 years ARI estimated discharge values from the redeveloped site are no greater than the estimated pre-development values. A proposal to achieve this objective must be prepared by a practising civil engineer and submitted to the stormwater section for approval prior to commencement for construction.
4. The proposed driveway to Hack Street is to be relocated to be no closer than 2 m to the trees on the verge. Details of an acceptable design are to be submitted within 28 days of the date of approval.
5. The trees on the verge are not to be removed, damaged or pruned to facilitate work to be undertaken.
6. Any disturbance of verge areas is to be reinstated in accordance with the Canberra Landscape Guidelines to the satisfaction of Canberra Urban Parks.
7. All materials and equipment are to be stored within the site.

3.0 REASONS FOR THE DECISION

The application was approved with conditions after consideration of all the issues, and taking into account public comment received.

It was considered that with conditions:

- (i) the proposed development is consistent with the Crown Lease for Block 3 Section 64 O'Connor.
- (ii) the proposal satisfies Appendix III.2 - Residential Design and Siting Code for Multi Dwelling Developments of the Territory Plan.
- (iii) the proposal satisfies Part B1 - Residential Land Use Policy of the Territory Plan.

Specifically the conditions were applied to ensure:

- (a) that the proposed development meets the Energy Rating requirements of the ACT House Energy Ratings Scheme
- (b) that neighbours' privacy is protected
- (c) that the increased rate and volume of stormwater runoff from the development will not result in flooding of downstream areas within the catchment
- (d) that existing trees are protected during construction, and the proposal is consistent with the Landscaping Performance Criteria 9.1 and Performance Measure 9.3 of the Residential Design and Siting Code for Multi Dwelling Developments;
- (e) that public assets including trees on the road verge are not damaged during construction or as a result of the development.

Adam Mills
Delegate of the Minister
10 February 1998

FINDINGS ON MATERIAL QUESTIONS OF FACT

APPLICATION NO.: 975148

BLOCK: 3 SECTION: 64

SUBURB: O'CONNOR

1.0 FINDINGS

1.1 Statutory Requirements

The proposal involves the erection, alteration or demolition of a building or structure on or under the land, which constitutes "development" as defined by Section 222 of the Land Act and which is subject to the provisions of Part VI of that Act.

A decision on the application is subject to the provisions of the Territory Plan, in particular the Principles, the Residential Land Use Policy, the Matters for Consideration and the Residential Design and Siting Code for Multi Dwelling Developments.

Clause 2.2 of Part A3 also requires that "relevant Planning Guidelines" be taken into account. In this case the Draft Guidelines for Multi-Unit Development including Dual Occupancy in Residential Areas are relevant.

1.2 Time Frames for Decision

The Application was lodged on 19 December 1997 and under the Land (Planning and Environment) Regulations the prescribed time for a decision is 30 working days, ie by 6 February 1998. Section 230(3) of the Act makes provision for applications to be approved after the due date.

1.3 Description of Proposal

The application for the proposal involves the transportation of an existing timber framed weatherboard cottage from the adjoining block and its erection to form a second single residential dwelling.

Details of the proposal are described in plans and supporting documents submitted as part of Development Application Number 975148.

An amendment has been lodged in relation to the above application. The amendment was lodged on 23 January 1998 to supply additional information as requested by PALM in order to undertake proper assessment of the proposal.

1.4 The Site and Surrounds

The subject site has an area of 840 m² and frontages of 30 m to both Hack and Miller Streets. It is adjoined at the side and rear by single storey detached dwellings.

The subject is within an area of well established landscape first developed for residential purposes in the early 1950s.

1.5 Existing Lease Details

The existing lease was granted under the Land (Planning and Environment) Act 1991 for a period of 99 years commencing on 16 December 1987 for the purpose:

2 (c) To use the said land for residential purposes only;

2 (d) That the building erected on the land shall be used only as a single unit private dwelling and SUBJECT TO approval by the Territory a second single unit private dwelling may be permitted PROVIDED THAT any outbuildings erected on the land shall not be used as a habitation.

The existing lease allows for a second single residential dwelling to be erected subject to the approval of the Territory.

1.6 Assessment Against the Territory Plan

The proposal raises issues of increased intensity of development as well as of physical appearance. Those policies and controls which were considered most relevant include the following objectives of the Residential Land Use Policies:

- Objectives 1(a),1(b),1(c),1(d),1(e),1(f),1(g) and 1(h)

These objectives generally require consideration of opportunities provided for additional housing types and housing affordability. However this has to be balanced against potential adverse effects on existing residential amenity through increase in residential density and architectural differences of scale and character. The proposal is considered to meet these objectives.

Other matters of relevance taken into account in the assessment of the application included the Policies under Clause 3 of Part A2 of the Plan and the Matters for Consideration at Appendix I. These have been satisfactorily included within the assessment under the Code.

1.7 Assessment Against the Residential Design & Siting Code

An assessment against the Code of the plans submitted with the application indicates that the proposal would comply with all relevant performance measures.

1.8 Assessment Against the Draft Guidelines For Multi-Unit Development Including Dual Occupancy in Residential Areas

An assessment of the plans submitted with the application against the Guidelines indicated that the proposal would comply with all relevant provisions.

2.0 PUBLIC NOTIFICATION

Pursuant to Section 229 of the Land Act, the application was publicly notified on 24 December 1997 and no written submissions were received. However, in the consultation carried out on behalf of the applicant prior to lodging of the application, the adjoining lessee to the north requested that screening be installed along the common boundary. This has been addressed by way of a condition of consent requiring hedge planting along the northern boundary adjacent to the lease boundary.

3.0 GOVERNMENT AGENCIES COMMENT

The application was circulated to the following Government Agencies on 22 December 1997 for comment:

- (a) ACT Heritage Council
- (b) City Services Group - Stormwater, Canberra Urban parks and Driveways Sections.

Stormwater Section requested the following condition to be imposed:

(a) That on-site stormwater detention shall be provided within the lease as either above or below ground storage or a combination of both. Sufficient storage will be required such that the 5 years ARI and 100 years ARI estimated discharge values from the redeveloped site are no greater than the estimated pre-development values. A proposal to achieve this objective must be prepared by a practising civil engineer and submitted to the stormwater section for approval prior to commencement for construction.

Canberra Urban Parks did not support the proposal as the proposed driveway is too close to a verge tree. A condition requiring the driveway to be located an adequate distance from the tree can be imposed to address this.

No advice was received from Driveways.

4.0 EVIDENCE

- 1 Application No - 975148
- 2 File No DA 975148
- 3 Territory Plan Part A - General Principles And Policies
- 4 Territory Plan Part B1 Residential Land Use Policy
- 5 Territory Plan Appendix III.2 - The Multi Dwelling Code
- 6 Territory Plan Appendix I - Matters For Consideration
- 7 Draft Guidelines For Multi-Unit Redevelopment Including Dual Occupancy In Residential Areas
- 8 Existing Lease Volume 1465 Folio 60

Adam Mills
Delegate of the Minister
10 February 1998

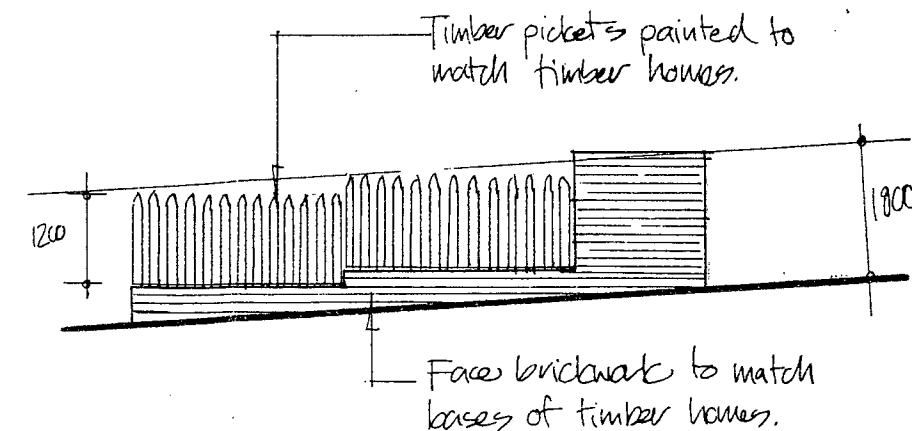
This statement contains summaries of the consideration of the application. Arrangements can be made for inspection of the application and the Department's reports by telephoning the Planning and Land Management Group shopfront at 16 Challis Street Dickson on 207 1926.

- Existing weatherboard home is located on the adjoining block to the south (4/64). It is proposed to relocate it to the location indicated.

- ~~1800~~ 1800 high 230mm brick screen wall
- ~~1800~~ 1800 high combination brick & timber picket screen wall. (see detail).
- 1800 high butt jointed timber paling fences.

[ST] Prefab. colourband metal storage sheds.

-  Folding clothesline.
-  Handstand parking space.
-  6m Private Open Space indicator.
-  Broom finished concrete driveway.



COURTYARD WALL DETAIL 1:100

PLOT	RATIO
Existing House (House A)	106 m ²
Relocated House. (House B)	106 m ²
Carport A	18 m ²
Carport B	18 m ²
PROPOSED G.F.A.	248 m ²
SITE AREA	840 m ²

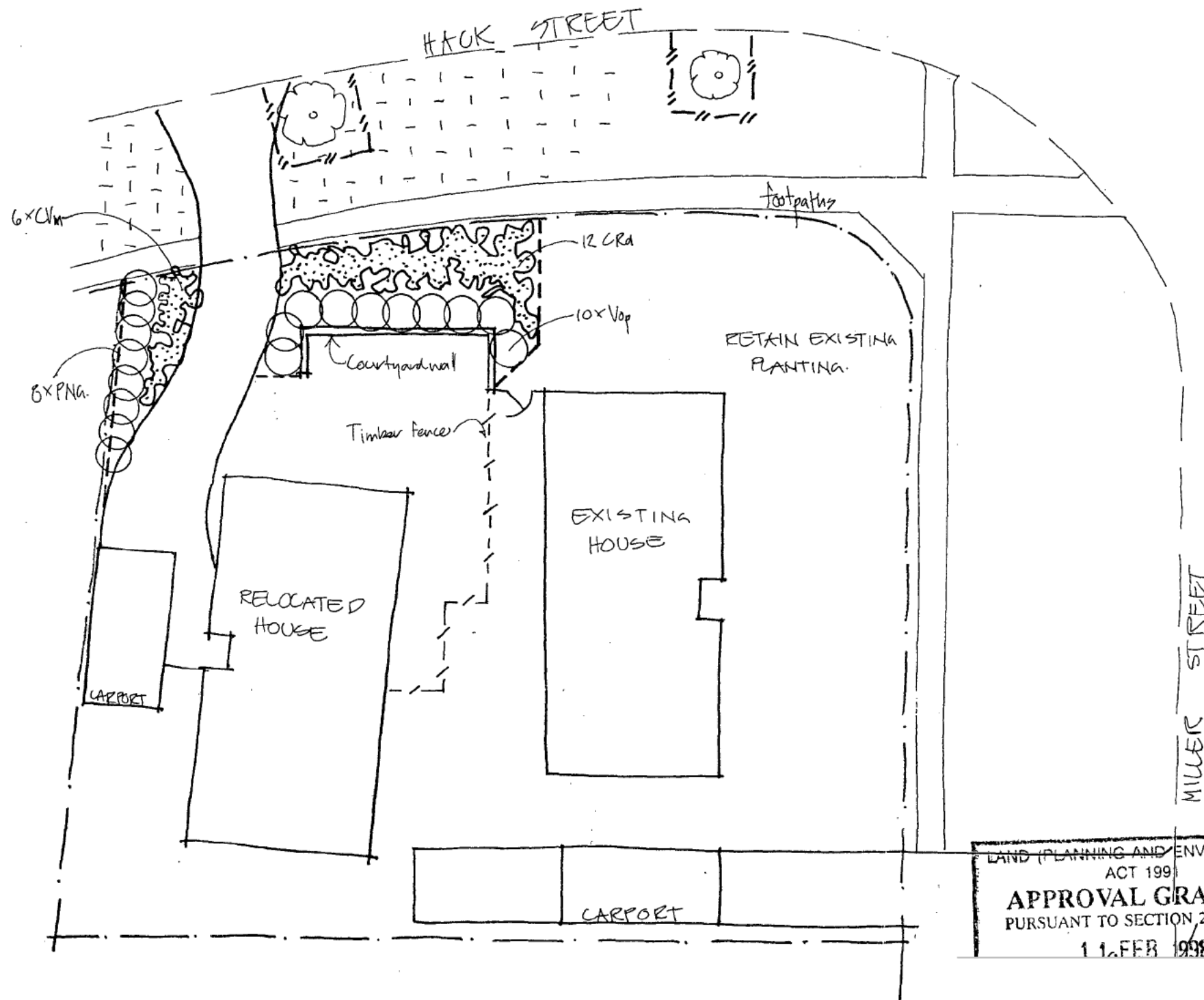
$$\therefore \text{PROPOSED PLOT RATIO} = 0.295$$

OPEN SPACE

Open space < 6m dimension = 190m^2 (22.6% site area)
 Open space > 6m dimension = 310m^2 (36.9% site area)
 TOTAL OPEN SPACE PROVIDED = 500m^2
 or 59.5% site area.

LAND (PLANNING AND ENVIRONMENT)
ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 245
14 FEB 1992

Application No. 97548B
Sheet 1 of 1



L E A N D.

Existing verge trees to be protected during construction.

1.5m tall temporary chain wire mesh tree protector with steel droppers at 3m c/s.

Reinstates verge grassing upon completion of building.

Hardwood planter bed edging / mower strip.

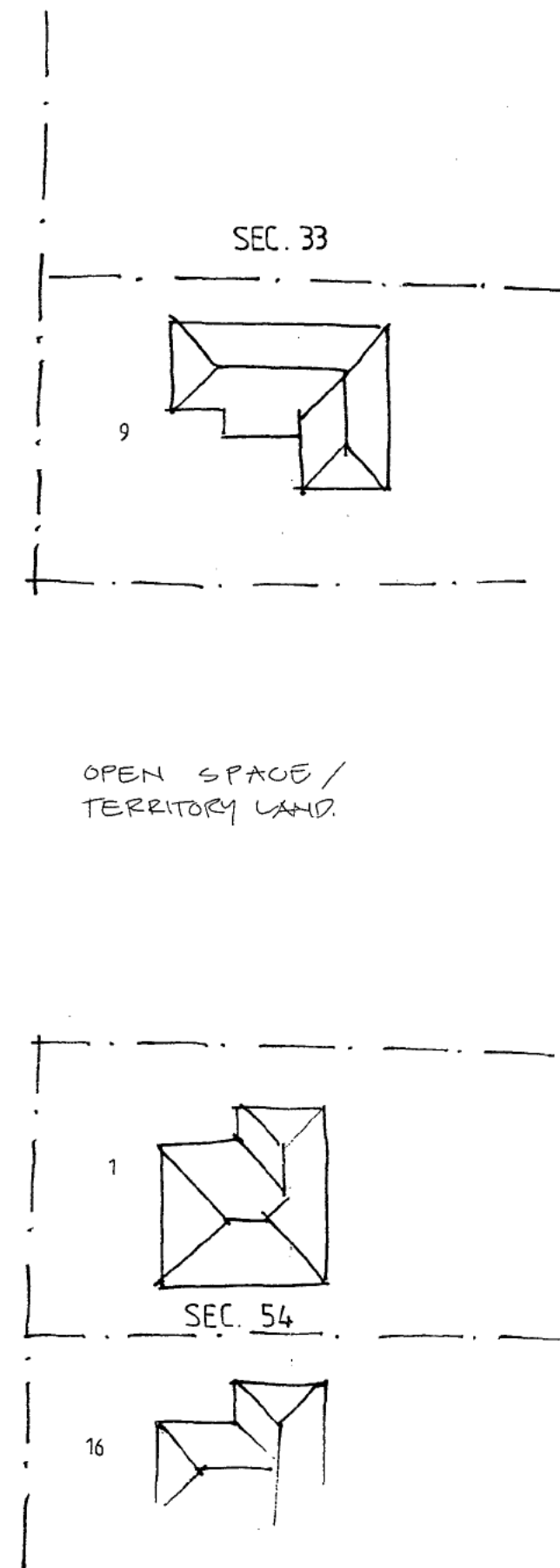
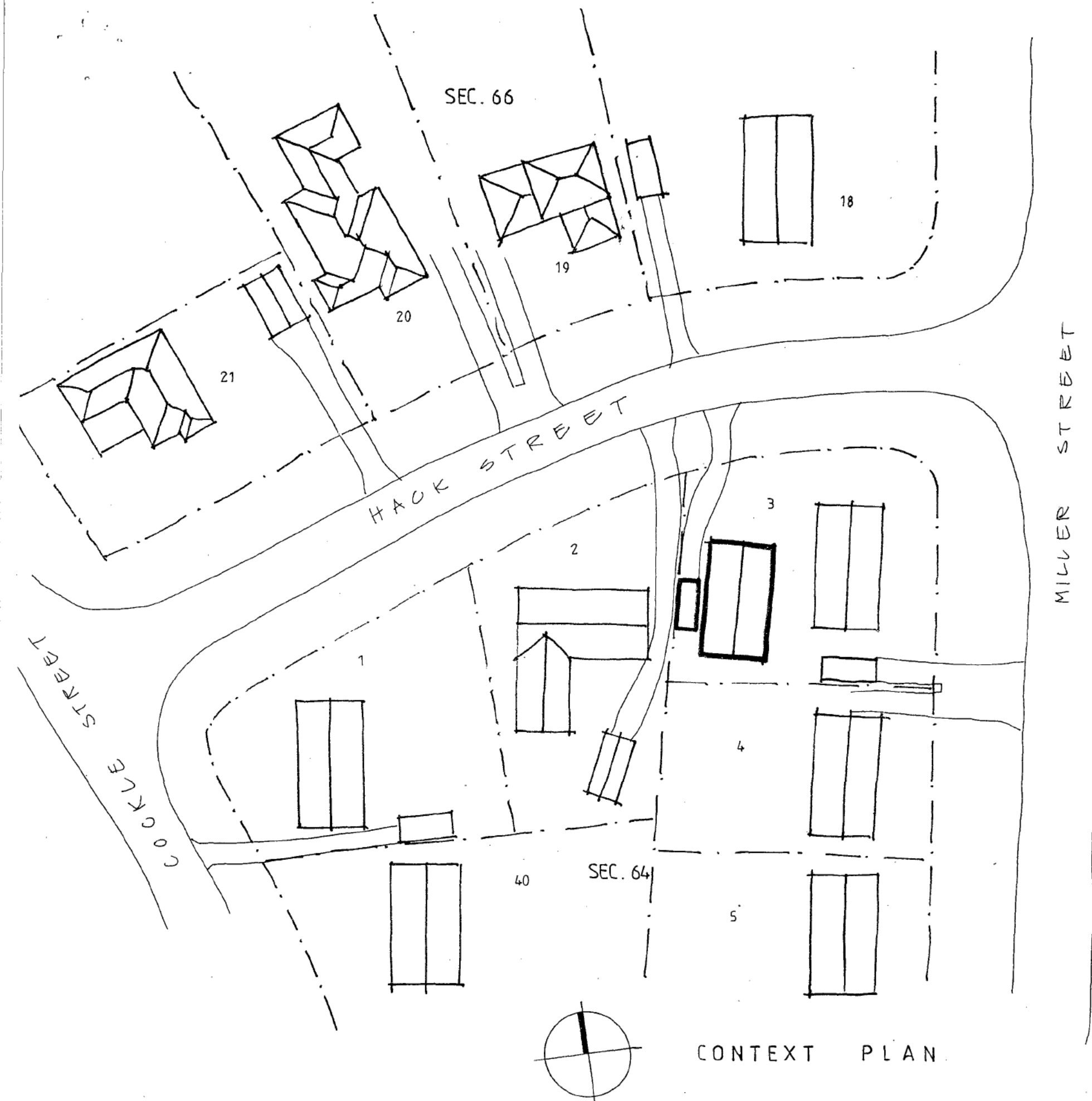
Ground cover planting.
species Crd Convolvulus decumbens.
Cvm Convolvulus mauritanicus

Shrub/Hedge planting.
species Pth Photinia glabra 'Rubens'
Vop Viburnum opulus 'Sterile'

Application No. 975148A
Sheet 1 of 2

LANDSCAPE &
VERGE MANAGEMENT
PLAN

LAND (PLANNING AND ENVIRONMENT)
ACT 199
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 245
11 FEB 1998



CONTEXT PLAN

PROPOSED EXTENSIONS AND RENOVATIONS TO EXISTING RESIDENCE FOR		
BLOCK NUMBER	SECTION NUMBER	DATE
38	64	AUG. '80



**NOTICE OF DECISION - PURSUANT TO PART VI
OF THE LAND (PLANNING AND ENVIRONMENT) ACT 1991**

APPLICATION NO: DA 995604

DATE LODGED: 23 August 1999 and
Amended on 8 November
1999

BLOCK: 18 **SECTION:** 66 **SUBURB:** O'Connor

STREET ADDRESS: _____ t

NAME OF APPLICANT: VR Drafting Service

1.0 THE PROPOSAL

The Development Application relates to a proposal to:

- demolish the existing residential dwelling on the block,
- construct two new single residential dwellings on the block; and
- provide associated landscaping;

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 Commissioner for Land and Planning appointed under Section 274A of the Act.

I, **PAUL LEES**, *Delegate of the Minister*, pursuant to Section 230 of the Act hereby approve the application subject to the following conditions imposed pursuant to Section 245 of the Act:

Condition 1

that the works are carried out according to the following plans;

- Sheet 1, Drawing No. 2919A3, 8 November 1999, Proposed Site Plan;
- Sheet 2, Drawing No. 2919A3, 8 November 1999, Existing Site Plan;
- Sheet 3, Drawing No. 2919A3, 8 November 1999, Proposed Landscape plan;
- Sheet 4, Drawing No. 2919A3, 8 November 1999, Verge Management Plan;
- Sheet 5, Drawing No. 2919A3, 8 November 1999, On site Stormwater Retention;
- Sheet 6, Drawing No. 2919A3, 8 November 1999, Unit Entitlement Plan;
- Sheet 7, Drawing No. 2919A3, 8 November 1999, Unit 1 Floor Plan;
- Sheet 8, Drawing No. 2919A3, 8 November 1999, Unit 1 Elevations
- Sheet 9, Drawing No. 2919A3, 8 November 1999, Unit 1 Elevation and Section;
- Sheet 10 Drawing No. 2919A3, 8 November 1999, Unit 2 Floor Plan
- Sheet 11, Drawing No. 2919A3, 8 November 1999, Unit 2 Elevations;
- Sheet 12, Drawing No. 2919A3, 8 November 1999, Unit 2 Elevation and Section;

Condition 2

Redevelopment - Commencement and Completion of Site Works

that the Lessee shall within 12 months and 24 months respectively from the date of this approval or within such further time as may be approved in writing by the Territory commence and complete all demolition and building works to be carried out on the site;

Condition 3

Driveways

that formal approval is to be obtained from the Manager, Quality Co-ordination Section, Department of Urban Services ("DUS") for the proposed driveway verge crossings prior to the commencement of any construction work on the block;

Condition 4

Noise Control

that all work is to be carried out in accordance with the Environment Protection Act 1997;

Condition 5

On Site Stormwater Detention

that formal approval is to be obtained from ACT Roads and Stormwater, Department of Urban Services ("DUS") for the proposed On-site Stormwater Detention ("OSD") facility within the block prior to the commencement of any construction work on the block;

Condition 6

Erosion Control

that erosion and soil control measures are to be taken in accordance with any requirements of Environment ACT - Water Control, DUS;

Condition 7

Tree Protection

that the Lessee shall protect and maintain in accordance with Canberra Landscape Guidelines all existing trees and shrubs on the block and located on the verge immediately adjacent, except for those specifically identified in the application, to be removed;

Condition 8

Verge Management

that road verges and other unleased Territory land are not to be used for carrying out the works, including storage of materials or waste, without the prior approval of the Territory;

Condition 9

External Colour Scheme

that the external colour scheme is to be in accordance with the approved External Materials sample board, unless otherwise agreed by the Territory;

3.0 REASONS FOR THE DECISION

The application was approved with conditions after consideration of all the issues, and taking into account public comment received.

It was considered that all relevant provisions of the Territory Plan, the Code and guidelines were met. It was considered necessary to impose the nominated conditions to achieve compliance.

Specifically the conditions were imposed so as to:

1. ensure that works are undertaken in accordance with the plans lodged with Planning and Land Management;
2. ensure that the required works are completed within a reasonable period of time and that the land is not left vacant after the demolition of the existing development;
3. ensure that the proposed driveway verge crossing is built in accordance with the requirements of ACT Roads and Stormwater (Roads), DUS;
4. ensure that the applicant is aware of the need to comply with noise control legislation [*Territory Plan* Appendix I.1(c)];
5. ensure that measures are taken to limit potential increase in stormwater flows from the site which might contribute to flooding of downstream areas and to ensure that this work is designed to the satisfaction of ACT Infrastructure Management - Stormwater of the Department of Urban Services [*Territory Plan* Appendix I.1(e) and 1(f)];
6. ensure that the applicant is aware of the need to comply with stormwater quality control requirements [*Territory Plan* Appendix I.1(m)];
7. ensure that the trees to be retained are protected in accordance with the Territory's requirements [*Territory Plan* Appendix I.1(j) and 1(l)];
8. protect the condition of road verges and preserve the local streetscape [*Territory Plan* Appendix I.1(e), 1(j) and 1(l)];
9. ensure that the external colours and finishes of the building are not excessively obtrusive or likely to cause a loss of amenity to the streetscape or neighbours [*Territory Plan* Appendix I.1(i) and 1(l)].

Paul Lees

Delegate of the Minister

22 November 1999



Delegate of the Minister
Land Use North and Rural Section

I hereby refer to you for determination the following application along with the recommendation and supporting documentation:

APPLICATION NO: 995604 As amended 8 November 1999

BLOCK: 18 **SECTION:** 66 **SUBURB:** O'Connor

STREET ADDRESS: _____ t

DATE LODGED: 23 August 1999

NAME OF APPLICANT: VR Drafting Service

LESSEE'S NAME:

TYPE OF APPLICATION

Lease variation to allow dual occupancy incorporating design and siting approval

THE PROPOSAL

The Development Application relates to a proposal to:

- demolish the existing residential dwelling on the block,
- construct two new single residential dwellings on the block; and
- provide associated landscaping;

SUPPORTING DOCUMENTS

The following documents are attached in support of the recommendation:

4.0 EVIDENCE

- a) Application No. 995604
- b) File No. DA 995604
- c) The Territory Plan Part A - General Principles And Policies
- d) The Territory Plan Part B1 - Residential Land Use Policy
- e) The Territory Plan Appendix III.2 - The Multi Dwelling Code
- f) The Territory Plan Appendix I - Matters For Consideration
- g) Draft guidelines for multi unit redevelopment including dual occupancy in residential areas
- h) Current Crown Lease Volume 52 Folio 5149
- i) Public Submissions Received
- j) Agency Comments Received
- k) The report and recommendation of the Planning and Land Management Group

Urban Services • Development Management Branch

16 Challis Street, Dickson

GPO Box 1908, Canberra, ACT 2601 • Telephone: (02) 6207 1926 • Facsimile: (02) 6207 1925

ACT Government Homepage: www.act.gov.au

RECOMMENDATION

The Planning and Land Management Group recommend that you approve the application subject to the following conditions:

Condition 1

that the works are carried out according to the following plans;

- Sheet 1, Drawing No. 2919A3, 8 November 1999, Proposed Site Plan;
- Sheet 2, Drawing No. 2919A3, 8 November 1999, Existing Site Plan;
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- Sheet 9, Drawing No. 2919A3, 8 November 1999, Unit 1 Elevation and Section;
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- Sheet 11, Drawing No. 2919A3, 8 November 1999, Unit 2 Elevations;
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Condition 9

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Phill Bozykowski
Land Use North and Rural
Development Management Branch

22 November 1999

TOTAL RESIDENCE: -340.5m2
BLOCK -950.2m2
SITE RATIO'S: 35%

DEMOLITION PROCEDURE:

1. OBTAIN PERMIT.
2. DISCONNECT ELECTRICITY.
3. DISCONNECT GAS.
4. DISCONNECT SEWERLINE AND SEAL.
5. DISCONNECT PHONE LINE.
6. SEAL STORMWATER.
7. REMOVE BUILDING.
8. REMOVE FOOTINGS.
9. REMOVE ALL RUBBLE.
10. REMOVE VEGETATION AS REQUESTED BY OWNER.

Accredited Assessment

NOTES:

DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.

ALL DIMENSIONS, LEVELS AND SETBACKS MUST BE CHECKED ON SITE BY THE BUILDER, PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

ANY DISCREPANCIES MUST BE DISCUSSED WITH THE DRAFTSPERSON.

THE DRAFTSPERSON TAKES NO RESPONSIBILITY FOR MISINTERPRETED DRAWINGS OR CONSTRUCTION ERRORS.

THE RESIDENCE IS TO BE SITED BY A REGISTERED SURVEYOR TO THE DIMENSIONS AND LEVELS NOTED ON PLAN.

NOTE: CONTOURS INDICATED ARE SUBJECT TO SURVEY.

Apprentice No. 995604(A)
Block 13

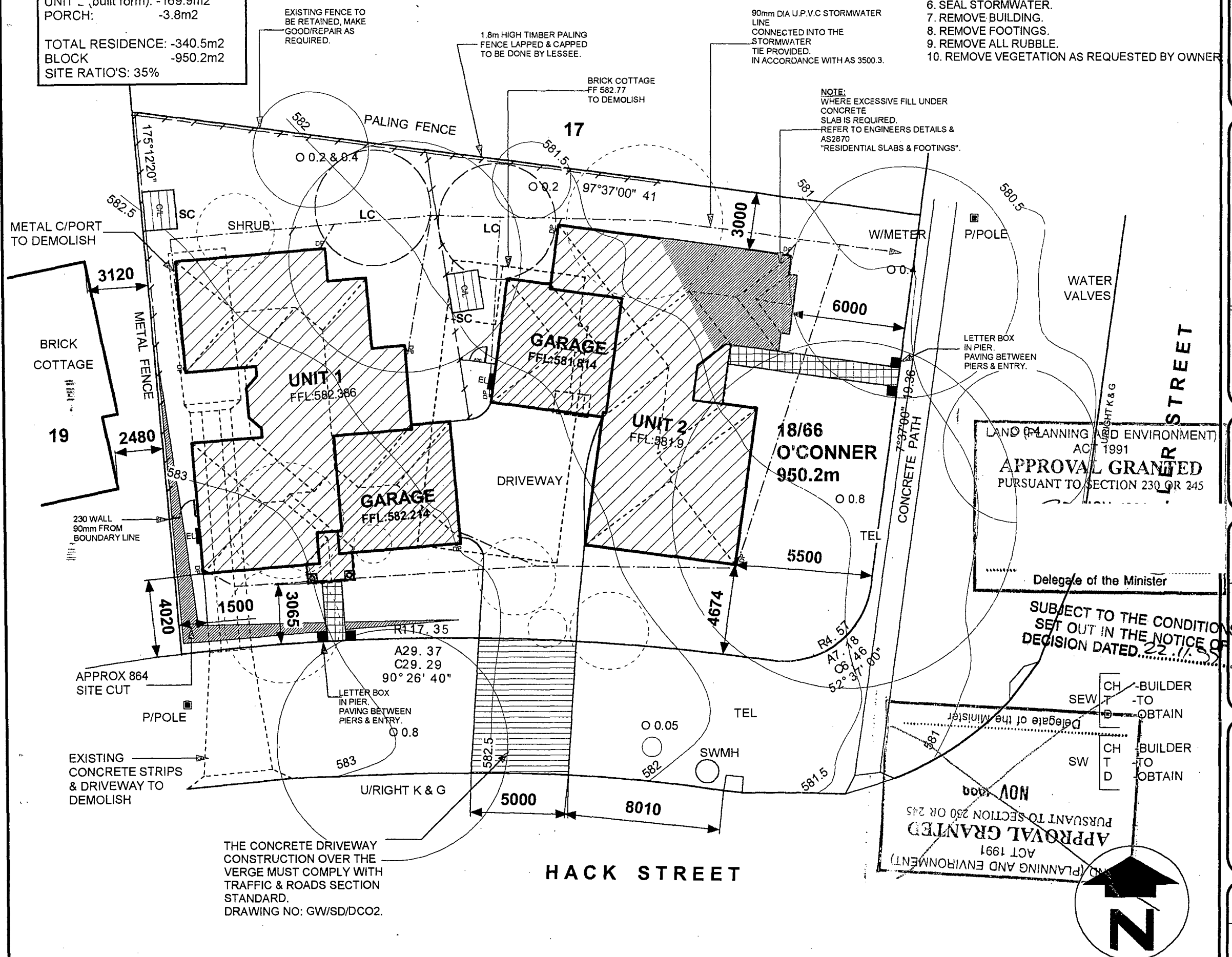
PROJECT:
**PROPOSED DUAL
OCCUPANCY**

BLOCK: 18
SECTION: 66
O'CONNER

VR CUSTOM DESIGN
DRAFTING
SPECIALISTS

VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:200
DRAWN:	M.GIBB	SHEET No:	1 of 12
DRAWING NO:		2919A3	



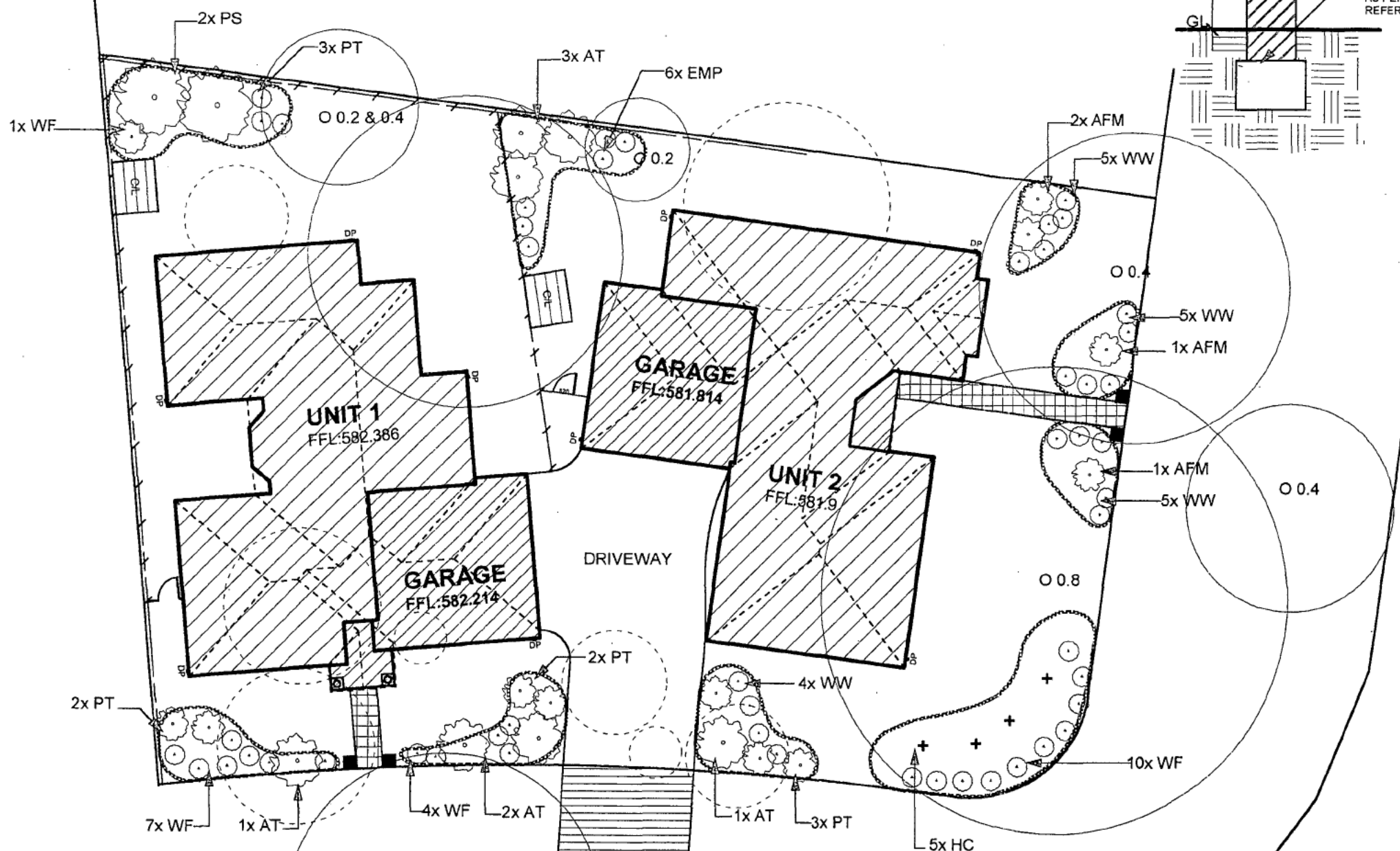
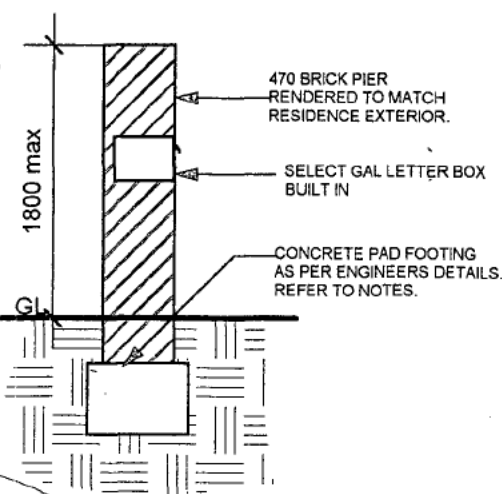
PROPOSED SITE PLAN



2919A3

NOTE:
TREES SHOWN DOTTED
ARE TO BE REMOVED.
ALL EXTERNAL GROUND AREA TO CONSIST
OF LAWN OVER UNLESS OTHERWISE
NOTED.

LETTERBOX DETAIL SCALE: 1:50



LAND (PLANNING AND ENVIRONMENT)
ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 245
22 NOV 1999

Delegate of the Minister

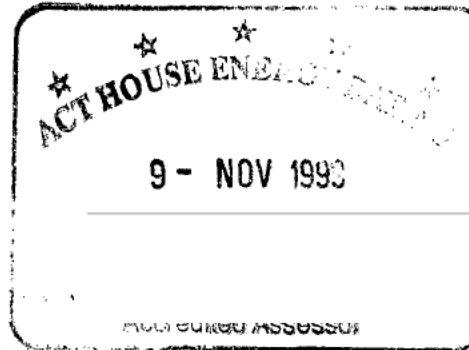
BLACK STREET

SUBJECT TO THE CONDITIONS
SET OUT IN THE NOTICE OF
DECISION DATED 22.11.99

PLANTING SCHEDULE BLOCK 18 SECTION 66 O'CONNER

TREES & SHRUBS:
(AT) ACER BUERGERANUM
(PS) PISTACIA SINENSIS
(AFM) ACACIA FIMBRIATA
(EMP) ERIOSTEMON MYOPOROIDES
(PT) PITTOSPORUM TENUIFOLIUM
(WF) WESTRINGEA FRUTICOSA
(WW) WESTRINGEA 'WYNYABBIE GEM'
(HC) HYPERICUM CALYCINUM

NO:
4
2
4
6
10
22
19
5



NOTES:
ALL CANOPIES SHOWN ARE TO SCALE.
CONCRETE GARDEN EDGING.

CLIENT:

PROJECT:
**PROPOSED DUAL
OCCUPANCY**

**BLOCK: 18
SECTION: 66
O'CONNER**

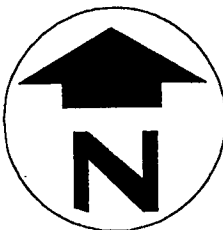
AREAS:

**VR CUSTOM DESIGN
DRAFTING
SPECIALISTS**
VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE: 8/11/99 SCALE: 1:200
DRAWN: M.GIBB SHEET No: 3 of 12

DRAWING NO: **2919A3**

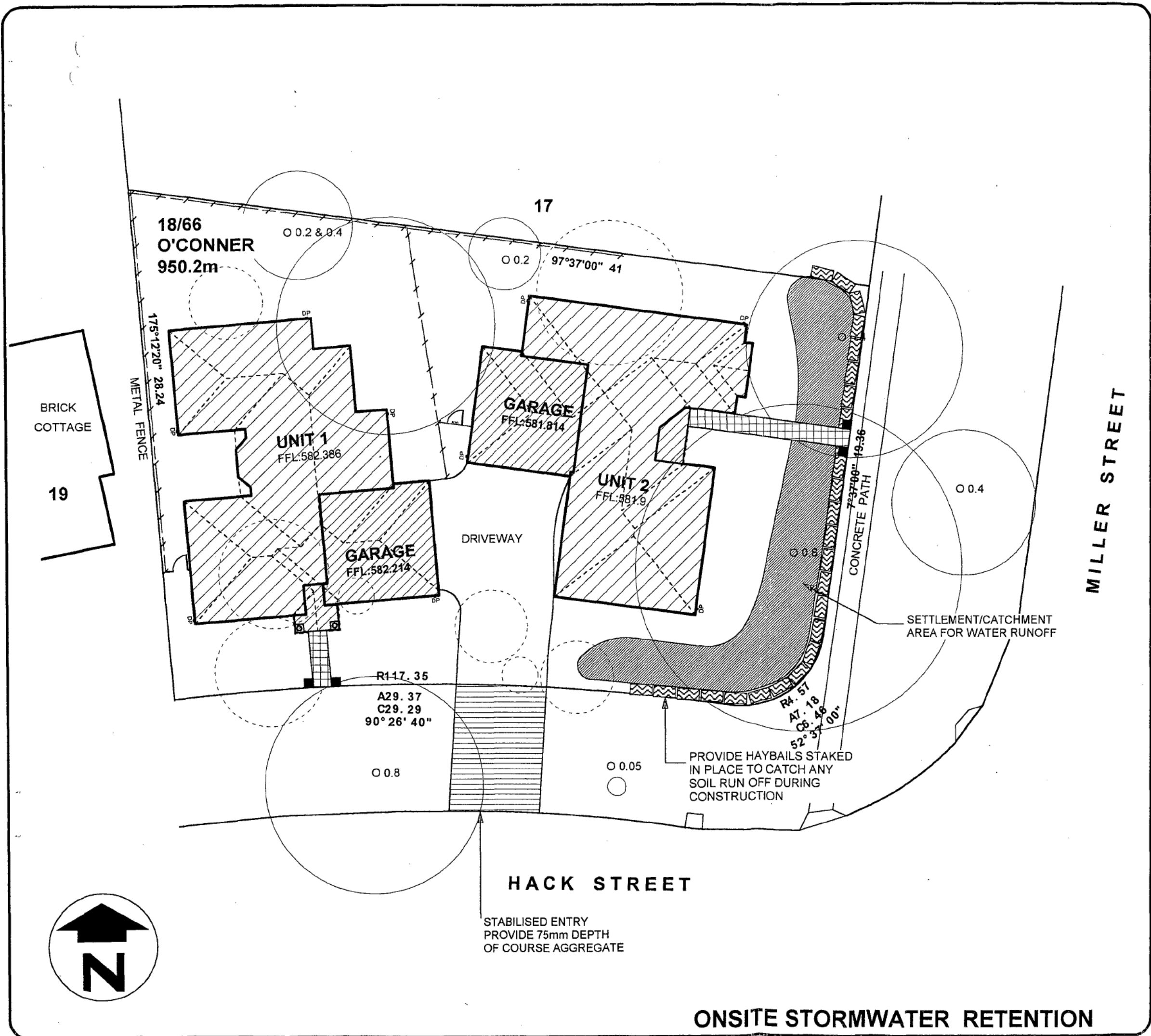
PROPOSED LANDSCAPE



PROVIDE 1.5m HIGH STAR PICKET FENCING AS TEMPORARY BARRIER DURING CONSTRUCTION. VERGE NOT TO BE USED FOR PARKING OR BUILDING MATERIALS DURING CONSTRUCTION.	EXISTING DRIVEWAY TO BE USED FOR ACCESS AND EGRESS ONLY DURING CONSTRUCTION.
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VERGE MANGEMENT PLAN

DATE:	8/11/99	SCALE:	1:200
DRAWN:	M.GIBB	SHEET No:	4 of 12
DRAWING NO:		2919A3	



★ ★ ★
ACT HOUSE ENTERPRISES
 9 - NOV 1999
 Accredited Assessor

NOTES:

CLIENT:

PROJECT:
PROPOSED DUAL OCCUPANCY

BLOCK: 18	AREAS:
SECTION: 66	
O'CONNER	

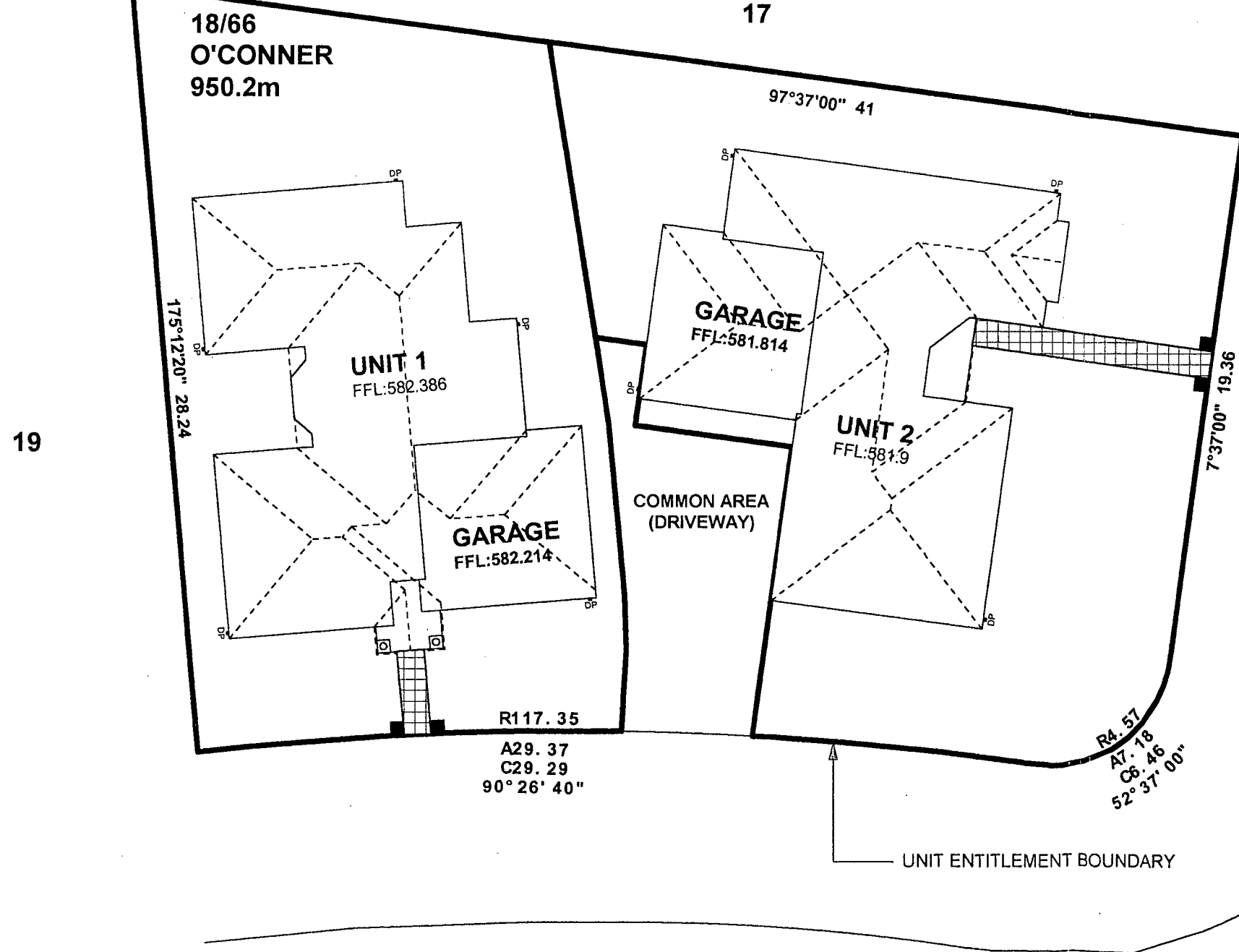
VR CUSTOM DESIGN DRAFTING SPECIALISTS

VR DRAFTING SERVICE
 PH(02)6239 1235 FAX(02)6239 1276

DATE: 8/11/99	SCALE: 1:200
DRAWN: M.GIBB	SHEET No: 5 of 12

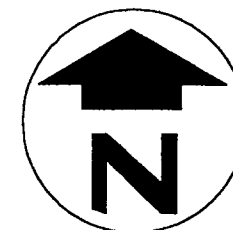
DRAWING NO: **2919A3**

ONSITE STORMWATER RETENTION



HACK STREET

MILLER STREET



UNIT ENTITLEMENT PLAN

ACT HOUSE ENERGY RATING
 9 - NOV 1999
 Accredited Assessor

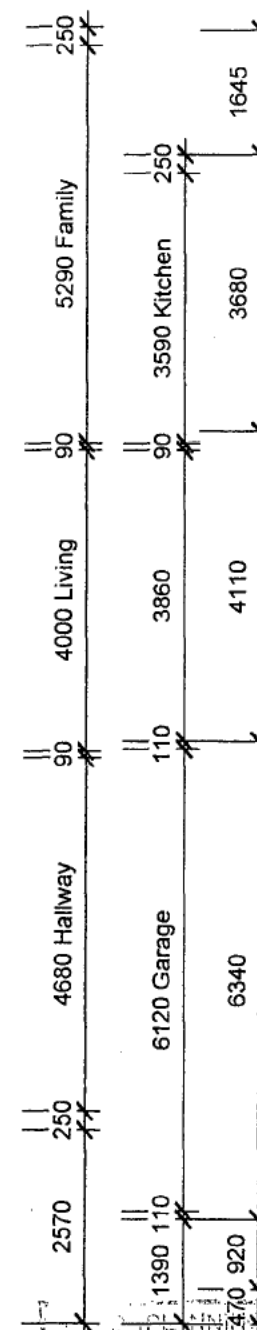
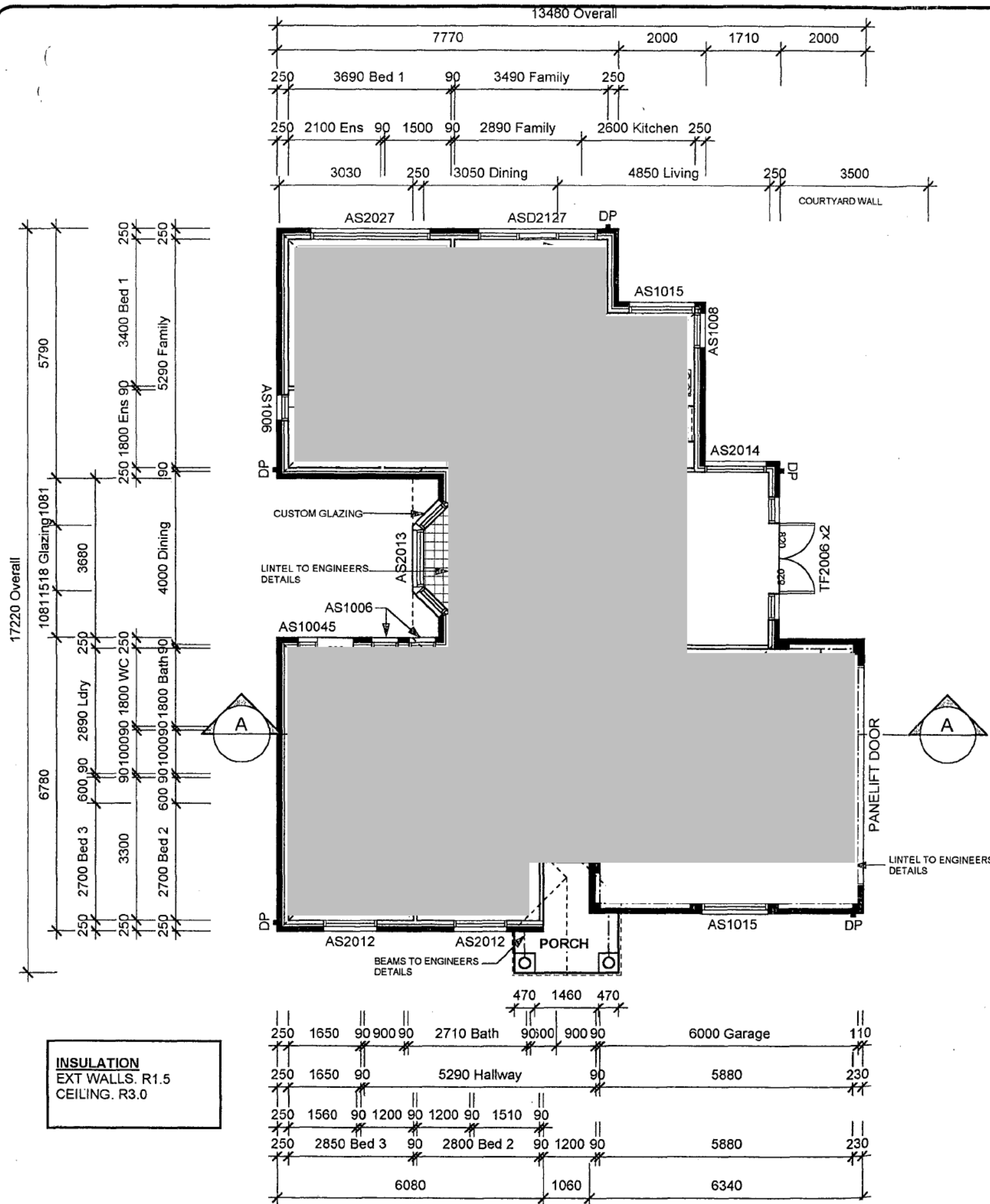
NOTES:

CLIENT:

PROJECT:
 PROPOSED DUAL
 OCCUPANCY
 BLOCK: 18
 SECTION: 66
 O'CONNER

VR CUSTOM DESIGN
 DRAFTING
 SPECIALISTS
 VR DRAFTING SERVICE
 PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:200
DRAWN:	M.GIBB	SHEET No:	6 of 12
DRAWING NO:		2919A3	



PLANNING AND ENVIRONMENT
ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 245
9 NOV 1999

Delegate of the Minister
**SUBJECT TO THE CONDITIONS
SET OUT IN THE NOTICE OF
DECISION DATED 22/11/99**

ACT HOUSE ENERGY RATING
9 - NOV 1999

NOTES:
DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.
ALL TIMBER FRAMING & CONSTRUCTION MUST COMPLY WITH AS1684-1992 "TIMBER FRAMING CODE".
LINTELS TO MANUFACTURERS CHARTS.
ALL CONCRETE SLABS AND FOOTINGS ARE SUBJECT TO SOIL CLASSIFICATION AND AS2870.1-1988, "RESIDENTIAL SLABS AND FOOTINGS".
SMOKE ALARM TO AS3786 HARDWIRED IN POSITION SHOWN TO AS3000.
ALL BUILDING WORK TO COMPLY WITH "THE BUILDING CODE OF AUSTRALIA", AND A.C.T. SUPPLIMENTS.
MAINTAIN CAVITY CONSTRUCTION.

CLIENT:

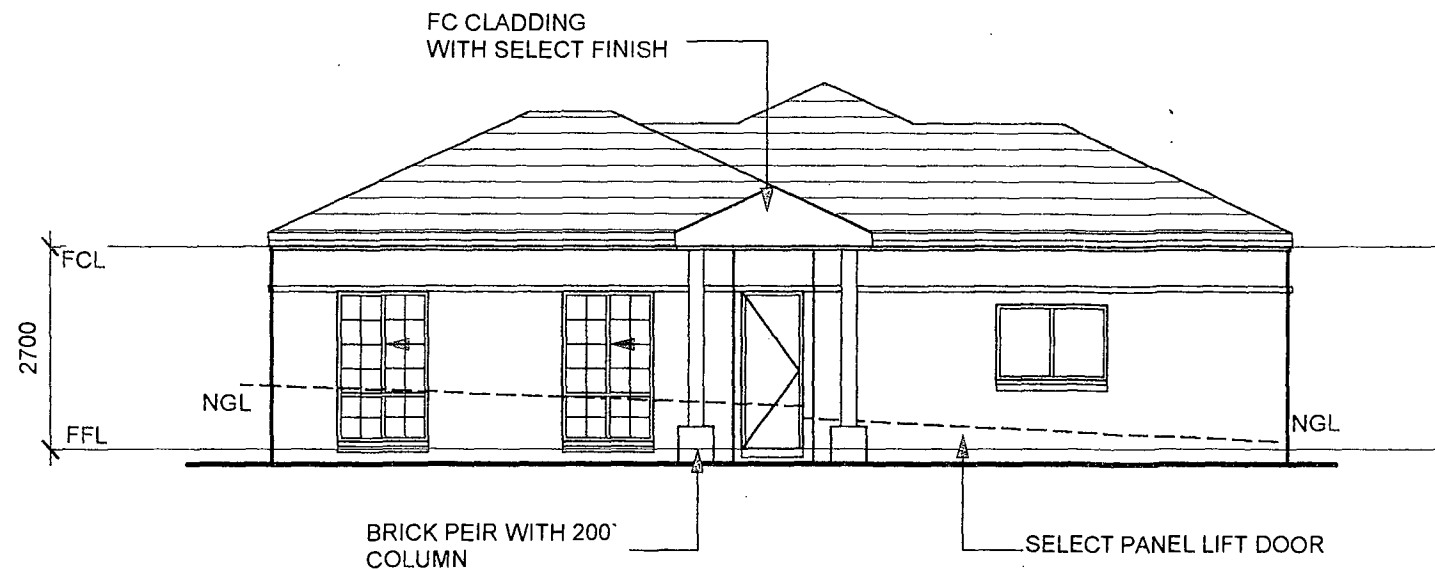
PROJECT:
**PROPOSED DUAL
OCCUPANCY**

BLOCK: 18	AREAS:
SECTION: 66	RESIDENCE: 132.6m ²
O'CONNER	GARAGE: 38.0m ²
	PORCH: 4.3m ²
	TOTAL: 174.9m²

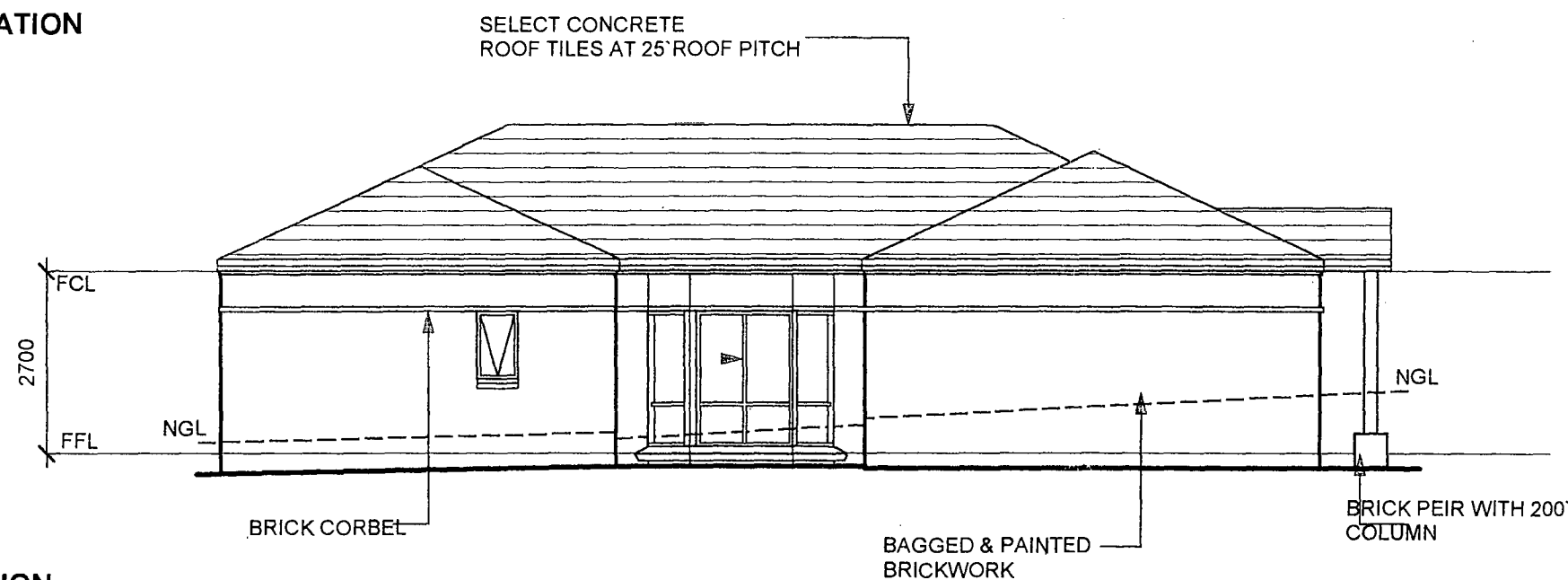
**VR CUSTOM DESIGN
DRAFTING
SPECIALISTS**

VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

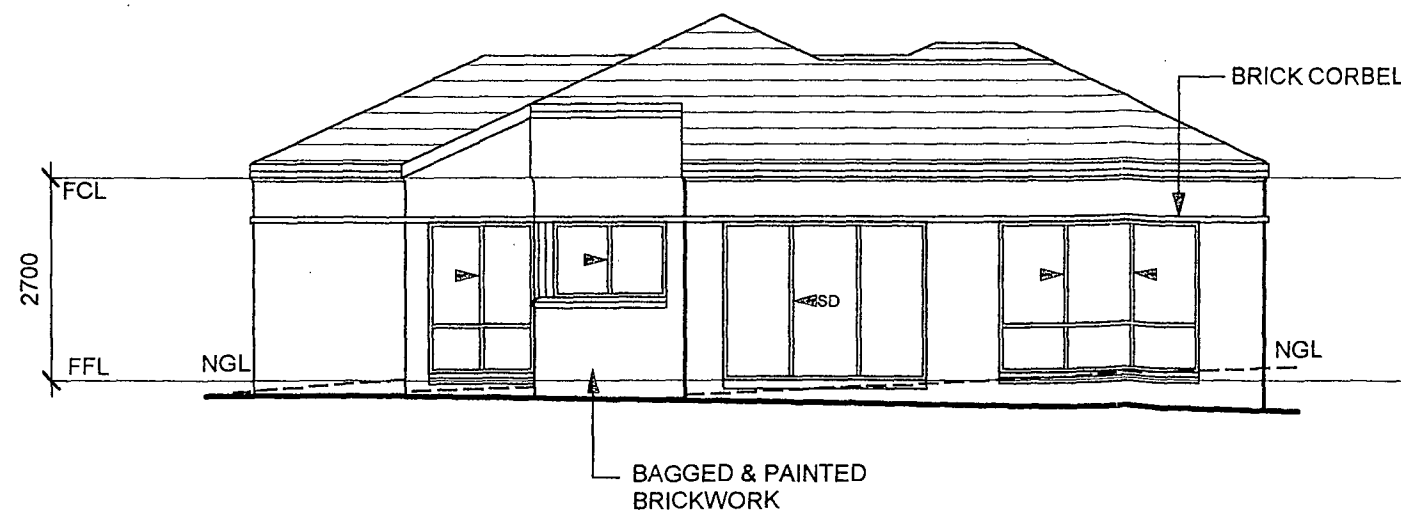
DATE:	8/11/99	SCALE:	1:100
DRAWN:	M.GIBB	SHEET No:	7 of 12
DRAWING NO:	2919A3		



FRONT ELEVATION

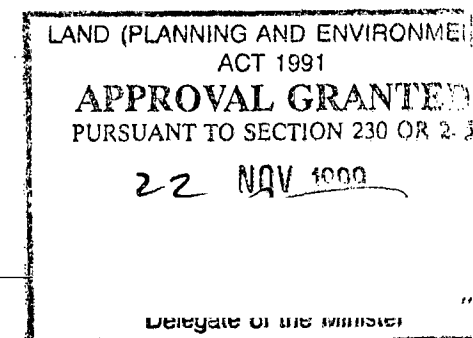


SIDE ELEVATION

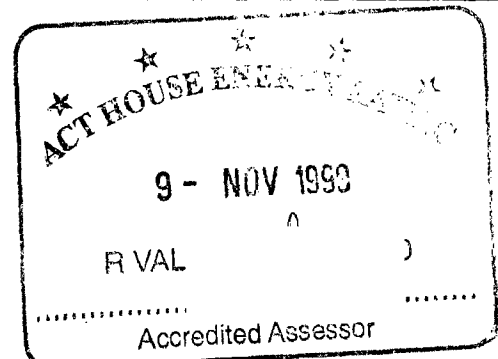


REAR ELEVATION

(UNIT 1) ELEVATIONS



SUBJECT TO THE CONDITIONS
SET OUT IN THE NOTICE OF
DECISION DATED 22/11/99



NOTES:

CLIENT:

PROJECT:

**PROPOSED DUAL
OCCUPANCY**

**BLOCK: 18
SECTION: 66
O'CONNER**

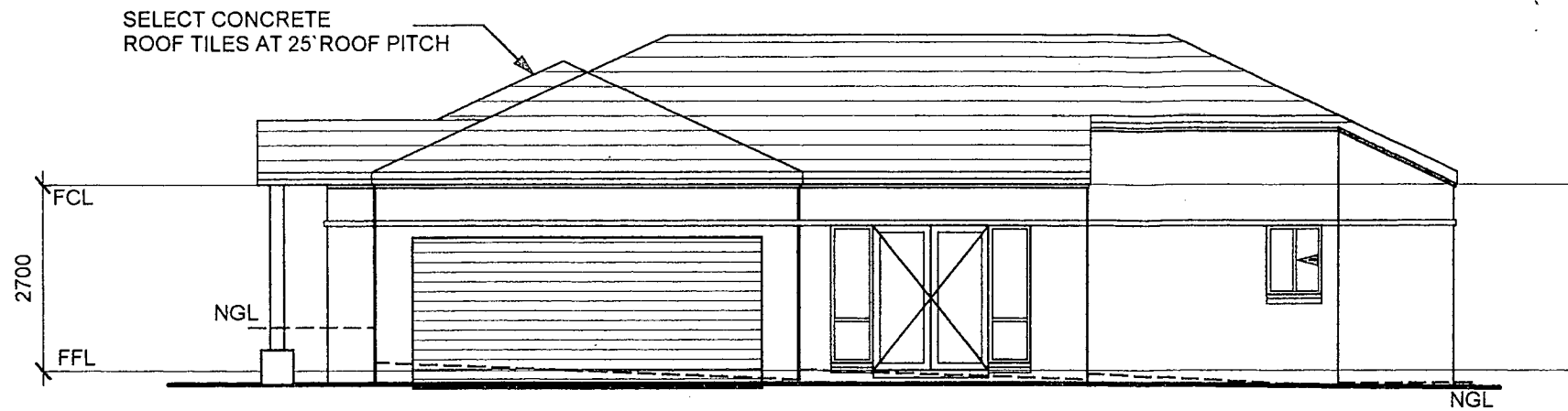
AREAS:



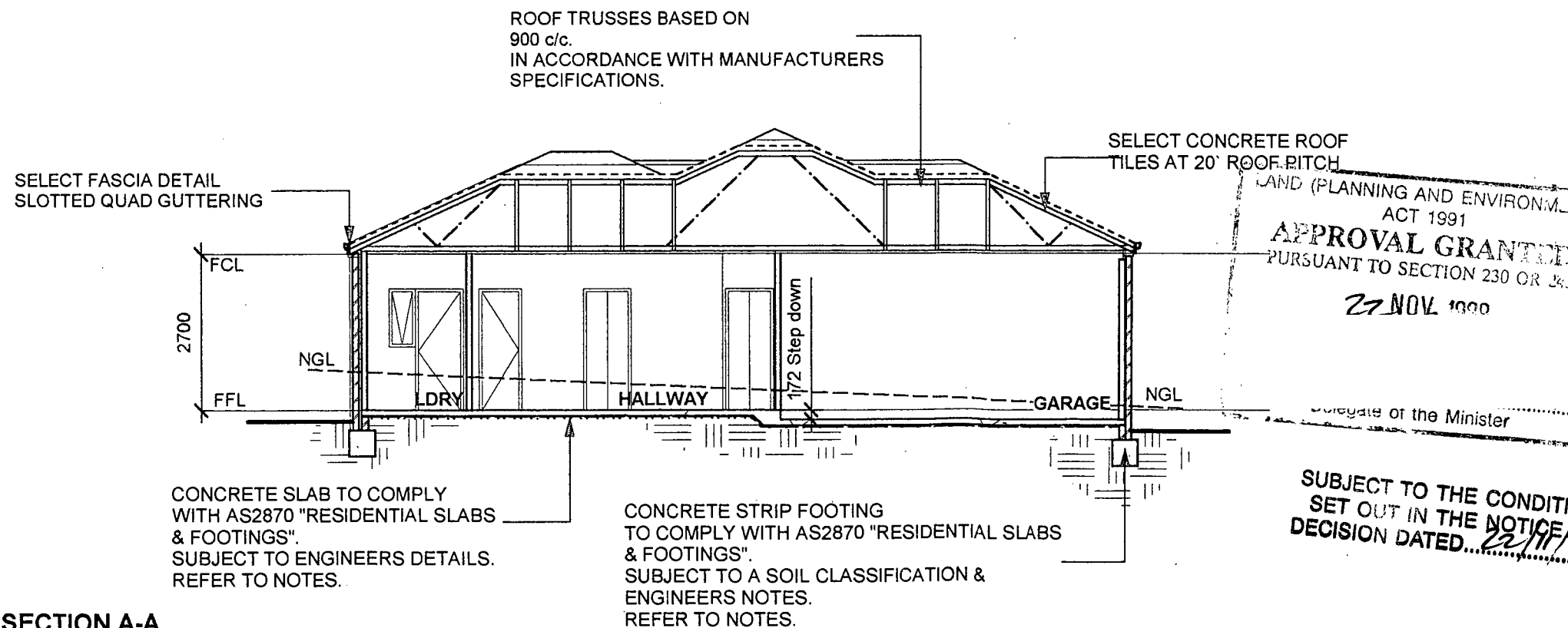
VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:100
DRAWN:	M.GIBB	SHEET No:	8 of 12

DRAWING NO: **2919A3**

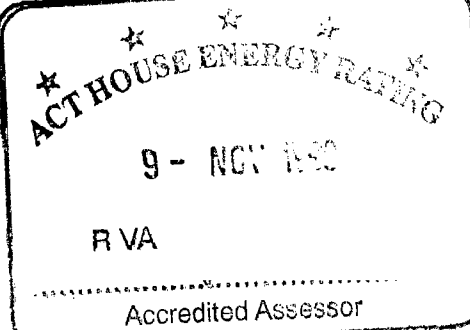


SIDE ELEVATION



SECTION A-A

(UNIT 1) ELEVATION & SECTION



NOTES:

DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.
ALL TIMBER FRAMING & CONSTRUCTION MUST COMPLY WITH AS1684-1992 "TIMBER FRAMING CODE".
LINTELS TO MANUFACTURERS CHARTS.
ALL CONCRETE SLABS AND FOOTINGS ARE SUBJECT TO SOIL CLASSIFICATION AND AS2870.1-1988. "RESIDENTIAL SLABS AND FOOTINGS".
DESIGN WIND LOADING 33M/S TERRAIN CATEGORY 3.
ALL BUILDING WORK TO COMPLY WITH "THE BUILDING CODE OF AUSTRALIA", AND A.C.T. SUPPLIMENTS.

CLIENT:

PROJECT:

**PROPOSED DUAL
OCCUPANCY**

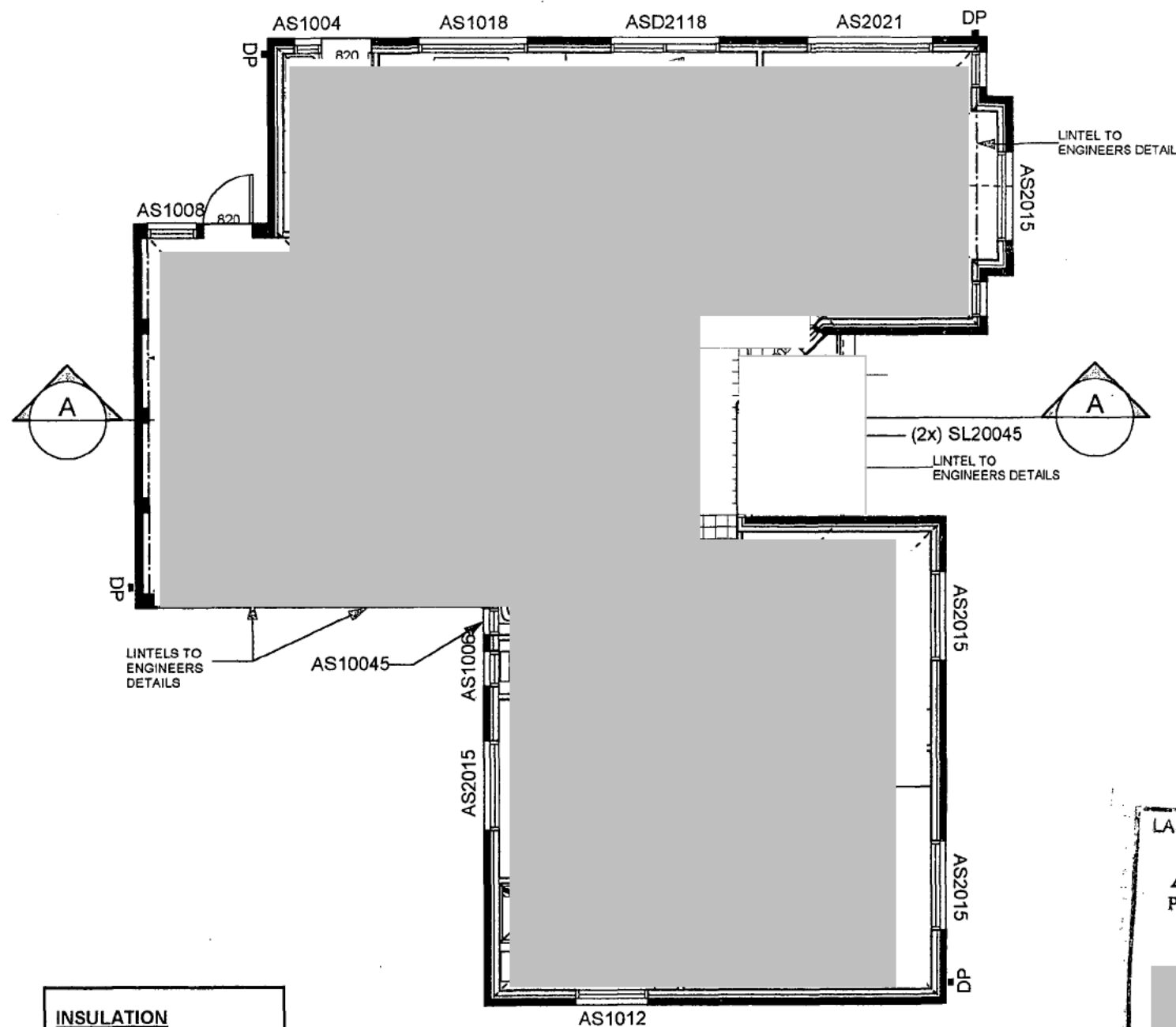
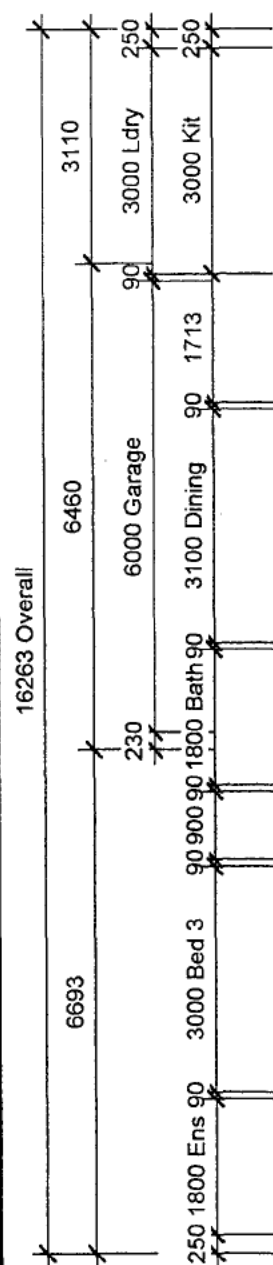
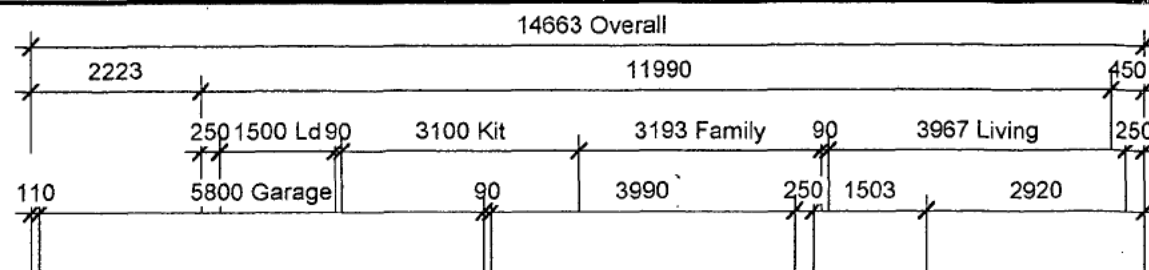
**BLOCK: 18
SECTION: 66
O'CONNER**

AREAS:

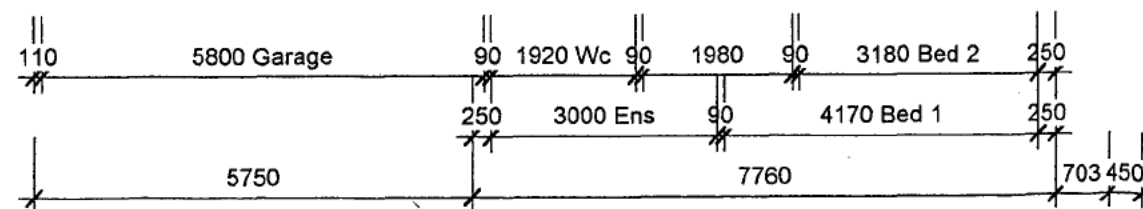


VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:100
DRAWN:	M.GIBB	SHEET No:	9 of 12
DRAWING NO:	2919A3		



INSULATION
EXT WALLS. R2.0
CEILING. R4.0



(UNIT 2) FLOOR PLAN

★ ★ ★
ACT HOUSE ENERGY RATING
9 - NOV 1999
R VALI
Accredited Assessor

NOTES:
DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.
ALL TIMBER FRAMING & CONSTRUCTION MUST COMPLY WITH AS1684-1992 "TIMBER FRAMING CODE".
LINTELS TO MANUFACTURERS CHARTS.
ALL CONCRETE SLABS AND FOOTINGS ARE SUBJECT TO SOIL CLASSIFICATION AND AS2870.1-1988. "RESIDENTIAL SLABS AND FOOTINGS".
SMOKE ALARM TO AS3786 HARDWIRED IN POSITION SHOWN TO AS3000.
ALL BUILDING WORK TO COMPLY WITH "THE BUILDING CODE OF AUSTRALIA", AND A.C.T. SUPPLIMENTS.
MAINTAIN CAVITY CONSTRUCTION.

CLIENT:

PROJECT:

**PROPOSED DUAL
OCCUPANCY**

**BLOCK: 18
SECTION: 66
O'CONNER**

AREAS:
RESIDENCE: 132.6m²
GARAGE: 37.3m²
PORCH: 3.8m²
TOTAL: 173.7m²

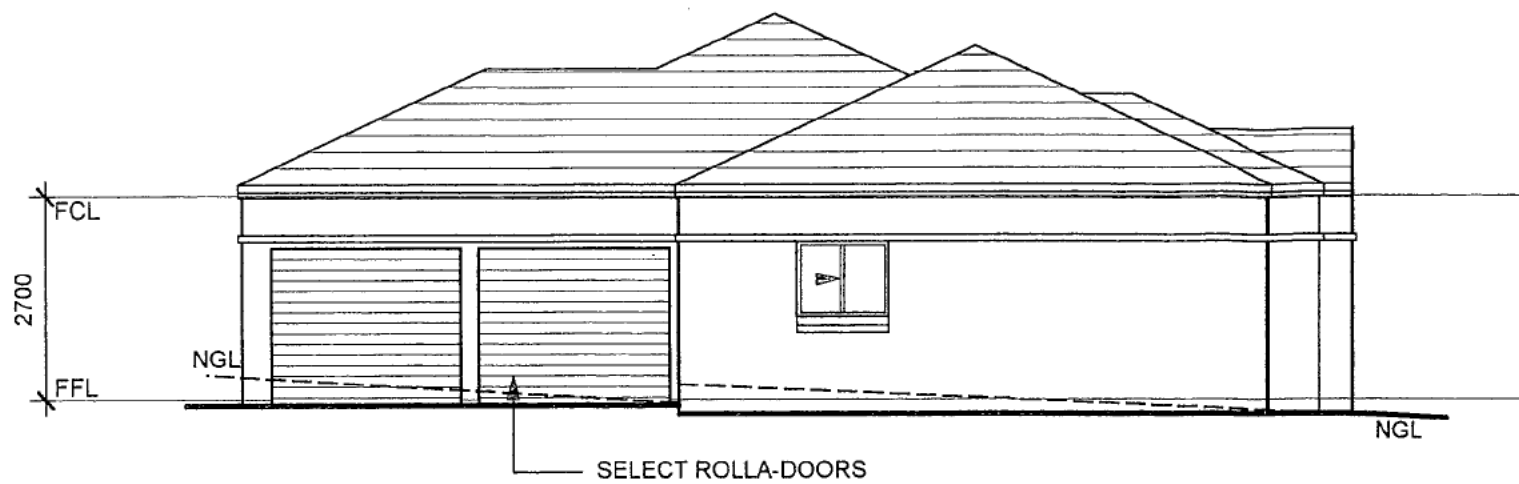
LAND (PLANNING AND ENVIRONMENT)
ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 236
22 NOV 1999

SUBJECT TO THE CONDITIONS
SET OUT IN THE NOTICE OF
DECISION DATED 22/11/99

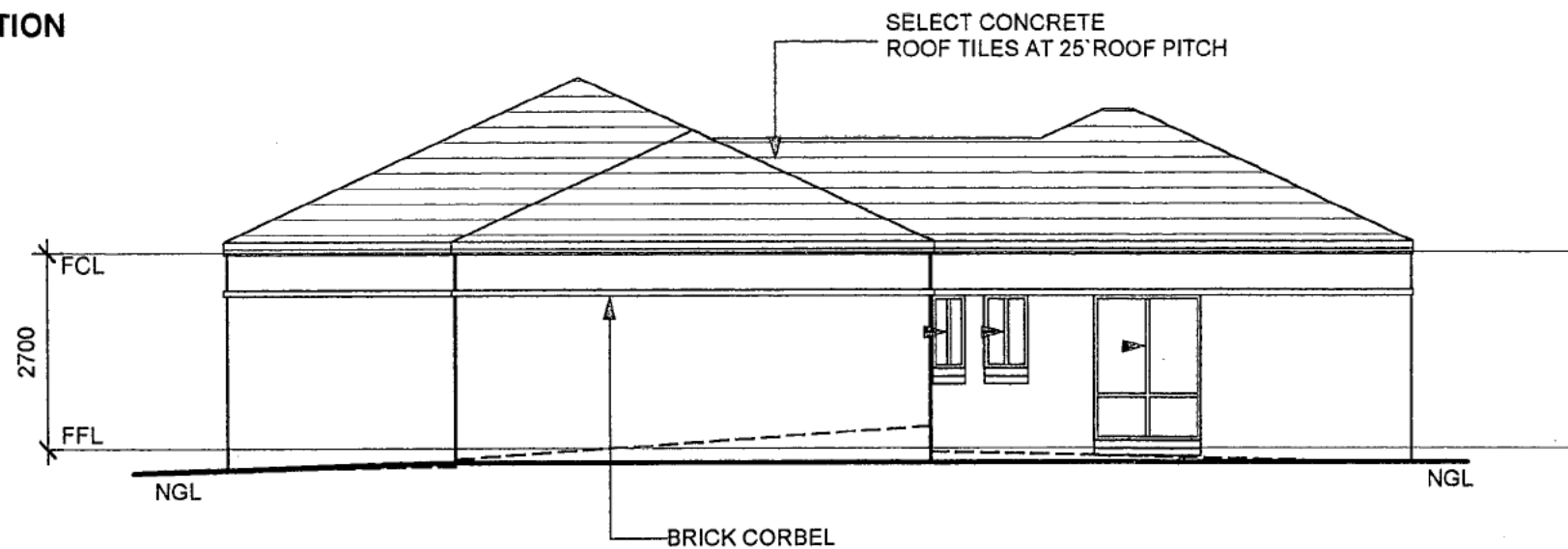
**VR CUSTOM DESIGN
DRAFTING
SPECIALISTS**

VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

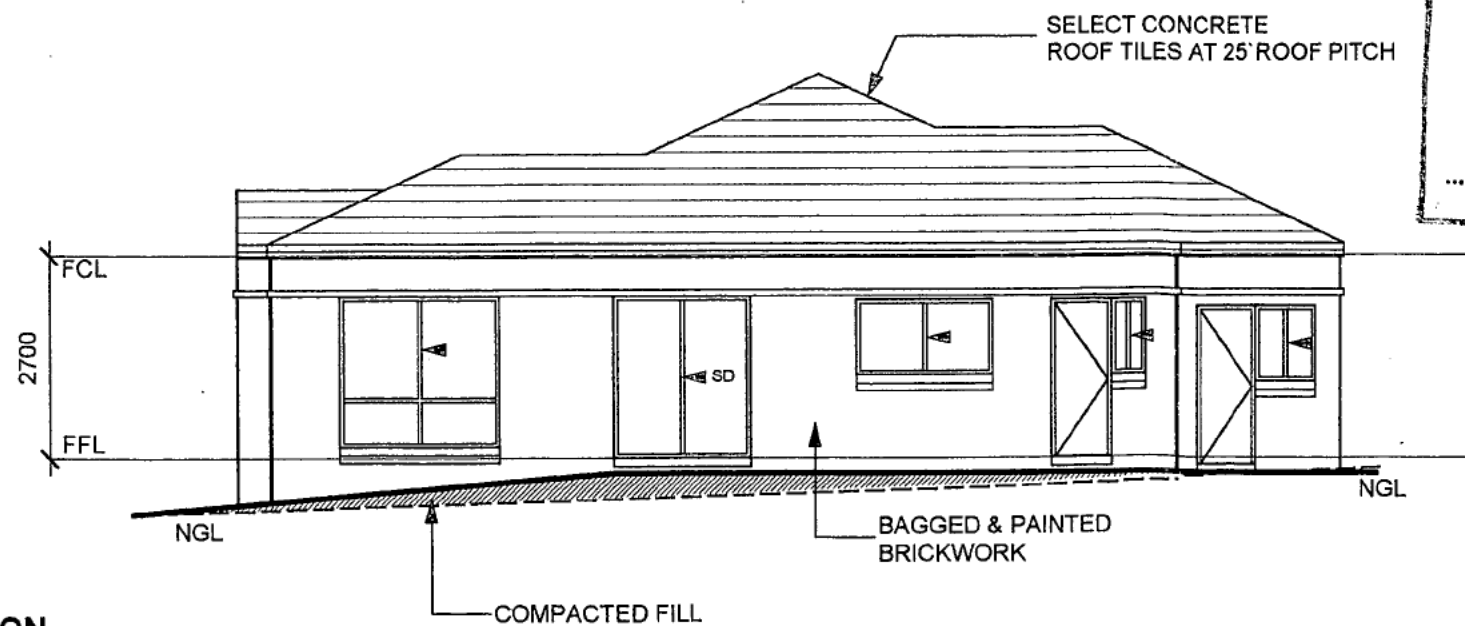
DATE: 8/11/99 SCALE: 1:100
DRAWN: M.GIBB SHEET No: 10 of 12
DRAWING NO: **2919A3**



FRONT ELEVATION

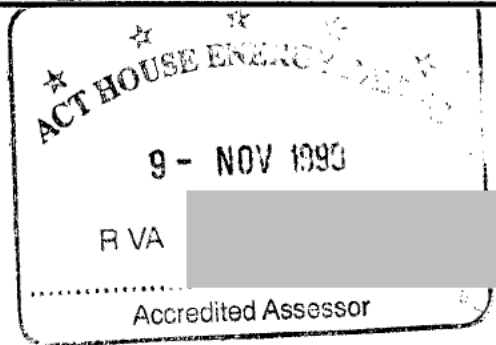


SIDE ELEVATION



REAR ELEVATION

(UNIT 2) ELEVATIONS



NOTES:

CLIENT:

PROJECT:

**PROPOSED DUAL
OCCUPANCY**

**BLOCK: 18
SECTION: 66
O'CONNER**

AREAS:

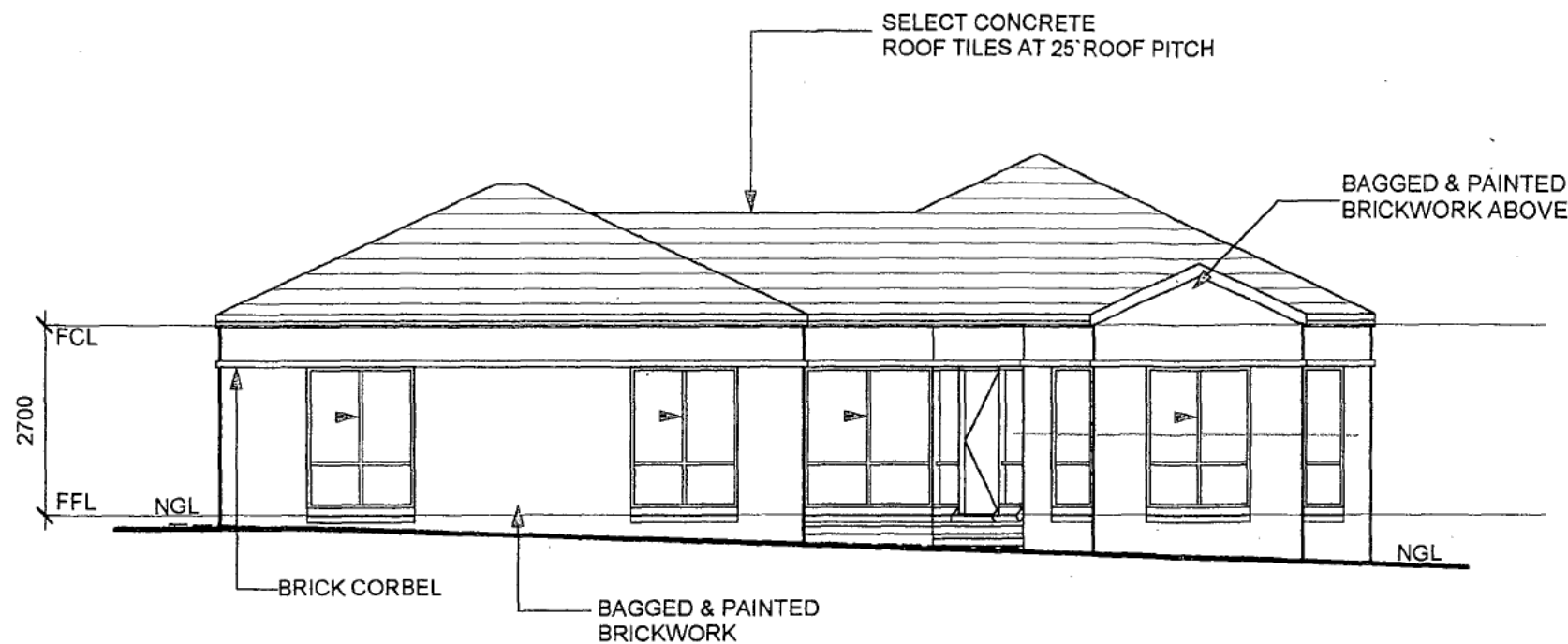
LAND (PLANNING AND ENVIRONMENT)
ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 245
22 NOV 1990

SUBJECT TO THE CONDITIONS
SET OUT IN THE NOTICE OF
DECISION DATED 22/11/88

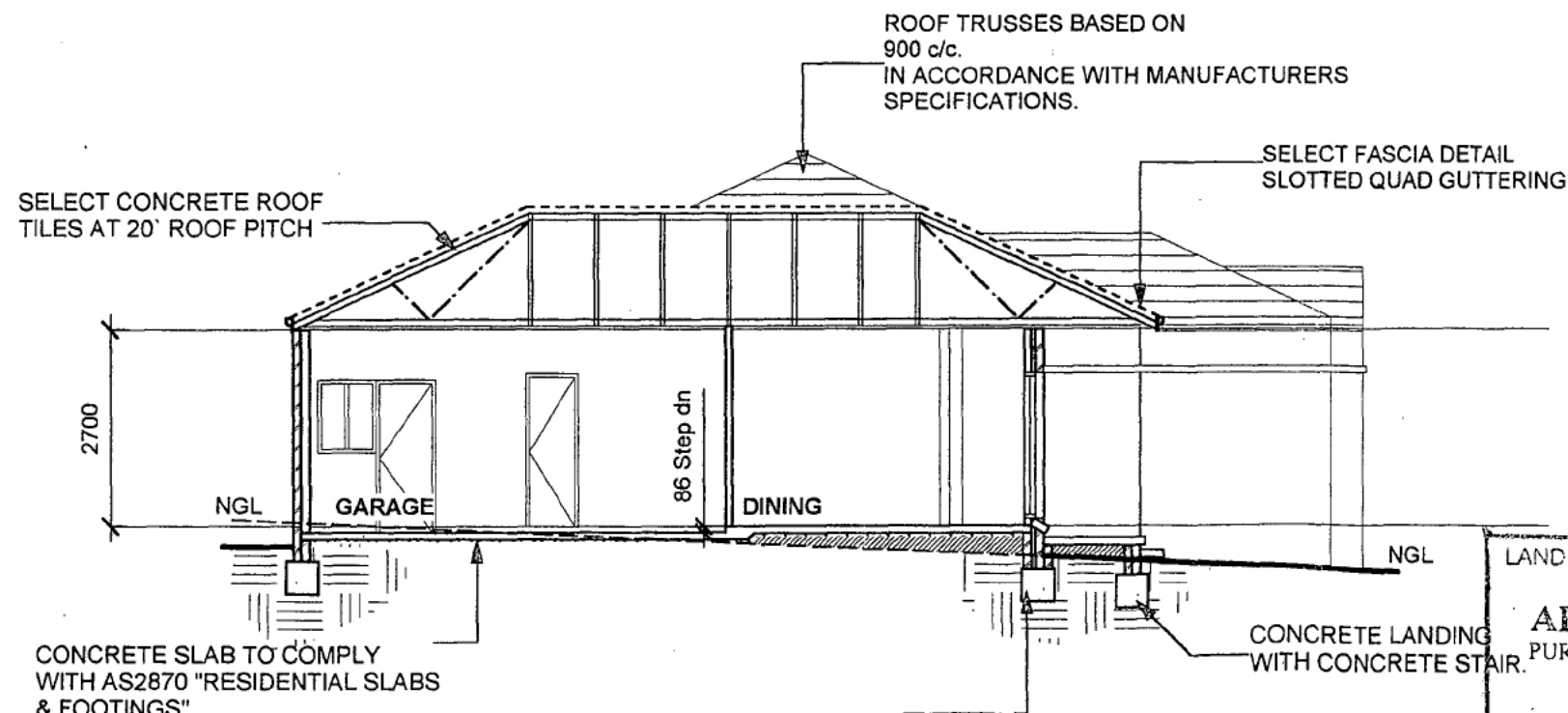
VR CUSTOM DESIGN
DRAFTING
SPECIALISTS

VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:100
DRAWN:	M.GIBB	SHEET No:	11 of 12
DRAWING NO:		2919A3	



SIDE ELEVATION



SECTION A-A

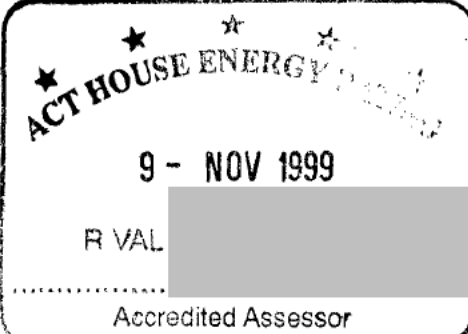
CONCRETE STRIP FOOTING TO COMPLY WITH AS2870 "RESIDENTIAL SLABS & FOOTINGS". SUBJECT TO A SOIL CLASSIFICATION & ENGINEERS NOTES. REFER TO NOTES.

NOTE:
WHERE EXCESSIVE FILL UNDER CONCRETE SLAB IS REQUIRED. REFER TO ENGINEERS DETAILS & AS2870 "RESIDENTIAL SLABS & FOOTINGS".

LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
PURSUANT TO SECTION 230 OR 235
22 NOV 1999

Delegate of the Minister
SUBJECT TO THE CONDITIONS SET OUT IN THE NOTICE OF DECISION DATED 22/11/99

(UNIT 2) ELEVATION & SECTION



NOTES:

DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.
ALL TIMBER FRAMING & CONSTRUCTION MUST COMPLY WITH AS1684-1992 "TIMBER FRAMING CODE".
LINTELS TO MANUFACTURERS CHARTS.
ALL CONCRETE SLABS AND FOOTINGS ARE SUBJECT TO SOIL CLASSIFICATION AND AS2870.1-1988. "RESIDENTIAL SLABS AND FOOTINGS".
DESIGN WIND LOADING 33M/S TERRAIN CATEGORY 3.
ALL BUILDING WORK TO COMPLY WITH "THE BUILDING CODE OF AUSTRALIA", AND A.C.T. SUPPLIMENTS.

CLIENT:

PROJECT:

PROPOSED DUAL OCCUPANCY

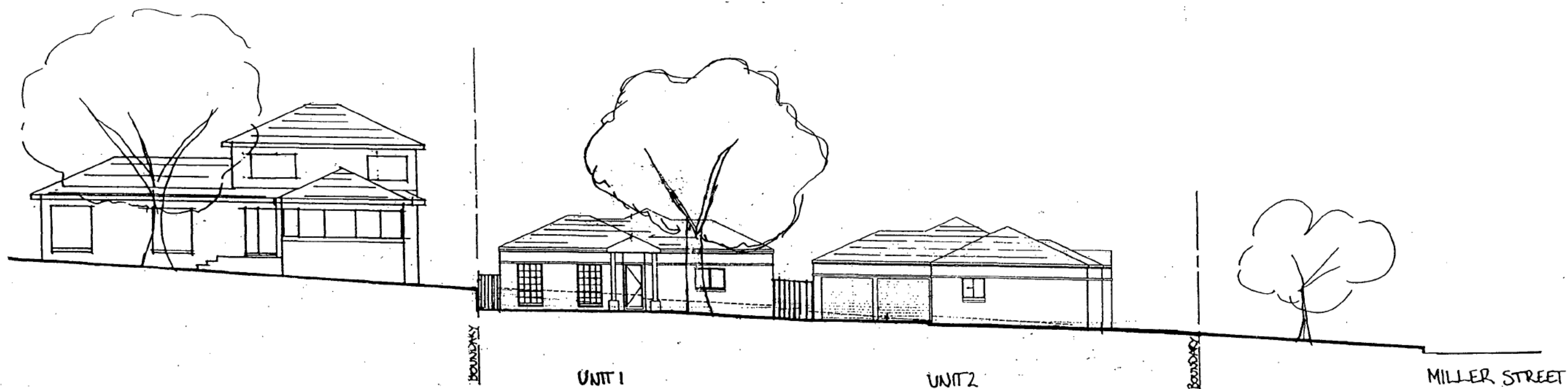
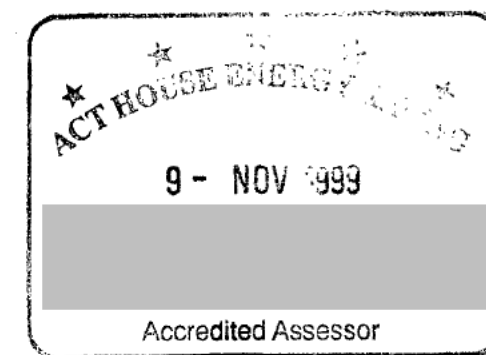
**BLOCK: 18
SECTION: 66
O'CONNER**

AREAS:

VR CUSTOM DESIGN DRAFTING SPECIALISTS
VR DRAFTING SERVICE
PH(02)6239 1235 FAX(02)6239 1276

DATE:	8/11/99	SCALE:	1:100
DRAWN:	M.GIBB	SHEET No:	12 of 12

DRAWING NO: **2919A3**



Block 18/66

HACK STREET ELEVATION (1:200)



8

NOTICE OF DECISION

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

APPLICATION NO: 200706030 DATE LODGED: 06 February 2008

BLOCK: 1 SECTION: 84 SUBURB : O'CONNOR

ADDRESS:

APPLICANT: Frasers Finline

LESSEE:

1.0 THE PROPOSAL

The application seeks approval for:

(a) additions to an existing dual occupancy, including:

- (i) a garage;
- (ii) workshop and ensuite; and
- (iii) hardstand space;

(b) associated site works.

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, **OWEN PANKHURST**, 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 Frasers Finline,

Site Plan	Dwg No: 0790	10 December 2007
Floor Plan	Dwg No: 0790	10 December 2007
Elevation & Section	Dwg No: 0790	10 December 2007
Elevations	Dwg No: 0790	10 December 2007

- (b) any amendments to those drawings or other items and additional drawings or other items approved or accepted in accordance with the following conditions;

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

Completion

- 2. 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; and

Notes:

- 1. *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.*
- 2. *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.*

Tree Protection

- 3. that the applicant/lessee shall protect and maintain in accordance with Canberra Landscape Guidelines all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and/or a Tree Management Plan. Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site;

Note: *A Tree Management Plan is required where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees under the Tree Protection Act 2005. Appendix 1 contains relevant advice.*

3.0 DATE THAT THIS APPROVAL TAKES EFFECT

This approval is effective from the date of this notice. The effective date could be adjusted if the approval is reconsidered by the Planning and Land Authority or if an application is made to the ACT Administrative Appeals Tribunal.

4.0 REASONS FOR THE DECISION

The application was approved because, in the form modified by the imposed conditions, it was considered to be consistent with the Territory Plan.



Owen Panthurst
Delegate of the Planning and Land Authority

15 May 2008

5.0 Advice to Applicant

It is noted that the lessee has made an application for subdivision under the Unit Titles Act that had not been finalised at time of this approval. Because these works may have an impact on the unit entitlements and may require the unit title survey to be revised it is recommended that you contact the Authority's Unit Titles area on 6207 1793 to discuss the impact to your application as soon as possible.

APPENDIX 1

Contact Telephone Numbers – Relevant Government Agencies**ACT PLANNING AND LAND AUTHORITY****Development Assessment**

DA Enquiries – Owen Pankhurst	6207 9055
Applications Secretariat	6207 1687

DEPARTMENT OF TERRITORY AND MUNICIPAL SERVICES**Asset Management Services Group**

Asset Acceptance	6207 6594
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Environment Protection and Heritage

Environment Protection Unit	132281
Water Resources Unit	132281
Heritage Unit	132281
Tree Protection Unit	132281

ACT HEALTH

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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6.0 Further Approvals

The attached notice of decision grants approval for those items listed at section 1.0. Further approvals from the Territory may be required, as follows:

Works on unleased Territory land - design acceptance

In accordance with the *Roads and Public Places Act 1937* no work is to be undertaken on unleased Territory Land without the approval of the Territory. Such approval is only given by way of a certificate of design acceptance from Asset Acceptance, Asset Management Services Group, TAMS. Unless a certificate of design acceptance is obtained, and the respective work

completed in accordance with this certificate, a certificate of compliance under s179 of the Land Act, may not be issued. This applies to works such as the construction or upgrading of driveway verge crossings, the replacement of public foot paths, street lighting and verge landscaping.

Use of verges or other unleased Territory land

In accordance with the *Roads and Public Places Act 1937* road verges and other unleased Territory land shall not be used for the carrying out of works, including the storage of materials or waste, without the prior approval of the Territory through Asset Acceptance, TAMS.

Approval required for "Tree Damaging Activity"

A Tree Management Plan under the Tree Protection Act 2005 is required for approval where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees by that Act. Consultation with Environment and Recreation is recommended in the preparation of the Tree Management Plan.

7.0 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.

a. Building Approval

Most building work requires Building Approval. If this applies to your proposal 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.

8.0 Reconsideration of the Decision

If you (the development applicant) 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.

Application 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.

9.0 Review of decisions by the Administrative Appeals Tribunal

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, GPO Box 1908, CANBERRA ACT 2601.

This provision does not apply to objectors.

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

Email: tribunals@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 \$165 (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. 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 may also apply to the ACT Attorney General for financial assistance (refer to section 62 of the *Administrative Appeals Tribunal Act 1989*). 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.

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

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

The ACT Legal Aid Office: phone 1300 654314

Legal Advice Bureau: phone 02 6247 5700