

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** 09B0 - HARRISON BLOCKS 8 & 9 SECTION 4  
**Date:** Wednesday, 6 January 2010 12:52:58 PM  
**Attachments:** [20100106 MEMO response to Notice of Decision.pdf](#)  
[20100106 SOHI Main Report Rev 5.pdf](#)

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Dear All

**Re: HARRISON BLOCKS 8 & 9 SECTION 4**

Please find attached [REDACTED] Memo in response to the Notice of Decision dated 18/12/09 and our Statement of Heritage Impact (Revision 5) for the above project.

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09B0

6 January 2010

Memo to:

## HARRISON BLOCK 8 & 9 SECTION 4

We have been requested by CHC to respond to the heritage issues raised in the ACTPLA Notice of Decision dated 18/12/09 DA 200915923 with S141 A & B.

**B3 Trees of Heritage Value**

This tree 303 is not of heritage value as it fails to reach the threshold of significance for any criteria listed under Section 10 of the Heritage Act 2004. It however is significant under other ACT legislation (Tree Act) and will be addressed by others under direction by Incoll.

**B9 ACT Heritage Council**

Refer Entity Advice. Issues addressed separately below.

**C3 Trees of Heritage Value**

For tree 303 refer comment under B3 above.

For tree 423 comment is noted and will be actioned under direction by Incoll.

**C10 Landscaping & Lighting Plan**

The comment on fences is noted. We point out that most of the current fences are acknowledged in the design and are either retained or replaced with a new fence of sympathetic design or marked to identify the former fence lines. This approach is supported from a Heritage perspective. Other issues will be actioned under direction by Incoll.

**C15 ACT Heritage Council**

Refer Entity Advice. Issues addressed separately below.

**ACT Heritage Council Entity Advice dated 20/11/09**

The following responds to the questions raised.

1. The 1902-4 pise will be conserved. We attach an amended Statement of Heritage Impact which includes the proposed scope of works to Gungaharra Homestead Community Facility dated 11/11/09 which confirms this.
2. The recording requirement is noted and the work can be undertaken. We suggest this include
  - A current floor plan plus external elevation of all buildings (main homestead, machinery shed, 2 cottages)

- Internal elevations of rooms to be demolished and rooms where fittings to be removed in the main homestead (i.e. bathroom, laundry, kitchen)
- Photographs externally of all elevations and internally of all rooms of all buildings.

Incoll to ensure this is actioned.

3. Protection of existing building during demolition is noted. The demolition specification will require a work method statement which will require approval by Eric Martin & Associates (EMA). There will be discussion on site prior to commencing work and a watching brief during the demolition. Incoll to ensure this is actioned.
4. The removal/replacement of tree 423 is noted and will be actioned. This will be actioned by others under direction by Incoll.
5. Amend the Heritage Impact Statement.

We have amended the Statement of Heritage Impact to include additional comments, a report from a structural engineer and attachments to detail the scope of work on the Homestead and outline the scope of work on the Machinery Shed.

We now seek endorsement of this by the ACT Heritage Council.

6. The gravesites only have a general description of their existence in one documented evidence. Despite further research and site investigation no more details can be found. The area described has been left free from buildings but will have some civil and landscaping work undertaken. We believe that ground penetrating radar will serve little purpose and we propose to implement an archaeological watching brief on all work in the area. We seek approval to proceed along these lines.
7. A structural engineer's report is now included in the revised Statement of Heritage Impact.

#### **Further Recommendations**

1. Interpretation signage. This will be implemented and developed in conjunction with the Heritage Unit over the next few months. Incoll to ensure this is actioned.
2. The reuse of materials from the cottages is included in the DA for the orchard/community garden area. Further discussions will occur with the contractor to see if more reuse of existing material is possible which is likely, especially for the Machinery Shed. We can also list what material will be recovered and if not reused, could be provided to ACT Government for the maintenance of other Territory assets. Please advise who to liaise with and who will collect the material.

**Notes:** The following comments are made on some issues included in the Entity Advice.

#### **Archaeology**

There was further research and site investigation taken to clarify all issues on site. These are included as attachment 3 of the Statement of Heritage Impact.

The graves are discussed in Item 6 above.

#### **Pise Construction**

A structural report is now included.

#### **Manager's and Workers' Cottages**

The CMP includes a condition of the buildings which could be generally described as fair. There are no known structural concerns with the buildings. We are advised that the removal of the building is fundamental to the viability of the scheme.

We have added a note in the Statement of Heritage Impact Section 5 and make the comment that the Gungaharra Precinct is less representative than others nearby (i.e. Horse Park, Elm Grove & Wells Station) which have protection by ACT Heritage listing of the whole site including outbuildings.

The conclusion from our assessment in the Statement of Heritage Impact was that what is proposed (for the total site development) is an acceptable outcome.

**Trees**

This is discussed in Item 4 above.

**HIS issues**

We believe these are addressed in the revised Statement of Heritage Impact.

**Public Notification**

Part 3C of the Notice of Decision refers to potential requirements for acoustic treatment of the walls of the machinery shed. This will be included in the assessment when final details of use and needs are resolved.

Yours faithfully



**MULTI-UNIT HOUSING AND  
COMMUNITY CENTRE  
BLOCK 8 SECTION 4 HARRISON**

**Statement of Heritage Impact**

Prepared by

**Eric Martin and Associates**

For

**Community Housing Canberra Pty Ltd**

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Revision 5  
09B0  
06 January 2010

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
Statement of Heritage Impact**

09B0

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Attachment 1 Extracts from Conservation Management Plan re Significance and Conservation Policies.

Attachment 2 Multi-Unit Housing And Community Centre, Block 8 Section 4, Harrison - Report Clarifying Opportunities and Constraints", Issue 1 Draft, 19 August 2009

Attachment 3 Drawings  
Attachment 3a Architectural Plans  
Attachment 3b Landscape Plans  
Attachment 3c Services Plans

Attachment 4 Structural Engineers Report

Attachment 5 Gungaharra Homestead Community Facility – Scope of Work

Attachment 6 Gungaharra Homestead Machinery Shed – Scope of Work

## 1.0 INTRODUCTION

Community Housing Canberra (CHC) has the opportunity to develop the land around Gungaharra Homestead for affordable housing and conserve the Homestead adapting it for some community use. An initial Statement of Heritage Impact was prepared in June 2009. This responded to a preliminary concept plan for the development. A further report was prepared dated 31 August 2009 which discussed the proposal for the residential development and enabled some discussions with ACT Heritage. This report provides a Statement of Heritage Impact on the proposed development as part of the submission of a Development Application.

A subsequent report will detail all work to the original Homestead and Machinery Shed.

## 2.0 BACKGROUND

A Conservation Management Plan for Gungaharra Homestead was prepared by Eric Martin Associates in 2004 (Final Report May 2005) key extracts concerning significance and conservation policies was included in Attachment 1 of this report. As a result of additional research, a separate report was prepared "Clarifying Opportunities and Constraints", Issue 1 Draft, 19 August 2009 (refer Attachment 2). This was used as a base to guide the design together with discussions with ACT Heritage.

## 3.0 PROPOSED DEVELOPMENT

The Statement of Heritage Impact addresses the development as shown on the drawings included in Attachment 3.

## 4.0 STATEMENT OF HERITAGE IMPACT

### 4.1 Main House

#### 4.1.1 Proposed Work

The Main House is to be conserved as a community use building. It will include offices, new toilets, kitchen, lounge and meeting rooms. The proposal involves retention and adaptive re-use of the areas of the House constructed pre-1960. It is proposed to demolish the pise and weather board additions on the north east corner of the house and the internal wall between the pantry and laundry.

The existing kitchen space will be refurbished with a new kitchen to suit the new function. Details are still to be developed. The existing laundry and pantry are to be converted to a toilet facility.

A new gallery room will be constructed in the area of the pise extension and a new wing projecting north from the eastern corner of the house will provide a large multi-purpose hall.

The exterior and interior of the main house will be conserved including the roof and northern verandah area. Final details of finishes and colour schemes for the interiors are still to be developed and will be subject to a further submission.

A detailed scope of work is included as Attachment 5.

#### 4.1.2 Impact on Significance

The CMP places the following significance level on elements within the house:

Considerable	Pise Sections of the main house including details of doors, windows, ceiling, flooring and fireplace
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Some	1928 additions to southwest corner of the Main House  Kitchen and pantry cupboards Main House Bathroom features, bathroom heater, kitchen and pantry cupboards
Little	Post 1930s windows in main house Fabric of front verandah Ensuites and weatherboard additions to east end of main house Weatherboard additions to the northwest corner of the house Plasterboard wall and ceiling linings in main house

#### 4.1.2.1 *Items of Little Significance*

The CMP (Policy 3.4) states that elements of little significance can be “retained, adapted to suit changing requirements or be removed, provided that items of higher significance can be recovered or restored”.

The Demolition of the eastern bathrooms and weatherboard extension is not inconsistent with this policy as it facilitates the more effective use and conservation of the main house.

The impact of this work is minor.

#### 4.1.2.2 *Items of Some Significance*

For items of ‘Some’ significance Policy 3.3 of the CMP states that these ‘should be conserved as far as practical’. This policy also acknowledges some conservation and maintenance works will be required to protect significant elements. Removal of the elements of some significance is not encouraged by the CMP but is not excluded where it allows for conservation of elements of greater significance. The refurbishment of the kitchen bathroom and conversion of the pantry and laundry are considered consistent with this policy as they facilitate the adaptation of the main house for available and compatible new use. Recording of the spaces prior to any work must be a mandatory requirement of any approved.

The impact of this work is minor.

#### 4.1.2.3 *Items of Considerable Significance*

Demolition of the 1950s pise Section will remove fabric assessed as of considerable significance. Minor adaptation is accepted in Policy 3.2 of the CMP but elements should be conserved.

The two walls proposed to be demolished form part of the last Section of pise construction in the house and the walls are in poor condition with extensive settlement and cracking. Attachment 4 includes a structural engineer’s advice on the wall. As there has been settlement, the wall cannot be reinstated without rebuilding. This part of the building has been substantially altered already with large windows cut into the north wall and the former east wall of one room removed. Two doorways on the south wall have also been closed up. The original configuration and fenestration of the rooms is no longer represented.

There is some impact on the significance but given the condition and proposed reuse there is little alternative.

#### **4.2 Machinery Shed**

Conserved for use as a 'Men's Shed' for recreational use by residents. It is understood that minimal internal change is proposed. A subsequent report will detail the work proposed but an initial scope of work is included as Attachment 6.

The Machinery Shed and addition are elements of considerable significance and their adaptive reuse and conservation as a Men's Shed is consistent with the policies of the CMP (Policies 2.1, 3.1, 3.2 and 4.1).

#### **4.3 Worker's Cottage**

It is proposed to demolish the Cottage in the development. The Cottage is identified as of some significance in part 2.3 of the CMP and its removal will therefore have some impact on heritage values.

Policy 2.1 of the CMP states that the houses should continue in a sympathetic use to the residential use as this is the best way to conserve the building.

As an element of some significance conservation is the preferred management approach (Policy 3.3). However there is some scope for alteration or removal if it allows elements of greater significance to be conserved.

The fabric of the Cottage is not assessed by the CMP as being of significance and there is a broad scope for alterations and additions to the exterior and interior contained in the policies. The significance of the Cottage rests solely in its contribution to the complex of building and features which make up the Gungaharra Homestead and collectively demonstrate a 20<sup>th</sup> century small farmlet. The Cottage demonstrates the need to house workers on rural properties.

The demolition of the Cottage will have an impact on the significance however the demolition of the Worker's Cottage needs to be considered in the context of the total development detailed in Section 5.

#### **4.4 Manager's Cottage and Tank Stand**

It is proposed to demolish the Cottage and Tank Stand

As with the Worker's Cottage the Manager's Cottage is identified as of some significance in part 2.3 of the CMP and its removal will therefore have some impact on heritage values. The discussion on this house is similar to the Worker's Cottage (see above in Clause 4.3) and is discussed further in Section 5.

#### **4.5 Tank Stand**

Conserved without loss of heritage values.

#### **4.6 Tennis Court**

It is proposed to demolish the Tennis Court and build 7 single storey units on the east side of the site.

The Tennis Court and fence are identified as elements of some significance in Section 2.3 of the CMP because they demonstrate one of the typical elements of self sufficiency in a rural Homestead along with the two Cottages, Orchard and Machinery Shed.

The discussion on the Tennis Court is similar to the two Cottages (see above in Clauses 4.3 and 4.4) and is discussed further in Section 5.

#### **4.7 Landscape**

##### **4.7.1 Trees**

Many of the trees will be retained, particularly those rated of considerable significance.

The trees that will be removed are primarily because of poor condition and this includes the pines north of the Machinery Shed which are placing the Machinery Shed under threat. The pines at the western end of the turning circle south of the house will be removed and replaced. This will have little impact on heritage values.

The large eucalypt on Sapling Street east of the Worker's Cottage (Tree 303) has no specific heritage significance.

The addition of trees is consistent with the existing plantings and will have minimal impact on heritage values.

##### **4.7.2 Fences**

Many of the fence lines follow original and traditional positions. Very little, if any, fabric is original as they have been replaced over time.

Most of the current fences are acknowledged in the design and are either retained or replaced with new sympathetic fence or markers retained to identify the former fence lines.

The proposed changes will have minimal impact on heritage values.

##### **4.7.3 Orchard**

This will be retained and reinforced as a community garden which will have minimal impact on significance. New structures will use recycled materials from the existing cottages.

##### **4.7.4 Front Garden to House**

This is of little significance and will be re-landscaped, mainly with paving, but within the footprint of the garden.

This will have minimal impact on significance.

#### **4.8 East Side Development**

This intrudes into some of the setting of the Homestead and has some impact on heritage values. Refer comment on Tennis Court in Section 4.6

#### **4.9 North Development**

The proposal involves the erection of 13 single storey units along the northern boundary of the site fronting Sapling Street. Driveway access is from the south of the units and a new roadway will be constructed within the site from a new entry on Sapling Street.

The units to the north east and east of the Main House are located in an area of the site identified as of potential archaeological significance in the CMP. Further investigations in 2009 have identified that there are no archaeological remains of significance in this area.

The development will reduce the visibility of the Main House from Sapling Street but a break in the line of buildings directly north of the Main House retains some visibility from the street. The rural vista from the Main House has been substantially built out since 2005 with the construction of residential suburbs to the north, east and west and the Primary School to the south.

The construction of the units near the existing road entry from Sapling Street needs to be undertaken with an archaeological watching brief as there may be the graves of infants located here. (refer M Truscott "*Field Check NE Corner Gungaharra – Report, Gungaharra APU's SOHI*", 8 September 2009).

Several of the units are located where the Worker's Cottage is currently located. This is discussed in Section 4.3.

#### **4.10 West Development**

The proposal involves construction of 11 single storey units in an area west and southwest of the Machinery Shed.

The development is predicated on the demolition of the Manager's Cottage (discussed in Section 4.4 above) and will include removal of some screen trees.

There is little impact on significance with this work except for the loss of the Manager's Cottage.

An archaeological watching brief will be required for all work south of the Machinery Shed as evidence of earlier buildings may be present.

#### **4.11 Graves**

The area assumed to contain these will only have some minor landscape work and there should be effectively no impact on heritage values. An archaeological watching brief is required for work in this area (refer also Section 4.9).

#### **4.12 Paths and Tracks**

The main drive is to remain but may be stabilised gravel or sealed without kerbs. The stabilised gravel will have less impact. Continued recognition of the original form is essential.

The path to the north acknowledges the existing track. A new track will service the community garden.

These tracks will have minimal impact on heritage values.

Roads servicing the new development will be sealed and while intruding into the space around the house will have little impact.

#### **4.13 Services**

These will be largely buried and except for the archaeological sensitive areas will have little impact on heritage values.

#### **4.14 New Building Form**

The buildings are articulated with soft landscape presentation. They are single storey with mainly skillion metal roof. The roof form is different to the Main House and Machinery Shed. It is deliberately modern but sympathetic in pitch and material (corrugated sheet). This enables the significant building to stand apart from the new more distinctly which will enhance them in the landscape setting.

These are not inconsistent with CMP Policy 4.1.4 and the impact will be small.

## 5.0 COMMENT

In the comparative analysis of significance in the CMP (Clause 4.1) Gungaherra Homestead was identified as a less representative example of a pre-Federal Territory farm complex compared with other ACT Homesteads as:

- It only has three outbuildings where places such as Wells Station, Elm Grove and Horse Park (which are all within a 5 km radius) retain a more extensive collection of buildings
- The collection of buildings including two Cottages and 5 stages of construction of the Main House were considered by the CMP as of interest as they help to demonstrate the evolution of growth of the farm and the rural lifestyle of the period.

The loss to the significance of the place through these works would be the loss of integrity of a relatively intact representative mid-late 20<sup>th</sup> century rural farm complex.

In reviewing the Statement of Significance the following comments are made:

- |             |   |
|-------------|---|
| Para 1      | The associational values remain.  |
| Paras 2 & 5 | The precinct values and demonstration of a farm complex are compromised with the loss of the Cottages and Tennis Court, but the more significant elements are conserved although squeezed in with adjacent development. It is also noted that within the Gungahlin area more substantial and representative farm precincts remain (Wells Station, Horse Park, Elm Grove). |
| Paras 3 & 4 | The rise and values of the house remain.  |
| Paras 5 & 6 | Wells Station Road and main landscape elements remain.  |

The only way to reduce the impact on the heritage values is to reduce the size of development. We understand that this will affect the viability of the proposal, unless compensated for initially and as an ongoing concern. It is also possible that without this or a similar development there may not be the funds available to conserve the more significant elements on the site and have them effectively adapted for an ongoing use.

## 6.0 CONCLUSION AND RECOMMENDATIONS

The primary question is whether the compromise of some impact on heritage values is worth the conservation of the core and main elements of the site.

We consider that what is proposed an acceptable outcome due to the positive conservation of the main culturally significant individual and landscape elements of the site.

It is essential that more details and separate submissions are prepared on the Machinery Shed.

Any element that is to be demolished such as the Worker's Cottage, Manager's Cottage and tank stand, Tennis Court to be photographically recorded externally and internally before any work occurs on site. The record is to be archived with the ACT Heritage Library. The landscape elements of trees and fences to be photographed and the record archived with the ACT Heritage Library.

An Interpretation Plan for the site needs be submitted to ACT Heritage Unit for approval.

Any construction over potential archaeological remains requires an archaeological watching brief and power to stop, collect and record any material found.

**ATTACHMENT 1**

**EXTRACTS FROM CONSERVATION  
MANAGEMENT PLAN RE SIGNIFICANCE AND  
CONSERVATION POLICIES**

## SIGNIFICANCE AND CONSERVATION POLICIES

### Background

The property has been nominated to the ACT Heritage Register. A Conservation Management Plan (CMP) was prepared for the place in 2004 by Eric Martin and Associates (Final Draft completed in May 2005). As the property has not been registered, the CMP is used as a key document in the assessment of future proposals which may impact on the significance of the place. The CMP however has not yet been endorsed by the ACT Heritage Council.

Gungaharra Homestead is recorded on the National Trust of Australia (ACT) Register of Classified Places. It is also included on the Register of the National Estate.

### Statement of Significance

The statement of Significance for Gungaharra Homestead in Section 4.3 of the CMP states:

*Gungaharra Homestead is associated with the early closer settlement of the region in the 1860's through selection following the Robertson Land Act 1861. It was first owned by John and Jemima Winter who were large land holders in the area. Three of the Winters sons were instrumental in introducing mechanical farming to the region in the early 20<sup>th</sup> Century. In the 1890s they were assisting William Farrer.*

*The Gungaharra Homestead sits within a precinct, the 'home paddocks' area, defined as such from early in its establishment by the surviving fence line. This precinct includes all the former domestic and central work requirements for such a grazing and farming property, including domestic residences, work sheds, animal pens, vegetable gardens and orchard and dam and tanks, that looks out over the expanse of the Gungaharra holding.*

*The main house at Gungaharra was built for the oldest brother William using Pise wall construction. The house was constructed in 1902 – 04 by Sydney Greig, one of a family of brothers who were notable pise builders in the district around the end of the 19<sup>th</sup> Century. The house is unusual in that it has been extended at least 5 times and two of these stages used pise construction. The pise additions were undertaken when this form of construction was no longer popular and the 1950's addition may be one of the last uses of pise in the ACT, associated with historic building.*

*The number of pise buildings in the ACT is diminishing and intact examples are becoming rare. Gungaharra main house is one the last surviving pise (part) residences in the north of the ACT and part of a small collection in the ACT.*

*The Homestead complex also demonstrates typical aspects of former lifestyles, such as the Machinery Shed, Manager and Worker's Cottages, Orchard and the Tennis Court, which were typical aspects of self sufficiency and a rural lifestyle. The sequence of extensions to the main house illustrates the growth and change of the Homestead over time.*

*Wells Station Road which is within the curtilage is a rare surviving pre 19<sup>th</sup> Century tracks in the area. The Road extending from Gungaharra Homestead to Wells Station Homestead, represents a typical gravel country road which is rare in this district today. The line of pines extending alongside the Gungaharra Homestead Block and extending about 300m along the east side of the original 40 acre selection are characteristic of exotic plantings of the time to demarcate entrance ways to country properties.*

*The Monterey Pines lining the loop drive, Wells Station Road around the shed are representative of the development to a mid 20<sup>th</sup> Century rural domestic landscape and the use of trees for enclosure and protection the surviving remnant fruit trees are reminders of the need to be self sufficient even in the mid 20<sup>th</sup> Century<sup>1</sup>*

**Elements of Significance**

The significant elements of the place are listed in Section 4.4 of the CMP as follows<sup>2</sup>:

**EXTERIOR**

Considerable	Some	Little	Intrusive
<ul style="list-style-type: none"> <li>• Monterey pines and pre 1940's gums on Wells Station Road</li> <li>• Pines within the 'house paddock'.</li> <li>• Remnant fruit trees</li> <li>• Machinery Shed inc addition</li> <li>• Pise Sections of main house</li> <li>• Wells Station Road alignment and trees (Monterey Pines and Eucalypts).</li> <li>• Historic fence lines. (</li> <li>• Subsurface remains in north east area.</li> <li>• Open space between buildings with trees as defining and screening elements.</li> </ul>	<ul style="list-style-type: none"> <li>• 1928 Donelly additions</li> <li>• Manager's Cottage and addition</li> <li>• Worker's Cottage</li> <li>• Tankstand and pump beside machine shed</li> <li>• Tank and stand at Manager's Cottage and Main House</li> <li>• Trees within Manager's Cottage and Worker's Cottage yards</li> <li>• Tennis Court and fence.</li> </ul>	<ul style="list-style-type: none"> <li>• Fabric of front verandah</li> <li>• Ensuites and weatherboard additions to east end main house</li> <li>• Additions to Worker's Cottage</li> <li>• Gardens around Main House Manager's Cottage Worker's Cottage</li> <li>• Septic systems</li> <li>• Gardens within loop drive</li> <li>• Awning on North wall Manager's Cottage.</li> <li>• Fencing materials of main house yard</li> <li>• Concrete paths around all houses</li> </ul>	<ul style="list-style-type: none"> <li>• Windbreak structure on north west corner of main house</li> <li>• Vine growing on east wall main house.</li> </ul>

**INTERIOR**

Considerable	Some	Little	Intrusive
<ul style="list-style-type: none"> <li>• Doors and Windows in 1902 Section and 1937</li> <li>• Timber ceilings and cornice 1902 Section</li> <li>• Timber flooring in 1902 Section</li> <li>• Fireplace in 1902 and 1937 Section (not tiles hearths)</li> <li>• Shearing shed elements in shed</li> </ul>	<ul style="list-style-type: none"> <li>• Main house bathrooms features bathroom heater Kitchen and pantry cupboards</li> <li>• Manager's Cottage Bathroom fixtures original doors</li> </ul>	<ul style="list-style-type: none"> <li>• Window furnishings all houses</li> <li>• Fireplaces in managers or Worker's Cottage</li> <li>• Post 1930's doors and windows in main house</li> <li>• Floor coverings in Cottages.</li> <li>• Light fittings and electrical switches in</li> </ul>	<ul style="list-style-type: none"> <li>• Windows to 1950's pise additions</li> <li>• Floor coverings in main house</li> <li>• Rugs in Worker's Cottage.</li> </ul>

<sup>1</sup> EMA, 2005, Gungaherra Homestead Conservation Management Plan, Draft, p 67-68

<sup>2</sup> EMA, 2005, ibid, p 69

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

09B0

<ul style="list-style-type: none"> <li>Meat house in shed</li> </ul>	<p>and joinery detail</p> <ul style="list-style-type: none"> <li>Tool board and workbench in addition to shed</li> </ul>	<p>all houses</p> <ul style="list-style-type: none"> <li>Wall and ceiling linings in the 2 Cottages</li> <li>Plasterboard wall and ceiling linings in main house.</li> </ul>	
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**Overall Conservation Policy Vision**

The overall conservation policy vision presented in Section 6.2 of CMP is stated as<sup>3</sup>:

*The Gungaharra Homestead site is of considerable local significance. The Homestead (area of the study site should be conserved). The main house, Machinery Shed, Cottages, and significant elements of the setting should be conserved and continue to be actively used. The houses could remain in residential use or be modified to a sympathetic alternate function in line with policies set out below.*

*The machinery shed should remain in some form of storage, or light (rural) industry or display/commercial function.*

*Any alterations or additions to the fabric or setting will affect the significance of the place to some degree, and this needs to be considered in the early planning stage with consideration to the policies of this Conservation Management Plan.*

*The features intrinsic to the significance of the place are listed in the table in Section 4.4 under considerable.*

*The elements of considerable and some significance (Section 4.4) should be considered in any future works. There is opportunity for introduction of new structures / buildings and uses within the precinct (study area) without diminishing the significance of the place. (refer Potential Development Zones Fig 91 and policy 4.1.4)*

**Conservation Policies**

The conservation policies are stated in Section 6 of the CMP. The policies that directly relate to redevelopment/re-use of the site are presented below:

**Policy 1.3 The policies and recommendations included in this report should be endorsed as a guide for the future of the building.**

*For the ongoing protective care of any heritage asset including Gungaharra Homestead, there needs to be an accepted position which guides the future of the place. The ACT Heritage Council should review and provide advice and comments on this Draft CMP. Land Development Agency will need to endorse the CMP and these policies as the guidelines for managing the building and site.*

*This CMP will provide a basis for this to occur provided it is supported by these stakeholders.*

*Where proposed work is in accordance with the CMP then there is unlikely to be any affect on the heritage significance of the place. Where significant fabrics identified as considerable or of some significance (refer Section 4.4) is affected by a proposal, and then the proposal should be referred to the ACT Heritage Council for comment and advice.*

<sup>3</sup> EMA, 2005, ibid, p 74

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
Statement of Heritage Impact**

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*Irrespective of whether it complies with the CMP, any works other than maintenance, may need approval from ACT Heritage Council ACTPLA or a Building Certifier.<sup>4</sup>*

**Policy 2.1 The houses to continue to be used as residences or associated residential based facilities or similar function.**

*The Main House and Cottages have only been used for residential purposes and have seen little upgrading to modern standards. With the increasing urban development around the site the pressures to change the use of the buildings and site will increase.*

*The continued occupation for sympathetic uses is desirable to reinforce the significance of the buildings.*

*Potential uses considered sympathetic to the main house include:*

- *Single residence*
- *Bed and breakfast*
- *Restaurant associated with motel / accommodation facility*
- *Central building to a retirement / APU complex*
- *Central building to a community title housing development*
- *Community offices*
- *Central building of small scale sport facility.*

*Potential uses considered sympathetic for the machinery shed include:*

- *Workshop (mechanical)*
- *Craft / workshop / retail*
- *Light industry fabrication*
- *Retail*
- *Offices*
- *Display / Museum / Gallery*

*The Cottages should remain in their existing locations may remain as a residence or be converted for:*

- *Meeting Facilities*
- *Shops / retail*
- *Offices*

*Potential uses considered sympathetic for the identified development areas in the house paddock, include:*

- *Bed and Breakfast complex*
- *Motel (new buildings possible)*
- *Aged Persons units*
- *Sporting facility*
- *School / education facility*
- *Limited medium density (maximum 2 storeys) housing on a title structure where the significant features of the site become integrated into the design complex and their management and maintenance is the responsibility of that community or body corporate.*

*The impact of each would need to be subject to a detailed proposal.*

*There may be similar functions which could use the buildings with minimal impact on significance of the building.*

---

<sup>4</sup> EMA, 2005, *ibid*, p 74-75

*Ongoing economic use as far as practical, is important to ensure the buildings and significant features of the site are kept in good condition and well maintained.<sup>5</sup>*

**Policy 3.1 The Gungaderra Homestead site should be conserved.**

*As a significant site, it is important to ensure that the place is treated as a whole and that its elements of significance are conserved but this does not prevent some adaptation for continued occupation and new use. Ongoing maintenance will be required to ensure that the significant buildings are kept in reasonable condition. Some changes will also be necessary to meet current BCA requirements.*

**Policy 3.2 Items of considerable significance should be conserved.**

*Refer Section 4.4 for what is included under this heading. This requires some works to be undertaken to protect the place including its significant buildings and landscape and a regular inspection and maintenance work to ensure that the significant elements remain in sound condition.*

*The items listed 'considerable significance' should be retained and conserved in accordance with the Burra Charter. Minor adaptation may be considered provided significant fabric is conserved and careful recording occur. They should be retained as is, subject to essential maintenance.*

**Policy 3.3 Items of some significance should be conserved as far as practical**

*Refer Section 4.4 for what is included under this heading. This requires some works to be undertaken to protect the buildings and setting and a regular inspection and maintenance work to ensure that the significant elements remain in sound condition.*

*The items listed 'some significance' should be conserved as far as practical. Removal of significant fabric is not to be encouraged. However it can be retained, removed, adapted or reproduced if allowing for the conservation of elements of greater significance after full recording. If altered they should replicate original details, current details or be new sympathetic details.*

**Policy 3.4 Items of little significance can be retained, adapted to suit changing requirements or be removed, provided that items of higher significance can be recovered or restored.**

*To maintain accommodation in the buildings, some areas may need to be upgraded to enable effective use. The items of little significance can be changed to suit such a purpose but the existing building should be recorded prior to any change and the impact on elements of greater significance be minimised.*

*Where changes occur, reconstruction of original details is appropriate or modern but sympathetic details can be adopted.*

**Policy 3.5 Intrusive elements should be removed especially if it allows items of higher significance to be recovered or restored.**

*It is noted that some intrusive elements are being used at present. These can continue to be used but if the opportunity presents itself to install something more sympathetic then it should be taken.<sup>6</sup>*

**Policy 4.1 Changes to the buildings and setting are possible but the changes should not adversely affect the significance of the building or its setting. Changes should preferably improve or reinforce significance.**

<sup>5</sup> EMA, 2005, *ibid*, p75-76

<sup>6</sup> EMA, 2005, *ibid*, p76

**Policy 4.1.1 UPGRADING**

*There is to be no upgrading that involves changes to any significant fabric without prior consultation with the appropriate Heritage Authorities.*

*The policies in 6.5 give an indication about what changes to the existing fabric are acceptable.*

*Areas previously upgraded can be further changed in the future if the need arises. Removal of significant fabric (refer 4.4) should be minimised. New work should not intrude into the significant spaces e.g. no surface run conduits or cables. In areas previously changed, there may be opportunities to improve or uncover significance.*

*Upgrading works in areas of considerable significance should reflect or be sympathetic to original details.<sup>7</sup>*

**Policy 4.1.3 ADDITIONS AND ALTERATIONS**

***Sympathetic alterations and additions are possible.***

*Some degree of alteration and addition is possible provided that the plan of the significant areas form remains understandable and new elements are sympathetic to original (not necessarily replicate changes) and should be limited to less visible facades (east and west generally) and less significant fabric.*

**Main House**

- *Ensuites and addition to east end may be demolished and 1960's layout reinstated.*
- *Windows in north wall of 1950's pise may be replaced with more sympathetic design.*
- *North verandah main house should be reconstructed to original size and roof form (based on physical and documentary evidence).*
- *Windbreak west end of Main House may be demolished.*
- *Reinstatement of wall between bedrooms in 1902 Section acceptable.*
- *Upgrading of bathroom fixtures and kitchen / pantry cupboards could be considered.*
- *Additions to the house should be semi detached to enable original layout to be interpreted.*
- *Any addition to be single storey hipped roof.*
- *Addition to be weatherboard or rendered masonry walls.*
- *Size of rooms in pise Section and 1928 additions not to be altered.*
- *The main House shall not be demolished*

**Shed**

- *Any fitout or partitioning should to enable original structure to be visible.*
- *Small new windows may be introduced.*
- *Existing openings may be 'enclosed' if essential to finding a new function, but should be defined so they still read as openings i.e. walls set back behind structural posts.*
- *Lining of interior could occur with corrugated sheet between exposed frame.*
- *Roof form not to alter.*
- *Minor additions to north could be considered.*
- *The Shed shall not be demolished*

<sup>7</sup> EMA, 2005, ibid, p 77-78

**Manager's Cottage / Worker's Cottage**

- *Manager's Cottage could be extended to south north or west if simple scale form and proportion of existing cottage respected. The Cottage shall not be demolished.*
- *Some rooms could be consolidated.*
- *Fireplaces could be replaced.*
- *Services may be upgraded.*
- *Fixtures may be upgraded.*
- *Outside toilet Worker's Cottage should remain but could be refurbished or replaced by a toilet in the Cottage.*
- *Paths may be altered.*
- *Extensions to Worker's Cottage can be demolished or altered, but the core lounge bedroom and bathroom shall be retained as a minimum.<sup>8</sup>*

**Policy 4.1.4 NEW BUILDINGS**

***New buildings on the site are to be subject to a separate submission to the ACT Heritage Council and ACTPLA.***

*Some general comments are offered. No new detached structures to be permitted on the site except as outlined in this Section and illustrated in Figure 91, Potential Development Zones. Any new structures shall be single or double storey, pitched roof structures similar to the existing Homestead building with similar wall and roof finishes (not necessarily identical) to the existing Homestead. Density of development should be no greater than 30% of the land area of the parcel of land being developed.*

*It is acknowledged that future uses of the site may require for minor structures to be erected within areas excluded in the Development Zones (figure 91). It is not possible to predict the nature of all such future proposals at this time. Any proposal for new structures outside the policies of this CMP or in areas not permitted in Figure 91 must be the subject of an application to ACT Heritage Unit for consideration and comment.*

*Roof pitch should be similar to pitched roof of the main house and the size of any new structures should also reflect the size bulk and massing of the existing buildings. Windows should be openings within walls (rather than window walls) although some larger openings could be permitted for passive solar design. (Refer also to policy 4.1.3 above). Materials of construction need not be the same as any of the Homestead buildings.*

**Policy 4.2 *The landscape needs to be managed to retain the significant elements and minimise adverse impact on the place, its building and setting.***

- *A landscape management plan should be prepared for the site. This plan should present a strategy for the progressive replacement of mature trees as they reach the end of life. Replacement trees should be advanced stock, and of the same species as the existing.*
- *Landscaping of the area around the buildings may be enhanced through introduction of additional plants of sympathetic species to the existing or original planting period. Additional planting in the outer paddocks should be limited to low shrubs and deciduous trees so that the historic trees remain dominant.*

<sup>8</sup> EMA, 2005, *ibid*, p 78-79

- *New plantings must not screen significant buildings or the precinct from existing vistas. They should also not compromise existing visual relationships of the buildings within the Homestead.*
- *Existing perimeter fence lines to the Homestead and those identified as original in Section 2 of this report are to be retained, and restored. This means that the proposed roadway along the southern boundary of the study site must be located completely outside of the site. The existing perimeter fences are to be retained as site boundaries to Gungaharra.*
- *Fence lines around the 3 Cottages should be retained or interpreted in any future usage of the site.*
- *The Section of Wells Station road within the study area should be conserved as a bush track, for pedestrian and bicycle use only. This will include conservation of the existing trees and track alignment. An all weather pedestrian/ bike path may be constructed within the road but should be set out so that it reflects the alignment of the road. No further mature trees (eucalypt or pine) should be removed in any of the urban development works*

**Policy 4.3 Ground disturbance (other than with hand tools) in the areas identified as archaeologically sensitive (north east paddock), must be undertaken with an Archaeologist present**

- *This will require an archaeological watching brief to form part of any works which will require excavation in these areas. An archaeologist will either need to be present at all times during the work or brief contractors on when how to undertake the work and when further input from the archaeologist is required.*
- *A detailed archaeological study of the area prior to the works to locate and record relics is highly desirable.<sup>9</sup>*

**Policy 5.1 Original details and finishes must be recorded prior to any major refurbishment or alterations. Recording should be undertaken by a heritage specialist and recording data submitted to the relevant heritage authority.**

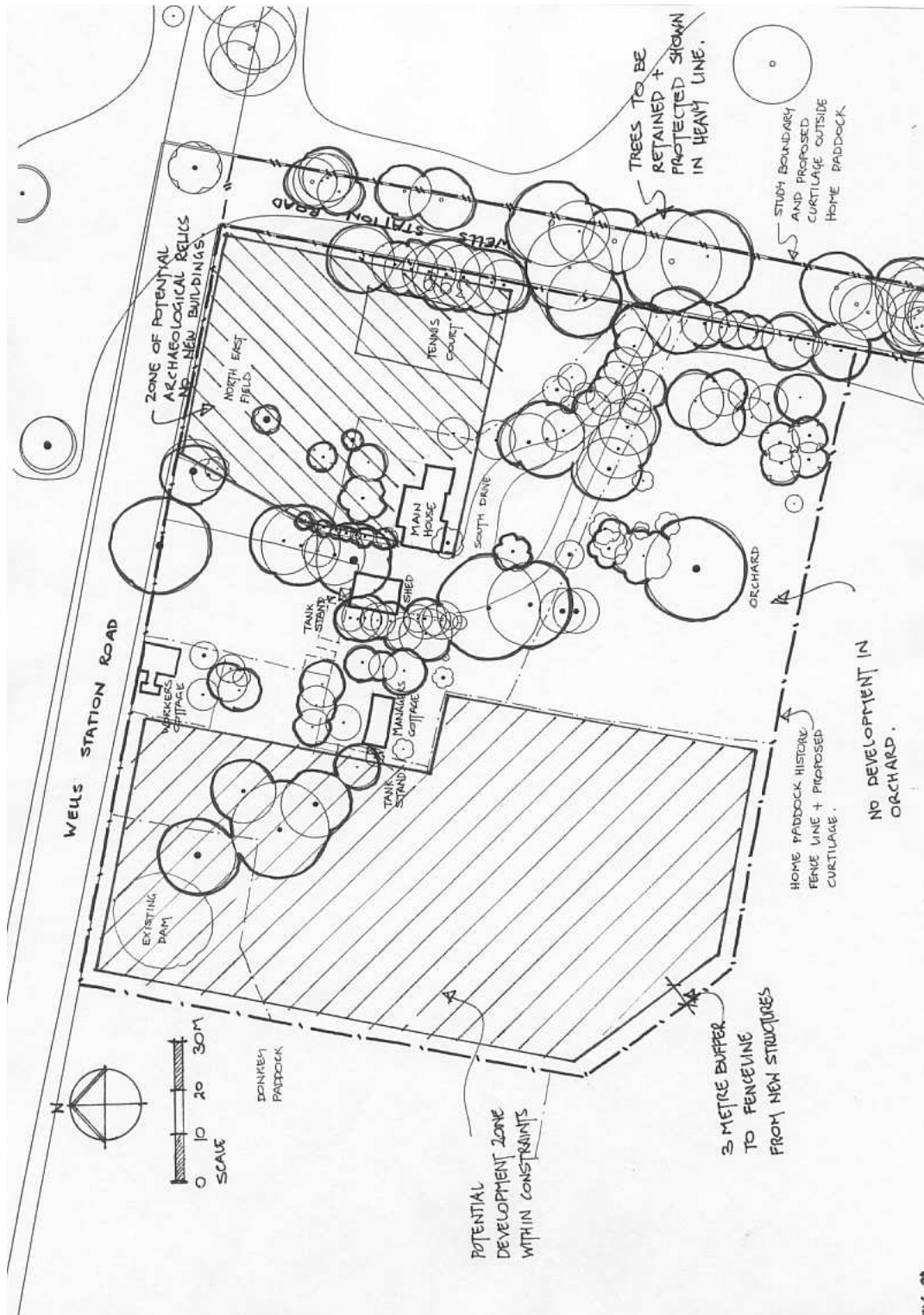
- *Correct conservation process is to record by means of drawings and photographs buildings or details before they changed. These should be archived with the ACT Heritage Council.*
- *Any evidence uncovered during the execution of the work should similarly be recorded.<sup>10</sup>*

<sup>9</sup> EMA, 2005, ibid, p80-82

<sup>10</sup> EMA 2005 ibid p 82

MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
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(Figure 9: Potential Development Zones)

Source: EMA, 2005 *ibid*, Conservation Management Plan

**ATTACHMENT 2**

**MULTI-UNIT HOUSING AND COMMUNITY  
CENTRE, BLOCK 8 SECTION 4, HARRISON -  
REPORT CLARIFYING OPPORTUNITIES AND  
CONSTRAINTS”, ISSUE 1 DRAFT, 19 AUGUST  
2009**

## **Gungaderra Homestead Aged Care Development**

### **Report Clarifying Opportunities and Constraints**

Prepared by

**Eric Martin and Associates**

For

**Community Housing Canberra**



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**DRAFT**

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## 1.0 INTRODUCTION

This report clarifies opportunities and constraints arising from the heritage significance of the site based on:

- Gungaherra Homestead CMP Vol 1 Assessment Analysis and Conservation Policy by Eric Martin & Associates and Marilyn Truscott, May 2005
- Additional research to clarify location of previous structures
- A site investigation of possible structures evident in the 1941 aerial photograph
- Tree Assessment Report, 4 August 2009

The report sets some parameters for the Masterplan for the site and, after consideration, needs discussion with ACT Heritage.

## 2.0 STATEMENT OF SIGNIFICANCE

The Statement of Significance for Gungaherra Homestead in the CMP states:

*Gungaherra Homestead is associated with the early closer settlement of the region in the 1860's through selection following the Robertson Land Act 1861. It was first owned by John and Jemima Winter who were large land holders in the area. Three of the Winters' sons were instrumental in introducing mechanical farming to the region in the early 20<sup>th</sup> Century. In the 1890s they assisted William Farrer.*

*The Gungaherra Homestead sits within a precinct, the 'home paddock' area, defined as such from early in its establishment by the surviving fence line. This precinct includes all the former domestic and central work requirements for such a grazing and farming property, including domestic residences, workshops, animal pens, vegetable gardens and orchard and dam and tanks, that looks out over the expanse of the Gungaherra holding.*

*The main house at Gungaherra was built for the oldest brother William using pise wall construction. The house was constructed in 1902 – 04 by Sydney Greig, one of a family of brothers who were notable pise builders in the district around the end of the 19<sup>th</sup> Century. The house is unusual in that it has been extended at least 5 times and two of these stages used pise construction. The pise additions were undertaken when this form of construction was no longer popular and the 1950's addition may be one of the last uses of pise in the ACT, associated with historic building.*

*The number of pise buildings in the ACT is diminishing and intact examples are becoming rare. Gungaherra main house is one the last surviving pise (part) residences in the north of the ACT and part of a small collection in the ACT.*

*The homestead complex also demonstrates typical aspects of former lifestyles, such as the machinery shed, Manager and Worker's Cottages, orchard and the tennis court, which were typical aspects of self sufficiency and a rural lifestyle. The sequence of extensions to the main house illustrate the growth and change of the homestead over time.*

*Wells Station Road which is within the curtilage is a rare surviving pre 19<sup>th</sup> Century track in the area. The Road extending from Gungaherra Homestead to Wells Station Homestead, represents a typical gravel country road which is rare in this district today. The line of pines extending alongside the Gungaherra Homestead Block and extending about 300m along the east side of the original 40 acre selection are characteristic of exotic plantings of the time to demarcate entrance ways to country properties.*

*The Monterey Pines lining the loop drive, Wells Station Road around the shed are representative of the development to a mid 20<sup>th</sup> Century rural domestic landscape and the use of trees for enclosure and protection the surviving remnant fruit trees are reminders of the need to be self sufficient even in the mid 20<sup>th</sup> Century<sup>1</sup>*

<sup>1</sup> EMA, 2005, Gungaherra Homestead Conservation Management Plan, Draft, p 67-68

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**3.0 ELEMENTS OF SIGNIFICANCE**

The significant elements of the place are listed in Section 4.4 of the CMP as follows<sup>2</sup>:

**EXTERIOR**

Considerable	Some	Little	Intrusive
<ul style="list-style-type: none"> <li>• Monterey pines and pre 1940's gums on Wells Station Road</li> <li>• Pines within the 'house paddock'.</li> <li>• Remnant fruit trees</li> <li>• Machinery Shed inc addition</li> <li>• Pise sections of main house</li> <li>• Wells Station Road alignment and trees (Monterey Pines and Eucalypts).</li> <li>• Historic fence lines. (</li> <li>• Subsurface remains in north east area.</li> <li>• Open space between buildings with trees as defining and screening elements.</li> </ul>	<ul style="list-style-type: none"> <li>• 1928 Donelly additions</li> <li>• Managers Cottage and addition</li> <li>• Workers cottage</li> <li>• Tankstand and pump beside machine shed</li> <li>• Tank and stand at Managers cottage and Main House</li> <li>• Trees within Managers cottage and workers cottage yards</li> <li>• Tennis court and fence.</li> </ul>	<ul style="list-style-type: none"> <li>• Fabric of front verandah</li> <li>• Ensuites and weatherboard additions to east end main house</li> <li>• Additions to workers cottage</li> <li>• Gardens around Main House Managers cottage Workers Cottage</li> <li>• Septic systems</li> <li>• Gardens within loop drive</li> <li>• Awning on North wall Managers cottage.</li> <li>• Fencing materials of main house yard</li> <li>• Concrete paths around all houses</li> </ul>	<ul style="list-style-type: none"> <li>• Windbreak structure on north west corner of main house</li> <li>• Vine growing on east wall main house.</li> </ul>

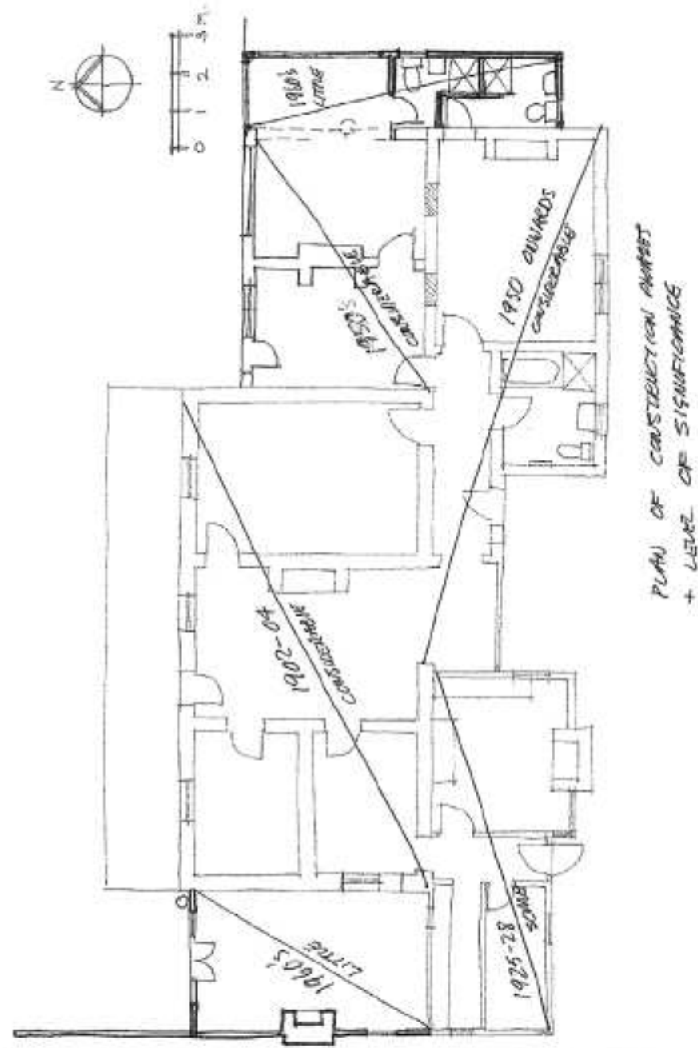
**INTERIOR**

Considerable	Some	Little	Intrusive
<ul style="list-style-type: none"> <li>• Doors and Windows in 1902 Section and 1937</li> <li>• Timber ceilings and cornice 1902 section</li> <li>• Timber flooring in 1902 section</li> <li>• Fireplace in 1902 and 1937 section (not tiles hearths)</li> <li>• Shearing shed elements in shed</li> <li>• Meat house in shed</li> </ul>	<ul style="list-style-type: none"> <li>• Main house bathrooms features bathroom heater Kitchen and pantry cupboards</li> <li>• Managers cottage Bathroom fixtures original doors and joinery detail</li> <li>• Tool board and workbench in addition to shed</li> </ul>	<ul style="list-style-type: none"> <li>• Window furnishings all houses</li> <li>• Fireplaces in managers or workers cottage</li> <li>• Post 2030's doors &amp; windows in main house</li> <li>• Floor coverings in cottages.</li> <li>• Light fittings and electrical switches in all houses</li> <li>• Wall and ceiling linings in the 2 cottages</li> <li>• Plasterboard wall and ceiling linings in main house.</li> </ul>	<ul style="list-style-type: none"> <li>• Windows to 1950's pise additions</li> <li>• Floor coverings in main house</li> <li>• Rugs in workers cottage.</li> </ul>

<sup>2</sup> EMA, 2005, *ibid*, p 69



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C:\345\er\EMA\_ARCH\VF\Archiv\610514 Gungaharra Homestead\0090\er\345043R1R Plan for Mark.vsd

Figure 2: Floor Plan Showing Construction Phases and Level of Significance.  
Source: EMA 2000

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## 5.0 OVERALL POLICY VISION

The overall conservation policy vision presented in the 2005 CMP is stated as<sup>3</sup>:

*The Gungaharra Homestead site is of considerable local significance. The homestead (area of the study site should be conserved). The main house, machinery shed, cottages, and significant elements of the setting should be conserved and continue to be actively used. The houses could remain in residential use or be modified to a sympathetic alternate function in line with policies set out below.*

*The machinery shed should remain in some form of storage, or light (rural) industry or display/commercial function.*

*Any alterations or additions to the fabric or setting will affect the significance of the place to some degree, and this needs to be considered in the early planning stage with consideration to the policies of this Conservation Management Plan.*

*The features intrinsic to the significance of the place are listed in the table in Section 4.4 under considerable.*

*The elements of considerable and some significance (Section 4.4) should be considered in any future works. There is opportunity for introduction of new structures / buildings and uses within the precinct (study area) without diminishing the significance of the place. (refer Potential Development Zones Fig 91 and policy 4.1.4)*

## 6.0 MAIN HOUSE

To be conserved and adapted to a new use. Details subject to further submission.

## 7.0 MACHINERY SHED

To be conserved and adapted to a new use. Details subject to further submission.

## 8.0 WORKER'S COTTAGE

Of some significance and should be conserved as far as practical.

If removal is proposed a case and Statement of Heritage Impact is required. There is some loss of integrity of the working property.

## 9.0 MANAGER'S COTTAGE AND TANK STAND

Of some significance and should be conserved as far as practical.

If removal is proposed a case and Statement of Heritage Impact is required. There is some loss of integrity of the working property.

## 10.0 TANK STAND

To be retained and conserved.

## 11.0 TENNIS COURT

Of some significance and should be conserved as far as practical.

If removal is proposed a case and Statement of Heritage Impact is required. There is some loss of setting and elements related to the original farm and social aspects.

<sup>3</sup> EMA, 2005, *ibid*, p 74

**DRAFT****12.0 LANDSCAPE**

A landscape plan needs to be developed as most trees will be removed given their condition and the CMP does not really address this issue. Some initial suggestions arising from significance are:

- a) Recognise the original main drive. If want to use vehicles, can be upgraded without kerb.
- b) Acknowledge track to north but it should be informal, not straight as a link to the rest of the property
- c) Retain some 'garden' in the orchard area such as an orchard or community garden
- d) Define the entry off Wells Station Road and drive through some tree planting.
- e) Define the track to the north by some tree planting.
- f) Acknowledge the current fence lines in some way within the landscape, but this can be with material change, fences and landscape elements.
- g) Maintain existing vistas to/from the homestead which are mainly south through scattered trees, but quite open and to the north.
- h) The area to the north can be landscaped but open and grassed is preferred.
- i) Retain trees along Old Wells Station Road.

**13.0 DEVELOPMENT ALONG EAST SIDE**

This area was thought to have archaeological significance but this has been clarified and it does not.

The area includes the tennis court (refer section 11 above). The remainder of the area could be developed but a Statement of Heritage Impact is required.

**14.0 GRAVES**

An area on the north side along the road is restricted from development due to the potential of graves. Minor landscaping of the area is possible.

**15.0 FORMER BUILDINGS**

An area south of the machinery shed remains an archaeological site due to former buildings in the area and is restricted from development. Landscaping of the area is possible.

**16.0 SUMMARY OF OPPORTUNITIES AND CONSTRAINTS**

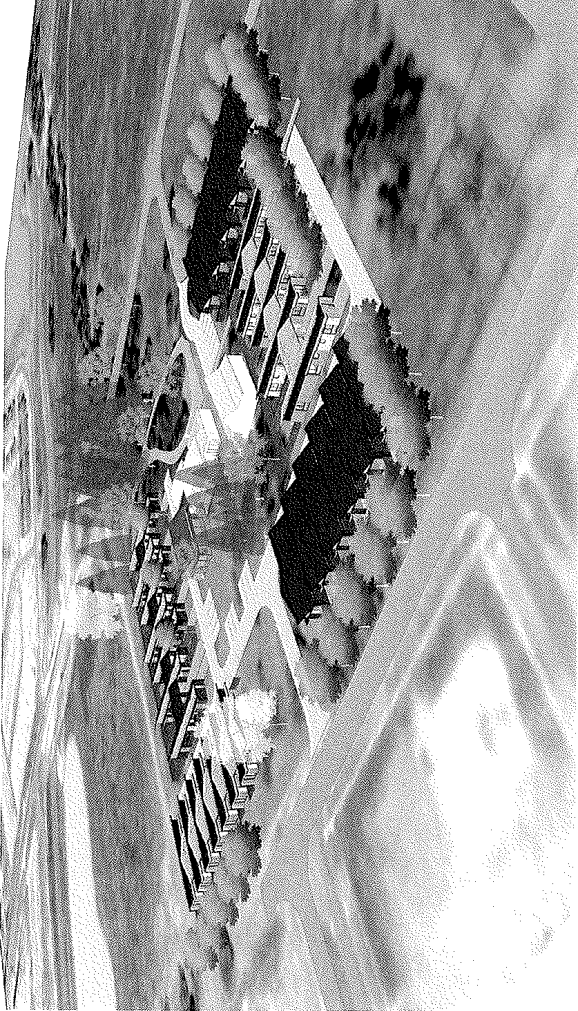
A summary of the opportunities and constraints on the site as outlined above is provided in the following plan:



**ATTACHMENT 3 DRAWINGS**


**ATTACHMENT 3A**

**ARCHITECTURAL PLANS**

<p>Scale: 1:1000</p>		<p><b>AMC</b>          ARCHITECTURAL MANAGEMENT CONSULTANTS          100-10100 166th Street, Surrey, BC V4N 1C5          TEL: 604-273-1111          WWW.AMCBC.COM</p>	<p><i>chc</i>          COMMUNITY HOUSING CENTRE</p>	<p><b>MULTI-UNIT HOUSING &amp; COMMUNITY CENTRE</b>          GUNGADERRA HOMESTEAD          BLOCK 8, SECTION 4          HARRISON</p>	<p><b>COVER PAGE</b></p> <p>Project No. 2019-001          Date: 2019-09-10          Scale: A000</p>
		<p><b>MULTI-UNIT HOUSING &amp; COMMUNITY CENTRE</b></p>	<p>GUNGADERRA HOMESTEAD          BLOCK 8, SECTION 4          HARRISON</p>	<p>DEVELOPMENT APPLICATION</p>	

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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			<p>DATE: 2014</p>	<p>PROJECT NAME:  <b>MULTI-UNIT HOUSING &amp; COMMUNITY CENTRE          DEVELOPMENT, WESTFIELD          BLOCK 8 SECTION 4          HARRISON</b></p>	<p>PROJECT NUMBER: 14-001</p>	<p>PROJECT NAME:  <b>MULTI-UNIT HOUSING &amp; COMMUNITY CENTRE          DEVELOPMENT, WESTFIELD          BLOCK 8 SECTION 4          HARRISON</b></p>	<p>DATE: 2014</p>	<p>SCALE: 1:100</p>

⊕ AERIAL VIEW FROM SOUTH-EAST

⊕ AERIAL VIEW FROM NORTH-WEST

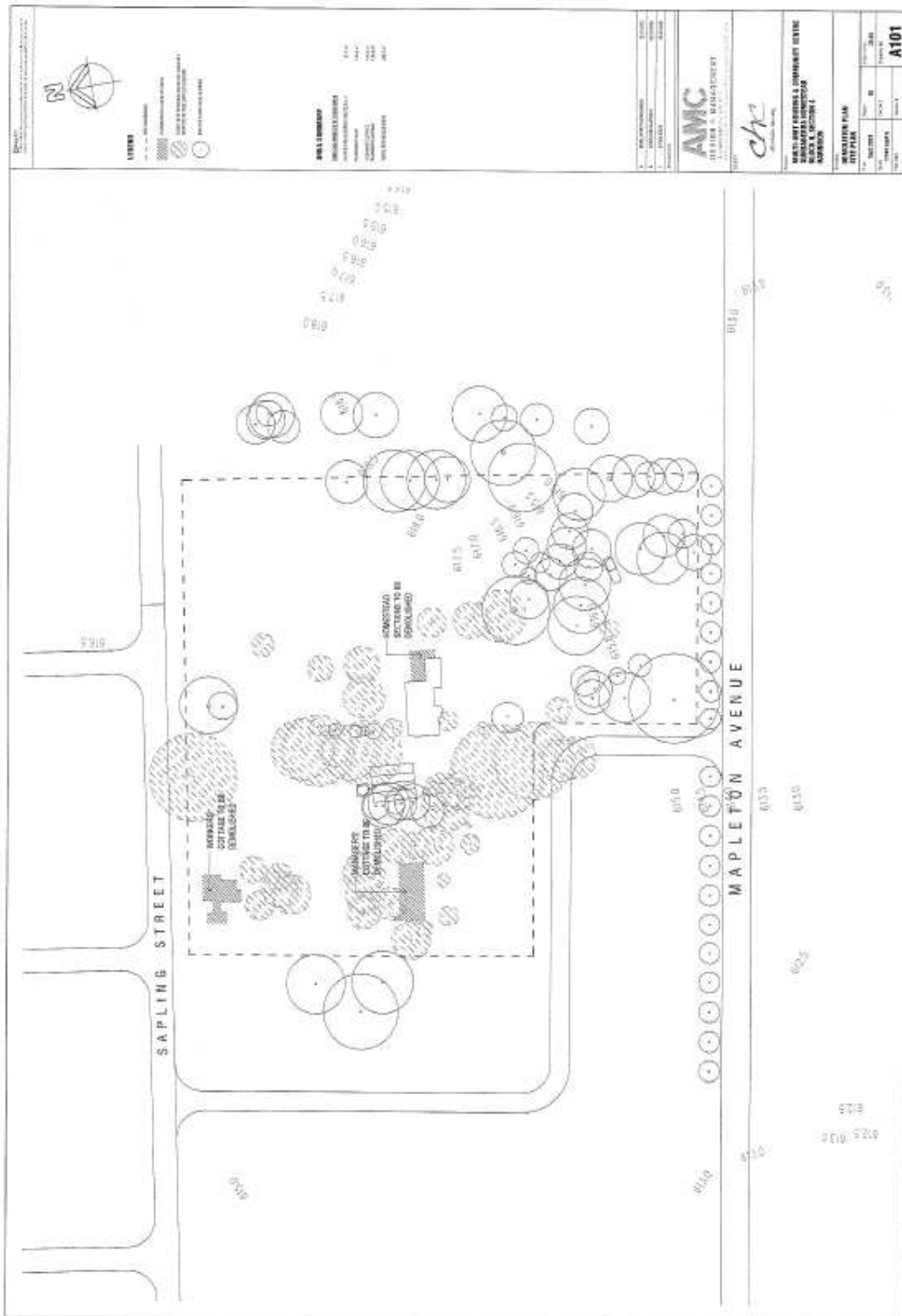
⊕ AERIAL VIEW FROM SOUTH-EAST





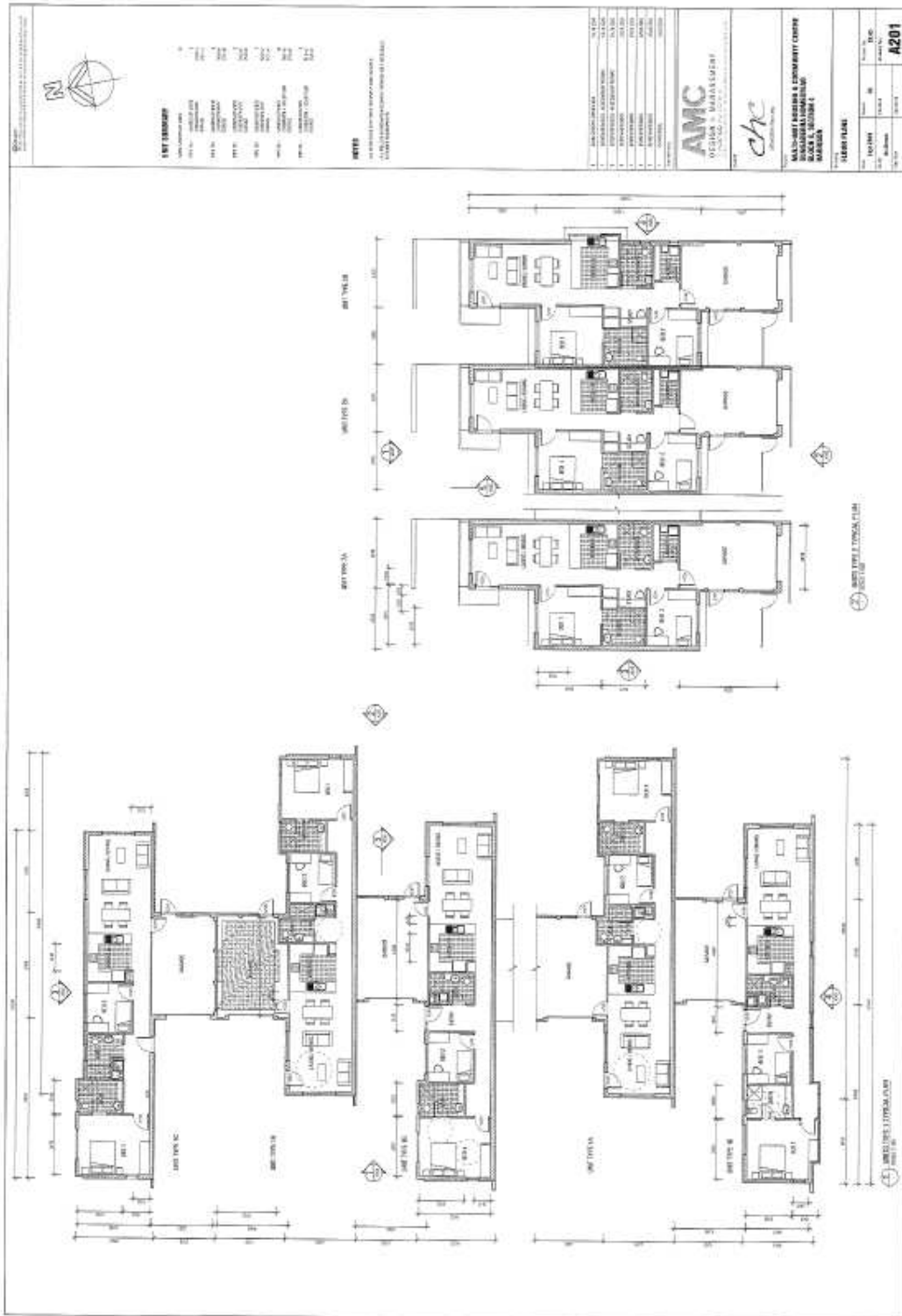
**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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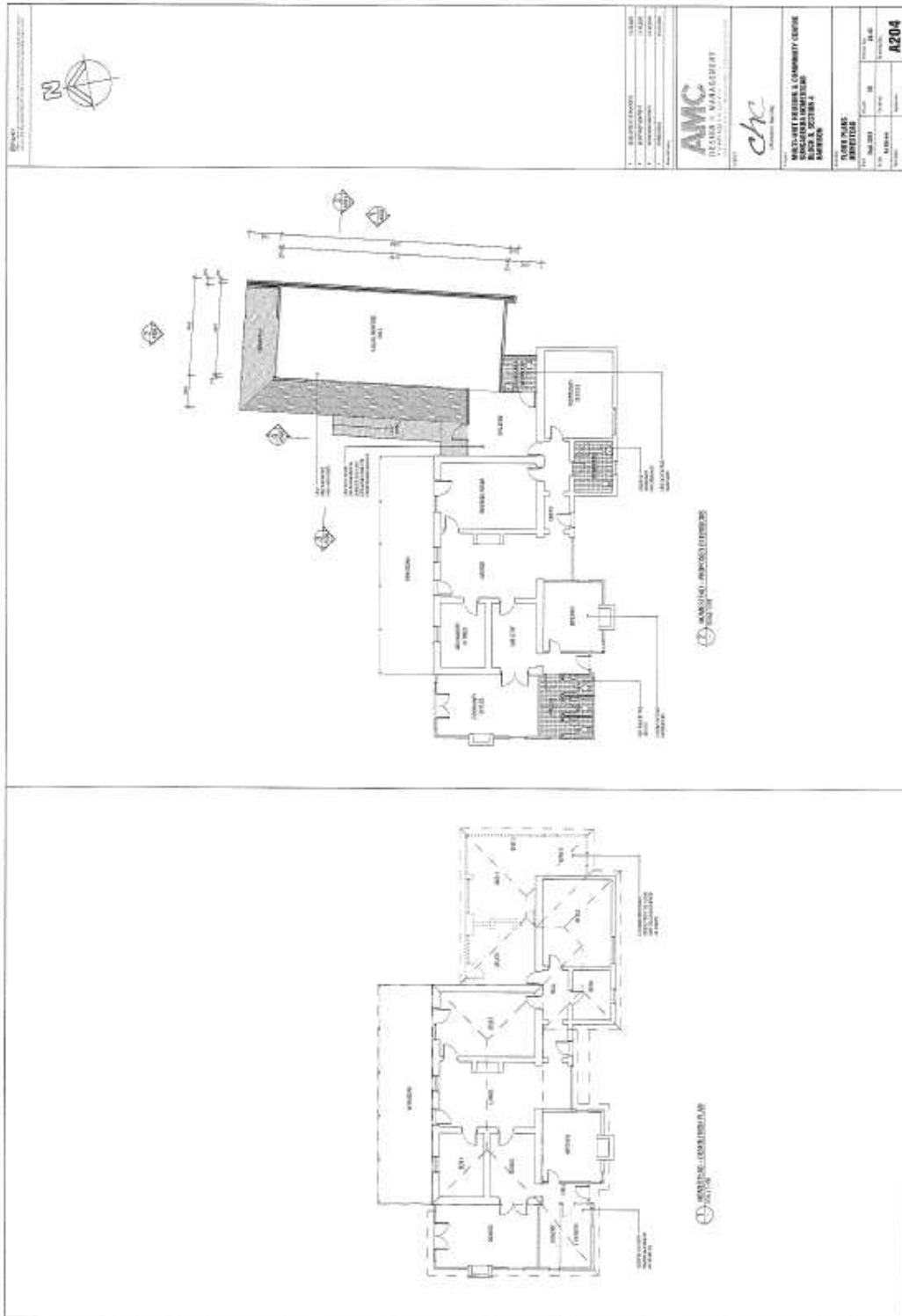
**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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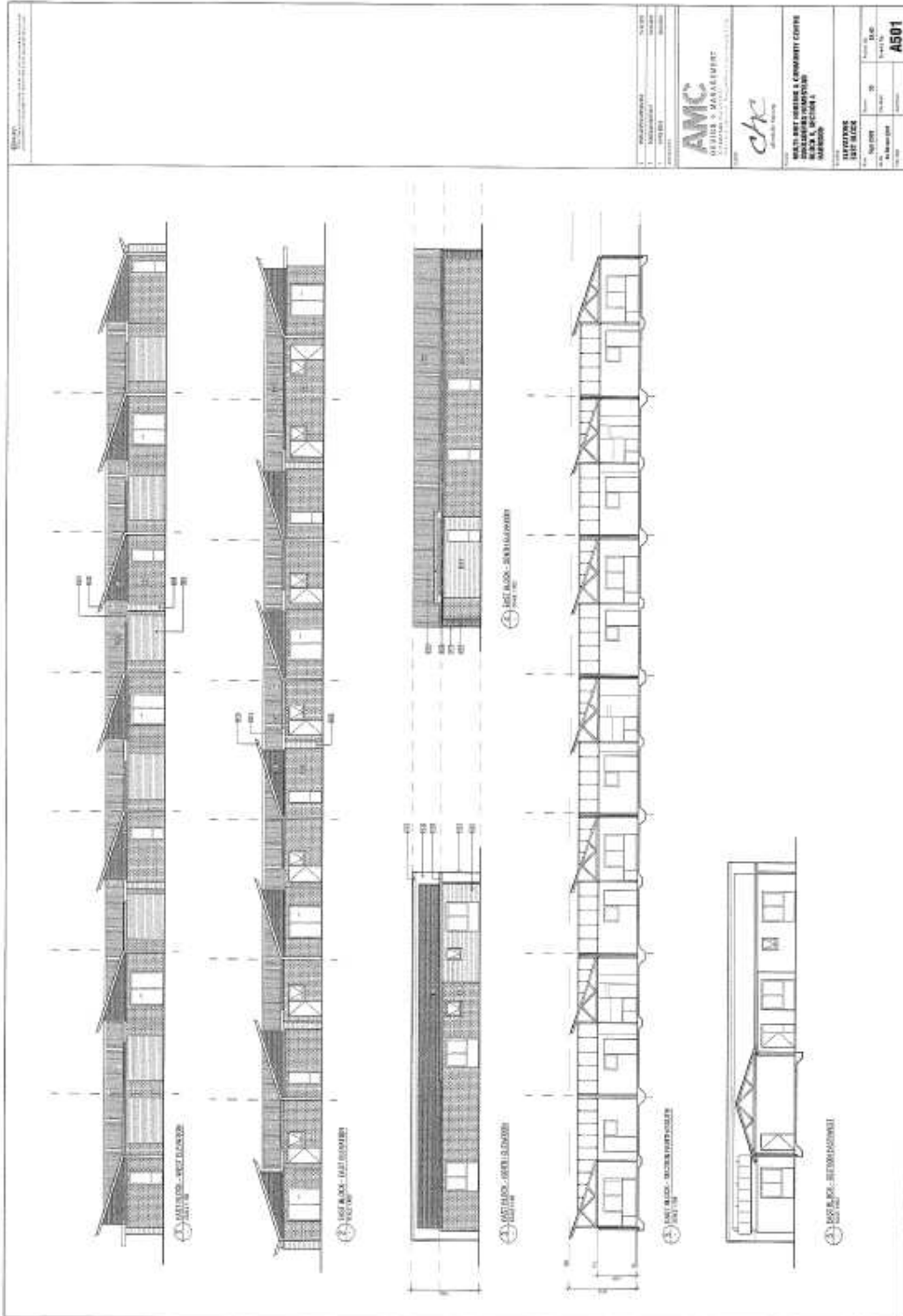
**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
Statement of Heritage Impact

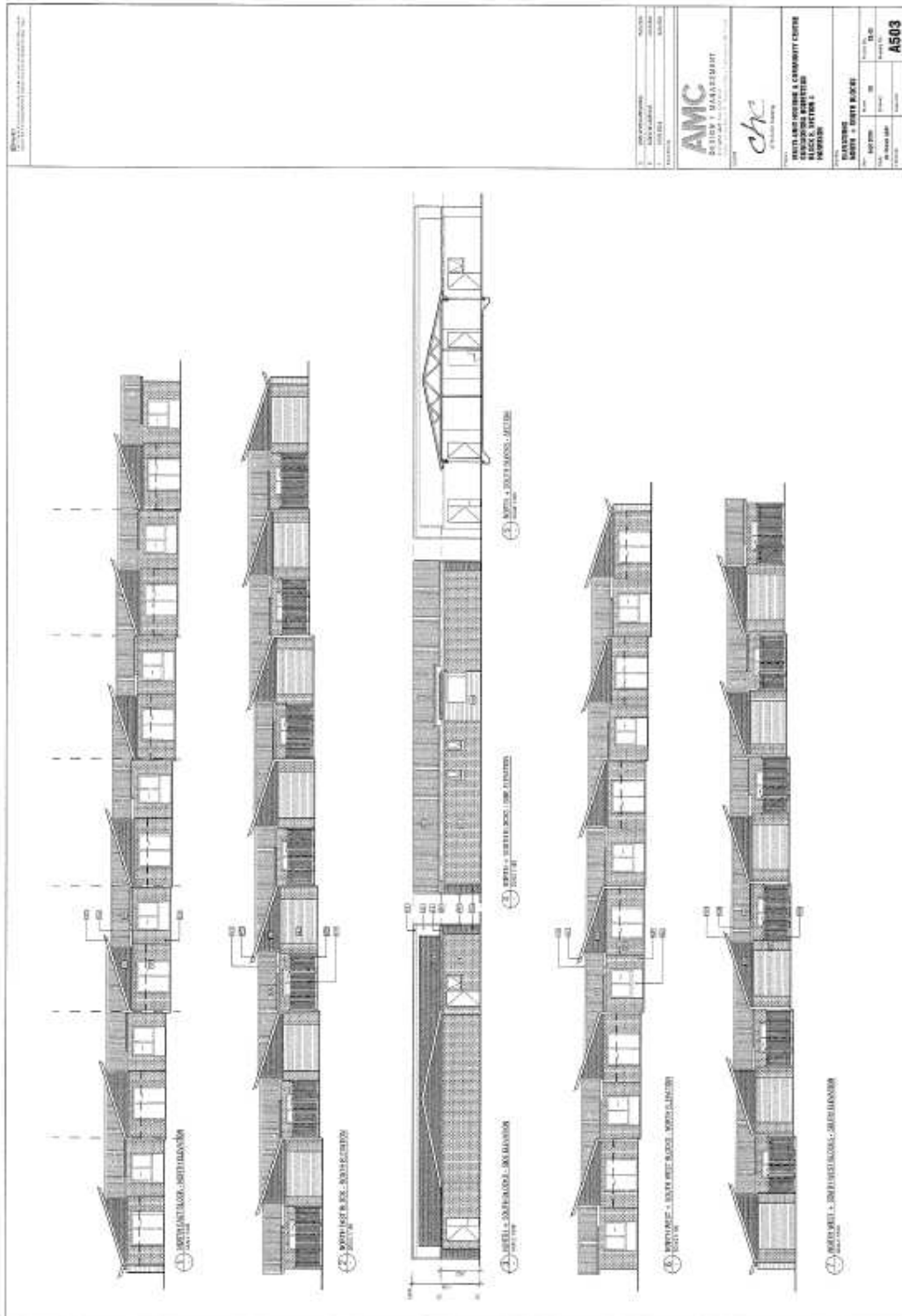
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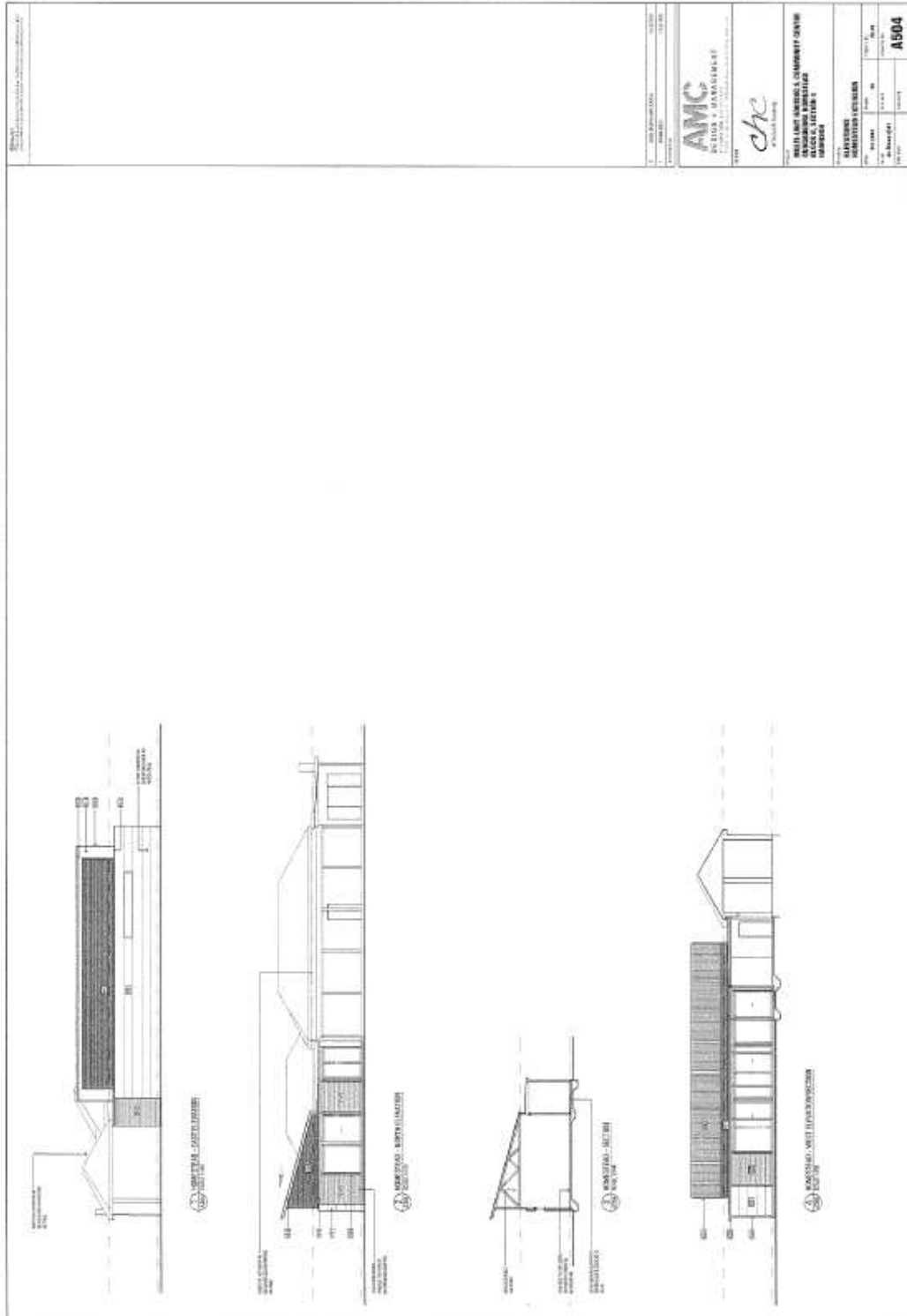
**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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**ATTACHMENT 3B**

**LANDSCAPE PLANS**











**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

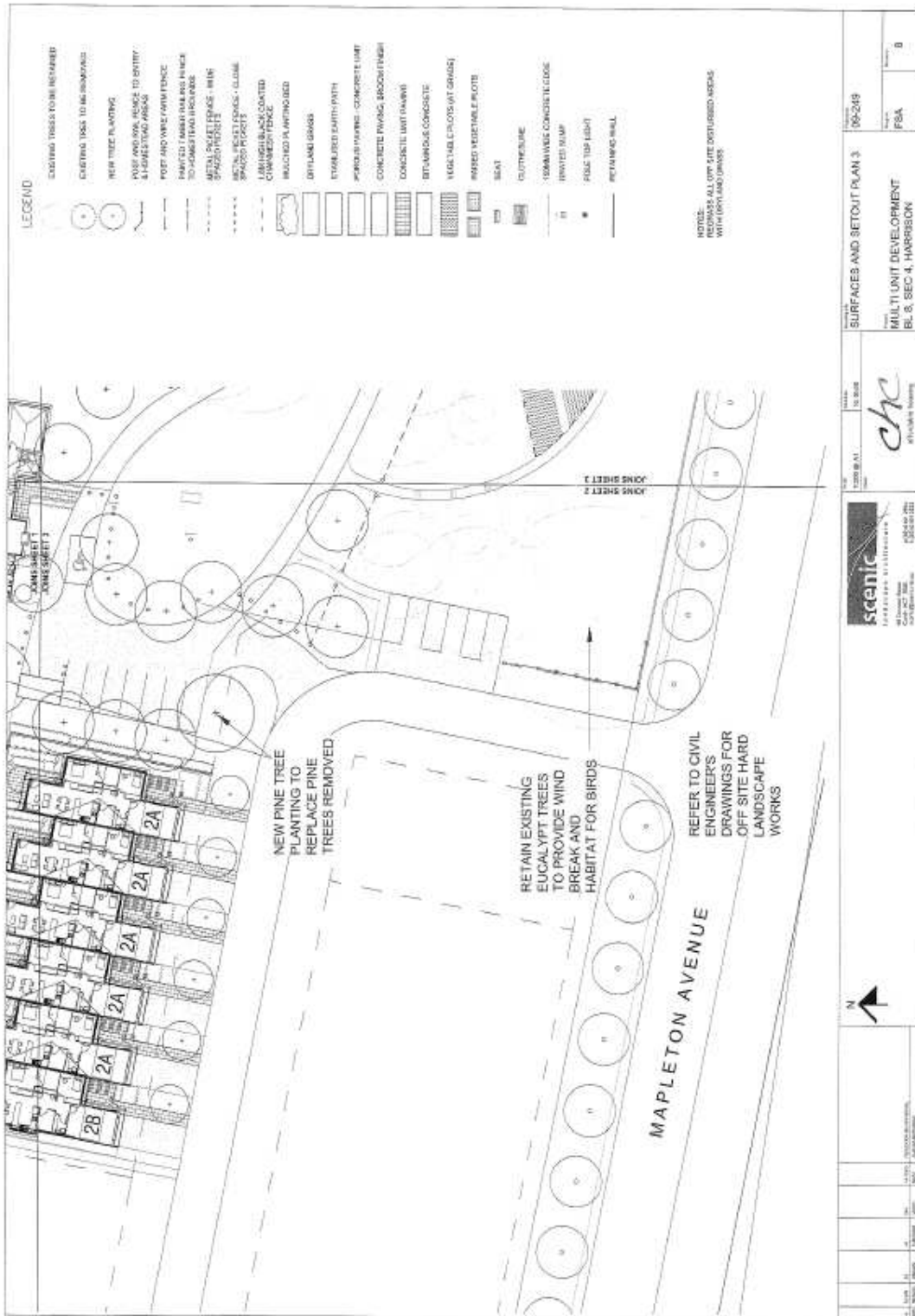
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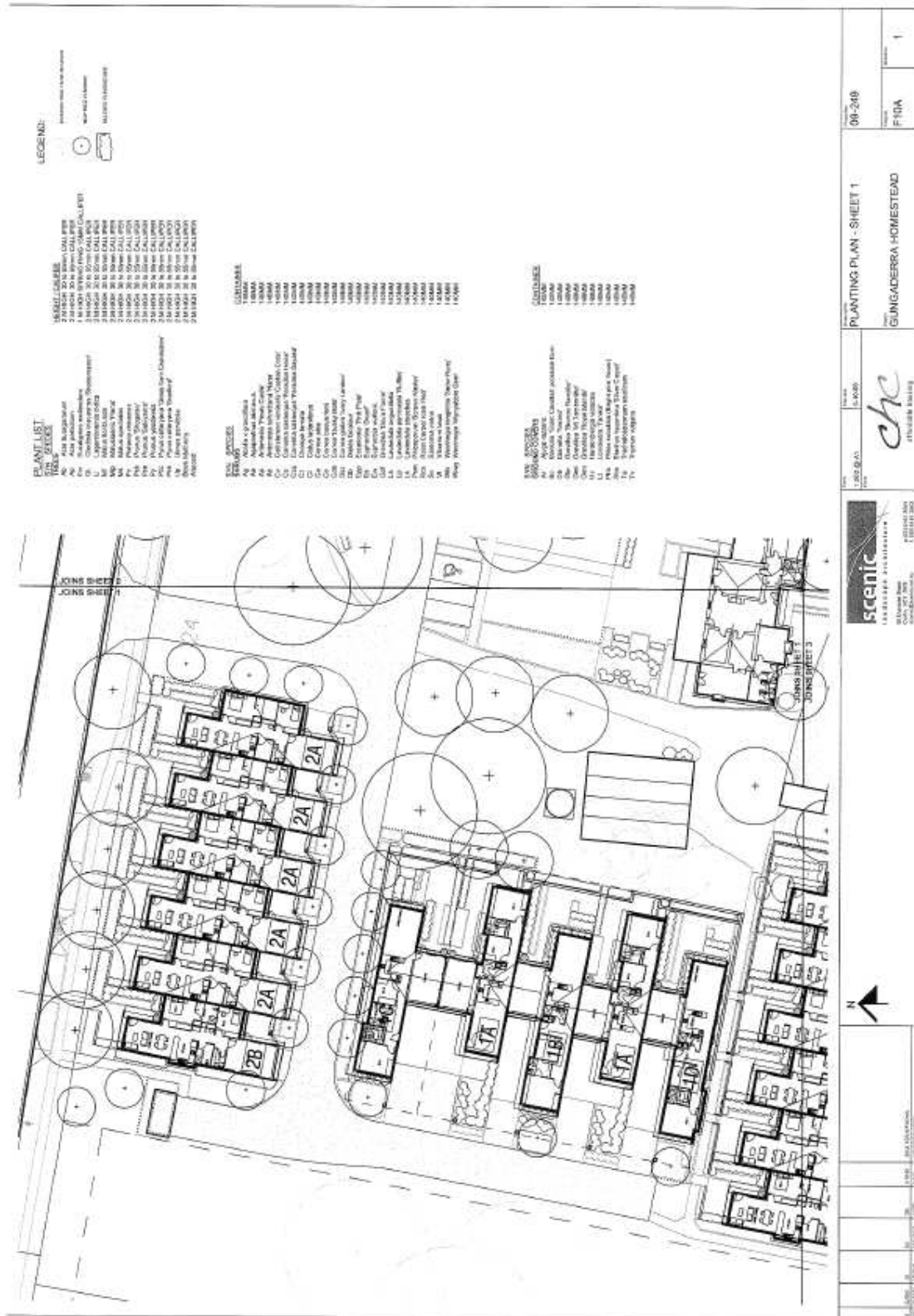


**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

09B0

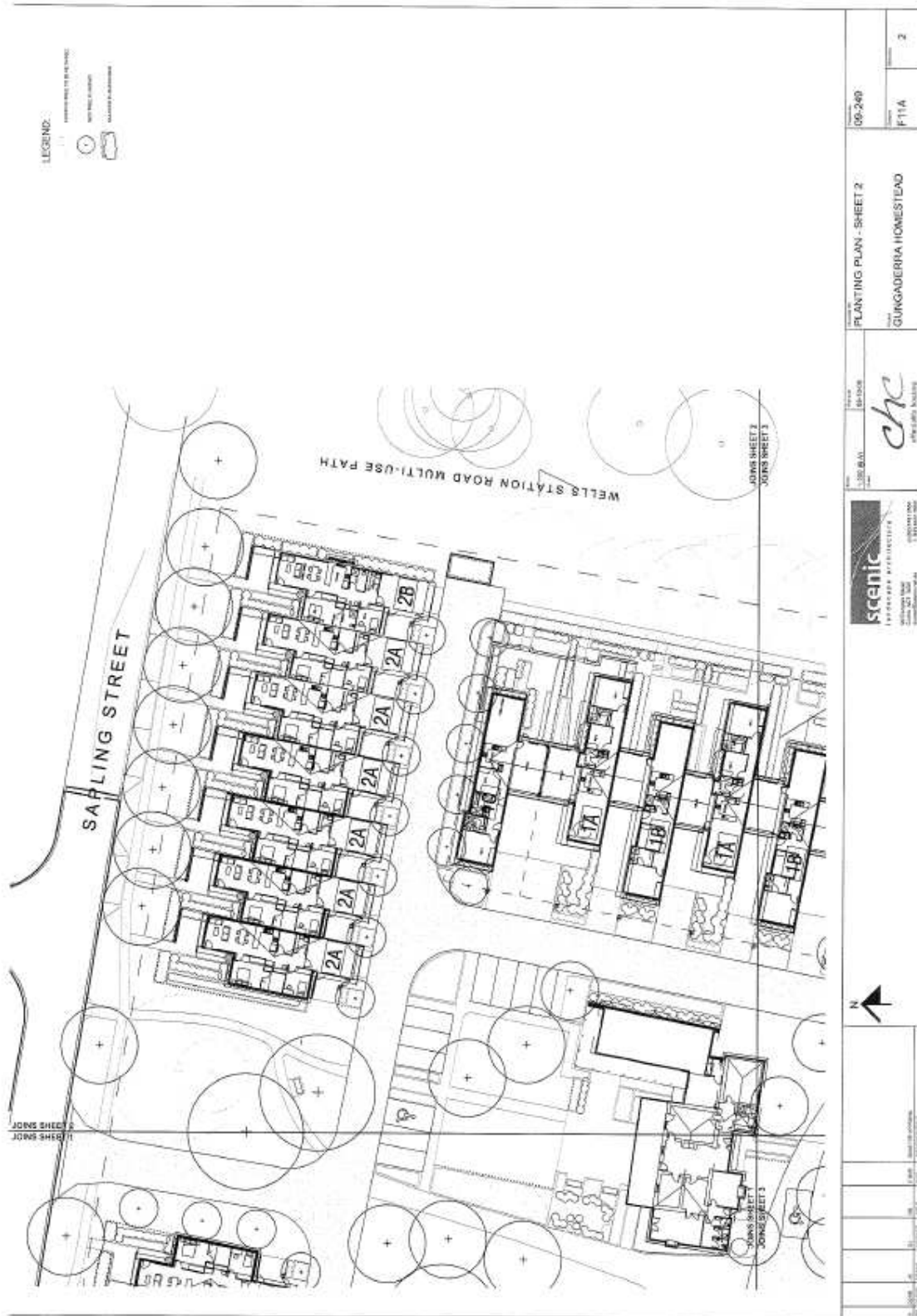






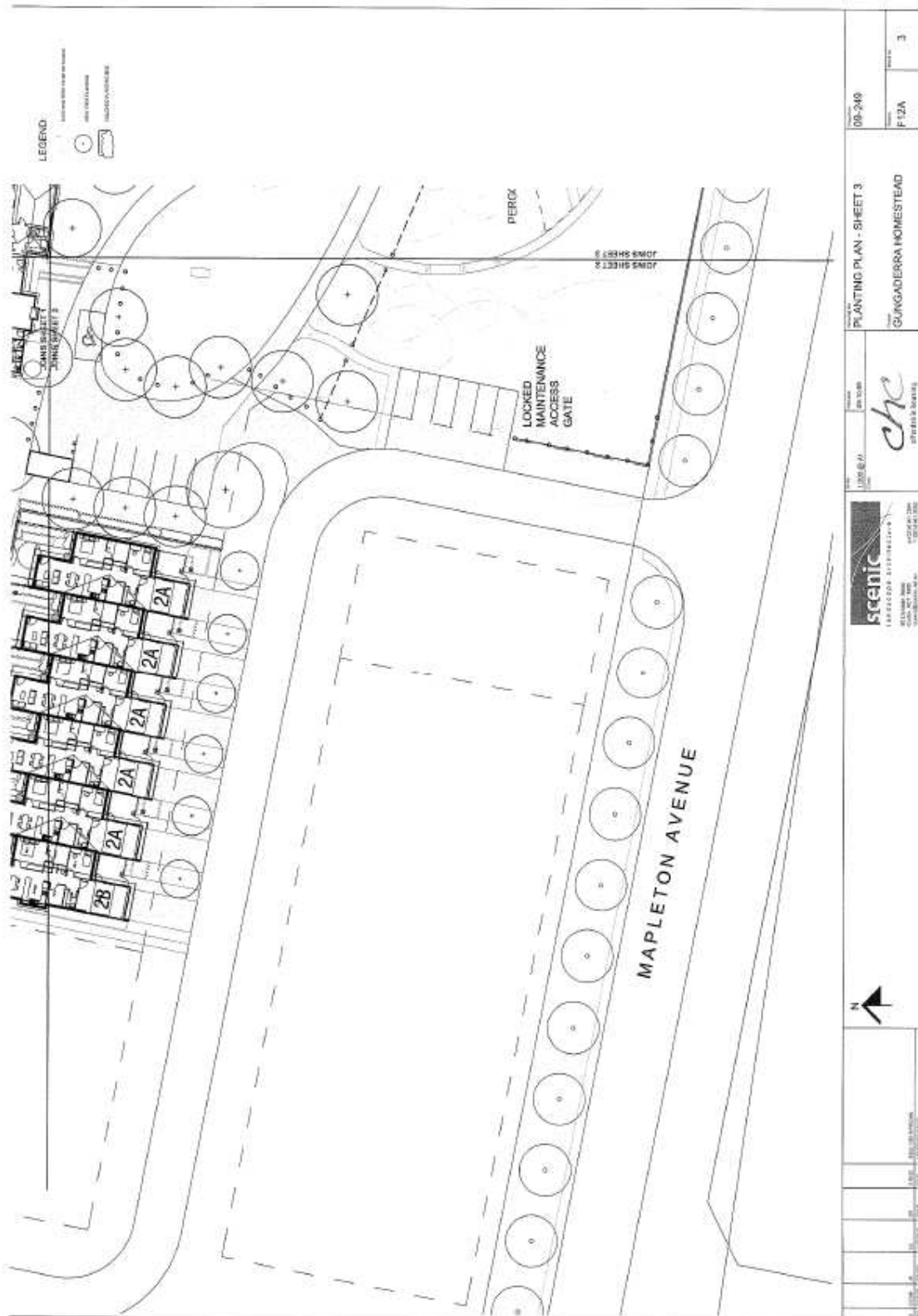
**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

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MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
Statement of Heritage Impact

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**ATTACHMENT 3C**

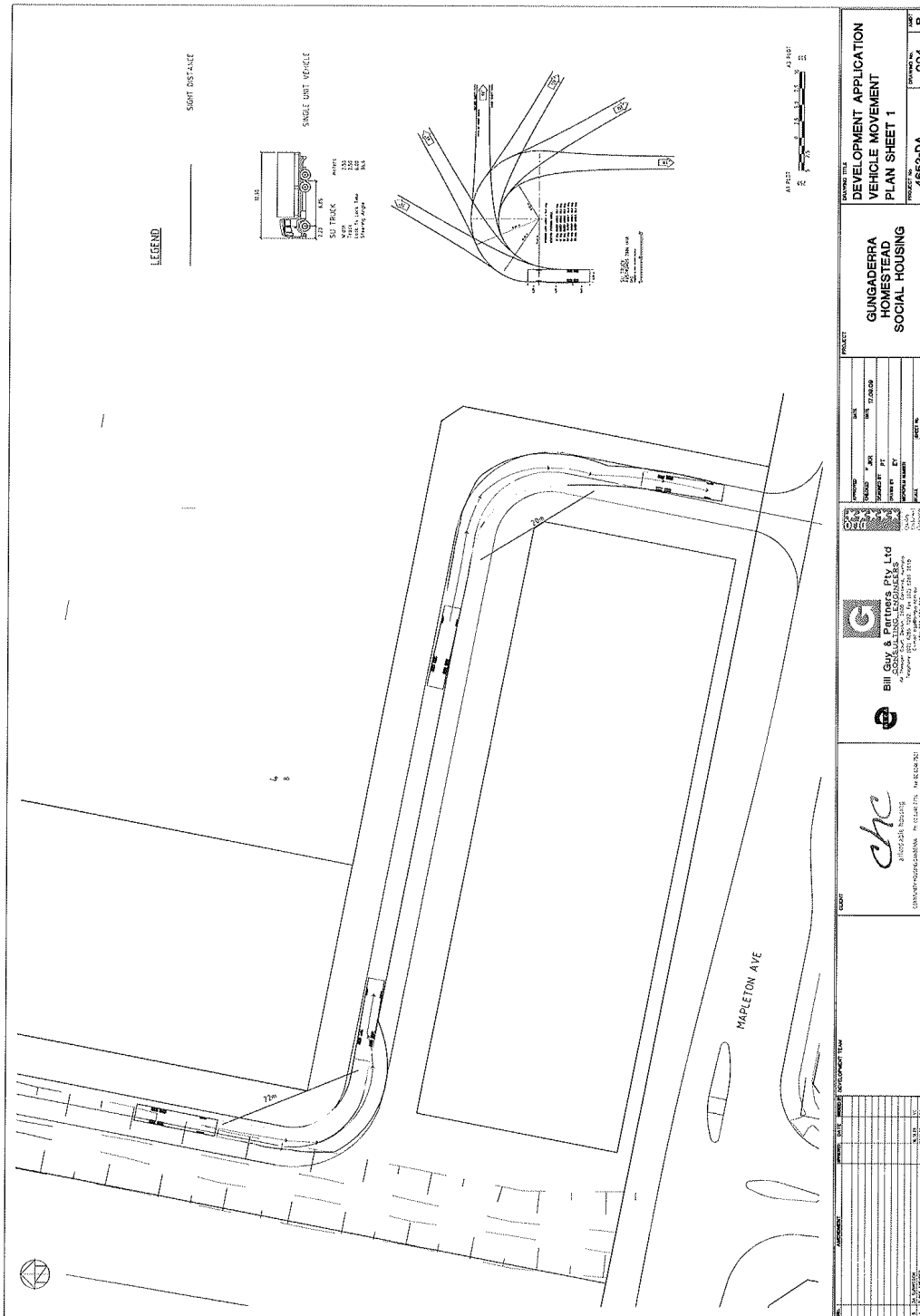
**SERVICES PLANS**





**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

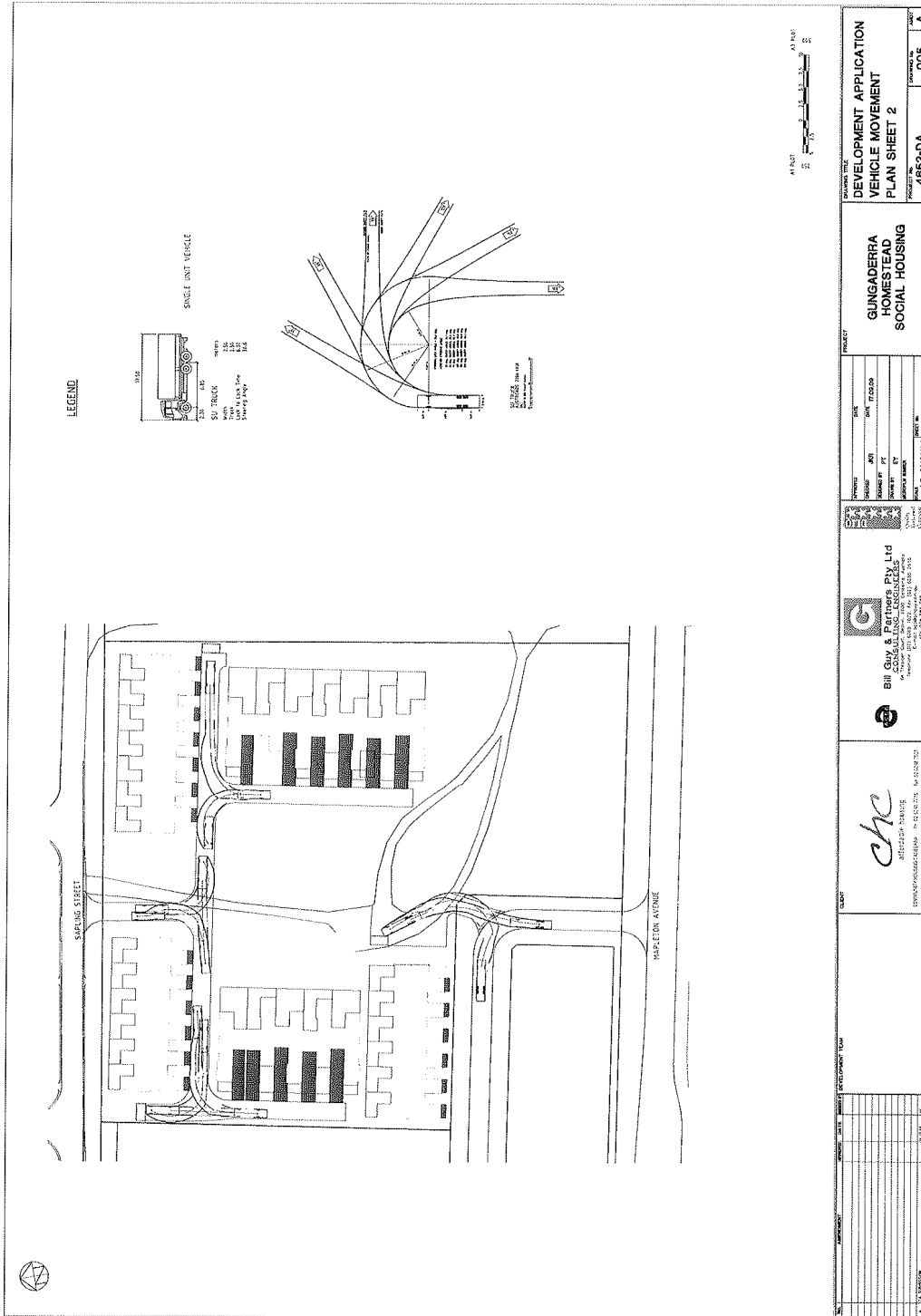
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<b>DEVELOPMENT TITLE</b> DEVELOPMENT APPLICATION VEHICLE MOVEMENT PLAN SHEET 1		<b>PROJECT</b> GUNGADERRA HOMESTEAD SOCIAL HOUSING		<b>PROCESS NO.</b> 4652-DA		<b>DRAWING NO.</b> 004		<b>REV.</b> B	
<b>DATE</b> 15/08/2018		<b>PROJECT NO.</b> 4652-DA		<b>PROJECT NAME</b> GUNGADERRA HOMESTEAD SOCIAL HOUSING		<b>PROJECT LOCATION</b> GUNGADERRA, VIC 3043		<b>PROJECT STATUS</b> AS SHOWN	
<b>CLIENT</b> Bill Gungaharra Pty Ltd 1/100 Gungaharra Rd Gungaharra VIC 3043		<b>DESIGNER</b> Eric Martin & Associates 1/100 Gungaharra Rd Gungaharra VIC 3043		<b>DATE</b> 15/08/2018		<b>SCALE</b> 1:100		<b>PROJECT NO.</b> 4652-DA	
<b>PROJECT NO.</b> 4652-DA		<b>PROJECT NAME</b> GUNGADERRA HOMESTEAD SOCIAL HOUSING		<b>PROJECT LOCATION</b> GUNGADERRA, VIC 3043		<b>PROJECT STATUS</b> AS SHOWN		<b>PROJECT NO.</b> 4652-DA	

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

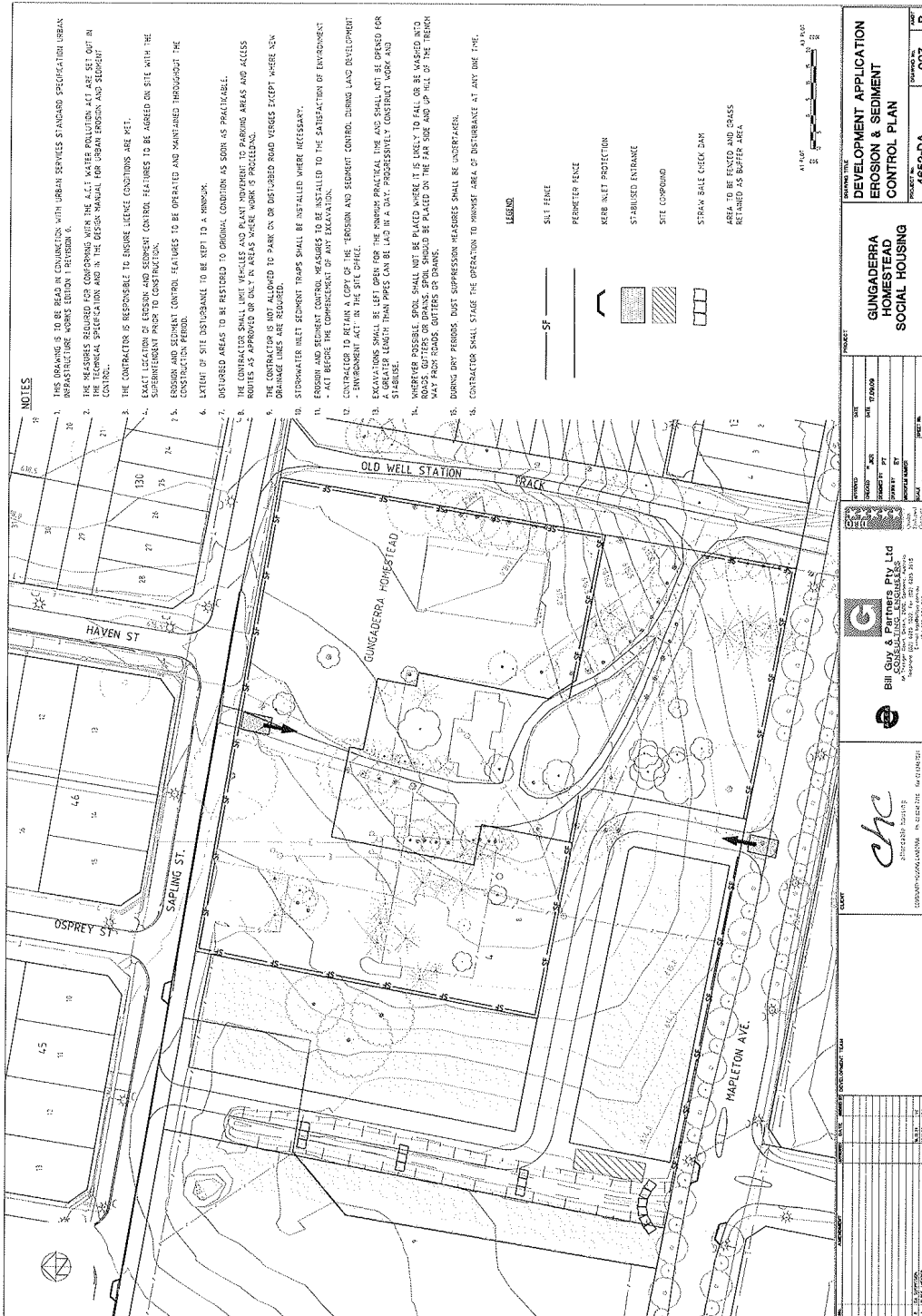
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**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

09B0



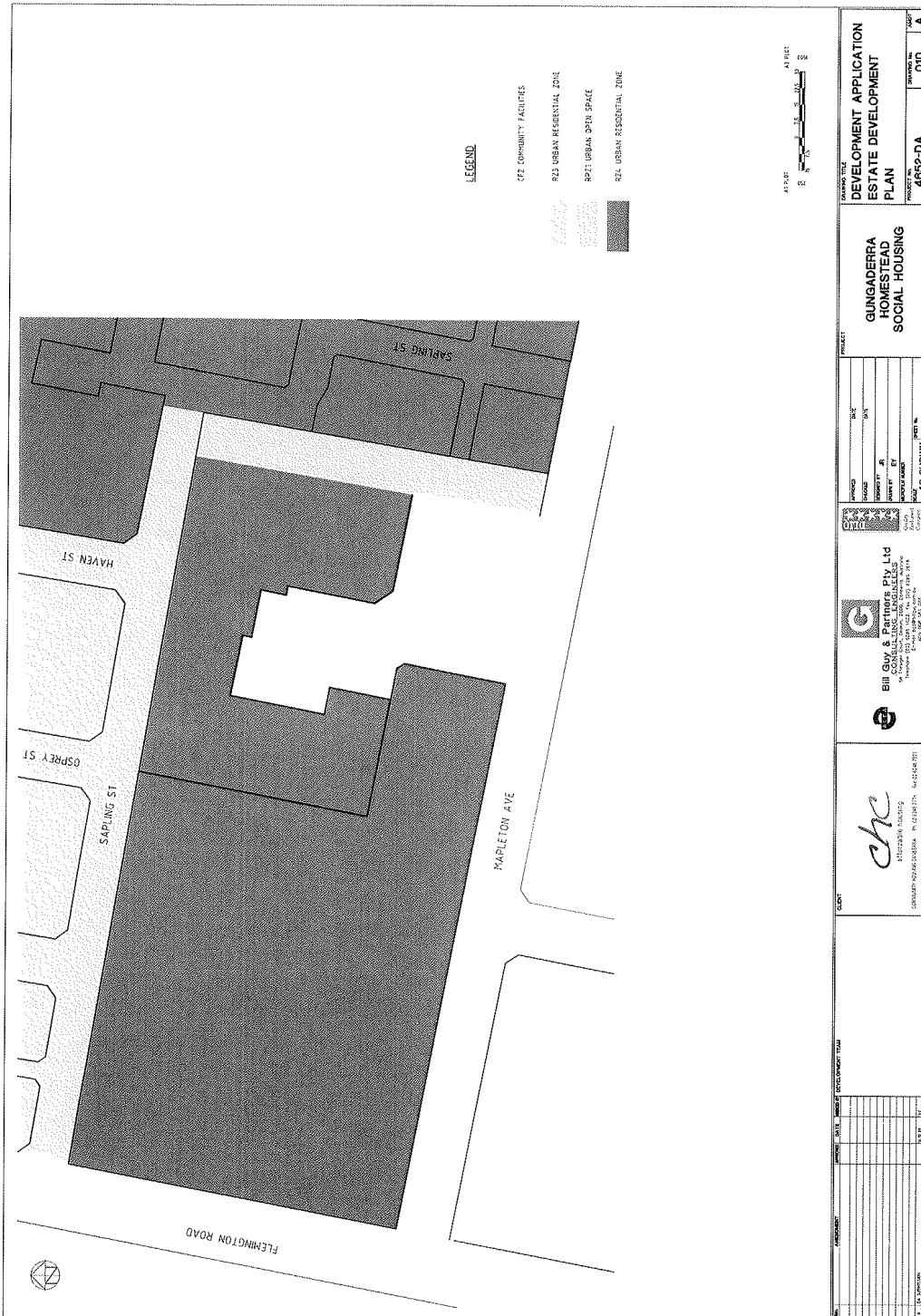
<b>PROJECT</b> GUNGAHERRA HOMESTEAD SOCIAL HOUSING		<b>DEVELOPMENT APPLICATION</b> EROSION & SEDIMENT CONTROL PLAN	
PROJECT NO. 4652-DA	DRAWING NO. 007	SHEET NO. 007	SHEET TOTAL 007
PREPARED BY: [Signature] CHECKED BY: [Signature] DATE: 17/09/2024 DRAWN BY: [Signature] DATE: 17/09/2024 AS SHOWN			
Bill Goss & Partners Pty Ltd 222 GOSKILL STREET GUNGAHERRA QLD 4274 PH: (07) 5531 1000 FAX: (07) 5531 1010 WWW.BILLGOSS.COM.AU			
chc CONSULTING HERITAGE CONSULTANTS 1/111 GUNGAHERRA AVENUE, GUNGAHERRA QLD 4274 PH: (07) 5531 1000 FAX: (07) 5531 1010 WWW.CHCCONSULTANTS.COM.AU			





**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

09B0



<b>CLIENT</b>  COMMUNITY HOUSING CENTRE 100-110 HARRISON ROAD, HARRISON VIC 3043		<b>PROJECT</b> GUNGADERRA HOMESTEAD SOCIAL HOUSING		<b>DATE</b> 15/08/2024	
<b>PREPARED BY</b> ERIC MARTIN & ASSOCIATES		<b>APPROVED BY</b> JESS SPONNIM		<b>SCALE</b> A	
<b>PROJECT NO.</b> 4652-DA		<b>PROJECT NAME</b> GUNGADERRA HOMESTEAD SOCIAL HOUSING		<b>PROJECT ADDRESS</b> 4652-DA	
<b>PROJECT LOCATION</b> GUNGADERRA, VIC 3043		<b>PROJECT TYPE</b> SOCIAL HOUSING		<b>PROJECT STATUS</b> PRELIMINARY	
<b>PROJECT CONTACT</b> JESS SPONNIM		<b>PROJECT CONTACT</b> JESS SPONNIM		<b>PROJECT CONTACT</b> JESS SPONNIM	

**ATTACHMENT 4 STRUCTURAL ENGINEER'S REPORT**

**sellick consultants**

Our ref: 91031:DMlaf

Contact: [REDACTED]

20 November 2009

Eric Martin & Associates  
Unit 10/68 Jardine Street  
**KINGSTON ACT 2604****GUNGADERRA HOMESTEAD**  
**BLOCK 08 SECTION 04 HARRISON**

This is to advise that an inspection of the existing heritage listed homestead was carried out on the 19 October 2009 to generally assess the structural condition of the premises. This assessment was based on a visual inspection only; no destructive testing was carried out, and deemed outside the scope of the initial inspection.

Generally the structure was found to be in fair condition which with additional works brought up to a good condition with the exception of the wall between the study and Bed 4 which shows signs of severe cracking and general failure.

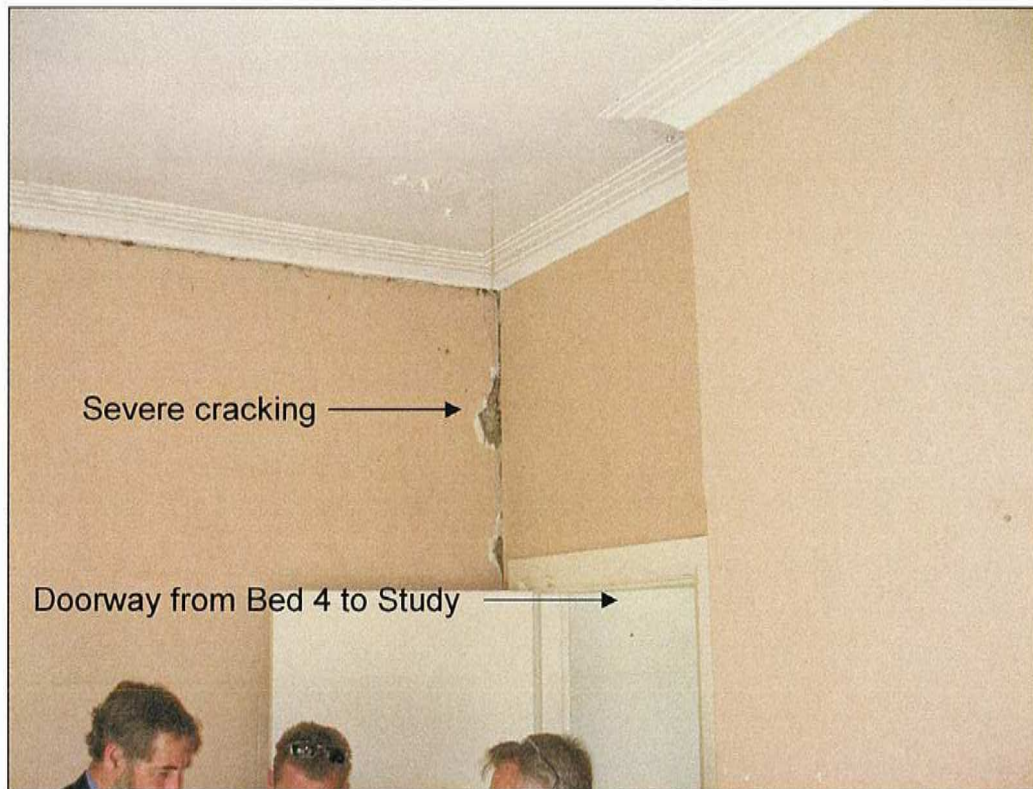
I am of the opinion that by retaining the Study and Bed 4 rooms, this will in fact inhibit works on improving the structural condition of the homestead in general and therefore recommend demolition of the subject area.

Should you have any comment or query pertaining to the above, please do not hesitate to contact me.

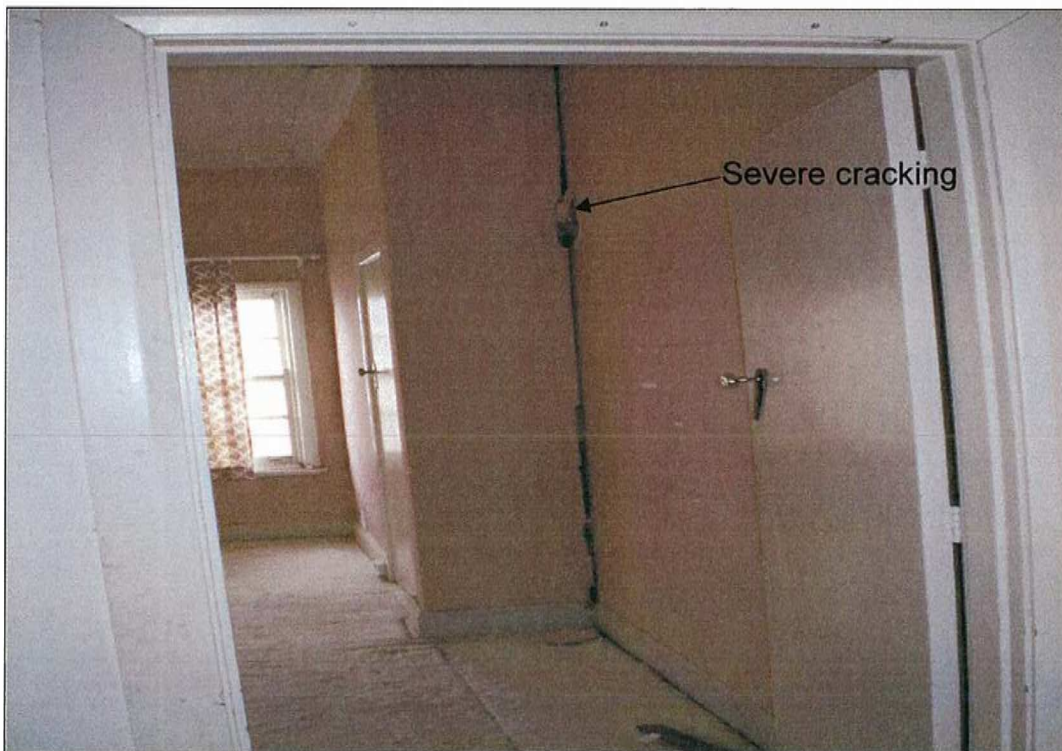
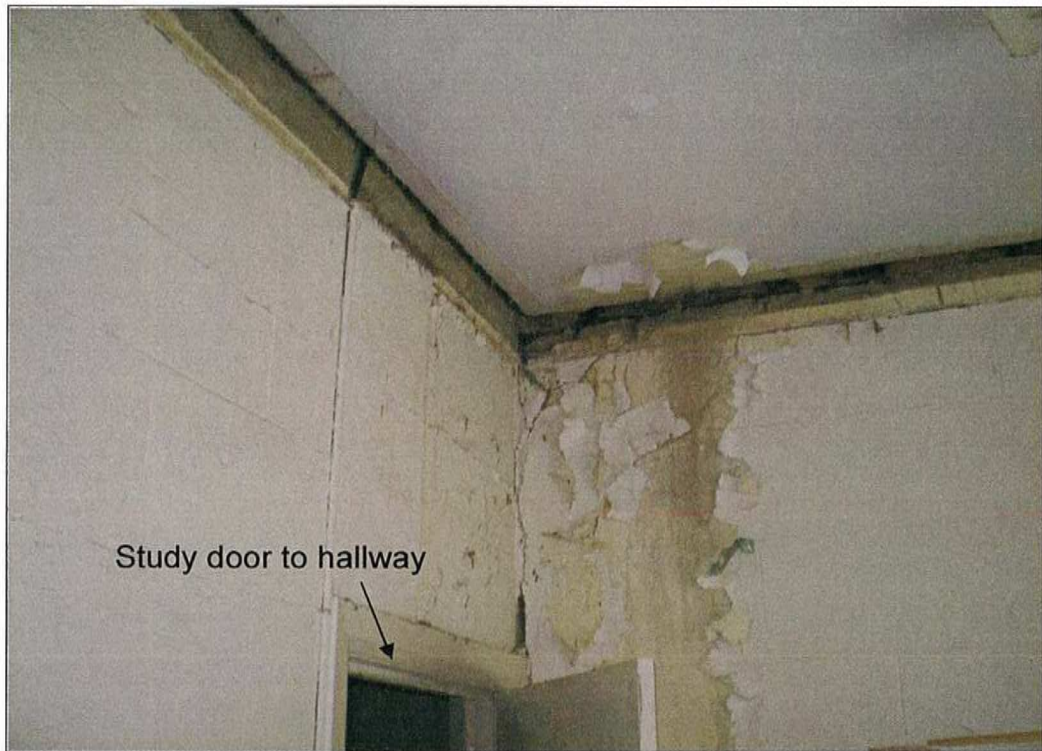
*Yours faithfully,*



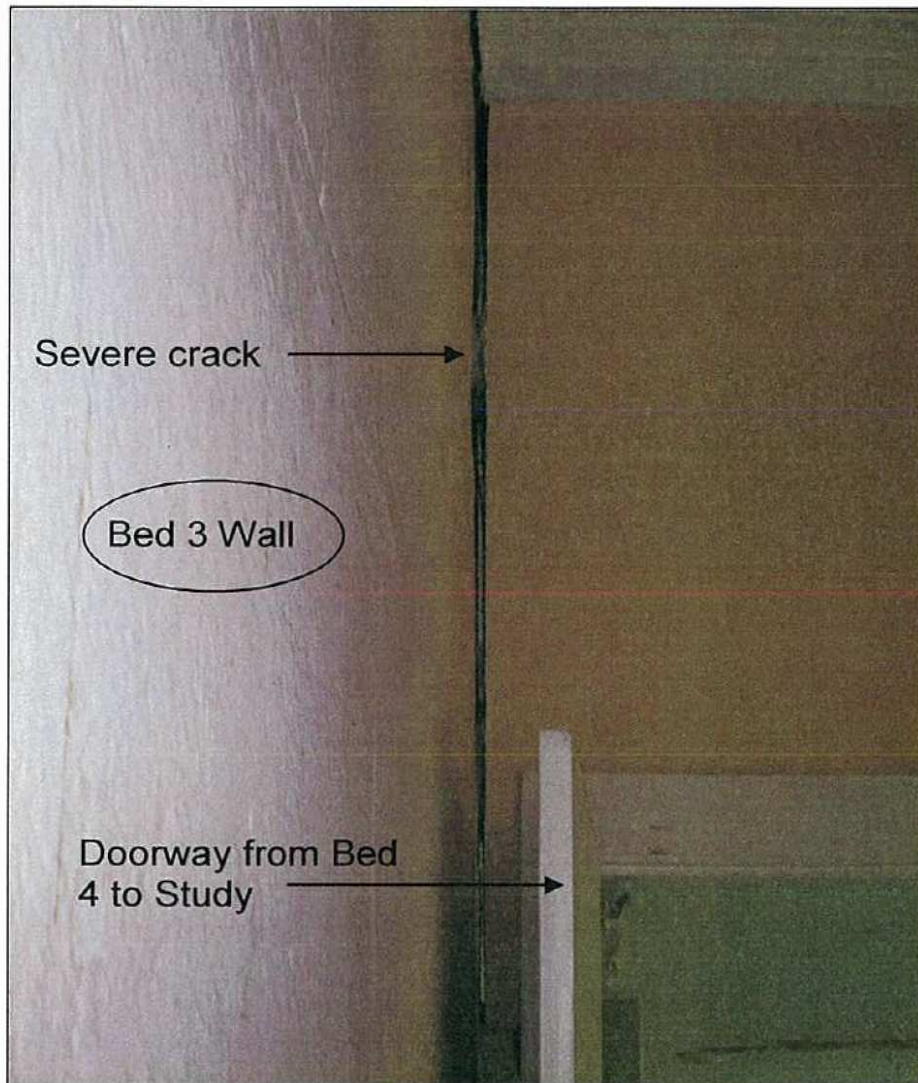
*B.E.(Hons), MIE(Aust), CPEng, NPER*  
*Director*  
for **Sellick Consultants Pty Ltd**



Bed 3 wall as viewed from Bed 4



View looking through Study wall into Bed 4



**ATTACHMENT 5 GUNGADERRA HOMESTEAD COMMUNITY FACILITY  
SCOPE OF WORK**

09B0

**GUNGADERRA HOMESTEAD COMMUNITY FACILITY****SCOPE OF WORK 11/11/2009****1. INTRODUCTION**

The following outlines scope of work required to bring the existing homestead up to an acceptable standard for reuse as a Community Centre. The scope does not include areas demolished or the interior of proposed wet areas (bathrooms, kitchen) which will be totally refurbished.

**2. FLOOR**

The floor consists of 100 x 50 joists on 100 x 75 bearers on flat supported on bricks. There is minimal clearance, no ant caps but the ground was dry. Carpet covered most floors and is stained or in poor condition but the condition of boards could not be determined. Existing room names as per attached plan have been used.

- Recommend:
- Remove carpet
  - Retain timber floor, punch and refix any loose boards
  - Clear finish throughout (could carpet if desired)
  - Chemically treat for termites
  - Maintain/implement good sub floor ventilation
  - Retain black Japan to Bedroom 3 and possibly mat in centre.

**3. WALLS****3.1 General**

The sections that remain include rendered pise and fibrous plaster with set finish. Section of the render is drummy and cracked and Bedroom 2 is wallpapered to 3 walls. Kitchen walls flat sheet (possibly asbestos).

- Recommend:
- Remove wallpaper from Bedroom 2 and make good
  - Fill cracks with polymethane filler
  - Replace drummy render on north side of hall and east and north wall of Living Room, and any other areas
  - Prepare and paint
  - Replace asbestos cement sheeting in kitchen and seal gaps at top.

**3.2 Fireplaces and Surrounds are generally in good condition.**

- Recommend:
- Repair and paint existing painted surfaces
  - Clean chimneys and confirm what is operational

**4. CEILING**

Fibrous plaster with cover battens, timber boards or flat sheet (probably asbestos) with cover battens. A few holes in fibrous plaster.

- Recommend:
- Repair holes in fibrous plaster in bedroom 3
  - Replace asbestos cement sheet with fibrocement with similar details
  - Prepare and paint

- Replace scotia cornice to west side of Bedroom 2 and repair wall

## **5. CEILING SPACE**

### **5.1 General**

Some insulation and area is generally dry and accessible. Some evidence of possums.

Recommend: - New insulation throughout ceiling

### **5.2 Roof structure is minimal but has survived**

Recommend: - Add collar ties to each rafter  
- Add hanging beam across Bedroom 2.  
- Add purlin to rafters and strut off walls

## **6 ROOF**

### **6.1 General**

Some signs of rusting but sound and likely to last a number of years. Some lifting sheets. Capping, flashings appear to be in reasonable condition with no obvious leaks.

Recommend: - Retain roofing but re nail and fix securely  
- Thorough inspection to ensure all flashings etc are watertight  
- Check fascia, retain if sand, replace as necessary

### **6.2 Gutters rusty in many places but downpipes generally reasonable**

Recommend: - Replace gutters and downpipes

### **6.3 Eaves especially on south side masonite which is water damaged, sagged and falling out. Some eaves is flat sheet (probably asbestos)**

Recommend: - Recommended replace all eaves with fibro cement and cover battens and paint.

### **6.4 Tank**

Tank appears in reasonable condition but life is unknown

Recommend: - Replace tank

## **7 WINDOWS**

### **7.1 General**

Most in reasonable operational condition but some glazing is cracked, several catches are missing, one sash cord broken and paint, especially externally, is in poor condition with some putty missing. Flyscreens in poor condition.

Recommend: - Repair, sand back and repaint  
- Try and seal gaps and reduce all leakage  
- Replace flyscreens  
- Bedroom 3: 2 new catches and cracked pain  
- Living room add sash lifts to north window  
- Laundry new catches to windows  
- Repair sash to window in lounge  
- Repair catch to window in Bedroom 1  
- Replace cracked glass in Bedroom 1

### **7.2 None are double glazed and some may not be thick enough to meet current standards for a public building**

**MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON**  
**Statement of Heritage Impact**

09B0

- Recommend: - Investigate thickness and replace glass to meet current standards. This will also apply to glazed doors

## 8 DOORS

Most doors are in reasonable condition. Most have knob handles with many located quite high. External door from hall has a deadlock. Fly screen in poor condition.

- Recommend:
- Repair and repaint all doors
  - Remove door in Bed 3 and replace with window in existing opening.
  - Door to former study is not original. Replace with existing door from bedroom 3 or delete door.
  - Replace flyscreens.
  - Provide seals to reduce air loss

## 9 JOINERY

Kitchen joinery only in fair condition

- Recommend: - Replace kitchen joinery

## 10 ELECTRICAL

It is in working condition but condition unknown. New work to be concealed

- Recommend:
- Renew
  - Replace switchboard and locate in a more suitable location
  - Relocate pole and supply from underground

## 11 VERANDAH

Masonite lining in poor condition with half removed. Some bases of columns rotten. One bracket missing. Deck in two sections with some in poor condition.

- Recommend:
- Add post shoes to all posts
  - Add missing bracket
  - Reline ceiling with fibro cement
  - Rebuild deck.
  - Replace rotten timbers

## 12 EXTERNAL WALLS

Render in reasonable condition but paint poor condition some sections of render on north side failed

Services especially water run externally.

- Recommend:
- Repair render and repaint
  - Remove all surface run services
  - Renail weatherboards replacing any rotten ones

## 13 DISABILITY ACCESS

Most doors are 760 mm clear opening except lounge room and hall external doors which are 800 mm. Door hardware are knobs about 1400 mm high. Light switches are above 1100mm.

- Recommend:
- The existing lounge room and hall can be used as the main entrances as they meet current BCA. Hardware will need to comply to these doors.
  - Provide ramp access to verandah and deck and ramp to back door.
  - Remove door to former study and leave opening

- Manage access to other rooms and facilities to reduce potential discrimination.

**14 BCA ISSUES**

The BCA issues raised by ACT Metro in memo 20/10/09 as listed below

Termite treatment – refer section 2

Sub floor ventilation – refer section 2

Good ventilation on all sides should mean no need for fans.

Sub floor access – existing floor cutouts to remain and each room to have an inspection pit.

Structure – Refer 5.2

Section J – Needs an assessment but with good seals and glazing to comply this should be satisfied

Glazing – Refer 7.

**15 HEATING/COOLING**

Method to be resolved.

**16. ASBESTOS**

All asbestos material to be removed from the building and be replaced with new material as described above or similar to existing.

**17. WET AREAS (Bathroom/Kitchen)**

Batten out existing walls and line with villaboard. Remove timber floor and assess if new timber or slab floor is proposed. Add new membrane and tile as desired. Fitout with new fittings and services.

**18. EXTERNAL**

Remove existing paving. New paving as per landscape plan

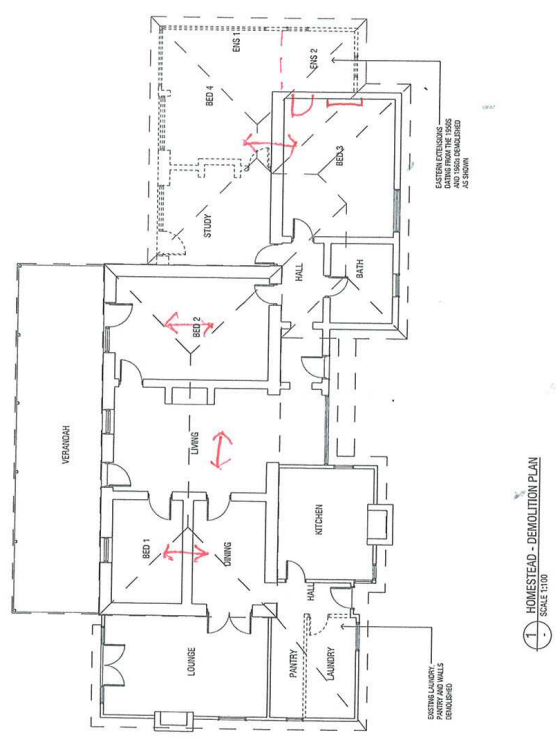
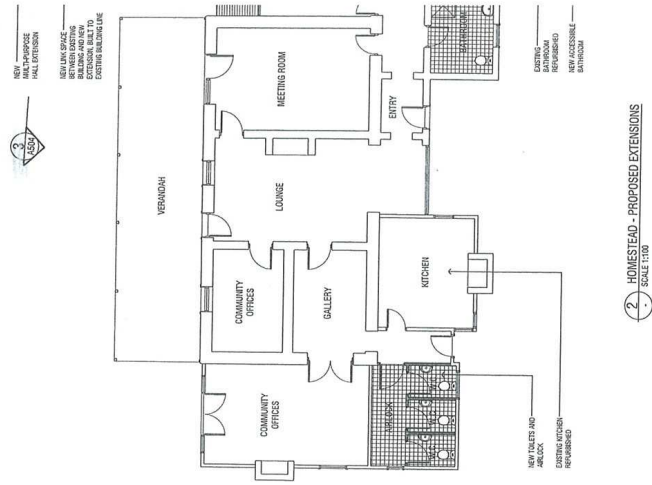
New decks as per item 13

Lower ground around decks and house to maintain sub floor ventilation

Remove vegetation around house

MULTI-UNIT HOUSING AND COMMUNITY CENTRE, BLOCK 8 SECTION 4 HARRISON  
 Statement of Heritage Impact

09B0



**ATTACHMENT 6 GUNGADERRA HOMESTEAD MACHINERY SHED  
SCOPE OF WORK**

09B0

**GUNGADERRA HOMESTEAD MACHINERY SHED****SCOPE OF WORK 06/01/1010****6. INTRODUCTION**

Until the exact use and needs are defined it is difficult to confirm all the work required but on the basis of a Men's Shed the following is recommended.

**7. RECOMMENDATIONS**

Stabilise structure which will require some stabilising, some bracing (wire preferred) and possibly some additional support to roof straightening.

Make weather tight – re nail all weatherboard and corrugated sheeting.

- Add windows to existing openings or glazed doors or corrugated metal clad timber framed doors.
- Add weatherboards or corrugated sheeting to complete and seal existing walls.

Renail roofing, replacing as required.

Replace gutter and downpipes.

Provide a concrete slab floor.

Add new electrical services.

NOTE: No insulation will make it hot in summer. Pot belly heater could be used in winter.

Acoustic insulation may be required depending on activities proposed and hours of use (refer DA Notice of Decision Part 3 Public Notification clause (c))

**From:** Priestly, Sharon  
**To:** [Harmer, Sharon](#)  
**Subject:** Blocks 8 & 9 Section 4 Harrison - Gungaharra  
**Date:** Friday, 23 October 2009 2:04:00 PM

---

Hi Sharon

DA200915923 has been submitted for the development of Blocks 8 & 9 Section 4 Harrison. I'm not sure whether any leasing action is required at this stage to withdraw land from the Balance Crown lease? It's probably all under control.

I've attached a link to the DA

With thanks

Sharon  
DA Leasing



# CHECKLIST

## DA Lodgement

**BLOCK/S** 8 & 9

**SECTION** 4

**SUBURB** Harrison

**Part A: Further information requests**

**INITIAL CHECK BY APPLICATIONS SECRETARIAT**

Pass

**FAIL**

**OFFICER** Bala

**DATE** 22/10/2009

**Initial Check Failure Reasons**

Resubmission

Accepted? List each failure reason separately

- 1. Govt Land Custodian signature required in page 10 of the application form as works on the verge.
- 2.
- 3.
- 4.

**Comments**

Application form contains only page 1 to 10. If other pages required please request for resubmission..

Complete fee component of Part D: Public Notification Requirements

~~~~~  
*DA OFFICER TO COMPLETE FROM THIS POINT FORWARD*

**DUTY PLANNER:** ajith

**DATE:** 23/10/09

**INITIAL CHECK BY DEVELOPMENT ASSESSMENT**

Pass

**FAIL**

**Duty Planner Failure reasons**

Resubmission

Accepted? List each failure reason separately

- 1.
- 2.
- 3.
- 4.

**Comments**

**Resubmission to be checked by the Applications Secretariat?**

**Part B: General and requirements under Section 139 of the Act**

Is the proposed development assessable (i.e. not exempt or prohibited development)? **Assessable Development**

**Comment:**

Does the application state the intended land use? **YES**

Which is the chosen assessment track? **MERIT**

Is the application accompanied by a survey certificate as specified at Section 139 (2)(j) (unless exempt – see Section 25 of Regulations)? **YES**

Does Section 205 (DAs for developments undertaken without approval) apply and if so, is the application accompanied with a plan/s endorsed by a registered surveyor that sets out the dimensions of the development as specified at Section 139(2)(k)? **NOT APPLICABLE**

**Part C: Track Specific requirements**

Is the application accompanied by information and documents in line with the DA form, including entity endorsements and/or required documentation? **YES**

Also if Merit Track and relevant, does the application include an assessment of the possible environmental effects of the development? **NOT APPLICABLE**

Also if Impact Track, is a completed Environmental Impact Statement for the proposal submitted (unless Section 211 applies)? **NOT APPLICABLE**

**Part D: Public Notification Requirements**

The development application requires:

Major - S155

**IF MAJOR NOTIFICATION:** Number of **additional small** signs required is

Number of **additional large** signs required is

**TOTAL NOTIFICATION FEE PAYABLE =**

**NB:** Section 155 is subject to the restrictions outlined at Section 411 and 412 of the Act. Limited public notifications for certain Merit Track applications are prescribed in Schedule 2 of the Regulations.

**Note – Large signs are used for DA’s that meet any one or more of the following. DA’s that are in the Impact Track, a building or structure intended to be higher than 25m2, a building where the total floor space is intended to be more than 7000m2, and a residential building intended to be higher than 3 storeys AND consisting of 50 or more units.**

Review Development Application Form to ensure the description of the proposal is accurate and corresponds with terminology in the Territory Plan. If not, then clarify details with the applicant and add announcement to SharePoint stating correct details for Public Notification.

**Part E: GFA and Cost of Works** in accordance with Building (General) (Cost of Building Work) Determination 2009 (No 1)

**Total Cost of Works:**

**Part F: Mandatory Entity Referrals** (for Merit and Impact track DAs only)

Refer to Work Instruction – Entity Referrals for guidance.

Indicate referral requirements by checking appropriate box/es:

**Asset Acceptance**

(Territory and Municipal Services)       Check if ANY referral to TAMS is required

Check if also applicable:

- Stormwater – where there is a stormwater easement – demolition works
- Single Residential Driveways Only
- Waste Management
- Verge crossovers or modifications in RZ3 & RZ4 zones

**ActewAGL/ACTEW Corporation**

- Demolition works – utilities
- Utilities – electricity, water & sewer and gas
- Liquid Trade Waste

**Conservator of Flora and Fauna**

Declared site only

**Custodian of the Land (unleased)**

**Identify Custodian:**

**Environment Protection Agency**

- Noise
- Erosion and Sediment Control (if site > 0.3 of a hectare)
- Hazardous Material – Pre 1985 Multi-unit Housing or Pre 2005 commercial / industrial premises

**Heritage**

Heritage – Registered Land or Building

**Tree Protection**

Where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees

**Impact Track – Mandatory Referrals required for all of the following entities**  
(unless the entity is the applicant):

- ACTEW Corporation Limited
- Chief Executive of the Administrative Unit Responsible for Municipal Services
- Conservator of Flora and Fauna
- ACTEW / AGL
- Chief Executive of the Administrative Unit Responsible for Health Policy
- Heritage Council
- Emergency Services Commissioner

**Part G: Non- Mandatory Entity Referrals** (as required for Merit and Impact track DAs only)

| Entity                                                                     | Provide Reason for Referral |
|----------------------------------------------------------------------------|-----------------------------|
| <input type="checkbox"/> Action Buses                                      |                             |
| <input type="checkbox"/> ACT Health                                        |                             |
| <input type="checkbox"/> Australian National University                    |                             |
| <input checked="" type="checkbox"/> Emergency Services (Fire or Ambulance) |                             |
| <input type="checkbox"/> Gambling and Racing Commission                    |                             |
| <input checked="" type="checkbox"/> Housing and Community Services         |                             |
| <input type="checkbox"/> Land Development Agency                           |                             |
| <input type="checkbox"/> National Capital Authority                        |                             |
| <input type="checkbox"/> Office of Regulatory Services                     |                             |
| <input type="checkbox"/> Police                                            |                             |

|                                                        |  |
|--------------------------------------------------------|--|
| <input type="checkbox"/> Queanbeyan City Council       |  |
| <input type="checkbox"/> Registrar Generals Office     |  |
| <input checked="" type="checkbox"/> Transport Planning |  |
| <input type="checkbox"/> Workcover                     |  |
| <input type="checkbox"/> Other (please specify)        |  |

**Part H: Leasing Checks**

**For new single residences in new estates the DA Leasing to check the commence and complete clauses in lease.**

Has the leasing check been undertaken? **NOT APPLICABLE**

**All proposed developments, other than single residential require a leasing check by DA Leasing.**

Has the leasing check been undertaken? **YES**

(N.B. Check for announcement in SharePoint – Do not complete lodgement check until the leasing check is completed. If necessary add notes in Comments field in Part H)

**23/10/09  
accepted for lodgement**



Checking Officer:

Date:

**From:** [App Sec](#)  
**To:** [ACTPLA DA Leasing](#)  
**Cc:** [Sare, Irma](#)  
**Subject:** Development Application Leasing Check-200915923-01-Stomulus package DA  
**Date:** Thursday, 22 October 2009 8:38:00 AM

---

## **STIMULUS PACKAGE DA**

**Block - 8 & 9**

**Section - 4**

**Suburb - Harrison**

**Proposal - Multiple Dwelling - Community - Public Works - Signage - Heritage. Demolition of the existing workers cottage, managers cottage, part main homestead building and new extension to that building, demolition of number of trees and construction of 31 townhouses, garden shed, new civil works including roads and service infrastructure and substantial lanscaping.**

Dear Leasing,

The above mentioned block is awaiting for the completion of the Development Leasing Checklist.

Yours Truly,

App.Sec



# CHECKLIST

## Dispatch Advice Checklist

---

DA Number: 200915923

Block(s): 8 & 9 Section: 4 District/Division: HARRISON

Case Officer: WALID Contact Number: 62071848 Decision Date: 18-Dec-09

Application Type: **MERIT TRACK DA**

Dispatch Plans: **YES** Dispatch by: **AS PER DA FORM**

Plans have been moved to the sub-folder in the approved plans folder however have not been stamped as relevant conditions are yet to be satisfied. The plans are not to be dispatched.

Dispatch Entity Referral Advice: **NOT APPLICABLE**

An Objective alias for the relevant mandatory entity referral advice received from ActewAGL, Actew Corporation, Environment Protection Agency and/or Asset Acceptance, as per S149 of the *Planning and Development Act 2007*, has been moved to the approved plans folder.

Type of Decision: **APPROVED WITH CONDITIONS**

Decision By: **DELEGATE OF THE AUTHORITY**

Representations: **YES**

### Appeal Rights

Applicant: **YES**

Person who made Representation: **NO**

### Entities to be advised

Entity Referral Required: **YES**

Leasing Referral Required: **NO**

- |                                                                            |                                                                    |
|----------------------------------------------------------------------------|--------------------------------------------------------------------|
| <input type="checkbox"/> Action Buses                                      | <input checked="" type="checkbox"/> Heritage                       |
| <input checked="" type="checkbox"/> ActewAGL                               | <input checked="" type="checkbox"/> Housing and Community Services |
| <input type="checkbox"/> Actew Corporation                                 | <input type="checkbox"/> Land Development Agency                   |
| <input type="checkbox"/> ACT Health                                        | <input type="checkbox"/> National Capital Authority                |
| <input checked="" type="checkbox"/> ACT Heritage Council                   | <input type="checkbox"/> Office of Regulatory Services             |
| <input checked="" type="checkbox"/> Asset Acceptance                       | <input type="checkbox"/> Police                                    |
| <input type="checkbox"/> Australian National University                    | <input type="checkbox"/> Queanbeyan City Council                   |
| <input checked="" type="checkbox"/> Conservator of Flora and Fauna         | <input type="checkbox"/> Registrar Generals Office                 |
| <input type="checkbox"/> Custodian of the land -                           | <input type="checkbox"/> Transport Planning                        |
| <input checked="" type="checkbox"/> Emergency Services (Fire or Ambulance) | <input checked="" type="checkbox"/> Tree Protection                |
| <input checked="" type="checkbox"/> Environment Protection Agency          | <input type="checkbox"/> Workcover                                 |
| <input type="checkbox"/> Gambling and Racing Commission                    | <input checked="" type="checkbox"/> Other: TaMS                    |

### Comments



# CHECKLIST

## Dispatch Advice Checklist

---

DA Number: 200915923A Block(s): 8&9 (11,12&13) Section: 4 District/Division: HARRISON

Case Officer: KEVIN POLGLASE Contact Number: 62072634 Decision Date: 3-May-11

Application Type: **S197 AMENDMENT TO DA**

Dispatch Plans: **YES - Letter of endorsement** Dispatch by: **AS PER DA FORM**

Plans have been moved to the sub-folder in the approved plans folder however have not been stamped as relevant conditions are yet to be satisfied. The plans are not to be dispatched.

Dispatch Entity Referral Advice: **NOT APPLICABLE**

An Objective alias for the relevant mandatory entity referral advice received from ActewAGL, Actew Corporation, Environment Protection Agency and/or Asset Acceptance, as per S149 of the *Planning and Development Act 2007*, has been moved to the approved plans folder.

Type of Decision: **APPROVED**

Decision By: **DELEGATE OF THE AUTHORITY**

Representations: **NOT APPLICABLE**

### Appeal Rights

Applicant: **YES**

Person who made Representation: **NOT APPLICABLE**

### Entities to be advised

Entity Referral Required: **NO**

Leasing Referral Required: **NO**

Deed Mgt. Referral Required: **NO**

Land Reg. Referral Required: **NO**

- |                                                                 |                                                         |
|-----------------------------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Action Buses                           | <input type="checkbox"/> Heritage                       |
| <input type="checkbox"/> ActewAGL                               | <input type="checkbox"/> Housing and Community Services |
| <input type="checkbox"/> Actew Corporation                      | <input type="checkbox"/> Land Development Agency        |
| <input type="checkbox"/> ACT Health                             | <input type="checkbox"/> National Capital Authority     |
| <input type="checkbox"/> ACT Heritage Council                   | <input type="checkbox"/> Office of Regulatory Services  |
| <input type="checkbox"/> Asset Acceptance                       | <input type="checkbox"/> Police                         |
| <input type="checkbox"/> Australian National University         | <input type="checkbox"/> Queanbeyan City Council        |
| <input type="checkbox"/> Conservator of Flora and Fauna         | <input type="checkbox"/> Registrar Generals Office      |
| <input type="checkbox"/> Custodian of the land -                | <input type="checkbox"/> Transport Planning             |
| <input type="checkbox"/> Emergency Services (Fire or Ambulance) | <input type="checkbox"/> Tree Protection                |
| <input type="checkbox"/> Environment Protection Agency          | <input type="checkbox"/> Workcover                      |
| <input type="checkbox"/> Gambling and Racing Commission         | <input type="checkbox"/> Other:                         |

### Comments

[REDACTED]

**Subject:** Gungaherra Homestead Redevelopment - 8.4 Harrison  
**Date:** Tuesday, 15 December 2009 12:53:56 AM

---

Hi Kevin,

Please find attached additional information as requested.

Cheers,  
Alastair



[REDACTED] DIRECTOR



**INITIAL ADMINISTRATION CHECKLIST – LODGED AT THE COUNTER**

Block: 8 Section: 4 Suburb: harrison

Application needs to be handed back to applicants if relevant signature(s) are incorrect or not supplied or the lessee details are wrong. These points are underlined.

**FORM**

Yes  No  Ensure that ALL parts of the application form have been filled out completed all the relevant contact details

Yes  No  Check public register exemption of the DA Form, if YES has been selected; refer the application to the App Sec team leader to explain the process to the applicant.

Yes  No  Is the application from the Lessee and signed by them?

Yes  No  Has the Lessee and Applicant signed the Letter of Appointment/DA Form?"

**TAROQUIN**

Yes  No  Ensure that the lessee details are correct

**ACTMAPI**

If the block is unleased we require a signature of the government manager of the land. If the driveway question is ticked with a yes, the land custodian's signature is required if on a verge..

Yes  No  Has a signed authority letter been provided by the Land Custodian

Yes  No  Check that applicant has submitted the correct form and has the correct zone and code.

Yes  No  Check if there are any special overlays NCP.

Yes  No  Check that the street address matches the block and section in the form.

**PALM**

|                       | <u>Yes</u>                          | <u>No</u>                           |
|-----------------------|-------------------------------------|-------------------------------------|
| Holding Lease         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Unleased              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Unit Titled           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Heritage              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| NCA – Designated Area | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Compliance            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Yes  No  If the block is in a Designated Area please consult a duty planner before taking the application in. If the block is Heritage, Bushfire and/or Compliance please use relevant stamps on the application form

**CD or DVD**

Yes  No  All required documentation must be provided in an electronic format on CD or DVD. Check that the documents on the disk are loadable and that the CD is labelled. Remind the customer that the documentation provided on the CD or DVD is the documentation that the authority will be using to assess the application if there are hard copies provided.

Yes  No  If the application is for residential the applicant is required to have a floor plan both with internal layout and one without.

**eDevelopment Portal**

New user created or is existing in the Sharepoint Portal.

If it is for a company, company created or is existing in the Sharepoint Portal.

Processed by: 

Date: 20/10 /2009



[REDACTED]

## ADVICE TO REPRESENTOR AFTER DECISION

[REDACTED]

**BLOCK: 8 SECTION: 4 SUBURB: HARRISON  
DEVELOPMENT APPLICATION NUMBER: 200915923**

Development Application Number 200915923 has been approved subject to conditions.

As you lodged a representation in relation to this Development Application please find attached a copy of the Notice of Decision in accordance with the requirements of Section 170 of the *Planning and Development Act 2007*.

A copy of the application and the decision are also available for inspection on the Public Register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Customer Service Centre, 16 Challis Street, Dickson, ACT.

If you require any further information please contact (02) 6207 1687.

Yours sincerely

Applications Secretariat

22 December 2009



[REDACTED]

## ADVICE TO REPRESENTOR AFTER DECISION

[REDACTED]

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Applications Secretariat

22 December 2009



[REDACTED]

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[REDACTED]

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Yours sincerely

Applications Secretariat

22 December 2009



[REDACTED]

## ADVICE TO REPRESENTOR AFTER DECISION

[REDACTED]

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If you require any further information please contact (02) 6207 1687.

Yours sincerely

Applications Secretariat

22 December 2009

**From:** [App Sec](#)  
**To:** [Heritage Referrals](#); [TAMS CIS ASG DA](#); [McKeown, Helen](#); [Schilg, Cassie](#); [Tree Protection - ACTPLA Ref - #398373](#); [Dekieffe, Rene](#)  
**Subject:** Minute to Entities 8,9/4 Harrison  
**Date:** Tuesday, 22 December 2009 1:11:00 PM

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Dear Sir/Madam,

Development Application 200915923 was approved with conditions on 18/12/2009. In accordance with Section 174 of the Planning and Development Act 2007 please find attached a copy of the decision for your information.

If you require any further information please contact (02) 6207 1687.

Yours sincerely

Applications Secretariat  
22/12/09

**From:** [App\\_Sec](#)  
**To:** [devapp@actewagl.com.au](mailto:devapp@actewagl.com.au); [Tisdell, Tony](#); [EmergencyManagement](#)  
**Subject:** Minute to Entities 8,9/4 Harrison  
**Date:** Tuesday, 22 December 2009 1:06:00 PM

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Dear Sir/Madam,

Development Application 200915923 was approved with conditions on 18/12/2009. In accordance with Section 174 of the Planning and Development Act 2007 please find attached a copy of the decision for your information.

If you require any further information please contact (02) 6207 1687.

Yours sincerely

Applications Secretariat  
22/12/09



# Notice of decision

Under Part 7 of the *Planning and Development Act 2007*

## Merit track

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|                                                    |                         |                  |
|----------------------------------------------------|-------------------------|------------------|
| DA NO: 200915923                                   | DATE LODGED: 28/10/2009 |                  |
| DA NO: 200915923 S141/A                            | 06/12/2009              |                  |
| DA NO: 200915923 S141/B                            | 15/12/2009              |                  |
| DATE OF DECISION: 18 December 2009                 |                         |                  |
| BLOCKS: 8 & 9                                      | SECTION: 4              | SUBURB: HARRISON |
| STREET NO AND NAME: 24 Sapling Street Harrison     |                         |                  |
| APPLICANT: AMC Projects Pty Ltd                    |                         |                  |
| LESSEE: Amanda and Tanya Mawson<br>Michelle Fulton |                         |                  |

### THE DECISION

This application was lodged in the merit track. Pursuant to section 113(2) of the *Planning and Development Act 2007*, the application must be assessed according to the provisions relevant to merit track applications.

I, Kevin Polglase, delegate of the ACT Planning and Land Authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for:

- **Demolition of the existing workers cottage, managers cottage, part demolition of the main homestead building and new extension to that building;**
- **Construction of 29 single storey dwelling units, a garden shed, new civil works including roads and services infrastructure and substantial landscaping.**

in accordance with the plans, drawings and other documents and items submitted with the application and endorsed as forming part of this approval.

This decision is subject to the conditions of approval at **PART 1** being satisfied.

**PART 2** sets out the Reasons for the Decision

**PART 3** is the Consultation and Entity Referral Report.

**PART 4** contains administrative information relating to the determination.

### DELEGATE

Kevin Polglase  
Delegate of the ACT Planning and Land Authority  
18/12/2009

### CONTACT OFFICER

Mr Walid Elhassan  
Phone: (02) 6207 1848  
Email: walid.elhassan@act.gov.au

## **PART 1**

### **CONDITIONS OF APPROVAL**

This application is approved subject to the following conditions being satisfied. Some conditions of approval will require attention before the approved drawings will be released by the ACTPLA, others before work commences or before the completion of building work.

#### **A. ADMINISTRATIVE / PROCESS CONDITIONS**

##### **A1. FURTHER INFORMATION**

N/A

##### **A2. LEASING**

N/A

#### **B. PRIOR TO CONSTRUCTION**

##### **B1. SEDIMENT AND EROSION CONTROL**

That prior to any construction commencing on-site the applicant/lessee must submit two copies of the sediment and erosion control plan to Environment Protection Authority for approval;

##### **B2. TREE PROTECTION**

Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site.

##### **B3. TREES OF HERITAGE VALUES**

Tree number 303 is not supported for removal and it must be protected.

##### **WORKS ON TERRITORY LAND**

In accordance with the Roads and Public Places Act 1937 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.

##### **B4. VERGE MANAGEMENT**

This plan is to be approved and implemented before the commencement of works, including demolition, on the site and is to be in accordance with the *City Management Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04*.

##### **B5. TRAFFIC MANAGEMENT**

Temporary Traffic Management (TTM) Plan, prepared by a suitably qualified person and approved by the Manager, Asset Acceptance prior to commencement of works on site. This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices;

**B6. NOTICE OF COMMENCEMENT OF CONSTRUCTION**

Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and programmed implementation of the TTM.

**B7. ENVIRONMENT PROTECTION AUTHORITY**

Prior to the commencement of works, including demolition, the applicant/lessee must obtain written approval from Environment Protection Authority.

**B8. TERRITORY and MUNICIPAL SERVICES**

All issues that have been raised by Territory and Municipal Services (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**B9. ACT HERITAGE COUNCIL**

All issues that have been raised by the ACT Heritage Council (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**B10. ActewAGL**

All issues that have been raised by ActewAGL (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**C. DURING CONSTRUCTION****C1. SEDIMENT AND EROSION CONTROL**

All unsurfaced entry and exit points must be consolidated with crushed aggregate or similar extending from the road kerb to the building line.

Temporary sediment controls – comprising, as a minimum, geotextile silt fencing along the lowest points of the site and hay bale filters as required – are to be installed and maintained at least daily to prevent sediment from reaching the stormwater mains system.

**C2. TREE PROTECTION**

The applicant/lessee shall protect and maintain 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 a Tree Management Plan.

**C3. TREES OF HERITAGE VALUES**

Tree number 303 is not supported for removal and it must be protected.

Tree number 423 is supported for removal under one condition and that is a replacement of similar species shall be planted within the block boundary.

**C4. VERGE MANAGEMENT**

During building work (including demolition) for both stages all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with a Landscape Management Plan approved by the Manager, Asset Acceptance, Asset Management Services Group, Department of Territory and Municipal Services.

**C5. TRAFFIC MANAGEMENT**

At all times during construction the site and surrounds shall be managed in accordance with the approved Temporary Traffic Management (TTM) Plan.

**C6. WASTE MANAGEMENT**

All building waste is to be stored on the site in suitable receptacles and collected regularly. The lessee is to take all reasonable steps to ensure that waste, particularly wind borne litter, does not affect adjoining or adjacent properties.

**C7. WATER SENSITIVE URBAN DESIGN – STORMWATER QUANTITY and QUANTITY**

The applicant/lessee shall demonstrate that a reduction of 1 in 3 month storm-water peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days can be achieved;

Reduction in average annual stormwater pollutant export load of:

- Suspended solids by 60%
- Total phosphorous by 45%
- Total nitrogen by 40%

Compared to an urban catchment with no water quality management controls, using any other method; and

Reduction of 1 in 5 year and 1 in 100 year storm-water peak run off flow to pre-development levels. See WaterWays General Code for more detail.

OR

That the capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1-in10 year storm event.

**C8. CRIME PREVENTION**

External lighting to building frontages, to all pathways, roads, laneways and car-parking areas shall be in accordance with Australian Standards AS1158.3.1 *Pedestrian Lighting*.

**C9. ACOUSTIC PRIVACY**

Buildings are constructed in accordance with Australian Standard 3671: Acoustics – Road Traffic Noise Intrusion, Building Siting and Construction.

**C10. LANDSCAPING and LIGHTING PLAN**

The landscape plan and lighting plan shall be re-examined to provide an integrated solution to ensure that CPTED Guidelines are applied and ensure that the location of lights are not compromised by tree canopies. Other matters to include:

- ensure plant selection on east-west path between units leading from eastern internal road toward community centre are suitable;
- ensure path lighting provides consistency of lighting level along the length of this path;
- there is insufficient information to assess the role of fences on site for supporting CPTED principles and advice is sought to clarify fence types, heights, permeability;
- maintenance of compacted earth treatment will be essential to support and access and mobility.

**C11. COMMUNAL SPACE and LANDSCAPING**

Communal space landscaping shall be re-examined to ensure that the future planning and use of this space minimises potential of conflict between new residents of the proposed development and users and staff of the community centre; and

Consider and review the location of seating in communal areas for sun protection and amenity.

**C12. ENVIRONMENT PROTECTION AUTHORITY**

Prior to the commencement of works, including demolition, the applicant/lessee must obtain written approval from Environment protection Authority.

**C13. DRYING FACILITY**

All clothes-line shall be screened from public view.

**C14. TERRITORY and MUNICIPAL SERVICES**

All issues that have been raised by Territory and Municipal Services (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**C15. ACT HERITAGE COUNCIL**

All issues that have been raised by the ACT Heritage Council (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**C16. ActewAGL**

All issues that have been raised by ActewAGL (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**C17. CONSERVATOR**

All issues that have been raised by Conservator (see ENTITY ADVICE) must be addressed accordingly.

**D. POST CONSTRUCTION****D1. OFF SITE WORKS**

A Certificate of Design Acceptance and a Certificate of Operational Acceptance on completion of the works are required from the Senior Manager, Asset Acceptance, Land Management and Planning, TAMS, prior to the issue of a Certificate of Occupancy and Use for the development on Block 8 Section 4 Harrison. The Certificate of Design acceptance will be issued for all off-site works including the road linking Mapleton Avenue and Sapling Street and associated stormwater works with the concrete box culvert, as shown on drawings 4652-DA 002 B or its updated version approved by ACTPLA.

In order to obtain the Certificate of Design Acceptance, fully detailed drawings (civil, landscape) prepared by suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans) and a design report in accordance with Ref No 06:"Requirements for Design Acceptance Submissions", must be certified by a Chartered Engineer/Landscape Architect and submitted to the Senior Manager, Asset Acceptance.

Similarly a Chartered Engineer/Landscape Architect should certify compliance with TAMS Ref No 08: "Requirements for Works as Executed Quality Records Requirements" when the request for Operational Acceptance is made to the Senior Manager, Asset Acceptance on completion of all off-site works

A Waste Management Plan in accordance with the Development Control Code for Best Practice Waste Management in the ACT should also be included if not approved at the Development Application stage.

## **E. ADVISORY NOTES (NON-MANDATORY / NOT COMPULSORY)**

*This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes within the development.*

- E1. The proponent is requested to advise on measures undertaken to achieve resolution for potential noise impacts on neighbours, from the Machinery Shed.
- E2. Clarification is sought on the amount of visitor parking required for the community centre as a separate component to visitor parking for the residential development. If the parking on the north of the site is solely for use of the residential development then consideration needs to be given to how to effectively manage this arrangement.
- E3. Mapleton Street provides access to units as well as community facilities and signage/landscape design needs to provide mechanisms to minimise confusion for visitors.
- E4. Clarification is sought on bus stops/services to support those residents who may not have access to a private vehicle.
- E5. Long term management of community facilities (community centre, hall, galleries/meeting rooms, men's shed, village green, community garden) must carefully consider how to support activation and use by the residents of the development as well as the wider communities of Gungahlin and Inner North Canberra and the potential for conflicts from particular the resident and wider community.
- E6. Review of potential for light/noise spill abatement measures from community centre.

Refer to Appendix 1 for information about approvals that may be required for construction.

## **PART 2**

### **REASONS FOR THE DECISION**

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet:

- the relevant code, being the Community Facility Zone Development Code and the Multi Unit Housing Development Code;

The key issues identified in the assessment are:

- Provision of car parking;
- Landscape treatment;
- Improvement of amenity to common areas;
- Private open spaces;
- Light/noise spill measures;
- Off site works;
- Heritage requirements; and
- Removal of Trees; and

Conditions have been imposed to address the key issues.

The decision is inconsistent with advice from the Conservator. Pursuant to section 119(2)(b) of the Act, I have considered the advice received, as well as the relevant guidelines and any realistic alternative to the development proposed or aspects of it. Advice has been received that the decision to approve this application based on the information submitted by the proponent and the Conservator, is not inconsistent with the objectives of the Territory Plan.

### **EVIDENCE**

**Application No. 200915923**

**File No. 1-2009/16685/1**

**The Territory Plan zone** – RZ4: Medium Density & CF: Community Facilities

**The Development Codes** – Community Facility Zone Development Code  
Multi Unit Housing Development Code

**Representations** – Four representations received.

**Entity advice** – EPA, TaMS, Conservator, ESA, ActewAGL, Heritage.

## **PART 3**

### **PUBLIC NOTIFICATION AND ENTITY ADVICE**

#### **PUBLIC NOTIFICATION**

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 28 October 2009 to 18 November 2009. Four written representations were received during the public consultation.

The main issues raised were as follows. Comments are provided as appropriate.

*(a) Maximises solar orientation*

All living areas and most bedrooms are north facing and all outdoor living areas receive a minimum of 3 hours of solar access in the winter solstice. The proposed extension to Gungaharra Homestead also benefits from the orientation.

*(b) Internal roads minimised*

The internal road arrangement is very efficient and seeks to provide a buffer between the proposed new housing units and Gungaharra Homestead and the associated garden areas.

*(c) Noise levels & buffer zone between existing detached residences and proposed multi unit development*

In relation to potential acoustic issues that may exist between the proposed extension to the Homestead building and dwellings to the east and the proposed Machinery Shed and the adjoining dwellings to the west, the following measure will be incorporated:

- The proposed extension to Gungaharra Homestead has been specifically designed to include minimal glazing along the eastern façade to minimise sound transference towards the adjacent units. The wall and ceiling will also be appropriately insulated including substantial masonry elements where appropriate and acoustic batts and baffles as required.
- It is proposed to enclose the Machinery Shed with new walls which will be acoustically treated to comply with the Draft Noise Management Guidelines to ensure that any sound transmission from machinery is mitigated. It is also important to note that this facility will only be used in working hours and that any machinery is proposed to be located on the eastern side of the building with various buffering elements including storage areas further enhancing acoustic separation.
- An acoustic engineer will be involved as the project is documented for construction to ensure that BCA and Australian Standards are met.

The development observes the required setbacks as identified in the Multi-Unit Housing Code.

*(d) Age/occupant category of the households*

Specific age/occupant category of the households is not a planning consideration. It is a matter to be dealt by the Housing and Community Services in managing the property.

*(e) Road network & traffic flow*

An independent expert body had provided the Transport & Parking Assessment, and results accurately reflect conditions found at the time of the assessment period. Traffic volumes generated from the proposed development will not have significant impact on traffic flows on adjacent road networks, with expected vehicle movement per day. The proposal has been referred to Transport Planning, Territory and Municipal Services and the traffic and parking for this development is supported with conditions.

*(f) Public notification requirements*

The proposal has been notified to the public under both 'Minor Public Notification' – notification to the neighbours of adjoining lands in the form of individual letters; and 'Major Public Notification' – in the form of notification in the print media and sign erected on the site. The proposed development was publicly notified and comments have been received to form part of the assessment process.

*(g) Lack of pre-lodgement community consultation*

Although the Authority encourages pre-lodgement community consultation for a proposal, it is not a requirement in the Territory Plan. Such consultation is generally carried out by the proponents of the developments.

*(h) Devaluing of property values*

The development will preserve and enhance a Heritage precinct, which currently has derelict buildings and landscaping, including substantial refurbishment works and replacement of landscaping and trees. The new dwellings will be of a high quality in terms of design, built form, construction and inclusions.

*(i) Poor aesthetics*

The development has been designed to have a high aesthetic value including:

- A highly articulated built form which consciously seeks to contrast with that of the Heritage buildings
- Variety in construction materials, colour, roof lines and landscape treatment
- Refurbishment of the now dilapidated Homestead Building and associated Machinery Shed
- An extension to the Gungaharra Homestead which is of its time and which ties into the aesthetic of the units
- High quality landscaping including a staged tree replacement program

*(j) Removal of trees that form part of a homestead and its heritage significance*

Most trees on site are being preserved, despite their age, and a staged replacement strategy is proposed to add to the landscape setting. A condition of approval has been imposed to ensure that some of the trees are retained or replaced.

*(k) Reduction in the number of units*

The proposal is not inconsistent with the provisions of the Multi-Unit Housing Development Code. A reduction of 2 units has been incorporated in this approval to ensure the retention of Tree 303.

*(l) Demolition of the workers cottage and mangers cottage*

The removal of these buildings was the subject of extensive consultation with the ACT Heritage Unit and Eric Martin and Associates – Heritage Architects

*(m) Overflow car parking*

Visitor car parking has been provided to the site in addition to resident parking, and is in accordance with relevant development codes for this type of development. Overflow parking is unlikely to be frequent, given the proposed use of the site, and furthermore is acceptable according to the Transport & Parking Assessment. Most groups accessing the facility, including seniors, youth and the disabled will be transported to and from the site by community bus.

*(n) Rezoning*

The area has not been rezoned and was not zoned for 'Heritage' purposes.

## ENTITY ADVICE

Pursuant to Division 7.3.3 of the Act, the application was referred to entities and advice was received. The referral entities' comments are as follows. A response to the advice is provided as appropriate.

### CONSERVATOR OF FLORA AND FAUNA

On 10 November 2009 advice was received from the Conservator of Flora and Fauna in relation to the proposal. The advice states that an assessment of the tree removal list and an inspection of the trees on the site have been undertaken and the following advice is in accordance with the *Tree Protection Act 2005*.

#### *Supported for Removal:*

*Trees numbered 327, 341, 349, 366, 368, 370, 391, 393, 395, 399, 407, 409, 411, 413, 423, 425 and 429 are supported for removal as they met criteria 1 (1) (a) of the Tree Protection (Approval Criteria) Determination 2006, i.e. the tree is in decline and its life expectancy is short.*

#### *Not covered by the Tree Protection Legislation.*

*Trees numbered 317, 319, 321, 341, 343, 385, 387 and 446 these trees are undersize, trees numbered 311, 362, 433 and 435 are pest plants under the Pest Plants and Animals (Pest Plants) Declaration 2009, trees numbered 277, 279, 305, 309, 325, 345, 347, 360, 389, 419, 431, 483, 1068 and 1070 are dead, as such not covered by tree protection legislation,*

*All of these trees can be removed without approval from the Conservator.*

#### *Regulated Trees*

*Trees numbered 297, 299, 301, 364 and 374 are regulated trees under legislation of the Tree Protection Act 2005, These trees do not meet any criteria for removal under the Tree Protection Act 2005, although these trees proposed for removal are of medium quality and could be considered for removal under the Planning and Development Act 2005.*

*Note: Trees numbered 303 and 423 are not supported for removal as these two trees are sound and healthy trees that add character to the Heritage values of the area.*

#### *Ground Work*

*Ground work within the tree protection zones of trees numbered 293, 295, 313, 315, 376, 378, 380 and 397 is supported as the ground work appears to be less than 10% of the root zone, therefore minor encroachment will have little or no adverse impact on the health of these trees.*

*Trees numbered 275, 281, 283, 285, 287, 351, 457, 459, 461, 463, 465 and 525 are not covered under the Tree Protection Act as they are pest species under the Pest Plants and Animals (Pest Plants) Declaration 2009 and trees numbered 427, 447, 471, 485, 487, 489 and 1193 are not covered by legislation as they do not meet the size requirement to be regulated trees.*

Matters raised have been incorporated as either conditions of approval or advice.

## DEPARTMENT OF TERRITORY AND MUNICIPAL SERVICES

On 19 November 2009 advice was received from Territory and Municipal Services in relation to the proposal. The advice states that this development application is supported subject to the following conditions:

### *Works on Territory Land*

*In accordance with the Roads and Public Places Act 1937 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.*

### *Design Acceptance*

*A Certificate of Design Acceptance from the Manager, Asset Acceptance, Land Management and Planning, TAMS. In order to obtain this certificate fully detailed drawings (civil, landscape) prepared by a suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans), shall be submitted to the Manager, Asset Acceptance. A Waste Management Plan in accordance with the Development Control Code for Best Practice Waste Management in the ACT should also be included if not approved at the Development Application stage.*

*A detailed construction parking plan for the building phase is required. This plan is required to take into account all construction/demolition vehicles and equipment, and construction workers vehicles, and how and where they will be accommodated within the site. This plan is to be submitted to and approved by the Manager Asset Acceptance prior to the commencement of any works on site. If this plan is not approved, and adhered to by the developer or his contractor's, a formal stop work will be issued by compliance section*

*Traffic Control Device drawings for all new and amended works are to be submitted to the Manager, Asset Acceptance, Community & Infrastructure Services, TAMS for approval prior to the installation of such devices.*

### *Temporary Traffic Management (TTM)*

*A TTM plan approval from the Manager, Traffic Management & Safety, Roads ACT, Transport and Infrastructure Division, TAMS. All times during construction the site and surrounds shall be managed in accordance with a Temporary Traffic Management Plan, prepared by a suitably qualified person and approved by the Manager, Traffic Management & Safety. This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices.*

### *Landscape Management & Protection Plan (LMPP)*

*LMPP approval from the Manager, Asset Acceptance, Land Management and Planning, TAMS. During construction, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with the Landscape Management Protection Plan (LMPP) approved by the Manager, Asset Acceptance. This plan is to be implemented before the commencement of works, including demolition on the site and is to be in accordance with City Management Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04.*

#### *On-site Stormwater Detention and Retention (OSD/R) (Water Sensitive Urban Design)*

*All development where the hard surfaced area and/or GFA is increased from the pre-existing GFA and/or hard surface area will require the implementation of on-site stormwater detention/retention principles. The existing stormwater tie is to be used in single block redevelopments and is not to be upgraded. In all multi block redevelopments, the maximum discharge flow is not to exceed the pre-existing flow conditions for the number of blocks being redeveloped. Any unused ties are to be removed and capped. These measures are required to reduce the flow from the site during the 1 in 3 month or greater rain fall events and to minimise the effect of flooding down stream through these rain fall events.*

#### *Notice of Commencement of Construction*

*Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and programmed implementation of the TTM.*

#### *Stormwater & Overland Flow Paths*

*The existing municipal stormwater overland flow paths and associated easement reserves shall be maintained and any proposed changes to the overland flow paths route or design shall be submitted to TAMS Asset Acceptance for detail design acceptance in accordance with TAMS Ref-06 document.*

*Any development structures shall be sited clear of the stormwater overland flow path and building structures fixed floor levels shall be constructed above the overland flow flood level with required freeboard in accordance with TAMS Design Standards for Urban Infrastructure [DSUI].*

Matters raised have been incorporated as either conditions of approval or advice.

#### ACT HERITAGE COUNCIL

On 20 November 2009 advice was received from ACT Heritage Council in relation to the proposal. The advice states that the development application is supported on the following conditions:

- 1. That the original pise construction of 1902-04 is retained and maintained to ensure its ongoing preservation, and that the Heritage Council is consulted prior to any restoration and maintenance works are carried out, including internal works.*
- 2. That the main building and cottages are archivally documented prior to their alteration or demolition.*
- 3. That the demolition of the joining structures is carried out in a manner that ensures the original pise elements are not damaged.*
- 4. That the removal of tree 423 (Pinus radiata) is subject to its replacement with a similar species.*
- 5. That the Heritage Impact Statement be amended and endorsed by Council in order to satisfactorily address the impact of the overall development on the significance of the Gungaharra Homestead Precinct.*
- 6. That some further research and works are carried out to ascertain whether the site contains burials or not. Ground Penetrating Radar is commonly used for this purpose.*
- 7. That a structural engineer's report is provided on the condition of the buildings or parts of buildings that are planned for demolition.*

*It is recommended:*

- 1. That interpretative signage be developed (in conjunction with the Heritage Unit) and erected on the precinct to inform residents and visitors of the history of the area, and*
- 2. That materials recovered from the demolition of the cottages and other structures should be retained and reused as appropriate for the maintenance of other similarly aged Territory assets.*

*Notes:*

*Archaeology*

*The archaeological report accompanying the application provides minimal information to assure the Council that no damage will occur to cultural material. In particular, given that the Development Application covers the whole of the site, the report does not explain why only features 26, 27, 28, 29 and 30 are dealt with. There is no description of the other features on the site, or how they might be impacted by the development.*

*Similarly, feature 29 (child burials) is not located in the report for the proposed development. Given that a recommendation is that this site should be avoided, further research to ascertain their location is imperative.*

*Pise Construction*

*A structural engineer's report was not provided to support the claim that sections of the 1950s pise construction are unsound. A report detailing the condition of these structures is required.*

*Manager's and Worker's Cottages*

*Although the cottages are deemed to have heritage values in the draft Heritage Impact Statement (HIS), the Council is concerned that little justification has been provided for their demolition. Further detail shall be contained in the final HIS and a structural engineer's report shall be produced providing evidence on the condition of the buildings.*

*Trees*

*The Heritage Council supports the removal of 423 (*Pinus radiata*) subject to its replacement with a similar species. However, the Council advises that it will be guided by the Tree Protection Unit on the removal of the tree numbered 303 (*Eucalyptus melliodora*).*

*Heritage Impact Statement*

*The Heritage Council, in its letter dated 23 September 2009, provided comments about the heritage impacts statement (HIS) being amended in order to satisfactorily address the impact of the overall development on the significance of the Gungaharra Homestead Precinct. The HIS is still not clear on this issue, and does not provide a solid conclusion. The HIS must use terms such as 'acceptable' or 'unacceptable' heritage outcome, rather than 'reasonable' as stated.*

Matters raised have been incorporated as either conditions of approval or advice.

*ActewAGL (Electricity Network)*

On 13 November 2009 advice was received from ActewAGL (Electricity Network) in relation to the proposal. The advice states that this application has been assessed for compliance with ActewAGL's Electricity Network and conditionally complies with Actew's Electricity Networks requirements.

Matters raised have been incorporated as either conditions of approval or advice.

### ActewAGL (Water & Sewerage)

On 09 November 2009 advice was received from ActewAGL (Water & Sewerage) in relation to the proposal. The advice states that this application has been assessed by ActewAGL and complies with Actew's water and sewerage requirements.

Matters raised have been incorporated as either conditions of approval or advice.

### ActewAGL (Gas Networks)

On 04 November 2009 advice was received from ActewAGL (Gas Networks) in relation to the proposal. The advice states that this application has been assessed by ActewAGL and conditionally complies with Actew's Gas Networks requirements.

Matters raised have been incorporated as either conditions of approval or advice.

### ACT EMERGENCY SERVICES AGENCY (ESA)

On 12 November 2009 advice was received from ESA in relation to the proposal. The advice states that:

#### Location and description

*The proposal is for the construction of 31 townhouses, refurbishment of the homestead and demolition of several unusable minor buildings on the site.*

#### Fire Station Response Area

*Gungahlin Fire station is the primary response for this area, with support coming from Belconnen and Ainslie stations. Depending on the nature of the incident various support resources may be required to support the initial response.*

#### Infra Structure, and road ways to comply with Fire Brigade Standards

*Driveways and roadways through the complex must be able to accommodate a Brigade urban pumper, specifications of which are:*

- *Length - 8.5 metres.*
- *Height - 3.3 metres.*
- *Width - 2.5 metres.*
- *Weight - 13.3 tonnes.*

*Buildings in excess of 3 storeys may require the Brigades aerial appliance for access during an emergency incident. Specifications of this appliance are:*

- *Length - 11.2 metres.*
- *Width - 2.6 metres.*
- *Height - 3.9 metres.*
- *Weight - 30 tonnes.*

*Fire hydrants are to be located on a hard stand.*

#### Street furniture, landscaping and tree planting

*ACT Fire Brigade (ACTFB) has the following requirements in relation to street furniture, future landscaping, existing trees and tree planting that should be adhered to:*

- *Access to hydrants, other water supplies and services must not be impeded by trees, street furniture or landscaping.*
- *Overhanging trees must not impede the progress of emergency service vehicles attending the facility.*

- *Street furniture and future landscaping must not impede the progress of emergency service vehicles attending the facility.*

Water Supplies

*Based on residential use on the site, the water supplies for fire fighting purposes are required to meet F5 standard supplies as agreed by ACTEW and the ACTFB.*

Construction requirements

*Construction of buildings on the site will be subject to the requirements of the Building Code of Australia (BCA).*

*The ACT Emergency Services Agency has no other special considerations or objections at this time.*

Matters raised have been incorporated as either conditions of approval or advice.

ENVIRONMENT PROTECTION AUTHORITY

With this development application the applicant has provided advice from the EPA in relation of the contamination of the site, all work proposed shall be in accordance with the EPA advice dated 2 October 2009.

Matters raised have been incorporated as either conditions of approval or advice

## **PART 4**

### **ADMINISTRATIVE INFORMATION**

#### DATE THAT THIS APPROVAL TAKES EFFECT

This approval is effective from the day after the date of this notice. The effective date for development applications approved subject conditions could be adjusted if the approval is reconsidered by the ACT Planning and Land Authority or if an application is made to the ACT Civil and Administrative Tribunal.

Pursuant to section 184 of the Act, this approval will expire if:

- the development or any stage of the development is not started within two years after the day the approval takes effect;
- the development is not finished two years after the day the development begins; or
- the development approval relates to land comprised in a lease that requires the development to be completed on a stated date – the date stated in the lease for completion of the development, or the approval is revoked under section 189 of the Act.

Under section 184 of the Act, the applicant may apply to the ACT Planning and Land Authority to extend the prescribed period to finish the development, but such an application must be made within the original period specified for completion.

A development approval, to which section 184 of the Act applies, continues unless the approval ends under sections 184, 185, 186 or 187 of the Act.

#### INSPECTION OF THE APPLICATION AND DECISION

A copy of the application and the decision are available on the public register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

#### RECONSIDERATION OF THE DECISION

If the applicant is not satisfied with the decision to approve the application subject to conditions, they are entitled to apply to the ACT Planning and Land Authority for reconsideration within 20 working days of being told of this decision or within any longer period allowed by the ACT Planning and Land Authority.

Application forms and further information about reconsideration are available from the ACT Planning and Land Authority's website and Customer Service Centres. The delegate of the ACTPLA reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Civil and Administrative Tribunal.

#### REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

Decisions that are reviewable by the ACAT are identified in Schedule 1 of the *Planning and Development Act 2007*, except for those precluded under Schedule 3 of the *Planning and Development Regulation 2008* – Matters exempt from third-party ACAT review.

# APPENDIX 1

## CONTACT DETAILS OF RELEVANT AGENCIES

|                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ACT Health</b><br>- health protection                                                                                                                                                                                                                                                        | Website: <a href="http://www.health.act.gov.au">www.health.act.gov.au</a><br>Telephone: (02) 6205 1700                                                                                   |
| <b>ACT Planning and Land Authority</b><br>- list of certifiers for building approval<br>- demolition information<br>- asbestos information                                                                                                                                                      | Website: <a href="http://www.actpla.act.gov.au">www.actpla.act.gov.au</a><br>Telephone: (02) 6207 1923 or (02) 6207 1687                                                                 |
| <b>Department of Territory and Municipal Services</b><br>- tree damaging activity approval<br>- heritage<br>- use of verges or other unleased Territory land<br>- works on unleased Territory land - design acceptance<br>- damage to public assets<br>- threatened species/wildlife management | Website: <a href="http://www.tams.act.gov.au">www.tams.act.gov.au</a><br>Telephone: 132 281<br>Telephone for asset acceptance: (02) 6207 6594<br><br>Research and Planning (02) 62071911 |
| <b>Department of Environment, Climate Change, Energy and Water</b><br>- environment protection<br>- water resources                                                                                                                                                                             | Website: <a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a><br>Telephone: (02) 62076251 for Environment Protection Authority (EPA)                               |
| <b>Utilities</b><br>- Telstra (networks)<br>- TransACT (networks)<br>- ActewAGL<br>- Electricity reticulation                                                                                                                                                                                   | Telephone: (02) 9397 2090<br>Telephone: (02) 6229 8000<br>Telephone: 1100<br>Telephone: (02) 6293 5738                                                                                   |

## ADVICE TO APPLICANT

### SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the ACT Planning and Land Authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made with a completed application Form 11 for Section 144 & 197 Amendments and Satisfying Conditions of Approval (S.165).

### FURTHER APPROVALS FOR CONSTRUCTION

The Notice of Decision grants development approval, but does not cover building approval or approvals which may be required during construction, which commonly include the following.

#### BUILDING APPROVAL

Most building work requires building approval to ensure it complies with building laws such as the Building Code of Australia. If this applies to this proposal, the lessee should engage a private building certifier to assess and approve the building plans before construction begins. A list of licensed certifiers and information about building approval is available from the ACT Planning and Land Authority's website and Customer Service Centres.

#### PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

Under section 35 of the Planning and Development Regulation 2008 the development as built may vary from the approved development in accordance with section 35 and the permitted construction tolerances and other permitted variations identified in Schedule 1A of that regulation.

*Note 1* The development may still need building approval, or further building approval, under the *Building Act 2004*

*Note 2* The development must also comply with the lease for the land on which it is carried out.

#### “TREE DAMAGING ACTIVITY” APPROVAL

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. More information is available from the Department of Territory and Municipal Services.

#### 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 must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. Approval can be obtained from the Department of Territory and Municipal Services.

#### WORKS ON UNLEASED TERRITORY LAND – DESIGN AND OPERATIONAL ACCEPTANCE

In accordance with the *Roads and Public Places Act 1937*, no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval must be obtained from the Manager Asset Acceptance, Asset Services Group, TAMS by way of:

1. a certificate of design acceptance prior to the commencement of any work and
2. a certificate of operational acceptance on completion of all works to be handed over to TAMS

Works on unleased Territory land may include the construction or upgrading of driveway verge crossings, public footpaths, roads, street lighting, stormwater works, waste collection amenities, street signs and line marking, road furniture and landscaping.

A certificate of compliance under s296 of the *Planning and Development Act 2007*, may not be issued unless a certificate of design acceptance **AND** a certificate of operational acceptance have both been obtained from TAMS.

#### **CONSTRUCTION REQUIREMENTS**

The following information are some key requirements that apply to building work in the Territory. Other requirements may apply to this development.

#### DEMOLITION AND ASBESTOS MANAGEMENT

Demolition and asbestos management must be undertaken in accordance with the *Building Act 2004* (including the Building Code of Australia) and the *Dangerous Substances Act 2004*. Information about demolition and asbestos management is available from the ACT Planning and Land Authority’s web site and Customer Service Centres.

#### ENVIRONMENT PROTECTION

All building work must be undertaken in accordance with the *Environment Protection Act 1997*, particularly but not exclusively in relation to noise and pollution control. More information is available from the Department of Environment, Climate Change, Energy and Water.

#### REPAIR OF DAMAGE TO PUBLIC ASSETS

The applicant/lessee is held responsible for all damage to ACT Government assets (including footpaths) caused by the development and they must properly repair any damage to those

assets. Before work commences, they should notify the Department of Territory and Municipal Services of any existing damage to public facilities.

### UTILITY ASSETS RETENTION

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.

### WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

Water restrictions or permanent water conservation measures may be in force in the ACT and may prohibit or affect the filling of new pools, ponds and fountains using potable (tap) water drawn from ACTEW Corporation Limited's potable water supply system. Applicants wishing to use water drawn from the potable water supply system to fill a new pool, pond or fountain are advised to first contact ACTEW 's Water conservation office on (02) 62483131. Where water restrictions or permanent water conservation measures would otherwise prevent or affect the filling of a new pool, pond or fountain, it might be possible to obtain an exemption to fill the pool, pond or fountain using potable water.

### DRAINAGE

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

## **REVIEW OF THE DECISION**

The following notes are provided in accordance with regulation 7 of the *ACT Civil and Administrative Tribunal Regulation 2009*. Refer to the Review by the ACT Civil and Administrative Tribunal (ACAT) section of the Notice of Decision for information about its relevance to this development application.

### CONTACT DETAILS

The review authority is the ACT Civil and Administrative Tribunal (ACAT).

| Location                                                                                   | Contact details                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ACT Civil and Administrative Tribunal<br>Level 4, 1 Moore Street<br>CANBERRA CITY ACT 2601 | Website: <a href="http://www.courts.act.gov.au">www.courts.act.gov.au</a><br>Email: <a href="mailto:tribunal@act.gov.au">tribunal@act.gov.au</a><br>Telephone: (02) 6207 1740<br>Facsimile: (02) 6205 4855<br>Post: GPO Box 370, CANBERRA, ACT, 2601<br>Document exchange: DX 5691 |

### POWERS OF THE ACAT

The ACAT 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 ACAT 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 ACAT recommendations.

### APPLICATIONS TO THE ACAT

To apply for a review, obtain an application form from the ACAT. 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.

### TIME LIMITS FOR APPLICATIONS

The time limit to make a request for a review is 28 days from the date of this Notice of decision. The time limit can be extended in some circumstances (refer to sections 10 (2), 10(3), 25(1)(e) and 25(2) of the *ACT Civil & Administrative Tribunal Act 2008*; section 7 of the *ACT Civil and Administrative Tribunal Procedure Rules 2009 (No 2)*; and section 409 of the *Planning and Development Act 2007*).

### FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee of not less than \$178 (the Tribunal Registry will advise of the current fee), unless you are receiving legal or financial assistance from the ACT Attorney-General. You can apply to have the fee waived on the grounds of hardship, subject to approval (refer to section 22T of the *ACT Civil and Administrative Tribunal Act 2008*). 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. Ask the ACAT for more details.

### TIME LIMITS FOR REVIEWS OF DECISIONS

The ACAT 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 ACAT upon it being satisfied that it is in the interests of justice to do so.

### FORMS OF LEGAL, FINANCIAL AND OTHER ADVICE AND ASSISTANCE

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

- ACT Attorney-General, write to The Chief Executive, ACT Department of Justice and Community Safety, GPO Box 158, CANBERRA, ACT, 2601;
- the ACT Legal Aid Office, telephone 1300 654314;
- Legal Advice Bureau, telephone (02) 6247 5700;
- ACT Council of the Ageing, telephone (02) 6282 3777;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

### AWARDING OF COSTS

You will have to pay any costs involved in preparing or presenting your case. The ACAT also has the power to award costs against a party if the party contravenes a direction of the ACAT and the ACAT considers it in the interests of justice to make such an order. This power is in addition to the power of the ACAT to strike out a party and to dismiss an application for failure to comply with the ACAT's directions.

### ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the ACT Planning and Land Authority's web site or by contacting us by phone on (02) 6207 1923.

### PROCEDURES OF THE ACAT

The procedures of the ACAT are outlined on the ACAT's website, including in the Guide to the Land and Planning Division and the Guide to the Hearing. Contact the ACAT for alternative ways to access information about the ACAT's procedures.

TRANSLATION AND INTERPRETER SERVICES

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week. Telephone 131 450.

|            |                                                             |
|------------|-------------------------------------------------------------|
| 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:    |
| MALTESE    | Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:         |
| 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 ihtiyacımız 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, seven days a week

**From:** Borrett, Lavne

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**Subject:** Notice of Decision & Plans-200915923-S197A- 8&9/4 Harrison

**Date:** Thursday, 5 May 2011 12:04:00 PM

**Attachments:** [Notice of Decision-200915923-S197A-signed-01.pdf](#)  
[%FLOORASSESS-200915923-S197A-01.pdf](#)  
[ELEV-200915923-East Block-S197A-01.pdf](#)  
[ELEV-200915923-Homestead-S197A-01.pdf](#)  
[ELEV-200915923-West Block-S197A-01.pdf](#)  
[FLOOR-200915923-Homestead-S197A-01.pdf](#)  
[PLAN-200915923-Ancillary Structures-S197A-01.pdf](#)

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# Notice of decision

Under Part 7 of the *Planning and Development Act 2007*

## Merit track

|                                                    |                         |                  |
|----------------------------------------------------|-------------------------|------------------|
| DA NO: 200915923                                   | DATE LODGED: 28/10/2009 |                  |
| DA NO: 200915923 S141/A                            | 06/12/2009              |                  |
| DA NO: 200915923 S141/B                            | 15/12/2009              |                  |
| DATE OF DECISION: 18 December 2009                 |                         |                  |
| BLOCKS: 8 & 9                                      | SECTION: 4              | SUBURB: HARRISON |
| STREET NO AND NAME: 24 Sapling Street Harrison     |                         |                  |
| APPLICANT: AMC Projects Pty Ltd                    |                         |                  |
| LESSEE: Amanda and Tanya Mawson<br>Michelle Fulton |                         |                  |

### THE DECISION

This application was lodged in the merit track. Pursuant to section 113(2) of the *Planning and Development Act 2007*, the application must be assessed according to the provisions relevant to merit track applications.

I, Kevin Polglase, delegate of the ACT Planning and Land Authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for:

- **Demolition of the existing workers cottage, managers cottage, part demolition of the main homestead building and new extension to that building;**
- **Construction of 29 single storey dwelling units, a garden shed, new civil works including roads and services infrastructure and substantial landscaping.**

in accordance with the plans, drawings and other documents and items submitted with the application and endorsed as forming part of this approval.

This decision is subject to the conditions of approval at **PART 1** being satisfied.

**PART 2** sets out the Reasons for the Decision

**PART 3** is the Consultation and Entity Referral Report.

**PART 4** contains administrative information relating to the determination.

### DELEGATE

  
✓ Kevin Polglase  
Delegate of the ACT Planning and Land Authority  
18/12/2009

### CONTACT OFFICER

Mr Walid Elhassan  
Phone: (02) 6207 1848  
Email: walid.elhassan@act.gov.au

## **PART 1**

### **CONDITIONS OF APPROVAL**

This application is approved subject to the following conditions being satisfied. Some conditions of approval will require attention before the approved drawings will be released by the ACTPLA, others before work commences or before the completion of building work.

#### **A. ADMINISTRATIVE / PROCESS CONDITIONS**

##### **A1. FURTHER INFORMATION**

N/A

##### **A2. LEASING**

N/A

#### **B. PRIOR TO CONSTRUCTION**

##### **B1. SEDIMENT AND EROSION CONTROL**

That prior to any construction commencing on-site the applicant/lessee must submit two copies of the sediment and erosion control plan to Environment Protection Authority for approval;

##### **B2. TREE PROTECTION**

Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site.

##### **B3. TREES OF HERITAGE VALUES**

Tree number 303 is not supported for removal and it must be protected.

#### **WORKS ON TERRITORY LAND**

In accordance with the Roads and Public Places Act 1937 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.

##### **B4. VERGE MANAGEMENT**

This plan is to be approved and implemented before the commencement of works, including demolition, on the site and is to be in accordance with the *City Management Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04*.

##### **B5. TRAFFIC MANAGEMENT**

Temporary Traffic Management (TTM) Plan, prepared by a suitably qualified person and approved by the Manager, Asset Acceptance prior to commencement of works on site. This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices;

**B6. NOTICE OF COMMENCEMENT OF CONSTRUCTION**

Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and programmed implementation of the TTM.

**B7. ENVIRONMENT PROTECTION AUTHORITY**

Prior to the commencement of works, including demolition, the applicant/lessee must obtain written approval from Environment Protection Authority.

**B8. TERRITORY and MUNICIPAL SERVICES**

All issues that have been raised by Territory and Municipal Services (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**B9. ACT HERITAGE COUNCIL**

All issues that have been raised by the ACT Heritage Council (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**B10. ActewAGL**

All issues that have been raised by ActewAGL (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

**C. DURING CONSTRUCTION**

**C1. SEDIMENT AND EROSION CONTROL**

All unsurfaced entry and exit points must be consolidated with crushed aggregate or similar extending from the road kerb to the building line.

Temporary sediment controls – comprising, as a minimum, geotextile silt fencing along the lowest points of the site and hay bale filters as required – are to be installed and maintained at least daily to prevent sediment from reaching the stormwater mains system.

**C2. TREE PROTECTION**

The applicant/lessee shall protect and maintain 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 a Tree Management Plan.

**C3. TREES OF HERITAGE VALUES**

Tree number 303 is not supported for removal and it must be protected.

Tree number 423 is supported for removal under one condition and that is a replacement of similar species shall be planted within the block boundary.

**C4. VERGE MANAGEMENT**

During building work (including demolition) for both stages all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with a Landscape Management Plan approved by the Manager, Asset Acceptance, Asset Management Services Group, Department of Territory and Municipal Services.

C5. TRAFFIC MANAGEMENT

All times during construction the site and surrounds shall be managed in accordance with the approved Temporary Traffic Management (TTM) Plan.

C6. WASTE MANAGEMENT

All building waste is to be stored on the site in suitable receptacles and collected regularly. The lessee is to take all reasonable steps to ensure that waste, particularly wind borne litter, does not affect adjoining or adjacent properties.

C7. WATER SENSITIVE URBAN DESIGN – STORMWATER QUANTITY and QUANTITY

The applicant/lessee shall demonstrate that a reduction of 1 in 3 month storm-water peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days can be achieved;

Reduction in average annual stormwater pollutant export load of:

- Suspended solids by 60%
- Total phosphorous by 45%
- Total nitrogen by 40%

Compared to an urban catchment with no water quality management controls, using any other method; and

Reduction of 1 in 5 year and 1 in 100 year storm-water peak run off flow to pre-development levels. See WaterWays General Code for more detail.

OR

That the capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1-in10 year storm event.

C8. CRIME PREVENTION

External lighting to building frontages, to all pathways, roads, laneways and car-parking areas shall be in accordance with Australian Standards AS1158.3.1 *Pedestrian Lighting*.

C9. ACOUSTIC PRIVACY

Buildings are constructed in accordance with Australian Standard 3671: Acoustics – Road Traffic Noise Intrusion, Building Siting and Construction.

C10. LANDSCAPING and LIGHTING PLAN

The landscape plan and lighting plan shall be re-examined to provide an integrated solution to ensure that CPTED Guidelines are applied and ensure that the location of lights are not compromised by tree canopies. Other matters to include:

- ensure plant selection on east-west path between units leading from eastern internal road toward community centre are suitable;
- ensure path lighting provides consistency of lighting level along the length of this path;
- there is insufficient information to assess the role of fences on site for supporting CPTED principles and advice is sought to clarify fence types, heights, permeability;
- maintenance of compacted earth treatment will be essential to support and access and mobility.

C11. COMMUNAL SPACE and LANDSCAPING

Communal space landscaping shall be re-examined to ensure that the future planning and use of this space minimises potential of conflict between new residents of the proposed development and users and staff of the community centre; and

Consider and review the location of seating in communal areas for sun protection and amenity.

C12. ENVIRONMENT PROTECTION AUTHORITY

Prior to the commencement of works, including demolition, the applicant/lessee must obtain written approval from Environment protection Authority.

C13. DRYING FACILITY

All clothes-line shall be screened from public view.

C14. TERRITORY and MUNICIPAL SERVICES

All issues that have been raised by Territory and Municipal Services (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

C15. ACT HERITAGE COUNCIL

All issues that have been raised by the ACT Heritage Council (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

C16. ActewAGL

All issues that have been raised by ActewAGL (see ENTITY ADVICE) must be complied with and shall be addressed accordingly.

C17. CONSERVATOR

All issues that have been raised by Conservator (see ENTITY ADVICE) must be addressed accordingly.

**D. POST CONSTRUCTION**

D1. OFF SITE WORKS

A Certificate of Design Acceptance and a Certificate of Operational Acceptance on completion of the works are required from the Senior Manager, Asset Acceptance, Land Management and Planning, TAMS, prior to the issue of a Certificate of Occupancy and Use for the development on Block 8 Section 4 Harrison. The Certificate of Design acceptance will be issued for all off-site works including the road linking Mapleton Avenue and Sapling Street and associated stormwater works with the concrete box culvert, as shown on drawings 4652-DA 002 B or its updated version approved by ACTPLA.

In order to obtain the Certificate of Design Acceptance, fully detailed drawings (civil, landscape) prepared by suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans) and a design report in accordance with Ref No 06:"Requirements for Design Acceptance Submissions", must be certified by a Chartered Engineer/Landscape Architect and submitted to the Senior Manager, Asset Acceptance.

Similarly a Chartered Engineer/Landscape Architect should certify compliance with TAMS Ref No 08: "Requirements for Works as Executed Quality Records Requirements" when the request for Operational Acceptance is made to the Senior Manager, Asset Acceptance on completion of all off-site works

A Waste Management Plan in accordance with the Development Control Code for Best Practice Waste Management in the ACT should also be included if not approved at the Development Application stage.

#### **E. ADVISORY NOTES (NON-MANDATORY / NOT COMPULSORY)**

*This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes within the development.*

- E1. The proponent is requested to advise on measures undertaken to achieve resolution for potential noise impacts on neighbours, from the Machinery Shed.
- E2. Clarification is sought on the amount of visitor parking required for the community centre as a separate component to visitor parking for the residential development. If the parking on the north of the site is solely for use of the residential development then consideration needs to be given to how to effectively manage this arrangement.
- E3. Mapleton Street provides access to units as well as community facilities and signage/landscape design needs to provide mechanisms to minimise confusion for visitors.
- E4. Clarification is sought on bus stops/services to support those residents who may not have access to a private vehicle.
- E5. Long term management of community facilities (community centre, hall, galleries/meeting rooms, men's shed, village green, community garden) must carefully consider how to support activation and use by the residents of the development as well as the wider communities of Gungahlin and Inner North Canberra and the potential for conflicts from particular the resident and wider community.
- E6. Review of potential for light/noise spill abatement measures from community centre.

Refer to Appendix 1 for information about approvals that may be required for construction.

## **PART 2 REASONS FOR THE DECISION**

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet:

- the relevant code, being the Community Facility Zone Development Code and the Multi Unit Housing Development Code;

The key issues identified in the assessment are:

- Provision of car parking;
- Landscape treatment;
- Improvement of amenity to common areas;
- Private open spaces;
- Light/noise spill measures;
- Off site works;
- Heritage requirements; and
- Removal of Trees; and

Conditions have been imposed to address the key issues.

The decision is inconsistent with advice from the Conservator. Pursuant to section 119(2)(b) of the Act, I have considered the advice received, as well as the relevant guidelines and any realistic alternative to the development proposed or aspects of it. Advice has been received that the decision to approve this application based on the information submitted by the proponent and the Conservator, is not inconsistent with the objectives of the Territory Plan.

### **EVIDENCE**

**Application No. 200915923**

**File No. 1-2009/16685/1**

**The Territory Plan zone – RZ4: Medium Density & CF: Community Facilities**

**The Development Codes – Community Facility Zone Development Code  
Multi Unit Housing Development Code**

**Representations – Four representations received.**

**Entity advice – EPA, TaMS, Conservator, ESA, ActewAGL, Heritage.**

## **PART 3 PUBLIC NOTIFICATION AND ENTITY ADVICE**

### **PUBLIC NOTIFICATION**

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 28 October 2009 to 18 November 2009. Four written representations were received during the public consultation.

The main issues raised were as follows. Comments are provided as appropriate.

*(a) Maximises solar orientation*

All living areas and most bedrooms are north facing and all outdoor living areas receive a minimum of 3 hours of solar access in the winter solstice. The proposed extension to Gungaharra Homestead also benefits from the orientation.

*(b) Internal roads minimised*

The internal road arrangement is very efficient and seeks to provide a buffer between the proposed new housing units and Gungaharra Homestead and the associated garden areas.

*(c) Noise levels & buffer zone between existing detached residences and proposed multi unit development*

In relation to potential acoustic issues that may exist between the proposed extension to the Homestead building and dwellings to the east and the proposed Machinery Shed and the adjoining dwellings to the west, the following measure will be incorporated:

- The proposed extension to Gungaharra Homestead has been specifically designed to include minimal glazing along the eastern façade to minimise sound transference towards the adjacent units. The wall and ceiling will also be appropriately insulated including substantial masonry elements where appropriate and acoustic batts and baffles as required.
- It is proposed to enclose the Machinery Shed with new walls which will be acoustically treated to comply with the Draft Noise Management Guidelines to ensure that any sound transmission from machinery is mitigated. It is also important to note that this facility will only be used in working hours and that any machinery is proposed to be located on the eastern side of the building with various buffering elements including storage areas further enhancing acoustic separation.
- An acoustic engineer will be involved as the project is documented for construction to ensure that BCA and Australian Standards are met.

The development observes the required setbacks as identified in the Multi-Unit Housing Code.

*(d) Age/occupant category of the households*

Specific age/occupant category of the households is not a planning consideration. It is a matter to be dealt by the Housing and Community Services in managing the property.

*(e) Road network & traffic flow*

An independent expert body had provided the Transport & Parking Assessment, and results accurately reflect conditions found at the time of the assessment period. Traffic volumes generated from the proposed development will not have significant impact on traffic flows on adjacent road networks, with expected vehicle movement per day. The proposal has been referred to Transport Planning, Territory and Municipal Services and the traffic and parking for this development is supported with conditions.

*(f) Public notification requirements*

The proposal has been notified to the public under both 'Minor Public Notification' – notification to the neighbours of adjoining lands in the form of individual letters; and 'Major Public Notification' – in the form of notification in the print media and sign erected on the site. The proposed development was publicly notified and comments have been received to form part of the assessment process.

*(g) Lack of pre-lodgement community consultation*

Although the Authority encourages pre-lodgement community consultation for a proposal, it is not a requirement in the Territory Plan. Such consultation is generally carried out by the proponents of the developments.

*(h) Devaluing of property values*

The development will preserve and enhance a Heritage precinct, which currently has derelict buildings and landscaping, including substantial refurbishment works and replacement of landscaping and trees. The new dwellings will be of a high quality in terms of design, built form, construction and inclusions.

*(i) Poor aesthetics*

The development has been designed to have a high aesthetic value including:

- A highly articulated built form which consciously seeks to contrast with that of the Heritage buildings
- Variety in construction materials, colour, roof lines and landscape treatment
- Refurbishment of the now dilapidated Homestead Building and associated Machinery Shed
- An extension to the Gungaharra Homestead which is of its time and which ties into the aesthetic of the units
- High quality landscaping including a staged tree replacement program

*(j) Removal of trees that form part of a homestead and its heritage significance*

Most trees on site are being preserved, despite their age, and a staged replacement strategy is proposed to add to the landscape setting. A condition of approval has been imposed to ensure that some of the trees are retained or replaced.

*(k) Reduction in the number of units*

The proposal is not inconsistent with the provisions of the Multi-Unit Housing Development Code. A reduction of 2 units has been incorporated in this approval to ensure the retention of Tree 303.

*(l) Demolition of the workers cottage and mangers cottage*

The removal of these buildings was the subject of extensive consultation with the ACT Heritage Unit and Eric Martin and Associates – Heritage Architects

*(m) Overflow car parking*

Visitor car parking has been provided to the site in addition to resident parking, and is in accordance with relevant development codes for this type of development. Overflow parking is unlikely to be frequent, given the proposed use of the site, and furthermore is acceptable according to the Transport & Parking Assessment. Most groups accessing the facility, including seniors, youth and the disabled will be transported to and from the site by community bus.

*(n) Rezoning*

The area has not been rezoned and was not zoned for 'Heritage' purposes.

## ENTITY ADVICE

Pursuant to Division 7.3.3 of the Act, the application was referred to entities and advice was received. The referral entities' comments are as follows. A response to the advice is provided as appropriate.

### CONSERVATOR OF FLORA AND FAUNA

On 10 November 2009 advice was received from the Conservator of Flora and Fauna in relation to the proposal. The advice states that an assessment of the tree removal list and an inspection of the trees on the site have been undertaken and the following advice is in accordance with the *Tree Protection Act 2005*.

#### *Supported for Removal:*

*Trees numbered 327, 341, 349, 366, 368, 370, 391, 393, 395, 399, 407, 409, 411, 413, 423, 425 and 429 are supported for removal as they met criteria 1 (1) (a) of the Tree Protection (Approval Criteria) Determination 2006, i.e. the tree is in decline and its life expectancy is short.*

#### *Not covered by the Tree Protection Legislation.*

*Trees numbered 317, 319, 321, 341, 343, 385, 387 and 446 these trees are undersize, trees numbered 311, 362, 433 and 435 are pest plants under the Pest Plants and Animals (Pest Plants) Declaration 2009, trees numbered 277, 279, 305, 309, 325, 345, 347, 360, 389, 419, 431, 483, 1068 and 1070 are dead, as such not covered by tree protection legislation,*

*All of these trees can be removed without approval from the Conservator.*

#### *Regulated Trees*

*Trees numbered 297, 299, 301, 364 and 374 are regulated trees under legislation of the Tree Protection Act 2005, These trees do not meet any criteria for removal under the Tree Protection Act 2005, although these trees proposed for removal are of medium quality and could be considered for removal under the Planning and Development Act 2005.*

*Note: Trees numbered 303 and 423 are not supported for removal as these two trees are sound and healthy trees that add character to the Heritage values of the area.*

#### *Ground Work*

*Ground work within the tree protection zones of trees numbered 293, 295, 313, 315, 376, 378, 380 and 397 is supported as the ground work appears to be less than 10% of the root zone, therefore minor encroachment will have little or no adverse impact on the health of these trees.*

*Trees numbered 275, 281, 283, 285, 287, 351, 457, 459, 461, 463, 465 and 525 are not covered under the Tree Protection Act as they are pest species under the Pest Plants and Animals (Pest Plants) Declaration 2009 and trees numbered 427, 447, 471, 485, 487, 489 and 1193 are not covered by legislation as they do not meet the size requirement to be regulated trees.*

Matters raised have been incorporated as either conditions of approval or advice.

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## DEPARTMENT OF TERRITORY AND MUNICIPAL SERVICES

On 19 November 2009 advice was received from Territory and Municipal Services in relation to the proposal. The advice states that this development application is supported subject to the following conditions:

### *Works on Territory Land*

*In accordance with the Roads and Public Places Act 1937 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.*

### *Design Acceptance*

*A Certificate of Design Acceptance from the Manager, Asset Acceptance, Land Management and Planning, TAMS. In order to obtain this certificate fully detailed drawings (civil, landscape) prepared by a suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans), shall be submitted to the Manager, Asset Acceptance. A Waste Management Plan in accordance with the Development Control Code for Best Practice Waste Management in the ACT should also be included if not approved at the Development Application stage.*

*A detailed construction parking plan for the building phase is required. This plan is required to take into account all construction/demolition vehicles and equipment, and construction workers vehicles, and how and where they will be accommodated within the site. This plan is to be submitted to and approved by the Manager Asset Acceptance prior to the commencement of any works on site. If this plan is not approved, and adhered to by the developer or his contractor's, a formal stop work will be issued by compliance section*

*Traffic Control Device drawings for all new and amended works are to be submitted to the Manager, Asset Acceptance, Community & Infrastructure Services, TAMS for approval prior to the installation of such devices.*

### *Temporary Traffic Management (TTM)*

*A TTM plan approval from the Manager, Traffic Management & Safety, Roads ACT, Transport and Infrastructure Division, TAMS. All times during construction the site and surrounds shall be managed in accordance with a Temporary Traffic Management Plan, prepared by a suitably qualified person and approved by the Manager, Traffic Management & Safety. This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices.*

### *Landscape Management & Protection Plan (LMPP)*

*LMPP approval from the Manager, Asset Acceptance, Land Management and Planning, TAMS. During construction, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with the Landscape Management Protection Plan (LMPP) approved by the Manager, Asset Acceptance. This plan is to be implemented before the commencement of works, including demolition on the site and is to be in accordance with City Management Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04.*

*On-site Stormwater Detention and Retention (OSD/R) (Water Sensitive Urban Design)*

*All development where the hard surfaced area and/or GFA is increased from the pre-existing GFA and/or hard surface area will require the implementation of on-site stormwater detention/retention principles. The existing stormwater tie is to be used in single block redevelopments and is not to be upgraded. In all multi block redevelopments, the maximum discharge flow is not to exceed the pre-existing flow conditions for the number of blocks being redeveloped. Any unused ties are to be removed and capped. These measures are required to reduce the flow from the site during the 1 in 3 month or greater rain fall events and to minimise the effect of flooding down stream through these rain fall events.*

*Notice of Commencement of Construction*

*Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and programmed implementation of the TTM.*

*Stormwater & Overland Flow Paths*

*The existing municipal stormwater overland flow paths and associated easement reserves shall be maintained and any proposed changes to the overland flow paths route or design shall be submitted to TAMS Asset Acceptance for detail design acceptance in accordance with TAMS Ref-06 document.*

*Any development structures shall be sited clear of the stormwater overland flow path and building structures fixed floor levels shall be constructed above the overland flow flood level with required freeboard in accordance with TAMS Design Standards for Urban Infrastructure [DSUI].*

Matters raised have been incorporated as either conditions of approval or advice.

**ACT HERITAGE COUNCIL**

On 20 November 2009 advice was received from ACT Heritage Council in relation to the proposal. The advice states that the development application is supported on the following conditions:

- 1. That the original pise construction of 1902-04 is retained and maintained to ensure its ongoing preservation, and that the Heritage Council is consulted prior to any restoration and maintenance works are carried out, including internal works.*
- 2. That the main building and cottages are archivally documented prior to their alteration or demolition.*
- 3. That the demolition of the joining structures is carried out in a manner that ensures the original pise elements are not damaged.*
- 4. That the removal of tree 423 (Pinus radiata) is subject to its replacement with a similar species.*
- 5. That the Heritage Impact Statement be amended and endorsed by Council in order to satisfactorily address the impact of the overall development on the significance of the Gungaherra Homestead Precinct.*
- 6. That some further research and works are carried out to ascertain whether the site contains burials or not. Ground Penetrating Radar is commonly used for this purpose.*
- 7. That a structural engineer's report is provided on the condition of the buildings or parts of buildings that are planned for demolition.*

*It is recommended:*

- 1. That interpretative signage be developed (in conjunction with the Heritage Unit) and erected on the precinct to inform residents and visitors of the history of the area, and*
- 2. That materials recovered from the demolition of the cottages and other structures should be retained and reused as appropriate for the maintenance of other similarly aged Territory assets.*

*Notes:*

*Archaeology*

*The archaeological report accompanying the application provides minimal information to assure the Council that no damage will occur to cultural material. In particular, given that the Development Application covers the whole of the site, the report does not explain why only features 26, 27, 28, 29 and 30 are dealt with. There is no description of the other features on the site, or how they might be impacted by the development.*

*Similarly, feature 29 (child burials) is not located in the report for the proposed development. Given that a recommendation is that this site should be avoided, further research to ascertain their location is imperative.*

*Pise Construction*

*A structural engineer's report was not provided to support the claim that sections of the 1950s pise construction are unsound. A report detailing the condition of these structures is required.*

*Manager's and Worker's Cottages*

*Although the cottages are deemed to have heritage values in the draft Heritage Impact Statement (HIS), the Council is concerned that little justification has been provided for their demolition. Further detail shall be contained in the final HIS and a structural engineer's report shall be produced providing evidence on the condition of the buildings.*

*Trees*

*The Heritage Council supports the removal of 423 (*Pinus radiata*) subject to its replacement with a similar species. However, the Council advises that it will be guided by the Tree Protection Unit on the removal of the tree numbered 303 (*Eucalyptus melliodora*).*

*Heritage Impact Statement*

*The Heritage Council, in its letter dated 23 September 2009, provided comments about the heritage impacts statement (HIS) being amended in order to satisfactorily address the impact of the overall development on the significance of the Gungaharra Homestead Precinct. The HIS is still not clear on this issue, and does not provide a solid conclusion. The HIS must use terms such as 'acceptable' or 'unacceptable' heritage outcome, rather than 'reasonable' as stated.*

*Matters raised have been incorporated as either conditions of approval or advice.*

*ActewAGL (Electricity Network)*

*On 13 November 2009 advice was received from ActewAGL (Electricity Network) in relation to the proposal. The advice states that this application has been assessed for compliance with ActewAGL's Electricity Network and conditionally complies with Actew's Electricity Networks requirements.*

*Matters raised have been incorporated as either conditions of approval or advice.*

### ActewAGL (Water & Sewerage)

On 09 November 2009 advice was received from ActewAGL (Water & Sewerage) in relation to the proposal. The advice states that this application has been assessed by ActewAGL and complies with Actew's water and sewerage requirements.

Matters raised have been incorporated as either conditions of approval or advice.

### ActewAGL (Gas Networks)

On 04 November 2009 advice was received from ActewAGL (Gas Networks) in relation to the proposal. The advice states that this application has been assessed by ActewAGL and conditionally complies with Actew's Gas Networks requirements.

Matters raised have been incorporated as either conditions of approval or advice.

### ACT EMERGENCY SERVICES AGENCY (ESA)

On 12 November 2009 advice was received from ESA in relation to the proposal. The advice states that:

#### Location and description

*The proposal is for the construction of 31 townhouses, refurbishment of the homestead and demolition of several unusable minor buildings on the site.*

#### Fire Station Response Area

*Gungahlin Fire station is the primary response for this area, with support coming from Belconnen and Ainslie stations. Depending on the nature of the incident various support resources may be required to support the initial response.*

#### Infra Structure, and road ways to comply with Fire Brigade Standards

*Driveways and roadways through the complex must be able to accommodate a Brigade urban pumper, specifications of which are:*

- Length - 8.5 metres.
- Height - 3.3 metres.
- Width - 2.5 metres.
- Weight - 13.3 tonnes.

*Buildings in excess of 3 storeys may require the Brigades aerial appliance for access during an emergency incident. Specifications of this appliance are:*

- Length - 11.2 metres.
- Width - 2.6 metres.
- Height - 3.9 metres.
- Weight - 30 tonnes.

*Fire hydrants are to be located on a hard stand.*

#### Street furniture, landscaping and tree planting

*ACT Fire Brigade (ACTFB) has the following requirements in relation to street furniture, future landscaping, existing trees and tree planting that should be adhered to:*

- *Access to hydrants, other water supplies and services must not be impeded by trees, street furniture or landscaping.*
- *Overhanging trees must not impede the progress of emergency service vehicles attending the facility.*

- *Street furniture and future landscaping must not impede the progress of emergency service vehicles attending the facility.*

Water Supplies

*Based on residential use on the site, the water supplies for fire fighting purposes are required to meet F5 standard supplies as agreed by ACTEW and the ACTFB.*

Construction requirements

*Construction of buildings on the site will be subject to the requirements of the Building Code of Australia (BCA).*

*The ACT Emergency Services Agency has no other special considerations or objections at this time.*

Matters raised have been incorporated as either conditions of approval or advice.

ENVIRONMENT PROTECTION AUTHORITY

With this development application the applicant has provided advice from the EPA in relation of the contamination of the site, all work proposed shall be in accordance with the EPA advice dated 2 October 2009.

Matters raised have been incorporated as either conditions of approval or advice

## **PART 4 ADMINISTRATIVE INFORMATION**

### **DATE THAT THIS APPROVAL TAKES EFFECT**

This approval is effective from the day after the date of this notice. The effective date for development applications approved subject conditions could be adjusted if the approval is reconsidered by the ACT Planning and Land Authority or if an application is made to the ACT Civil and Administrative Tribunal.

Pursuant to section 184 of the Act, this approval will expire if:

- the development or any stage of the development is not started within two years after the day the approval takes effect;
- the development is not finished two years after the day the development begins; or
- the development approval relates to land comprised in a lease that requires the development to be completed on a stated date – the date stated in the lease for completion of the development, or the approval is revoked under section 189 of the Act.

Under section 184 of the Act, the applicant may apply to the ACT Planning and Land Authority to extend the prescribed period to finish the development, but such an application must be made within the original period specified for completion.

A development approval, to which section 184 of the Act applies, continues unless the approval ends under sections 184, 185, 186 or 187 of the Act.

### **INSPECTION OF THE APPLICATION AND DECISION**

A copy of the application and the decision are available on the public register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

### **RECONSIDERATION OF THE DECISION**

If the applicant is not satisfied with the decision to approve the application subject to conditions, they are entitled to apply to the ACT Planning and Land Authority for reconsideration within 20 working days of being told of this decision or within any longer period allowed by the ACT Planning and Land Authority.

Application forms and further information about reconsideration are available from the ACT Planning and Land Authority's website and Customer Service Centres. The delegate of the ACTPLA reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Civil and Administrative Tribunal.

### **REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)**

Decisions that are reviewable by the ACAT are identified in Schedule 1 of the *Planning and Development Act 2007*, except for those precluded under Schedule 3 of the *Planning and Development Regulation 2008* – Matters exempt from third-party ACAT review.

# APPENDIX 1

## CONTACT DETAILS OF RELEVANT AGENCIES

|                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ACT Health</b><br>- health protection                                                                                                                                                                                                                                                        | Website: <a href="http://www.health.act.gov.au">www.health.act.gov.au</a><br>Telephone: (02) 6205 1700                                                                                   |
| <b>ACT Planning and Land Authority</b><br>- list of certifiers for building approval<br>- demolition information<br>- asbestos information                                                                                                                                                      | Website: <a href="http://www.actpla.act.gov.au">www.actpla.act.gov.au</a><br>Telephone: (02) 6207 1923 or (02) 6207 1687                                                                 |
| <b>Department of Territory and Municipal Services</b><br>- tree damaging activity approval<br>- heritage<br>- use of verges or other unleased Territory land<br>- works on unleased Territory land - design acceptance<br>- damage to public assets<br>- threatened species/wildlife management | Website: <a href="http://www.tams.act.gov.au">www.tams.act.gov.au</a><br>Telephone: 132 281<br>Telephone for asset acceptance: (02) 6207 6594<br><br>Research and Planning (02) 62071911 |
| <b>Department of Environment, Climate Change, Energy and Water</b><br>- environment protection<br>- water resources                                                                                                                                                                             | Website: <a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a><br>Telephone: (02) 62076251 for Environment Protection Authority (EPA)                               |
| <b>Utilities</b><br>- Telstra (networks)<br>- TransACT (networks)<br>- ActewAGL<br>- Electricity reticulation                                                                                                                                                                                   | Telephone: (02) 9397 2090<br>Telephone: (02) 6229 8000<br>Telephone: 1100<br>Telephone: (02) 6293 5738                                                                                   |

## ADVICE TO APPLICANT

### SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the ACT Planning and Land Authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made with a completed application Form 11 for Section 144 & 197 Amendments and Satisfying Conditions of Approval (S.165).

### FURTHER APPROVALS FOR CONSTRUCTION

The Notice of Decision grants development approval, but does not cover building approval or approvals which may be required during construction, which commonly include the following.

#### BUILDING APPROVAL

Most building work requires building approval to ensure it complies with building laws such as the Building Code of Australia. If this applies to this proposal, the lessee should engage a private building certifier to assess and approve the building plans before construction begins. A list of licensed certifiers and information about building approval is available from the ACT Planning and Land Authority's website and Customer Service Centres.

#### PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

Under section 35 of the Planning and Development Regulation 2008 the development as built may vary from the approved development in accordance with section 35 and the permitted construction tolerances and other permitted variations identified in Schedule 1A of that regulation.

- Note 1* The development may still need building approval, or further building approval, under the *Building Act 2004*
- Note 2* The development must also comply with the lease for the land on which it is carried out.

#### "TREE DAMAGING ACTIVITY" APPROVAL

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. More information is available from the Department of Territory and Municipal Services.

#### 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 must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. Approval can be obtained from the Department of Territory and Municipal Services.

#### WORKS ON UNLEASED TERRITORY LAND – DESIGN AND OPERATIONAL ACCEPTANCE

In accordance with the *Roads and Public Places Act 1937*, no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval must be obtained from the Manager Asset Acceptance, Asset Services Group, TAMS by way of:

1. a certificate of design acceptance prior to the commencement of any work and
2. a certificate of operational acceptance on completion of all works to be handed over to TAMS

Works on unleased Territory land may include the construction or upgrading of driveway verge crossings, public footpaths, roads, street lighting, stormwater works, waste collection amenities, street signs and line marking, road furniture and landscaping.

A certificate of compliance under s296 of the *Planning and Development Act 2007*, may not be issued unless a certificate of design acceptance **AND** a certificate of operational acceptance have both been obtained from TAMS.

#### **CONSTRUCTION REQUIREMENTS**

The following information are some key requirements that apply to building work in the Territory. Other requirements may apply to this development.

#### DEMOLITION AND ASBESTOS MANAGEMENT

Demolition and asbestos management must be undertaken in accordance with the *Building Act 2004* (including the Building Code of Australia) and the *Dangerous Substances Act 2004*. Information about demolition and asbestos management is available from the ACT Planning and Land Authority's web site and Customer Service Centres.

#### ENVIRONMENT PROTECTION

All building work must be undertaken in accordance with the *Environment Protection Act 1997*, particularly but not exclusively in relation to noise and pollution control. More information is available from the Department of Environment, Climate Change, Energy and Water.

#### REPAIR OF DAMAGE TO PUBLIC ASSETS

The applicant/lessee is held responsible for all damage to ACT Government assets (including footpaths) caused by the development and they must properly repair any damage to those

assets. Before work commences, they should notify the Department of Territory and Municipal Services of any existing damage to public facilities.

### UTILITY ASSETS RETENTION

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.

### WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

Water restrictions or permanent water conservation measures may be in force in the ACT and may prohibit or affect the filling of new pools, ponds and fountains using potable (tap) water drawn from ACTEW Corporation Limited's potable water supply system. Applicants wishing to use water drawn from the potable water supply system to fill a new pool, pond or fountain are advised to first contact ACTEW 's Water conservation office on (02) 62483131. Where water restrictions or permanent water conservation measures would otherwise prevent or affect the filling of a new pool, pond or fountain, it might be possible to obtain an exemption to fill the pool, pond or fountain using potable water.

### DRAINAGE

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

### **REVIEW OF THE DECISION**

The following notes are provided in accordance with regulation 7 of the *ACT Civil and Administrative Tribunal Regulation 2009*. Refer to the Review by the ACT Civil and Administrative Tribunal (ACAT) section of the Notice of Decision for information about its relevance to this development application.

### CONTACT DETAILS

The review authority is the ACT Civil and Administrative Tribunal (ACAT).

| Location                                                                                   | Contact details                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ACT Civil and Administrative Tribunal<br>Level 4, 1 Moore Street<br>CANBERRA CITY ACT 2601 | Website: <a href="http://www.courts.act.gov.au">www.courts.act.gov.au</a><br>Email: <a href="mailto:tribunal@act.gov.au">tribunal@act.gov.au</a><br>Telephone: (02) 6207 1740<br>Facsimile: (02) 6205 4855<br>Post: GPO Box 370, CANBERRA, ACT, 2601<br>Document exchange: DX 5691 |

### POWERS OF THE ACAT

The ACAT 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 ACAT 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 ACAT recommendations.

### APPLICATIONS TO THE ACAT

To apply for a review, obtain an application form from the ACAT. 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.

### TIME LIMITS FOR APPLICATIONS

The time limit to make a request for a review is 28 days from the date of this Notice of decision. The time limit can be extended in some circumstances (refer to sections 10 (2), 10(3), 25(1)(e) and 25(2) of the *ACT Civil & Administrative Tribunal Act 2008*; section 7 of the *ACT Civil and Administrative Tribunal Procedure Rules 2009 (No 2)*; and section 409 of the *Planning and Development Act 2007*).

### FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee of not less than \$178 (the Tribunal Registry will advise of the current fee), unless you are receiving legal or financial assistance from the ACT Attorney-General. You can apply to have the fee waived on the grounds of hardship, subject to approval (refer to section 22T of the *ACT Civil and Administrative Tribunal Act 2008*). 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. Ask the ACAT for more details.

### TIME LIMITS FOR REVIEWS OF DECISIONS

The ACAT 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 ACAT upon it being satisfied that it is in the interests of justice to do so.

### FORMS OF LEGAL, FINANCIAL AND OTHER ADVICE AND ASSISTANCE

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

- ACT Attorney-General, write to The Chief Executive, ACT Department of Justice and Community Safety, GPO Box 158, CANBERRA, ACT, 2601;
- the ACT Legal Aid Office, telephone 1300 654314;
- Legal Advice Bureau, telephone (02) 6247 5700;
- ACT Council of the Ageing, telephone (02) 6282 3777;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

### AWARDING OF COSTS

You will have to pay any costs involved in preparing or presenting your case. The ACAT also has the power to award costs against a party if the party contravenes a direction of the ACAT and the ACAT considers it in the interests of justice to make such an order. This power is in addition to the power of the ACAT to strike out a party and to dismiss an application for failure to comply with the ACAT's directions.

### ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the ACT Planning and Land Authority's web site or by contacting us by phone on (02) 6207 1923.

### PROCEDURES OF THE ACAT

The procedures of the ACAT are outlined on the ACAT's website, including in the Guide to the Land and Planning Division and the Guide to the Hearing. Contact the ACAT for alternative ways to access information about the ACAT's procedures.

TRANSLATION AND INTERPRETER SERVICES

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week. Telephone 131 450.

|            |                                                             |
|------------|-------------------------------------------------------------|
| 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:    |
| MALTESE    | Jekk għandek bżonn l-għajjnuna t'interpretu, ċempel:        |
| 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, seven days a week

**From:** [App Sec](#)

**Subject:** Notice of Decision 8,9/4 Harrison

**Date:** Tuesday, 22 December 2009 1:25:00 PM

**Attachments:**

---

Dear Sir/Madam,

Please find attached the decision for DA 200915923.

Kind Regards,

Applications Secretariat

Ph: 62071687

**From:** [App\\_Sec](#)  
**Subject:** Notice of Decision 8,9/4 Harrison  
**Date:** Tuesday, 22 December 2009 1:26:00 PM

---

Dear Sir/Madam,

Please find attached the decision for DA 200915923.

Kind Regards,

Applications Secretariat

Ph: 62071687

**From:** [App Sec](#)

**Subject:** Notice of Decision 8,9/4 Harrison

**Date:** Tuesday, 22 December 2009 1:21:00 PM

---

Dear Sir/Madam,

Please find attached the decision for DA 200915923.

Kind Regards,

Applications Secretariat

Ph: 62071687

**From:** [App Sec](#)

**Subject:** Notice of Decision 8,9/4 Harrison

**Date:** Tuesday, 22 December 2009 1:27:00 PM

---

Dear Sir/Madam,

Please find attached the decision for DA 200915923.

Kind Regards,

Applications Secretariat

Ph: 62071687

From: App Sec  
Sent: Tuesday, 22 December 2009 1:28 PM

Subject: Notice of Decision 8,9/4 Harrison

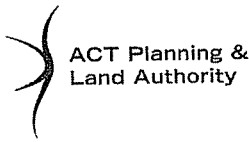
Dear Sir/Madam,

Please find attached the decision for DA 200915923.

Kind Regards,

Applications Secretariat

Ph: 62071687



# Notice of decision

Under Part 7 of the *Planning and Development Act 2007*  
**Section 197 Amendment**

---

**DA NO: 200915923 S197A**

**DATE LODGED: 8 March 2011**

**DATE OF DECISION: 3 May 2011**

**BLOCK: 8 & 9**

**SECTION: 4**

**SUBURB: Harrison**

**STREET NO AND NAME: 24 Sapling Street**

**APPLICANT: AMC Projects Pty Ltd**

**LESSEE: Amanda Mawson, Tanya Jackson, Michelle Fulton**

## THE DECISION

Pursuant to section 197 of the *Planning and Development Act 2007*, approval is sought to amend development approval No. 200915923 dated 18/12/2009 by:

Homestead Community Facility:

1. Realignment of the set-out of the extension to the Homestead building by 250mm towards the west, to set the eastern wall of the extension 1500mm away from the internal lot boundary, to allow for the construction to satisfy BCA fire protection requirements.
2. Addition of two Fire Hose Reels to the interior of the Homestead, to satisfy BCA requirements.
3. Amendment of the set-out of the windows to the western façade of the above extension.
4. Relocation of Heritage Interpretation signage, from the Homestead's northern courtyard to the south western corner of the community facility.
5. Replacement of windows (within existing openings) to the existing section of the Homestead.
6. Deletion of the Community Garden facility (garden beds and associated structures).

Multi-Unit Housing:

1. Change of the material above the garage doors from brick to Mini Orb metal cladding, as a result of adjustment of door heights to comply with accessibility standards.
2. Change of the roof fascia detail from a PFC to a timber beam.
3. Addition of a post to support the awning at the entries to the Type C units (2 units in total).
4. Amendment to the detailing of the Garbage Enclosures (roof and access doors), to facilitate construction.

I, Kevin Polglase, delegate of the ACT Planning and Land Authority, pursuant to section 198 of the Act, hereby **approve** to amend the development approval, in accordance the application made under section 197 of the Act, in accordance with the plans, drawings and other documents and items submitted with the application and endorsed as forming part of this approval.

### **REASONS FOR THE DECISION**

In deciding whether to amend the development approval in accordance with the application under section 197 of the Act, I have considered the application and taken action in relation to the application as if the development originally approved had been completed, and the application for the amendment was an application for approval of a development proposal to change the completed development to give effect to the amendment.

The application to amend the development approval satisfactorily meets the requirements for approval. The application was approved because, pursuant to section 198 of the Act, the changed development proposal and the original development proposal would not be in different assessment tracks, and the development after the amendment will be substantially the same as the development for which approval was originally given.

### **INSPECTION OF THE APPLICATION AND DECISION**

A copy of the application and the decision are available on the public register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

### **EVIDENCE**

**Application No.** 200915923 S197A

**File Name** - DA-200915923

**The Territory Plan zone** – RZ4: Medium Density & CF: Community Facilities

**The Development Codes** – Community Facility Zone Development Code  
Multi Unit Housing Development Code

**Representations** - N/A

**Entity advice** - N/A

### **DELEGATE**

Kevin Polglase  
Delegate of the ACT Planning and Land Authority

03/05/2011

### **CONTACT OFFICER**

Mr Kevin Polglase  
Phone: (02) 62072634  
Email: Kevin.polglase@act.gov.au

# APPENDIX 1

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### TRANSLATING AND INTERPRETING SERVICE

# 131 450

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



# Notice of decision

Under Part 7 of the *Planning and Development Act 2007*

## Section 197 Amendment

---

**DA NO: 200915923 S197A**

**DATE LODGED: 8 March 2011**

**DATE OF DECISION: 3 May 2011**

**BLOCK: 8 & 9**

**SECTION: 4**

**SUBURB: Harrison**

**STREET NO AND NAME: 24 Sapling Street**

**APPLICANT: AMC Projects Pty Ltd**

**LESSEE: Amanda Mawson, Tanya Jackson, Michelle Fulton**

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**Application No.** 200915923 S197A

**File Name** - DA-200915923

**The Territory Plan zone** – RZ4: Medium Density & CF: Community Facilities

**The Development Codes** – Community Facility Zone Development Code  
Multi Unit Housing Development Code

**Representations** - N/A

**Entity advice** - N/A

### **DELEGATE**

Kevin Polglase  
Delegate of the ACT Planning and Land Authority

03/05/2011

### **CONTACT OFFICER**

Mr Kevin Polglase  
Phone: (02) 62072634  
Email: Kevin.polglase@act.gov.au

# APPENDIX 1

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| 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, seven days a week

**From:** [Harmer, Sharon](#)  
**To:** [Priestly, Sharon](#)  
**Subject:** RE: Blocks 8 & 9 Section 4 Harrison - Gungaharra  
**Date:** Friday, 23 October 2009 2:11:54 PM

---

Sharon

The withdrawal of Block 8 has commenced and will take effect on and from 9 January 2009. After this time, a Balance Crown Lease will need to be registered to exclude Block 8 from the Title.

No development should commence until after the Balance Crown Lease has been registered.

Sharon

---

**From:** Priestly, Sharon  
**Sent:** Friday, 23 October 2009 2:05 PM  
**To:** Harmer, Sharon  
**Subject:** Blocks 8 & 9 Section 4 Harrison - Gungaharra

Hi Sharon

DA200915923 has been submitted for the development of Blocks 8 & 9 Section 4 Harrison. I'm not sure whether any leasing action is required at this stage to withdraw land from the Balance Crown lease? It's probably all under control.

I've attached a link to the DA

With thanks

Sharon  
DA Leasing

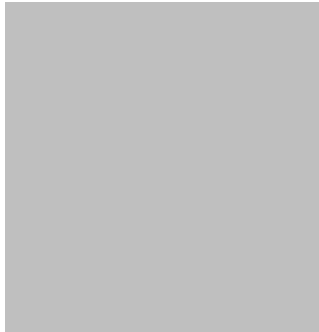
**To:** [App\\_Sec](#)  
**Subject:** RE: Regarding Block 8 Section 4 Harrison  
**Date:** Wednesday, 21 October 2009 5:04:21 PM  
**Attachments:** [image001.gif](#)

---

Hi Bala,

We authorise the Applications Secretariat to include Block 9 Section 4 Harrison in the DA for the above-mentioned project.

Cheers,



DIRECTOR

**T** 02 6257 3222 **F** 02 6257 4190 **M** 0416 155 800  
Unit 2, Jacobs House, 8 - 10 Hobart Place  
Canberra City ACT 2600  
AMCPROJECTS.COM.AU

---

**From:** App Sec [mailto:App.Sec@act.gov.au]  
**Sent:** Wednesday, 21 October 2009 3:37 PM  
**Subject:** Regarding Block 8 Section 4 Harrison

If the proposal includes block 9 section 4 Harrison as well please send an email authorising Application Secretariat to include Block 9 in the application form.

Regards  
Bala  
Appsec

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



# ACT Planning and Land Authority

# Tax Invoice/Receipt

ABN 46 346 672 655  
16 Challis Street Dickson  
GPO Box 1908 Canberra ACT 2601  
ACTPLA Homepage: www.actpla.act.gov.au

Telephone Enquiries:  
-Customer Service Centre (02) 6207 1923  
-Plan Room (02) 6207 1939  
-Mitchell Office (02) 6207 6262

Receipt No: 928/0085/000001      Date: 28/10/2009      Time: 14:22:50  
CHC Affordable Housing  
56 Bluebell Street O'Connor ACT 2602

|                      |      |        |      |        |       |
|----------------------|------|--------|------|--------|-------|
|                      | Cash | Cheque | Card | EFTPOS | Total |
| Payment Totals-----> | 0.00 |        |      |        |       |

| Item                           | Block/Section      | Remarks   | Debtor | Invoice Qty | Amount | GST Incl | Total |
|--------------------------------|--------------------|-----------|--------|-------------|--------|----------|-------|
| Design & Siting                | 000-0009-0004-HARR | 200915923 |        |             |        |          |       |
| Public Notification            | 000-0009-0004-HARR | Major     |        |             |        |          |       |
| Dial A Search                  | 000-0009-0004-HARR |           |        |             |        |          |       |
| Building Levy                  | 000-0001-0096-FRAN |           |        |             |        |          |       |
| Notice of Intentions ACTWORKCO | 000-0001-0096-FRAN |           |        |             |        |          |       |
| Training Levy                  | 000-0001-0096-FRAN |           |        |             |        |          |       |

-----  
Total Payments  
-----

Cashier Signature.....  
