

COMPOSITE STREETSCAPE ELEVATION
scale 1:50 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	DRAWN AJ	REVISION
BLOCK 3			DRAWING COMPOSITE STREETSCAPE ELEVATION	SCALE 1:50 AT A2	CHECKED
SECTION 55	SUBURB KINGSTON	DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699		PROJ NO. 0766	REVIEWED
		DATE 05.02.09		PSP DA	<input type="checkbox"/>
		DRAWING NO. DA-A16		BA CONST	<input type="checkbox"/>

From: Connors, Brian
Sent: Monday, 16 February 2009 9:30 AM
To: 'AJ'
Subject: DA200813271 3/55 Kingston

Hi AJ,

My supervisor and I have discussed with our manager the issue of the proposed 3rd story element and the L&D interpretation. My manager has further discussed this matter with the LDA. As a result I have been advised that the proposed 3rd storey element facing the laneway cannot be supported as it does not meet the intent of the L&D conditions.

I would also like to mention that although you have expressed to me your frustration towards the LDA regarding this proposed design, it is a mandatory requirement for all proposed development plans to have LDA endorsement prior to being resubmitted.

Regards
Brian.

From: AJ <aj@dnarchitects.com.au>
Sent: Friday, 17 April 2009 9:29 AM
To: App Sec
Cc: Connors, Brian; Jamaly, Rumana
Subject: DA NO-200813271-AMENDMENTS

App Sec,

Please find attached drawings and DA form for amendments to a current DA not yet approved.

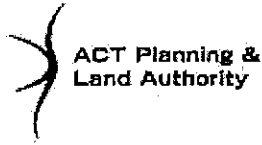
Cheers, Aj

Ajanthan BalaretnaRaja
Dowse Norwood Architects Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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Planning and Development Act 2007, s425

DEVELOPMENT APPLICATION

Form 11

SECTION 144 & 197 AMENDMENTS

SATISFYING CONDITIONS OF APPROVAL (S.165)

Type of Application

Amendment (S.144)

Amendment to a current application not yet approved

Insert Proposal Number to which this application relates:

Additional information as requested

20081327.....

Amendment (S.197)

Amendment to a development approval

Insert Development Approval Number to which this application relates:

Additional Information as requested

20.....

The following questions must be answered for amendments lodged under S.144 or S.197 of the P & D Act 2007

Will the development applied for after the amendment be substantially the same as the development applied for originally?

YES

NO

If NO - the Authority must refuse to amend the development application/approval

Will the assessment track for the application change if the application is amended?

YES

NO

If YES - the Authority must refuse to amend the development application/approval

Please provide the date of the original approval: _____

Has work relating to the original approval commenced? (Required for S197 amendments only)

YES

NO

If NO - please check the status of your development approval with the Authority

Satisfying Conditions of Approval (S.165)

Information and documentation to satisfy conditions of development approval

Insert Proposal Number to which this application relates:

20.....

Lease/Site Details *Please Print*

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

Block

3

Section

55

Unit (if applicable)

Suburb

KINGSTON

District

INNER SOUTH

Street Number

Street Name

PRINTERS WAY

Postcode

2604

Applicant Details Please Print

Surname	<i>DOWSE</i>	First Name	<i>Glen</i>
Company Name	<i>Dowse Norwood Architects Pty Ltd</i>		
Position held in company	<i>Director/Architect</i>	Australian Company/Business Number (ACN/ABN)	<i>43 097 309 325</i>
Postal Address	<i>P.O. BOX 5087</i>		
Suburb	<i>Braddon</i>	State	<i>ACT</i>
		Postcode	<i>2612</i>
Phone Number Business Hours	<i>(02) 6230 4688</i>	Mobile	
EMAIL ADDRESS	<i>glen.dowse@dnarchitects.com.au</i>		

Lessee (Property Owners) Details Please Print

Lessee's Details (or Government Land Custodian)

Surname	<i>Glover</i>	First Name	<i>Richard</i>
Company Name	<i>Ashway Pty. Ltd.</i>		
Position held in company	<i>Director</i>	Australian Company Number (ACN)	<i>70 109 251 238</i>
Postal Address	<i>6 Boshman st</i>		
Suburb	<i>Parkes</i>	State	<i>NSW</i>
		Postcode	<i>2870</i>
Phone Number Business Hours	<i>(02) 6862 1435</i>	Mobile	
EMAIL ADDRESS	<i>-</i>		

List Amendments or Conditions of Approval Being Satisfied Please Print.

EXAMPLES: 1. Laundry window being enlarged, roof material changed from tile to colour bond
2. Condition 1 – plan showing revised side setback, Condition 2 – landscape plan provided

- 1. Third Storey element removed from rear laneway frontage.*

Additional space on next page if required

List of Amendments or Conditions of Approval Being Satisfied continued

Entity and/or Referral Requirements (COMPLETE FOR AMENDMENT APPLICATIONS ONLY)

Do the amendments to your proposal impact on entity requirements? NO YES

IF YES**CODE TRACK AMENDMENT APPLICATIONS**

- Seek entity endorsement of your amendments prior to lodgement of your amendment application and submit this with your amendment application

MERIT & IMPACT TRACK AMENDMENT APPLICATIONS

- Seek entity endorsement of your amendments prior to lodgement of your amendment application and submit this with your amendment application **OR**
- Provide documentation with your amendment application that demonstrates your proposal addresses entity requirements so it can be referred to the relevant entity by the Authority

Entity Endorsement provided

Documentation provided for referral to Entity

Other Requirements**DOCUMENTATION AND PLANS**

All required documentation must be provided in an electronic format on compact disc/DVD and meet the following requirements (Form to be submitted in hardcopy if lodged over the counter)

- Each document must be saved as a PDF and named in accordance with the naming convention as detailed on the ACTPLA website.
- All plans must be to scale.
- All plans must be rotated to the correct orientation i.e. they are the right way up when opened
- All plans are to be clear and concise and generally consistent with Australian Standard 1100.301 - 1985 and Australian Standard 1100.301 supplementary - as updated from time to time.
- The documentation provided on CD/DVD either over the counter or via an electronic lodgment process (email or internet) will be considered to be the relevant documentation associated with this application.

Amendment to Development Application Not Yet Approved (S.144)

When submitting documentation or plans in relation to an amendment to a development application that has not been determined, a written statement specifying what elements of the original proposal have been changed must be provided. Amendment/s to be listed on plans and area on plan clouded where change to occur. The amended application may need to be notified (S.146).

Satisfying Conditions of Approval (S.165)

When submitting documentation or plans to satisfy conditions of approval a written statement detailing which conditions the documentation or plans are seeking to satisfy must be provided.

Amendment to Development Approval (S.197)

When submitting documentation or plans in relation to an amendment to a development approval, a written statement specifying what elements of the original approval have been changed must be provided. Amendment/s to be listed on plans and area on plan clouded where change to occur. The amended application will be notified (S.198) unless exempt by regulation.

Plans for Public Register

When submitting documentation or plans with an amendment application or to satisfy conditions of approval for residential development, a full working set of drawings and a public register set of drawings must be submitted. The Public Register floor plan must not show the interior layout of the development. All windows and doors to be clearly marked to enable identification of the use of the room/space to which they relate or an indication on the floor plan as to what the space will be used for e.g. bedrooms, living area, car accommodation, must be provided.

Applicant Declaration

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

I/we understand that this application will be considered lodged once any relevant application fees have been paid;

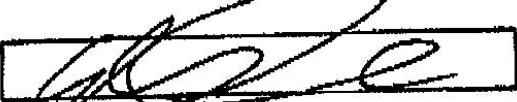
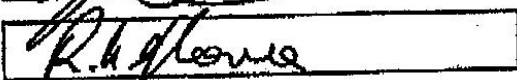
I/we understand that the documentation provided on CD/DVD or via the electronic lodgment process will be considered to be the relevant documentation associated with this application. All development application documentation will be made available for public inspection including via the Internet unless exclusion has been approved;

I/we understand that an amendment may be notified in accordance with the requirements of the *Planning and Development Act 2007*.

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

If signing on behalf of a company, organisation or Government agency: -

I/we the undersigned, declare I/we have the appropriate delegation or authority to sign on behalf of the company, organisation or Government agency.

Applicant Signature (s)		Date	17.04.09
1 st Lessee's Signature		Date	17/4/09
2 nd Lessee's Signature		Date	
Govt Land Custodian Signature (unleased land only)		Date	
Delegate of ACTPLA (unleased land only)		Date	

Privacy Notice

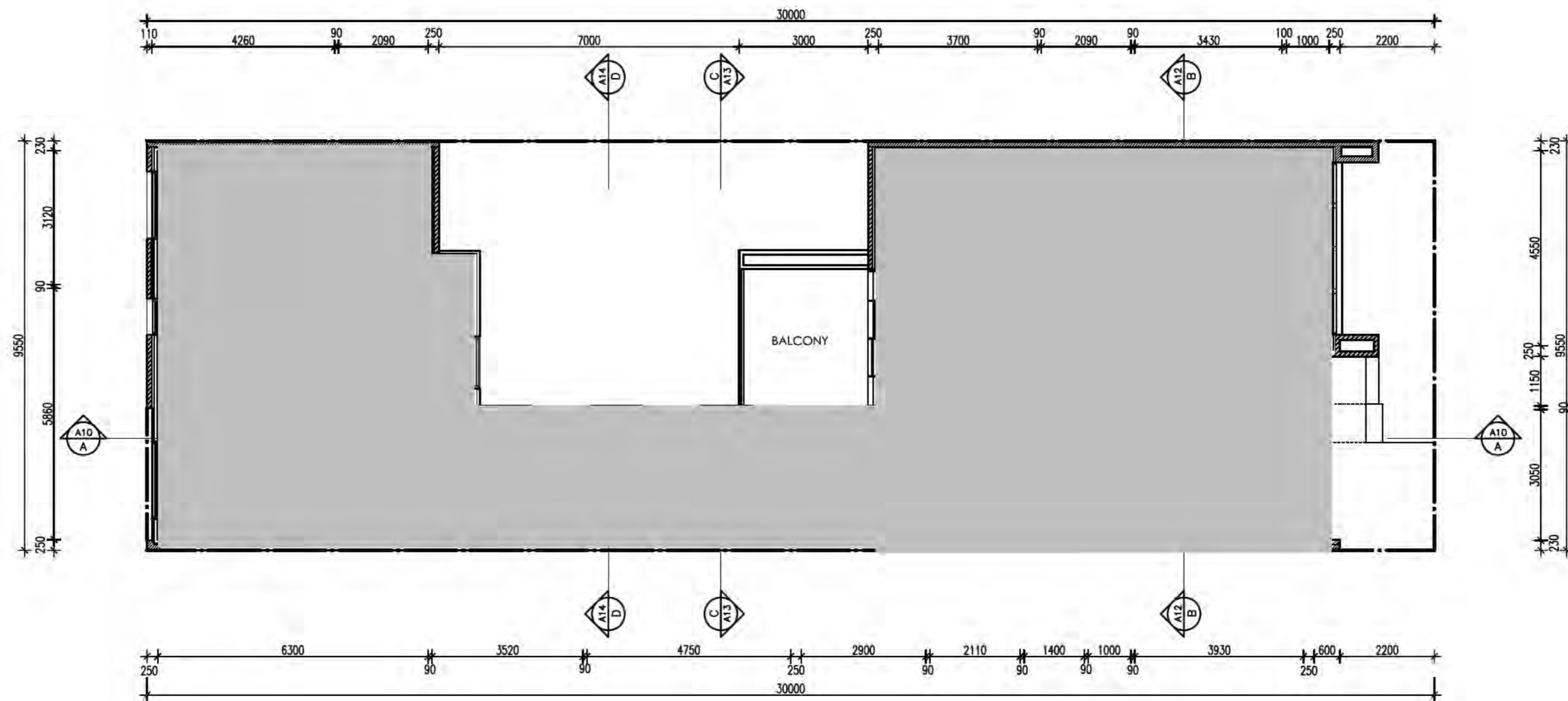
The personal information on this form is being collected to enable processing of your application. Collection of personal information is authorised by Chapters 7, 8 and 9 of the *Planning and Development Act 2007*. The information that you provide may be disclosed to the ACT Revenue Office and the Registrar-General's Office. The information may be accessed by other government agencies, ACTEWAGL, ACTEW Corporation and other commercial organisations interested in development and building information. The *Planning and Development Act 2007* requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet.

Does the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC) affect your proposal

The EPBC came into operation on 16 July 2000. It establishes an environmental assessment and approval system that is separate and distinct from the ACT system. It does not affect the validity of ACT development assessment and approval processes. The ACT cannot provide preliminary advice on whether a proposal falls within the definition of a controlled action, or requires referral to the Commonwealth. For information about the EPBC, including the referral process and when a referral should be made, contact: Environment Australia's Community Information Unit, GPO Box 787, CANBERRA ACT 2601
Telephone: 1800 803 772

Contact Details:


ACT Planning and Land Authority
Customer Service Centre
GPO Box 1908, Canberra City 2601
16 Challis Street, Dickson ACT 2602
Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
Phone: (02) 6207 1923 Fax: (02) 6207 1925 TTY: (02) 6207 2622
Email: actpla.customer.services@act.gov.au Website: www.actpla.act.gov.au

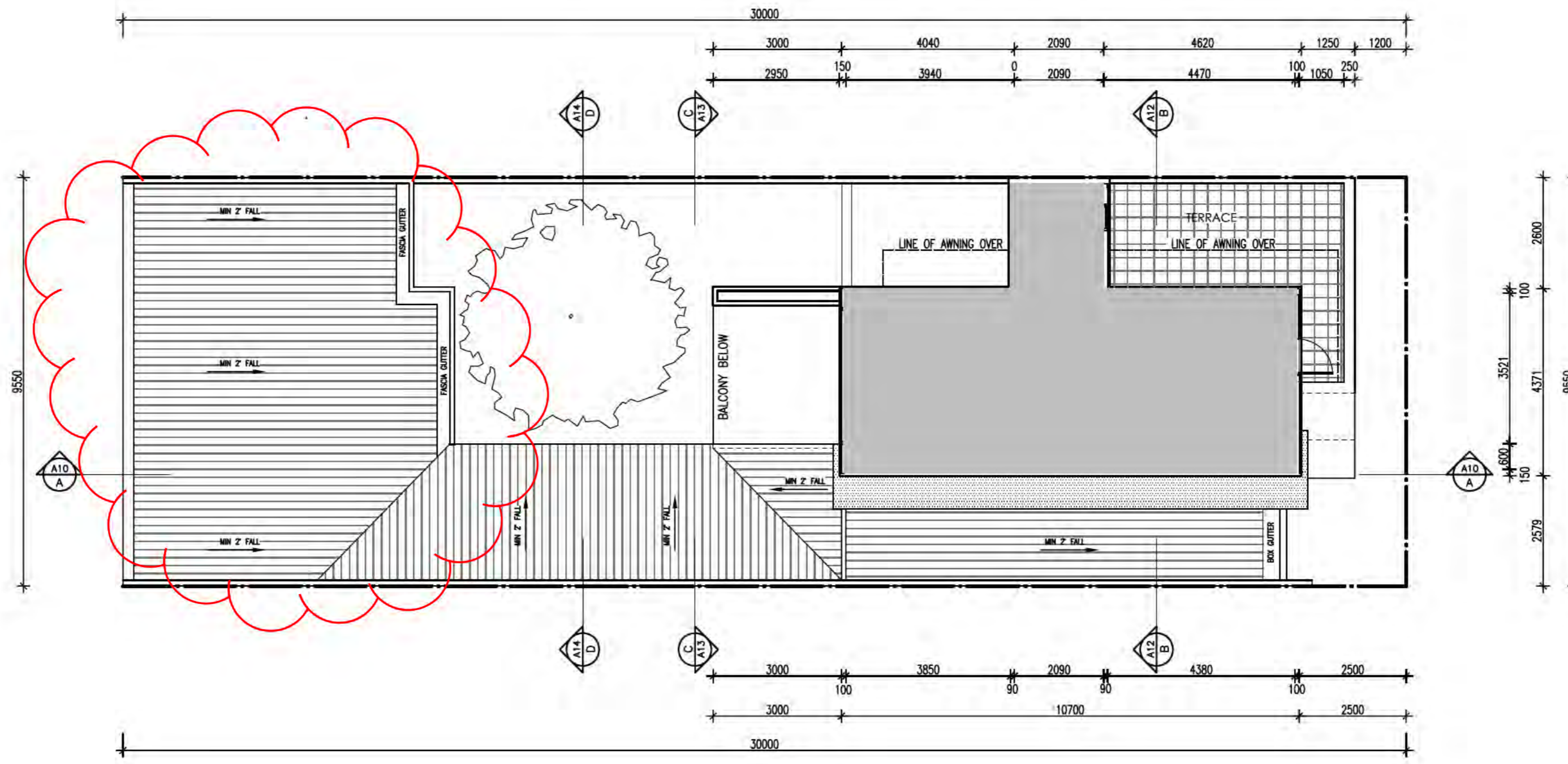


FIRST FLOOR PLAN
SCALE 1:100 @ A2

PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162
 Delegate name **BRIAN CONNORS**
 Date **18/5/2009**




PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	 DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699	DRAWN AJ	REVISION
BLOCK 3	SECTION 55	SUBURB KINGSTON	DRAWING FIRST FLOOR PLAN		SCALE 1:100 AT A2	CHECKED
				PROJ NO 0766	REVIEWED	
				DATE 16.04.09	PSP DA	<input type="checkbox"/>
				DRAWING NO DA-A07	BA CONST	<input type="checkbox"/>

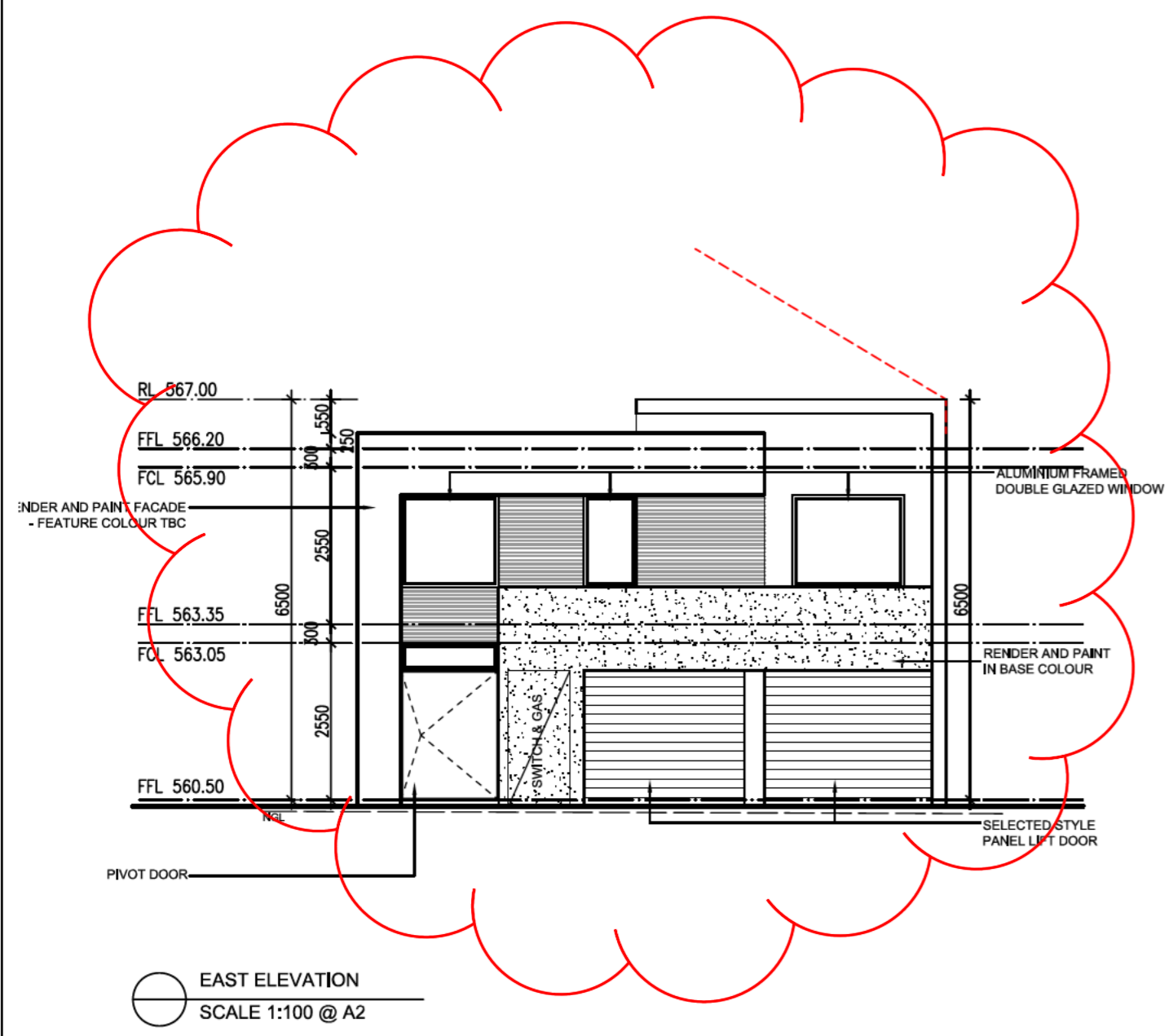


SECOND FLOOR PLAN
SCALE 1:100 @ A2

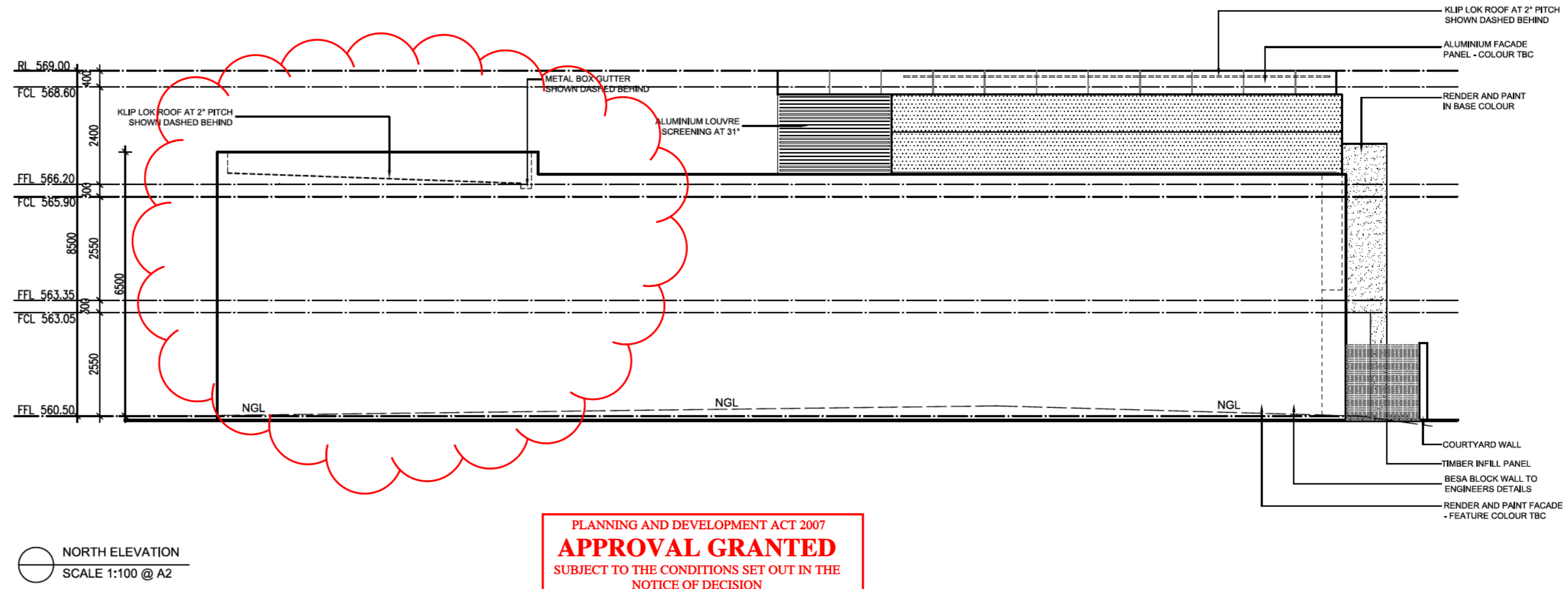
PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162
 Delegate name **BRIAN CONNORS**
 Date **18/5/2009**



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	 DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699	DRAWN AJ	REVISION
BLOCK 3	SECTION 55	SUBURB KINGSTON	DRAWING SECOND FLOOR PLAN		SCALE 1:100 AT A2	CHECKED
				PROJ NO 0766	REVIEWED	
				DATE 16.04.09	PSP DA	<input type="checkbox"/>
				DRAWING NO DA-A08	BA CONST	<input type="checkbox"/>

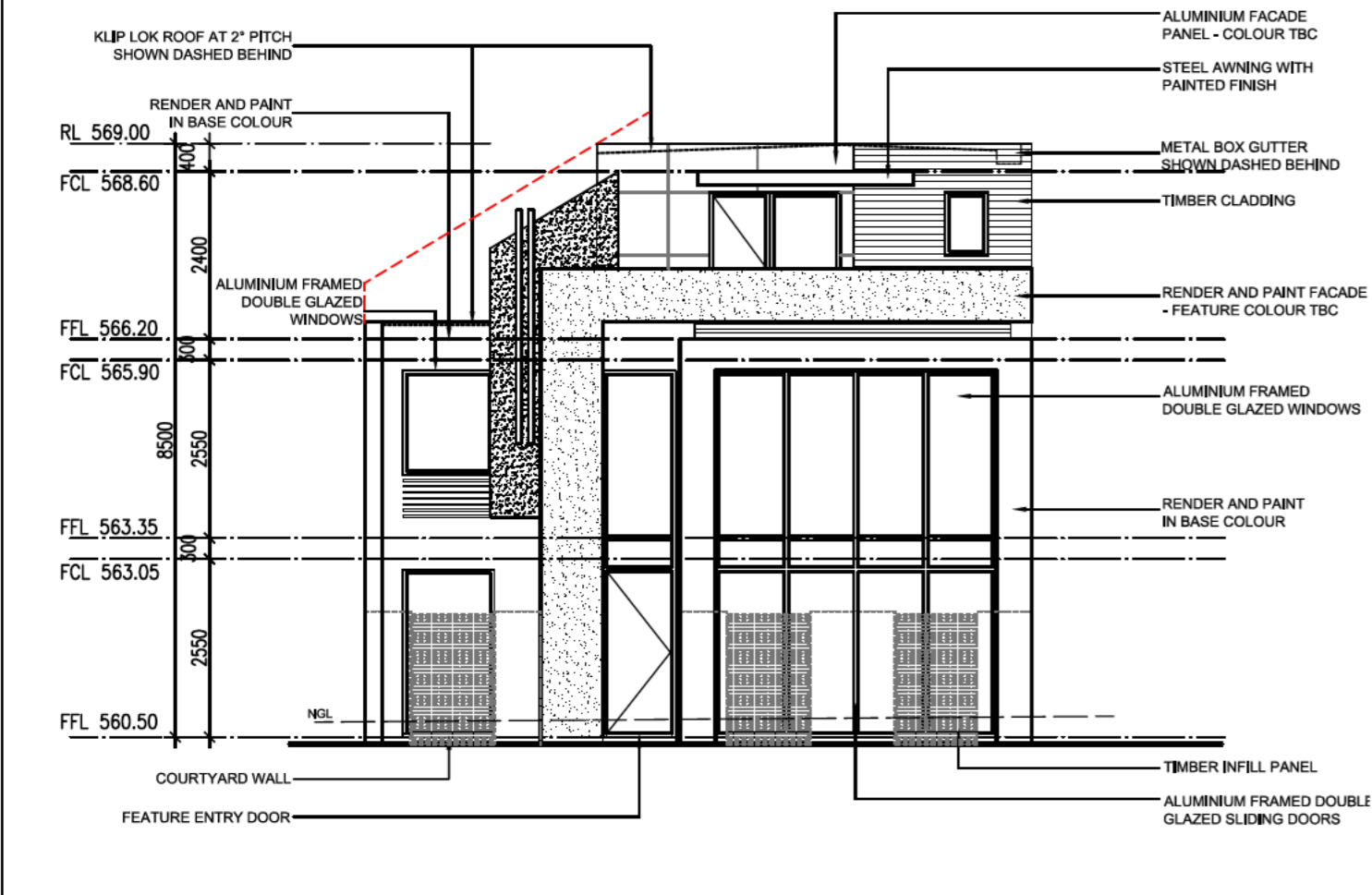


EAST ELEVATION
SCALE 1:100 @ A2

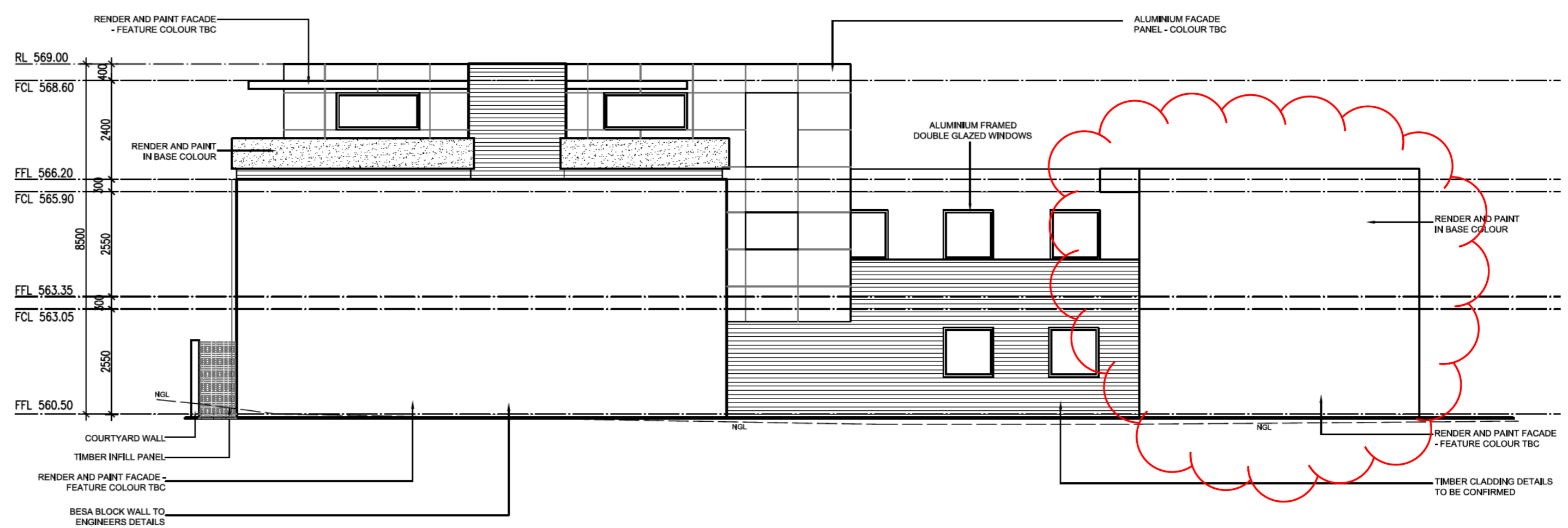


NORTH ELEVATION
SCALE 1:100 @ A2

PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162
 Delegate name **BRIAN CONNORS**
 Date **18/5/2009**



WEST ELEVATION
SCALE 1:100 @ A2



SOUTH ELEVATION
SCALE 1:100 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	
BLOCK 3	SECTION 55	SUBURB KINGSTON	DRAWING ELEVATIONS	
DRAWN AJ			REVISION	
SCALE 1:100 AT A2			CHECKED	
PROJ NO. 0766			REVIEWED	
DATE 16.04.09			PSP	
DRAWING NO. DA-A09			DA	
			BA	
			CONST	



DOWSE NORWOOD
 ARCHITECTS PTY LTD
 SUITE 10
 14 LONSDALE STREET
 BRADDON ACT 2612
 ABN: 43 097 309 325
 TEL: 02 6230 4688
 FAX: 02 6230 4699

From: App Sec
Sent: Monday, 20 April 2009 11:43 AM
To: Connors, Brian
Cc: Jamaly, Rumana
Subject: LODGEMENT OF S144 B APPLICATION FOR DA200813271 - 3/55 KINGSTON- DUE DATE: 24/04/09
Attachments: DA-200813271-LAND MANAGEMENT AND DEVELOPMENT CONTROLS_Development Assessment.obr

LODGEMENT OF S144 B APPLICATION FOR DA200813271 - **3/55 KINGSTON**- DUE DATE: 24/04/09
 DA OFFICER

Could you please provide the following information no later than **24/04/09** (5 working days from date of lodgement)

1. Please confirm who requested the S144 - This affects whether a fee advice is sent out to the Applicant or not.

(delete statement that is not applicable)

- The Applicant or
- The Authority

2. Confirm the development applied for is substantially the same as the development applied for originally.

(delete statement that is not applicable)

- Substantially the same
- Development substantially changed (please provide failure reasons to be forwarded back to applicant).

3. Confirm the assessment track for dealing with this amendment application has not changed. The original proposal was assessed in the **Insert applicable track.**

(delete statement that is not applicable)

- Assessment track has not changed
- Assessment track changed (please provide failure reasons to be forwarded back to applicant).

If the amendment application will substantially change the original development proposal or will change the assessment track the Authority must refuse to accept the amended application.

If the amended application is ok to accept -

4. Please confirm if entity referrals are required. If required please list entities.
5. Public notification requirements

(delete options that are not applicable)

- Minor
- Major
- Not required (code)

- Not required as the Authority is satisfied that no-one other than the applicant will be adversely affected by the amendment and the environmental impact caused by the approval of the amendment will do no more than minimally increase the environmental impact of the development.

6. Please confirm notification wording (if notification required) **Insert wording for re-notification**

Kristy Carswell | Application Secretariat | Client Services
ACT Planning and Land Authority | Dickson
| t 02 6207 7794 | t 02 6207 1687

From: AJ [mailto:aj@dnarchitects.com.au]
Sent: Friday, 17 April 2009 9:29 AM
To: App Sec
Cc: Connors, Brian; Jamaly, Rumana
Subject: DA NO-200813271-AMENDMENTS

App Sec,

Please find attached drawings and DA form for amendments to a current DA not yet approved.

Cheers, Aj

Ajanthan BalaretnaRaja
Dowse Norwood Architects Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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From: Connors, Brian
Sent: Monday, 20 April 2009 11:56 AM
To: App Sec
Subject: RE: LODGEMENT OF S144 B APPLICATION FOR DA200813271 - 3/55 KINGSTON- DUE DATE: 24/04/09

[See below lodgement information](#)

Brian Connors
Development Assessment
ACT Planning and Land Authority
Ph:(02)62075644
Email:brian.connors@act.gov.au

From: App Sec
Sent: Monday, 20 April 2009 11:43 AM
To: Connors, Brian
Cc: Jamaly, Rumana
Subject: LODGEMENT OF S144 B APPLICATION FOR DA200813271 - 3/55 KINGSTON- DUE DATE: 24/04/09

LODGEMENT OF S144 B APPLICATION FOR DA200813271 - **3/55 KINGSTON**- DUE DATE: 24/04/09
DA OFFICER

Could you please provide the following information no later than **24/04/09** (5 working days from date of lodgement)

1. Please confirm who requested the S144 - This affects whether a fee advice is sent out to the Applicant or not.
 - The Authority
2. Confirm the development applied for is substantially the same as the development applied for originally.

Substantially the same

3. Confirm the assessment track for dealing with this amendment application has not changed. The original proposal was assessed in the **Merit track**
 - Assessment track has not changed

If the amended application is ok to accept -

4. Please confirm if entity referrals are required. If required please list entities.
5. Public notification requirements

- Not required as the Authority is satisfied that no-one other than the applicant will be adversely affected by the amendment and the environmental impact caused by the approval of the amendment will do no more than minimally increase the environmental impact of the development.

6. Please confirm notification wording (if notification required) **Insert wording for re-notification**

Kristy Carswell | Application Secretariat | Client Services
ACT Planning and Land Authority | Dickson
| t 02 6207 7794 | t 02 6207 1687

From: AJ [mailto:aj@dnarchitects.com.au]
Sent: Friday, 17 April 2009 9:29 AM
To: App Sec
Cc: Connors, Brian; Jamaly, Rumana
Subject: DA NO-200813271-AMENDMENTS

App Sec,

Please find attached drawings and DA form for amendments to a current DA not yet approved.

Cheers, Aj

Ajanthan BalaretnaRaja
Dowse Norwood Architects Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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From: Connors, Brian
Sent: Tuesday, 21 April 2009 11:09 AM
To: App Sec
Subject: More information required DA200813271

Good morning AJ,

We also require site plan and section plans of the amended design for DA200813271 3/55 Kingston.
Regards, Brian Connors.

From: AJ <aj@dnarchitects.com.au>
Sent: Wednesday, 22 April 2009 11:08 AM
To: App Sec
Cc: Connors, Brian
Subject: REQUESTED FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Ajanthan BalaretnaRaja
Dowse Norwood **Architects** Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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From: App Sec [mailto:App.Sec@act.gov.au]
Sent: Tuesday, April 21, 2009 1:38 PM
To: Glen Dowse
Subject: FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Dear Applicant

Before this amendment can be determined, the Authority requires the information below to be lodged.

DA NUMBER:	DA200813271 - S144B
SITE DETAILS:	3/55 KINGSTON
APPLICANT NAME:	DOWSE NORWOOD ARCHITECTS
INFORMATION REQUIRED:	We also require site plan and section plans of the amended design for DA200813271 3/55 Kingston. Regards, Brian Connors.

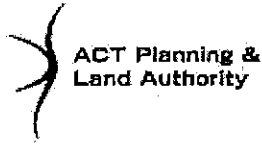
To lodge amended plans or make any other submissions that address the above matters, you are required to complete a Development Application **form 11**, indicating the submission of Additional Information as requested under (S.144).

A copy of the form is available at
<http://www.legislation.act.gov.au/af/2008-61/default.asp>

Kind Regards,

Applications Secretariat

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.



Planning and Development Act 2007, s425

DEVELOPMENT APPLICATION

Form 11

SECTION 144 & 197 AMENDMENTS

SATISFYING CONDITIONS OF APPROVAL (S.165)

Type of Application

<input checked="" type="checkbox"/>	Amendment (S.144)	Amendment to a current application not yet approved	Insert Proposal Number to which this application relates: 200813271.....
<input checked="" type="checkbox"/>	Additional information as requested		
<input type="checkbox"/>	Amendment (S.197)	Amendment to a development approval	Insert <u>Development Approval</u> Number to which this application relates: 20.....
<input type="checkbox"/>	Additional Information as requested		

The following questions must be answered for amendments lodged under S.144 or S.197 of the P & D Act 2007

Will the development applied for after the amendment be substantially the same as the development applied for originally? YES NO

If NO - the Authority must refuse to amend the development application/approval

Will the assessment track for the application change if the application is amended? YES NO

If YES - the Authority must refuse to amend the development application/approval

Please provide the date of the original approval: _____

Has work relating to the original approval commenced? (Required for S197 amendments only) YES NO

If NO - please check the status of your development approval with the Authority

<input type="checkbox"/>	Satisfying Conditions of Approval (S.165)	Information and documentation to satisfy conditions of development approval	Insert Proposal Number to which this application relates: 20.....
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Lease/Site Details *Please Print*

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

Block

Section Unit (if applicable)

Suburb

District

Street Number

Street Name

Postcode

Applicant Details *Please Print*

Surname	<i>DOWSE</i>	First Name	<i>Glen</i>
Company Name	<i>Dowse Norwood Architects Pty Ltd</i>		
Position held in company	<i>Director/Architect</i>	Australian Company/Business Number (ACN/ABN)	<i>43 097 309 325</i>
Postal Address	<i>P.O. BOX 5087</i>		
Suburb	<i>Braddon</i>	State	<i>ACT</i>
		Postcode	<i>2612</i>
Phone Number Business Hours	<i>(02) 6230 4688</i>	Mobile	
EMAIL ADDRESS	<i>glen.dowse@dnarchitects.com.au</i>		

Lessee (Property Owners) Details *Please Print*

Lessee's Details (or Government Land Custodian)

Surname	<i>Glover</i>	First Name	<i>Richard</i>
Company Name	<i>Ashway Pty. Ltd.</i>		
Position held in company	<i>Director</i>	Australian Company Number (ACN)	<i>70 109 251 238</i>
Postal Address	<i>6 Boshman st</i>		
Suburb	<i>Parkes</i>	State	<i>NSW</i>
		Postcode	<i>2870</i>
Phone Number Business Hours	<i>(02) 6862 1435</i>	Mobile	
EMAIL ADDRESS	<i>-</i>		

List Amendments or Conditions of Approval Being Satisfied *Please Print.*

EXAMPLES: 1. Laundry window being enlarged, roof material changed from tile to colour bond
2. Condition 1 – plan showing revised side setback, Condition 2 – landscape plan provided

*1. Third Storey element removed from rear laneway
frontage.*

Additional space on next page if required

List of Amendments or Conditions of Approval Being Satisfied continued

Entity and/or Referral Requirements (COMPLETE FOR AMENDMENT APPLICATIONS ONLY)

Do the amendments to your proposal impact on entity requirements? NO YES

IF YES**CODE TRACK AMENDMENT APPLICATIONS**

- Seek entity endorsement of your amendments prior to lodgement of your amendment application and submit this with your amendment application

MERIT & IMPACT TRACK AMENDMENT APPLICATIONS

- Seek entity endorsement of your amendments prior to lodgement of your amendment application and submit this with your amendment application **OR**
- Provide documentation with your amendment application that demonstrates your proposal addresses entity requirements so it can be referred to the relevant entity by the Authority

Entity Endorsement provided

Documentation provided for referral to Entity

Other Requirements**DOCUMENTATION AND PLANS**

All required documentation must be provided in an electronic format on compact disc/DVD and meet the following requirements (Form to be submitted in hardcopy if lodged over the counter)

- Each document must be saved as a PDF and named in accordance with the naming convention as detailed on the ACTPLA website.
- All plans must be to scale.
- All plans must be rotated to the correct orientation i.e. they are the right way up when opened
- All plans are to be clear and concise and generally consistent with Australian Standard 1100.301 - 1985 and Australian Standard 1100.301 supplementary - as updated from time to time.
- The documentation provided on CD/DVD either over the counter or via an electronic lodgment process (email or internet) will be considered to be the relevant documentation associated with this application.

Amendment to Development Application Not Yet Approved (S.144)

When submitting documentation or plans in relation to an amendment to a development application that has not been determined, a written statement specifying what elements of the original proposal have been changed must be provided. Amendment/s to be listed on plans and area on plan clouded where change to occur. The amended application may need to be notified (S.146).

Satisfying Conditions of Approval (S.165)

When submitting documentation or plans to satisfy conditions of approval a written statement detailing which conditions the documentation or plans are seeking to satisfy must be provided.

Amendment to Development Approval (S.197)

When submitting documentation or plans in relation to an amendment to a development approval, a written statement specifying what elements of the original approval have been changed must be provided. Amendment/s to be listed on plans and area on plan clouded where change to occur. The amended application will be notified (S.198) unless exempt by regulation.

Plans for Public Register

When submitting documentation or plans with an amendment application or to satisfy conditions of approval for residential development, a full working set of drawings and a public register set of drawings must be submitted. The Public Register floor plan must not show the interior layout of the development. All windows and doors to be clearly marked to enable identification of the use of the room/space to which they relate or an indication on the floor plan as to what the space will be used for e.g. bedrooms, living area, car accommodation, must be provided.

Applicant Declaration

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

I/we understand that this application will be considered lodged once any relevant application fees have been paid;

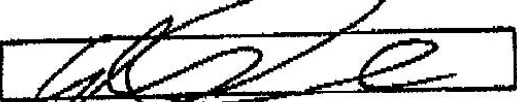
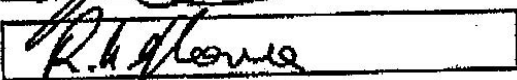
I/we understand that the documentation provided on CD/DVD or via the electronic lodgment process will be considered to be the relevant documentation associated with this application. All development application documentation will be made available for public inspection including via the Internet unless exclusion has been approved;

I/we understand that an amendment may be notified in accordance with the requirements of the *Planning and Development Act 2007*.

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

If signing on behalf of a company, organisation or Government agency: -

I/we the undersigned, declare I/we have the appropriate delegation or authority to sign on behalf of the company, organisation or Government agency.

Applicant Signature (s)		Date	17.04.09
1 st Lessee's Signature		Date	17/4/09
2 nd Lessee's Signature		Date	
Govt Land Custodian Signature (unleased land only)		Date	
Delegate of ACTPLA (unleased land only)		Date	

Privacy Notice

The personal information on this form is being collected to enable processing of your application. Collection of personal information is authorised by Chapters 7, 8 and 9 of the *Planning and Development Act 2007*. The information that you provide may be disclosed to the ACT Revenue Office and the Registrar-General's Office. The information may be accessed by other government agencies, ACTEWAGL, ACTEW Corporation and other commercial organisations interested in development and building information. The *Planning and Development Act 2007* requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet.

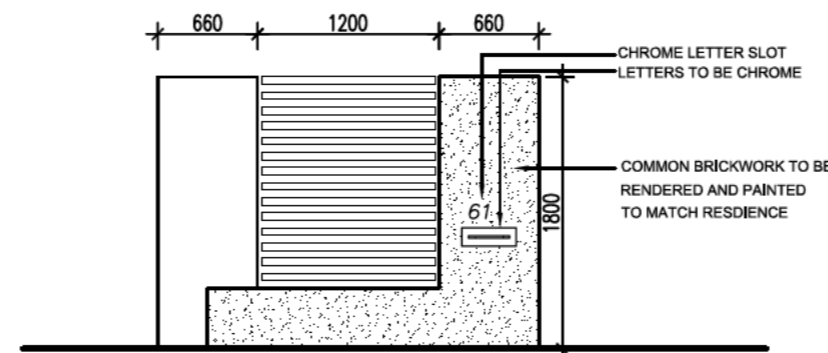
Does the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC) affect your proposal

The EPBC came into operation on 16 July 2000. It establishes an environmental assessment and approval system that is separate and distinct from the ACT system. It does not affect the validity of ACT development assessment and approval processes. The ACT cannot provide preliminary advice on whether a proposal falls within the definition of a controlled action, or requires referral to the Commonwealth. For information about the EPBC, including the referral process and when a referral should be made, contact: Environment Australia's Community Information Unit, GPO Box 787, CANBERRA ACT 2601
Telephone: 1800 803 772

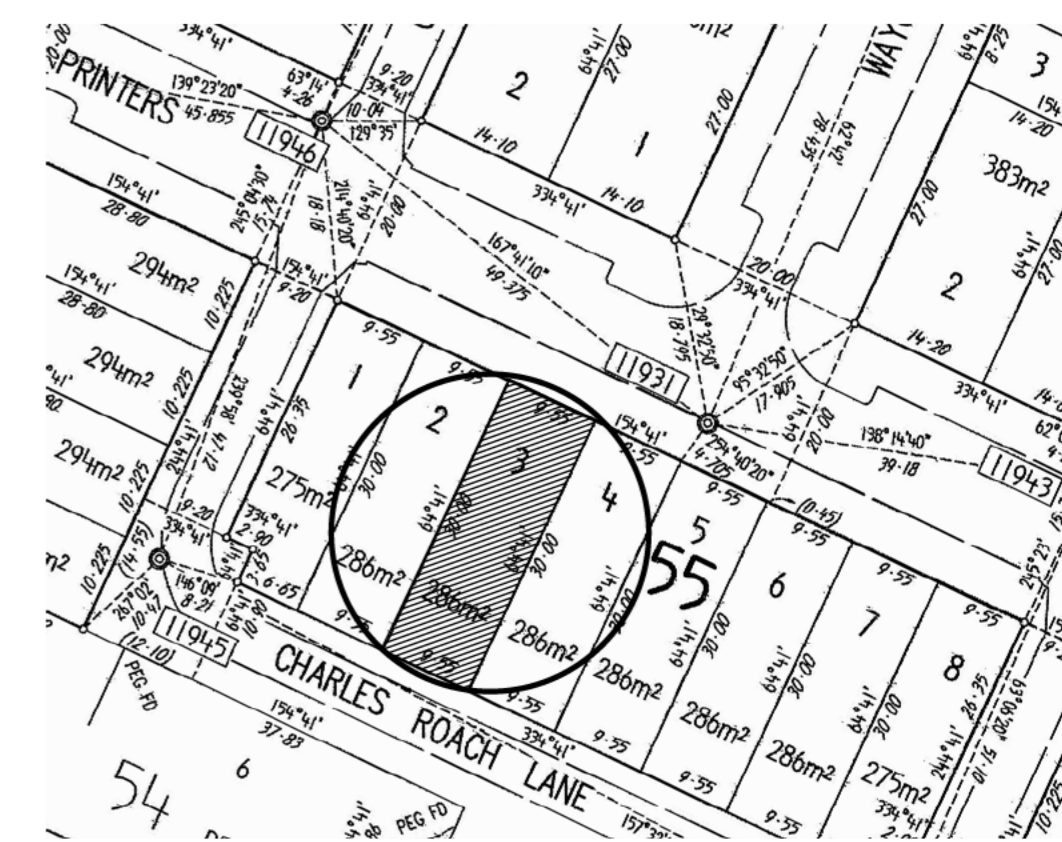
Contact Details:

ACT Planning and Land Authority
Customer Service Centre
GPO Box 1908, Canberra City 2601
16 Challis Street, Dickson ACT 2602
Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
Phone: (02) 6207 1923 Fax: (02) 6207 1925 TTY: (02) 6207 2622
Email: actpla.customer.services@act.gov.au Website: www.actpla.act.gov.au

SITE AREA	286 m ²
PROPOSED GROUND FLOOR AREA	133.84 m ²
PROPOSED FIRST FLOOR AREA	182.16 m ²
PROPOSED SECOND FLOOR AREA	61.95 m ²
PROPOSED GARAGE FLOOR AREA	62.20 m ²
TOTAL FLOOR AREA	440.15 m²
PLOT RATIO	153.90%
SITE COVERAGE	46.80%

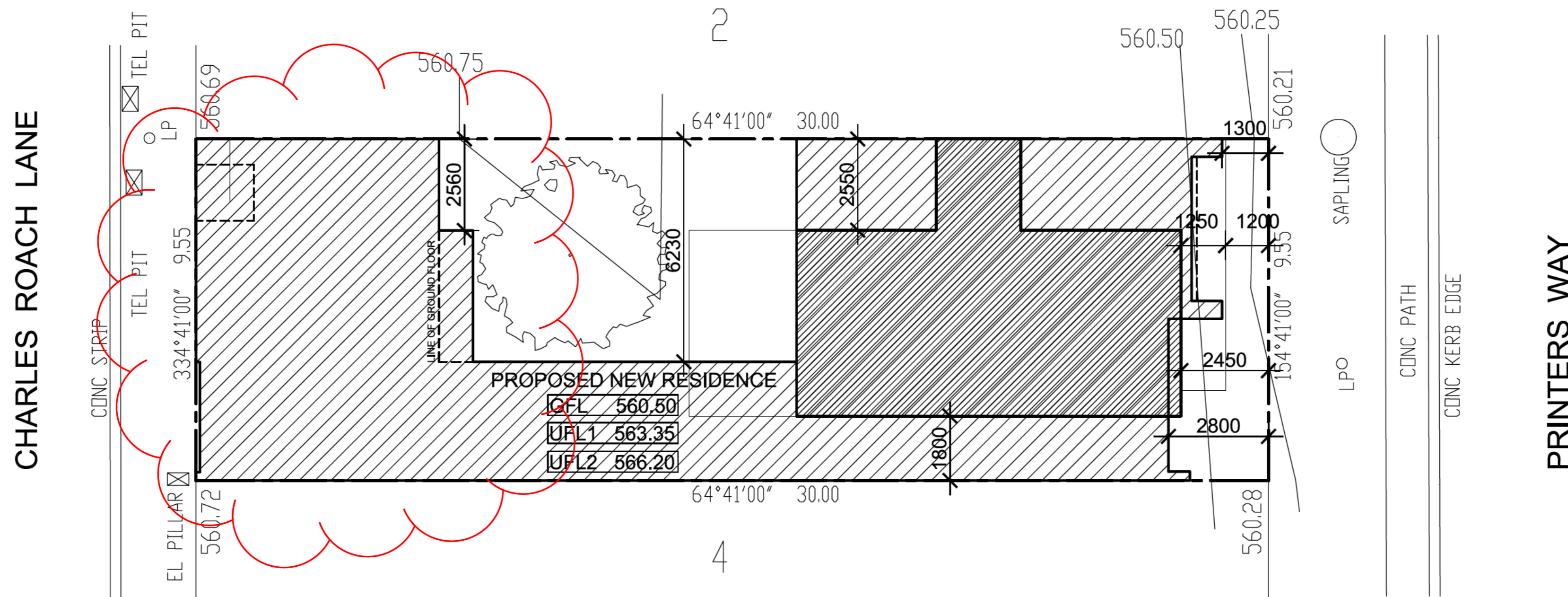


LETTERBOX DETAIL
SCALE 1:50 AT A2



LOCATION PLAN
NTS

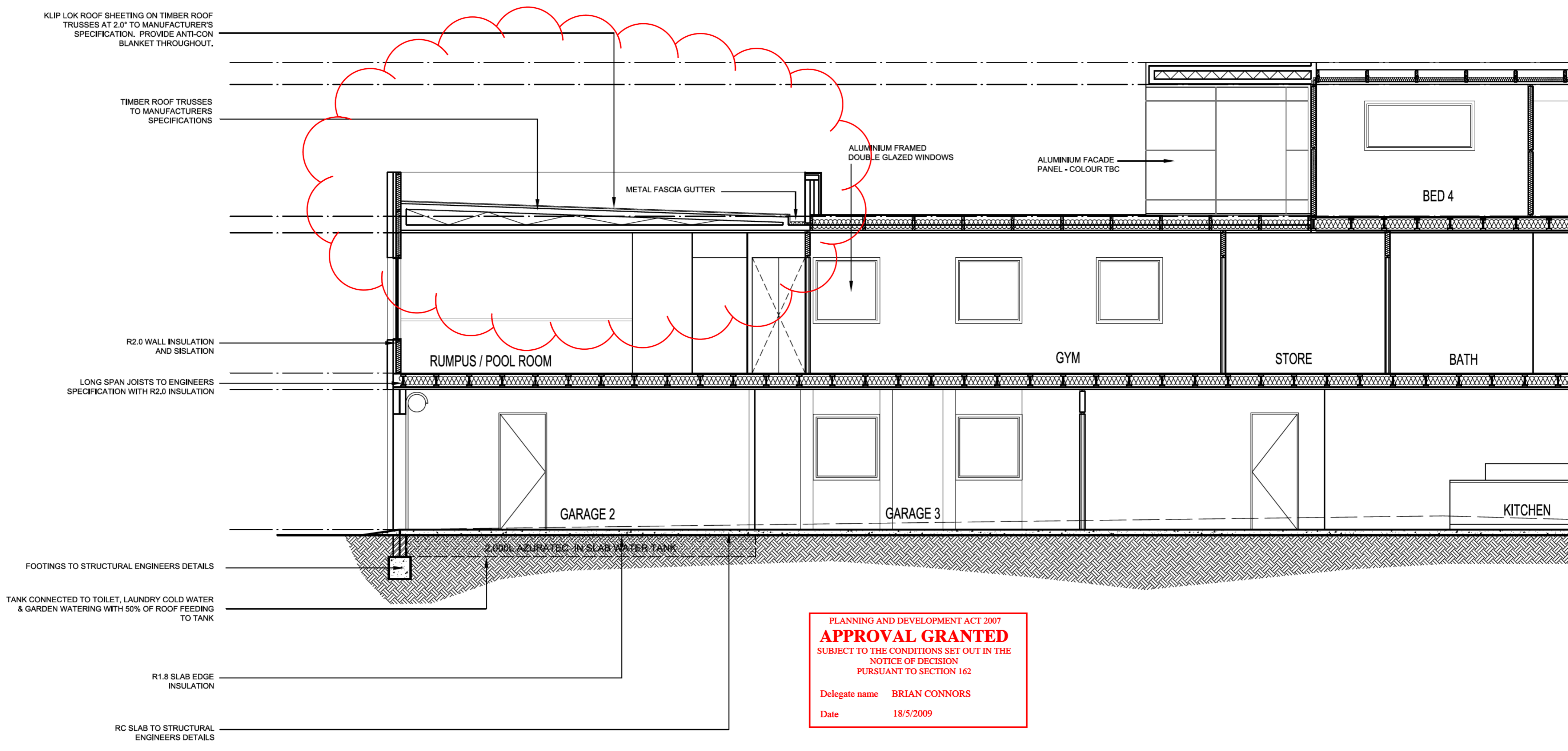
PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
SUBJECT TO THE CONDITIONS SET OUT IN THE
NOTICE OF DECISION
PURSUANT TO SECTION 162
Delegate name **BRIAN CONNORS**
Date **18/5/2009**



SITE PLAN
SCALE 1:100 AT A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4686 FAX: 02 6230 4699	DRAWN AJ	REVISION
BLOCK 3	SECTION 55	SUBURB KINGSTON	DRAWING SITE PLAN		SCALE 1:100 AT A2	CHECKED
				PROJ NO. 0766	REVIEWED	
				DATE 22.04.09	PSP DA BA CONST	
				DRAWING NO. DA-A01		



PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
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 NOTICE OF DECISION
 PURSUANT TO SECTION 162

Delegate name **BRIAN CONNORS**
 Date **18/5/2009**

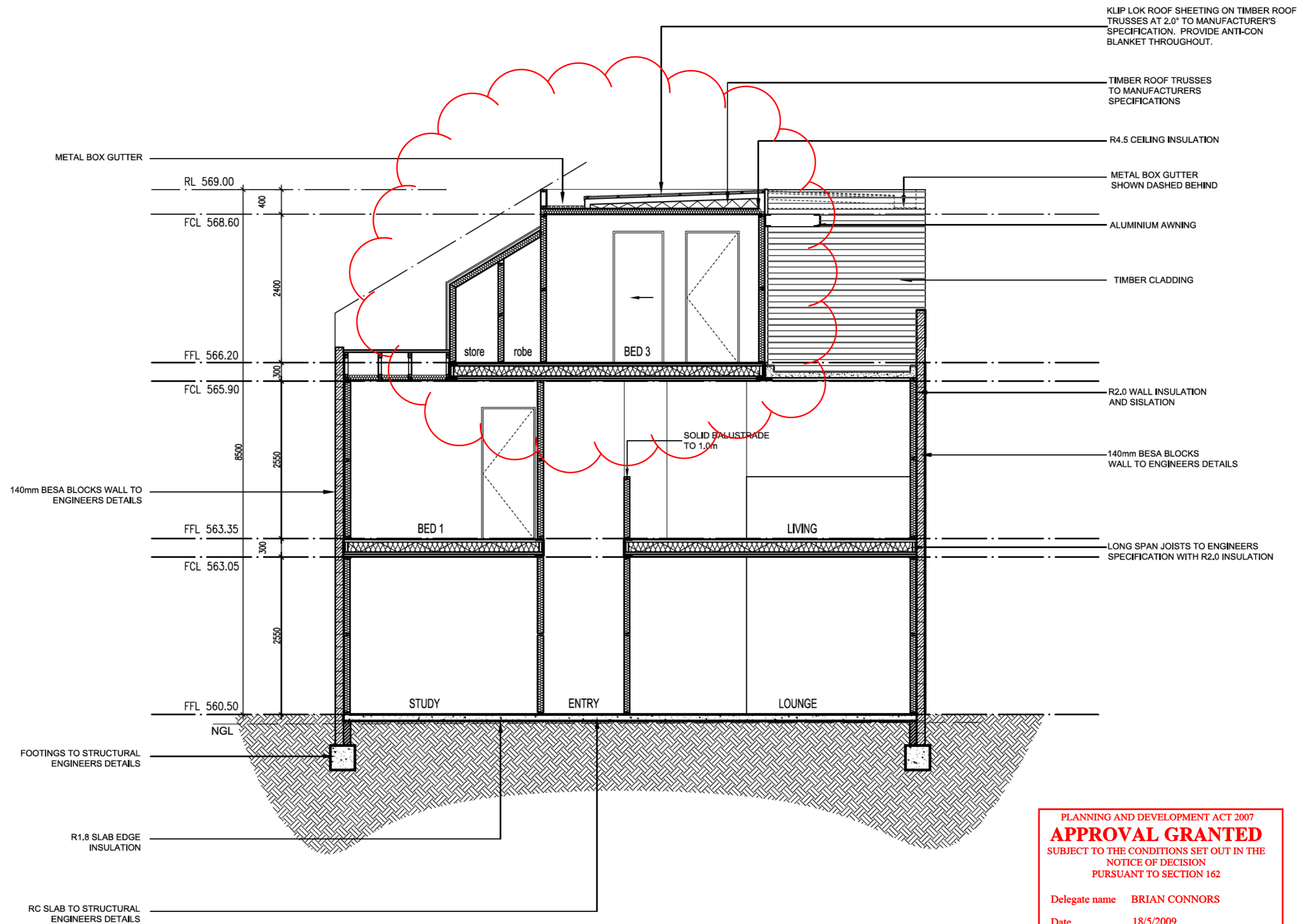
SECTION A - A
 SCALE 1:50 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	DRAWN AJ	REVISION
BLOCK 3			SECTION 55	SCALE 1:50 AT A2	CHECKED
SUBURB KINGSTON			DRAWING SECTION A - A	PROJ NO. 0766	REVIEWED
				DATE 22.04.09	PSP DA BA CONST
				DRAWING NO. DA-A10	<input type="checkbox"/>



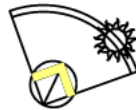
DOWSE NORWOOD ARCHITECTS PTY LTD
 SUITE 10
 14 LONSDALE STREET
 BRADDON ACT 2612
 ABN: 43 097 309 325
 TEL: 02 6230 4688
 FAX: 02 6230 4699



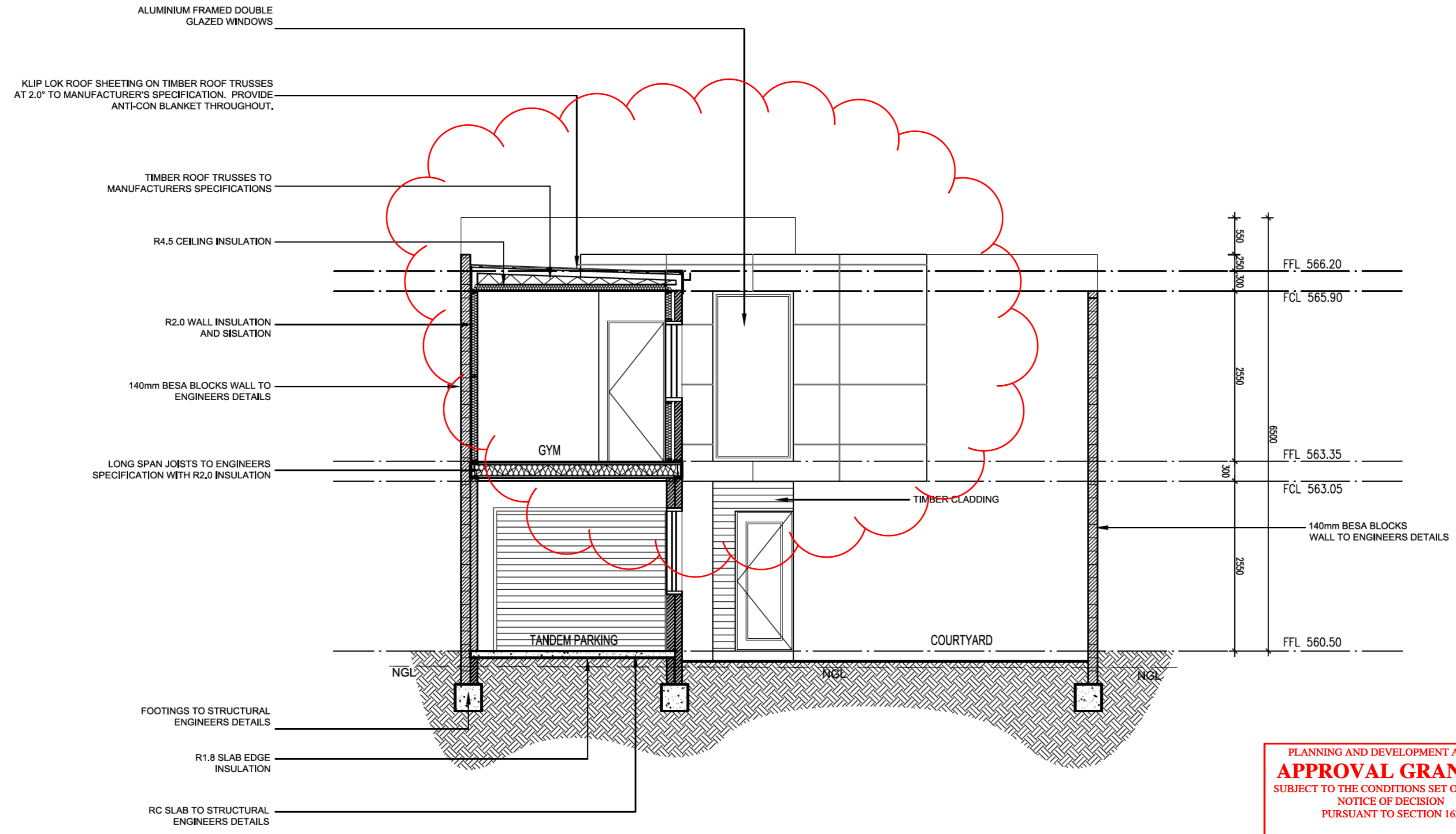
PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162

Delegate name **BRIAN CONNORS**
 Date **18/5/2009**

SECTION B - B
 SCALE 1:50 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	DRAWN AJ	REVISION
BLOCK 3			DRAWING SECTION B - B	SCALE 1:50 AT A2	CHECKED
SECTION 55	SUBURB KINGSTON		DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699	PROJ NO. 0766	REVIEWED
				DATE 22.04.09	PSP DA BA CONST
				DRAWING NO. DA-A12	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>




PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162

 Delegate name **BRIAN CONNORS**
 Date **18/5/2009**

SECTION D - D
scale 1:50 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL		 DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDON ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699	DRAWN AJ	REVISION
BLOCK 3			DRAWING SECTION D - D			SCALE 1:50 AT A2	CHECKED
SECTION 55			SUBURB KINGSTON		PROJ NO. 0766	REVIEWED	
					DATE 22.04.09	PSP DA BA CONST	<input type="checkbox"/>
					DRAWING NO. DA-A14		<input type="checkbox"/>

From: Connors, Brian
Sent: Wednesday, 22 April 2009 12:15 PM
To: 'AJ'
Subject: RE: REQUESTED FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Hi AJ,

I'm sorry but I also require an amended Section C-C plan. Can you also just clarify something for me. The second floor plan indicates only one terrace facing north and rapping around to face east. The south elevation and shadow plans seem to indicate a second north facing terrace on the western side of the stairwell which is not shown on the second floor plan.

Thanks AJ

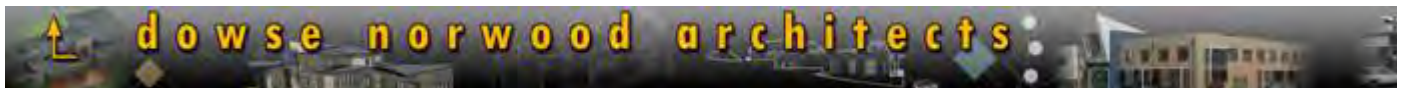
Regards

Brian Connors
Development Assessment
ACT Planning and Land Authority
Ph:(02)62075644
Email:brian.connors@act.gov.au

From: AJ [mailto:aj@dnarchitects.com.au]
Sent: Wednesday, 22 April 2009 11:08 AM
To: App Sec
Cc: Connors, Brian
Subject: REQUESTED FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Ajanthan BalaretnaRaja
Dowse Norwood Architects Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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From: App Sec [mailto:App.Sec@act.gov.au]
Sent: Tuesday, April 21, 2009 1:38 PM
To: Glen Dowse
Subject: FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Dear Applicant

Before this amendment can be determined, the Authority requires the information below to be lodged.

DA NUMBER:	DA200813271 - S144B
SITE DETAILS:	3/55 KINGSTON
APPLICANT NAME:	DOWSE NORWOOD ARCHITECTS
INFORMATION REQUIRED:	We also require site plan and section plans of the amended design for DA200813271 3/55 Kingston. Regards, Brian Connors.

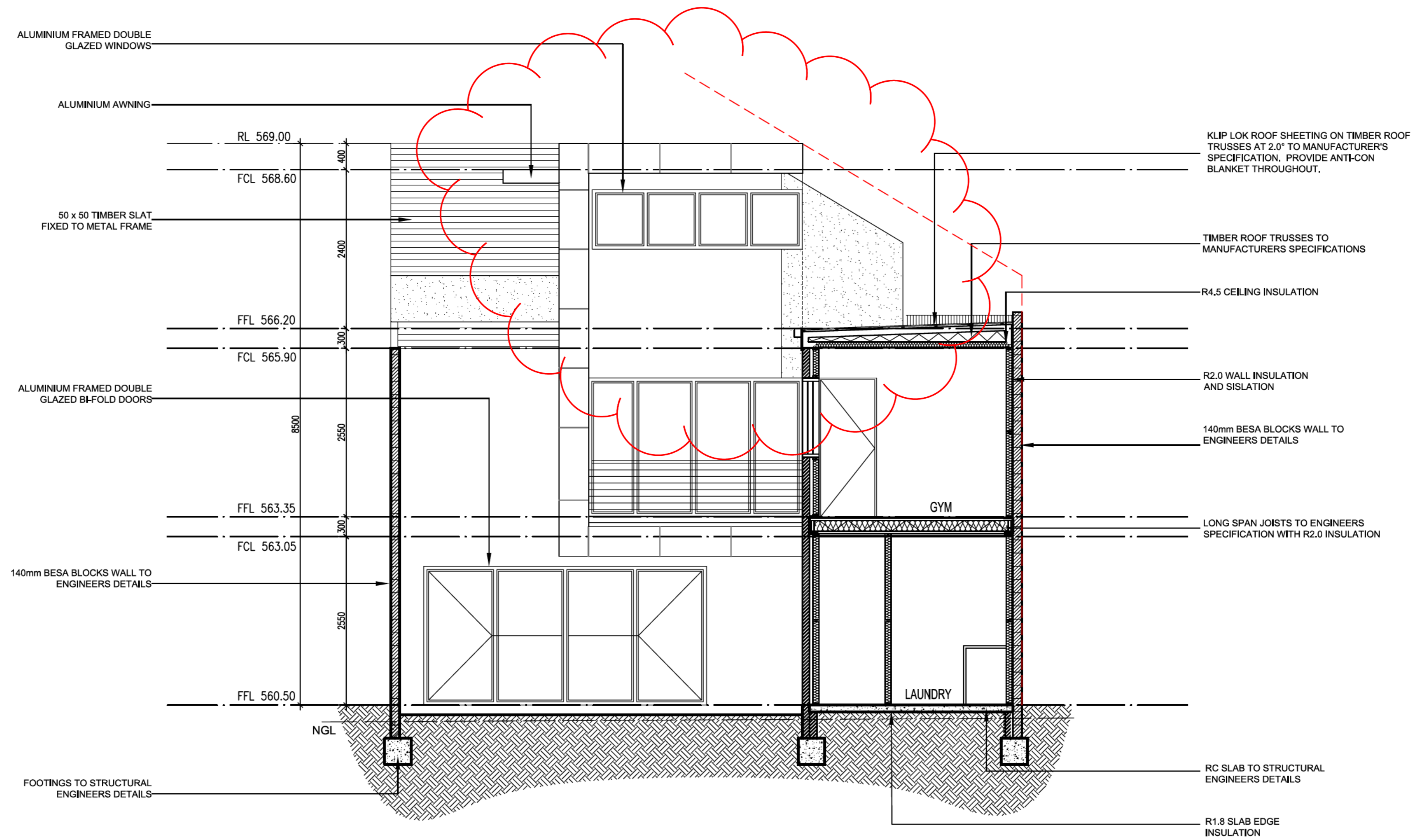
To lodge amended plans or make any other submissions that address the above matters, you are required to complete a Development Application **form 11**, indicating the submission of Additional Information as requested under (S.144).

A copy of the form is available at
<http://www.legislation.act.gov.au/af/2008-61/default.asp>

Kind Regards,

Applications Secretariat

 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.



PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 SUBJECT TO THE CONDITIONS SET OUT IN THE
 NOTICE OF DECISION
 PURSUANT TO SECTION 162

 Delegate name **BRIAN CONNORS**
 Date **18/5/2009**

SECTION C - C
SCALE 1:50 @ A2



PROJECT PROPOSED NEW RESIDENCE			CLIENT UNITED LEGAL	DRAWN AJ	REVISION
BLOCK 3			DRAWING SECTION C - C	SCALE 1:50 AT A2	CHECKED
SECTION 55	SUBURB KINGSTON	DOWSE NORWOOD ARCHITECTS PTY LTD SUITE 10 14 LONSDALE STREET BRADDOCK ACT 2612 ABN: 43 097 309 325 TEL: 02 6230 4688 FAX: 02 6230 4699		PROJ NO. 0766	REVIEWED
		DATE 22.04.09		DATE 22.04.09	PSP DA BA CONST
		DRAWING NO. DA-A13			<input type="checkbox"/>

From: App Sec
Sent: Wednesday, 22 April 2009 3:38 PM
To: Connors, Brian
Cc: Jamaly, Rumana
Subject: LODGMENT S144 C FURTHER INFO DA200813271-S144C-3/55 KINGSTON
Attachments: DA-200813271-LAND MANAGEMENT AND DEVELOPMENT CONTROLS_Development Assessment.obr

Hi Brian

The applicant has provide plans addressing the issues below.

Kind Regards

Kristy

Kristy Carswell | Application Secretariat | Client Services
ACT Planning and Land Authority | Dickson
| t 02 6207 7794 | t 02 6207 1687

From: AJ [mailto:aj@dnarchitects.com.au]
Sent: Wednesday, 22 April 2009 11:08 AM
To: App Sec
Cc: Connors, Brian
Subject: REQUESTED FURTHER INFORMATION REQUIRED FOR DA200813271-S144B-3/55 KINGSTON

Ajanthan BalaretnaRaja
Dowse Norwood Architects Pty Ltd

P: 02 6230 4688 | F: 02 6230 4699 | A: 14 Lonsdale St. Braddon, ACT, 2612 | E:
aj@dnarchitects.com.au | W: www.dnarchitects.com.au



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From: App Sec [mailto:App.Sec@act.gov.au]
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Dear Applicant

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SITE DETAILS:	3/55 KINGSTON
APPLICANT NAME:	DOWSE NORWOOD ARCHITECTS
INFORMATION REQUIRED:	We also require site plan and section plans of the amended design for DA200813271 3/55 Kingston. Regards, Brian Connors.

To lodge amended plans or make any other submissions that address the above matters, you are required to complete a Development Application **form 11**, indicating the submission of Additional Information as requested under (S.144).

A copy of the form is available at
<http://www.legislation.act.gov.au/af/2008-61/default.asp>

Kind Regards,

Applications Secretariat

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Form

Legislated Requirements

Merit Track

ASSESSMENT REPORT

CZ5

ASSESSMENT OFFICER: Brian Connors

APPLICATION NUMBER: 200813271

BLOCK: 3 SECTION: 55

DIVISION: KINGSTON

The Planning and Development Act 2007

This document provides analysis of a development proposal in the Merit Track in relation to the legislated requirements of the Planning and Development Act 2007 (the Act), specifically Section 119 and Section 120.

Planning and Development Act 2007 - Section 119

In deciding a Merit Track development application, the decision maker must ensure the application meets the following four items numbered S119 (1)(a) to (c) and S119 (2). Approval of an application in the Merit Track must not be given unless the application meets the Section 119 requirements.

<p>S119 (1)(a) The relevant code</p> <p>NB: Refer to form Territory Plan Code Requirements Merit Track to complete this question</p>	<p>The relevant code(s) for the development proposal are:</p> <p>Single Dwelling Mixed Use Zone Development Code</p> <p>The proposal is consistent with the above code(s) for reasons identified in <u>Form – Territory Plan Code Requirements – Merit Track</u>.</p>
<p>S119 (1)(b) Any land management agreement for the land (for proposed development relating to land comprised in a rural lease)</p>	<p>The proposal is not for a proposed development relating to land comprised in a rural lease.</p>

<p>S119 (1)(c) the advice of the Conservator of Flora and Fauna in relation to the proposal (if the proposed development will affect a registered tree or declared site)</p> <p>NB: In accordance with Section 119(3)(a), the application must not be approved unless the approval is consistent with the advice of the Conservator of Flora and Fauna in relation to a proposal that will affect a registered tree or declared site.</p>	<p>The proposal is not for a proposed development that will affect a registered tree or declared site.</p>
<p>S119 (2) Consistency with advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p> <p>NB: Under Section 119 (2) of the Act, development approval must not be given for a development proposal in the merit track if approval would be inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 unless the person deciding the application is satisfied that –</p> <p>(a) the following have been considered:</p> <ul style="list-style-type: none"> (i) any applicable guidelines; (ii) any realistic alternative to the proposed development, or relevant aspects of it; and <p>(b) the decision is consistent with the objects of the Territory Plan</p>	<p>The decision is not inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p>

Legislated Requirements – Merit Track

DA No.200813271

Planning and Development Act 2007 - Section 120

In deciding a Merit Track development application, a decision maker must consider the following six items numbered S120 (a) to S120 (f).

S120 (a) Zone Objectives	<p>The development is proposed to take place in the CZ5 zone.</p> <p>The application meets all objectives of the zone</p>
S120 (b) Suitability of the Land	<p>The proposed development seeks approval to use the land or a building or structure of the land for the purpose(s) of Single Dwelling Housing</p> <p>The proposed use is listed as an assessable development in the CZ5 development table, and is therefore determined to be/ not to be a permissible use for the land.</p> <p>The proposed development is in accordance with the provisions of the Crown Lease.</p> <p>The land is suitable for the development proposed.</p>
S120 (c) Representations	One representation received.
<p>S120 (d) advice given by an entity in accordance with section 149 of the Act</p> <p>NB: Under Section 150 of the Act, if entity advice is not received within 15 working days, the entity is taken to have given advice in support of the application</p>	Entity advice received is addressed in the Notice of Decision.
S120 (e) the plan of management for the land (if the proposed development relates to land that is Public Land)	The proposal is not for a proposed development relating to land that is public land.

Legislated Requirements – Merit Track

DA No.200813271

<p>S120 (f) the probable impact of the proposed development, including the nature, extent and significance of probable environmental impacts.</p>	<p>Based on the matters to be considered by the relevant Code there are no probable environmental impacts of significance associated with the proposed development.</p>
---	---

ABN 37 307 569 373

SINGLE RESIDENTIAL DEVELOPMENT APPLICATION CHECKLIST

DA NUMBER 200813271**BLOCK 3 SECTION 55 SUBURB Kingston****PROPOSAL:** New 3 storey residence.

BACKGROUND INFORMATION		
Pre-Application meeting held?	N	
Site inspection undertaken? Date and attendees	N	
Recommendations. Photos taken?	N	
LAND ACT		
Survey, including boundaries, structures, trees, contours	y	Endorsed survey has been provided
Finished Floor Levels - RLs, for all structures	y	
Contours - at 1/2 m intervals	y	
Retaining Walls - check ffl against contours	n	None shown on the site plan
Driveway Slope - check garage ffl against contour level at front boundary		N/A
PLAN ADMINISTRATION POLICIES		
PLANNING GUIDELINES		
CONSIDERATION OF LAND USE AND DEVELOPMENT PROPOSALS		
Agencies comments		
ACT Roads – new driveway location		N/A
CUPPS – street trees, verge management		
ACT Waste – waste proforma for full demolition rebuild		
Environment ACT – significant tree		
Heritage		
ActewAGL & City Management - easements	y	09/01/09 Actew Water & sewerage and Actew electrical comply.
Comments and objections		One representation
Lease and Development Conditions		No endorsement received from developer.
SOLAR ACCESS		
		The applicant has achieved code requirements. Living, rumpus room 1st floor and dining, lounge room ground floor facing north. Has 5 star energy rating.
RESIDENTIAL LAND USE POLICIES		
2. CONTROLS		
Land Use - single dwelling housing		CZ5 Mixed Use Development Code



3. OTHER CONTROLS		
3.5 – Residential Redevelopment – General		
(a) Area Specific Policy and Heritage Places Register		
(b) Evaluation of existing trees and landscape plan		
3.6 – Residential Development & Redevelopment – Suburban Areas		
(h) Attics and basements not permitted where in addition to 2 storeys.		
(i) Maximum plot ratio 50%, unless provided for in an approved building envelope plan. (Note definition at 3.8)		
.		
Single Storey – max. building height one storey		
Residential Core		
(f) Attics and basements may be permitted in addition to 2 storeys. However, on standard block, ramps to basement parking forward of building line shall generally not be approved unless the block has a public road frontage greater than 30 metres		
(g) maximum plot ratio 50%		Approx 166.25%
BUILDING HEIGHT		
To provide an appropriate residential scale within a locality	y	
Buildings to be limited in height to ensure compatibility with adjacent development.	y	
Buildings not exceeding two storeys height	y	Maximum height of the proposed new residence is 8.5m from the FFI of the ground floor and comes to a max RL of 569.00 which is 400mm below the max permissible.
Except for walls on boundaries provided for in D3.4 or in an approved <i>building envelope plan</i> , buildings are designed and sited within a building envelope specified by V. 200 (refer to last page of this assessment for diagrams)		Development is within building envelope
BUILDINGS IN RELATION TO FRONT BOUNDARIES		
To provide attractive streetscapes which reinforce the functions of the street and enhance the amenity of dwellings	y	
The setback from the street frontage to be appropriate to the streetscape character, the efficient use of the site and the amenity of residents.	y	
The location and design of garages and carports to minimise detriment to the streetscape and to not dominate the view of the dwelling from and to the street.	y	
The location and design of courtyard walls to enable the efficient use of front garden space, taking into account the amenity of the street.	y	
Setback from front boundary: lower floor level - 6 m		

upper floor level - 7.5 m		
except: one street frontage of		
lower floor level - 4 m		
upper floor level - 6 m		
or land not previously developed for urban purposes		
lower floor level- 4 m		
upper floor level- 6 m		
or on the longer of the two street frontages of corner blocks up to 650 square metres in area - 3 m		
or: as shown in L & Ds etc		
Dwellings should not have blank walls facing a street frontage.		
Minimum setback from other front boundary: Public reserve or pedestrian way, 6 m wide or greater - 4 m		
Garages and Carports - where within 15 m of a front boundary, of the same materials as the dwelling		
In new release areas setback - 5.5 m		
or as shown on L & Ds etc		
Total width not to exceed 50% of the width of the block, except for garages or carports behind or underneath a dwelling		
<p>Courtyard Walls – no fences or walls within the minimum setback</p> <p><u>Except:</u> gates not more than 1.8 m high in established vigorous hedges, or permitted by implementation plan, group development scheme, L & D's</p> <p>The total length of wall does not exceed 50% of width of block, or 70% for blocks less than 12 m wide, at line of wall</p> <ul style="list-style-type: none"> • Minimum setback of wall from front boundary is not less than 50% of relevant minimum setback from D2.1 • The height of the wall does not exceed 1.8 m • The wall is constructed of brick, block, stonework, combined with feature panels • Area between wall and front boundary is planted with appropriate shrubbery <p>Provided that walls</p> <ul style="list-style-type: none"> • Do not inhibit vehicular entry or affect sight lines • Are consistent with and do not detract from established character of street 		
BUILDINGS IN RELATION TO SIDE AND REAR BOUNDARIES		
To site buildings to meet projected user requirements for privacy and day lighting	Y	
To site and design buildings to promote energy efficiency and access to sunshine	Y	
To ensure scale, height and length of building and walls	Y	Complies with L&Ds

relative to side and rear boundaries are of appropriate residential character		
The privacy of dwellings and private outdoor spaces to be protected.	Y	
Dwellings to be sited to enable their northern facades to receive adequate sunshine in winter.	Y	
Dwellings to be sited to ensure good sunlight access to their main private open space.	Y	
Buildings to be sited to minimise overshadowing of northern facades of adjacent dwellings and private outdoor spaces.	Y	The applicant has provided revised drawings addressing the overshadowing effect of the proposed third story element by complying with the diagram in <i>Design Guidelines for First Edition Housing, Kingston Foreshore</i> "limited potential for third storey" group 3, cross section BB, in the Lease and Development Conditions. By running the roof of the third storey back 31 degrees from the southern side boundary wall the side setback is increased 729mm, from 1.850m to 2.579m allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall.
Building walls to be sited and to be of length and height to ensure no significant loss of amenity to adjacent dwellings and private open spaces.	Y	As above
Lower floor level (LFL) Setback One only side boundary: - all buildings - 1.5 m other side or rear boundaries: - all buildings - 3 m		
Upper floor level (UFL) Setback Blank walls, windows with sill heights over 1.7m or with obscure glazing, screen walls: up to 12m behind UFL building line - 3 m over 12m behind UFL building line - 6 m Other walls, outer faces of unscreened decks, balconies and external stairs: up to 12m behind UFL building line - 6 m over 12m behind UFL building line - 9 m	y	Highlight windows on third floor are 1.7m up from FFL to retain privacy by reducing any overlooking onto adjoining neighbour.

<p>Allowable Encroachments</p> <ul style="list-style-type: none"> Fences not more than 1.8m retaining walls not more than 0.4 m above NGL roof eaves and fascias; gutters; downpipes window shades and screens; light fittings chimneys; flues; pipes; domestic fuel tanks cooling or heating appliances or other services and part of a straight section of wall where that part of the wall contains no windows, is at an angle to the side or rear boundary, the encroachment is not greater than 50% of the required setback and the average setback of the wall is greater than the minimum required setback 		
<p>Building to the Boundary Wall must be on or within 20mm of the boundary, or no closer than 900mm to the boundary; a fin wall is required for any lateral opening closer than 1.5 m to a boundary</p>		
<p>Height of Walls - where permitted on a side or rear boundary (other than party walls or paired walls) not to exceed average 3 m and maximum 3.5 m</p>		
<p>PRIVATE OPEN SPACE</p>		
<p>To provide each dwelling with private open space that meets the reasonable recreational, service and storage needs of residents</p>	Y	
<p>Private open space areas to be of dimensions to suit the projected requirements of the dwelling occupants and to accommodate both outdoor recreation needs as well as providing space for service functions such as clothes drying and domestic storage.</p>	Y	
<p>Part of the private open space to be capable of enabling an extension of the function of the dwelling for relaxation, dining, entertainment, recreation and children's play, and be directly accessible from the dwelling.</p>	Y	
<p>Location of private open space to take account of outlook, natural features of the site and neighbouring buildings or open space and to provide for maximum year round use.</p>	Y	
<p>Unpaved or unsealed are provided to facilitate on-site filtration of storm water run-off and provision of landscaping</p>		
<p>The area of private open space is not less than 60%of the area of the block less 50m²</p>		
<p>Locations and dimensions of private open space:</p> <ul style="list-style-type: none"> For each attached or detached dwelling, provision of at least one area of useable POS that is screened from view, directly accessible from an indoor daytime living area and meets the following minimum area and dimension requirements: <u>Minimum area</u> 10% of block area <u>Minimum dimension</u> 6 m <u>Minimum dimension of private open space on balconies:</u> 1.8 m 		

Location of private open space: A portion of private open space of minimum dimension 6m to be adjoining a main living room of the dwelling and directly accessible from it; and not to be located to the south, south-east or south-west of the dwelling	Y	
– Minimum proportion of the private open space retained as planting area 50%	Y	
VEHICLE PARKING AND ACCESS		
To provide sufficient and convenient parking for residents, visitors and service vehicles	Y	
To ensure that parked vehicles do not obstruct the passage of vehicles on the carriageway or create traffic hazards	Y	
To ensure that parking facilities do not detract from streetscape amenity and surveillance of the street	Y	
Resident and visitor carparking to be provided according to projected needs of the dwelling and taking into account: the safety of pedestrians, cyclists and vehicles; the provision of public carparking easily accessible to visitors; the effect of sloping land in reducing parking opportunities; efficient location and use of car spaces and accessways including manoeuvrability for vehicles between the street and the block.	Y	
Garages and carports to be located and designed to maintain streetscape amenity, compliment dwelling design and allow surveillance of the street from within dwellings.	Y	
Provision of two carparking spaces, not closer than 7.5 metres to the kerb line of any major road, or 5.5 metres to the kerb line of any other road		
Single covered space - 6m x 3m Double covered space - 6m x 5.5m Hard standing space - 5.5m x 2.6m	y	Double garage
Sightlines as specified in AS 2890.1 for Off-Street Parking		
Garages and Carports in accordance with sections 2 and 3 of this Code		
EXTERNAL APPEARANCE OF BUILDINGS		
To ensure that the external design of buildings including materials, colours and finishes is of good quality and is visually harmonious with surrounding development.	Y	
To ensure that external colours and finishes of buildings and structures above roofs are not excessively obtrusive or likely to cause a loss of amenity to the streetscape or neighbours	Y	
Highly reflective wall and roof finishes to be avoided.	Y	
P6.2 - Structures, plant and equipment situated on or visible above roofs to be so located and treated as to be as inconspicuous as possible	Y	
Metal roofing and metal walling painted or pre-coloured other than in white to off-white colour range	Y	

Structures necessary under the Building Code of Australia and solar energy devices, television antennae, a single radio mast or aerial on a free-standing structure at the rear of the building , evaporative cooling or air conditioning devices		
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NOTES:**APPROVE / APPROVE WITH CONDITIONS / REFUSE**

Signature:	Project Officer's Name: Brian Connors	Designation:	Date:
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Form

Territory Plan Code Requirements

Merit Track

ASSESSMENT REPORT

CZ5

ASSESSMENT OFFICER: Brian Connors

APPLICATION NUMBER: 200813271

BLOCK: 3 SECTION: 55

DIVISION: KINGSTON

Territory Plan Code Requirements

This document provides analysis of a development proposal in relation to the relevant codes contained in the Territory Plan.

1. Assessment of Compliance with Single Dwelling Mixed Use Development Code

The Single Dwelling Mixed Use Development Code is a Code relevant to this proposal. The proposal meets all rules of this Code that are relevant to the development, with the exception of those listed in the tables below. The criterion identified in the tables below is, either the applicable criterion to a relevant rule that is not met or the criterion is relevant and there is no applicable rule.

Part A

Sub-Element: Height (Third storey element)	
Rule	Applicable Criterion:
<p>The height of the proposed new residence regarding third storey element is not consistent with the guidelines in the Lease & development condition sec3 Mandatory controls, approved by ACTPLA on the 19th April 2007.</p> <p><i>'New residences are to be a minimum of two storeys with some higher third storey elements permissible where access to sunlight and privacy on the property and adjacent sites is not compromised. Accordingly, properties may extend to a maximum overall height of 8.5m from the FFL of the ground floor with site specific limitations on the third storey. An overall maximum RL 569.4 exists across the whole development.</i></p> <p>The maximum height of the proposed new residence with the third story element is 8.5m from the FFL of the ground floor and comes to a maximum RL of 569.00, which is 400mm below the maximum permissible. The proposed third storey element facing the rear laneway does not comply with the Lease and Development Conditions. The Lease condition states that third storey elements are not permitted facing onto laneway frontages and therefore cannot be supported as it does not meet the intent of the Lease Condition.</p> <p>The applicant has withdrawn the third storey element facing the laneway as it does not meet the intent of the L&Ds</p> <p>Applicant has not provided the necessary endorsed plans from the LDA. Page2, version C of the Lease Conditions states that <i>architectural and building designed are to be endorsed by the Agency prior to their submission to the Authority as part of the Development Application.</i></p> <p>One representation received.</p>	

Territory Plan Code Requirements – Merit Track

DA No.200813271

Part B

N/A

Part C

Sub-Element: 5.1 Solar Access

Rule R46

Applicable Criterion:

The height of the southern side wall meets the Lease Condition requirement of 6.5m. Side wall height provided is 6.0m. The applicant has addressed the overshadowing effect of the proposed third story element by complying with the diagram in the “*Design Guidelines for First Edition Housing, Kingston Foreshore – limited potential for third storey*” group3, cross section BB, in the L&Ds. By running the roof back 31 degrees from the southern side boundary wall the side third storey side setback is increased 729mm, from 1.850m to 2.579m allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall. The rear third storey element facing the rear laneway has been withdrawn from the application as it does not meet the intent of the L&Ds.

Part D

N/A

2. Assessment of Compliance with [Insert Code e.g. Precinct Code]

N/A

3. Assessment of Compliance with [e.g. Access and Mobility General Code]

N/A

4. Assessment of Compliance with [e.g. Parking and Vehicular Access General Code]



CHECKLIST

Dispatch Advice Checklist

DA Number: 200813271

Block(s): 3 Section: 55 District/Division: KINGSTON

Case Officer: BRIAN CONNORS Contact Number: 62075644 Decision Date: 18-May-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: **YES**

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 type="checkbox"/> Heritage |
| <input checked="" 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"/> Police |
| <input type="checkbox"/> Asset Acceptance | <input type="checkbox"/> Registrar Generals Office |
| <input type="checkbox"/> Australian National University | <input type="checkbox"/> Transport Planning |
| <input type="checkbox"/> Conservator of Flora and Fauna | <input type="checkbox"/> Tree Protection |
| <input type="checkbox"/> Custodian of the land - | <input type="checkbox"/> Workcover |
| <input type="checkbox"/> Emergency Services (Fire or Ambulance) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Environment Protection Agency | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Gambling and Racing Commission | |

Comments



Notice of decision

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

Merit track

DA NO: 200813271 200813271/A 200813271/B 200813271/C		DATE LODGED: 17 November 2008 15 December 2008 21 April 2009 22 April 2009	
DATE OF DECISION: 18 May 2009			
BLOCK: 3		SECTION: 55	SUBURB: KINGSTON
STREET NO AND NAME: 5 Charles Roach Lane			
APPLICANT: Dowse Norwood Architects			
LESSEE: Unleased – ACT Government			

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

- **Construction of a new 3 storey residence with double garage.**

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

Subject to the following conditions being satisfied, this decision permits the use of the land or a building or structure on the land for the purposes of single dwelling.

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 Authority, others before work commences or before the completion of building work.

- 1) The building shall be constructed in accordance with the amended plans lodged with the Authority as application S144B on 21 April 2009 and S144C on 22 April 2009.
- 2) 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. Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site.
- 3) During building work (including demolition) for both stages:
 - a) all unsurfaced entry and exit points must be consolidated with crushed aggregate or similar extending from the road kerb to the building line;
 - b) 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;

- c) 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 Asset Acceptance Manager, Asset Management Services Group, Department of Territory and Municipal Services. 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*; and
- d) 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.

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

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.

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 26 November 2008 to 17 December 2009. One written representation was received during the public consultation.

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

(a) Third storey element and associated access and privacy

The applicant has withdrawn the proposed rear third storey element facing onto the laneway as it does not meet the intent of the Lease and Development Conditions. The front component of the proposed third storey element complies with the L&D controls. The L&D's state that limited third storey elements are permitted where access to sunlight and privacy on the adjacent sites is not compromised. Accordingly, properties may extend to a maximum overall height of 8.5m above ground level and that an overall maximum relative height of 569.4 exists across the entire development.

The 6.0m height of the proposed southern side wall meets the L&D requirement of 6.5m. The applicant has provided amended S144 plans addressing the overshadowing effect of the proposed third storey element by complying with the *Design Guidelines diagram for First Edition Housing, Kingston Foreshore "limited potential for third storey"* group 3, cross section BB, in the Lease and Development Conditions. By running the roof of the third storey back 31 degrees from the southern side boundary wall the side setback is increased 729mm, from 1.850m to 2.579m allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall.

There are no windows facing block 4 on the proposed front third storey element. The two northern side windows on the front third storey element are highlight windows which are up 1.7m from finished floor level to prevent overlooking onto block 2.

(b) *Wall height facing block 2*

Kingston Foreshore Lease and Development Conditions, page 4 states that *maximum height of walls is generally 6.5m. Where shared side walls are constructed with adjacent property, wall height may extend to 8.5m if privacy and solar access provisions are satisfied.* As this wall is north facing there will be no adverse impact on this neighbours amenity.

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.

ActewAGL water and sewerage

On 09 January 2009 advice was received from ActewAGL Corporation in relation to the proposal. The advice states that the application complies with water and sewerage requirements. A copy of the advice is attached to this notice of decision.

ActewAGL electrical

On 09 January 2009 advice was received from ActewAGL Corporation in relation to the proposal. The advice states that the proposal is supported and has been granted a Certificate of Compliance.

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 CZ5 Mixed Use Zone Development Code.

The key issues identified in the assessment are the third storey element and associated privacy and solar access issues. A condition has been imposed that the building shall be constructed in accordance with the amended plans lodged with the Authority as application S144B on 21 April 2009 and S144C on 22 April 2009. The amended S144 plans show that the proposed rear third storey element facing the rear laneway has been deleted and the front third storey element complies with the *Design Guidelines diagram for First Edition Housing, Kingston Foreshore "limited potential for third storey"* group 3, cross section BB, in the Lease and development Conditions. The 31 degree set back requirement increases the third storey southern side set back allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall.

In reaching the decision, the application has been assessed in accordance with section 120 of the Act – Merit track considerations when deciding development approval.

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 Authority 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.

This Notice of decision has also been sent to all people who made representations in relation to the proposal.

EVIDENCE

Application No. 200813271

Application No. 200813271/A

Application No. 200813271/B

Application No. 200813271/C

The Territory Plan zone – CZ5

The Development Codes – Mixed Use Zone Development Code

Representations – One representation received

Entity advice – Received advice from ActewAGL (Water and Sewerage Division) and ActewAGL (Electrical Division).

DELEGATE

Simon Hawke
Delegate of the ACT Planning and Land Authority
18 May 2009

CONTACT OFFICER

Brian Connors
Phone: (02) 62075644
Email: brian.connors@act.gov.au

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

ACT Health - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
ACT Planning and Land Authority - list of certifiers for building approval - demolition information - asbestos information	Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 or (02) 6207 1687
Department of Territory and Municipal Services - tree damaging activity approval - environment protection - water resources - heritage - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.tams.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 6594
Utilities - Telstra (networks) - TransACT (networks) - ActewAGL - Electricity reticulation	Telephone: (02) 9397 2090 Telephone: (02) 6229 8000 Telephone: 1100 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

UNIT TITLES ACT 2001 – 2 UNITS

Changes to the *Unit Titles Act 2001* (the Act) mean that applications to unit title two dwellings (e.g. townhouses or a commercial building containing two units) that are built beside one another must be lodged with the ACT Planning and Land Authority (ACTPLA) by **9 September 2009**.

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 Territory and Municipal Services.

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 ACT Magistrates Court Building Knowles Place CANBERRA CITY ACT 2601	Website: www.courts.act.gov.au Email: tribunal@act.gov.au Telephone: (02) 6207 1740 Facsimile: (02) 6205 4855 Post: GPO Box 370, CANBERRA, ACT, 2601 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 receiving this Notice of decision. The time limit can be extended in some circumstances. Check with the ACAT for more details.

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 \$172 (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; and
- Welfare Rights and Legal Centre, telephone (02) 6247 2177.

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



Notice of decision

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

Merit track

DA NO: 200813271 200813271/A 200813271/B 200813271/C		DATE LODGED: 17 November 2008 15 December 2008 21 April 2009 22 April 2009	
DATE OF DECISION: 18 May 2009			
BLOCK: 3	SECTION: 55	SUBURB: KINGSTON	
STREET NO AND NAME: 5 Charles Roach Lane			
APPLICANT: Dowse Norwood Architects			
LESSEE: Unleased – ACT Government			

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

- **Construction of a new 3 storey residence with double garage.**

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

Subject to the following conditions being satisfied, this decision permits the use of the land or a building or structure on the land for the purposes of single dwelling.

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 Authority, others before work commences or before the completion of building work.

- 1) The building shall be constructed in accordance with the amended plans lodged with the Authority as application S144B on 21 April 2009 and S144C on 22 April 2009.
- 2) 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. Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site.
- 3) During building work (including demolition) for both stages:
 - a) all unsurfaced entry and exit points must be consolidated with crushed aggregate or similar extending from the road kerb to the building line;
 - b) 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;

- c) 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 Asset Acceptance Manager, Asset Management Services Group, Department of Territory and Municipal Services. 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*; and
- d) 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.

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

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.

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 26 November 2008 to 17 December 2009. One written representation was received during the public consultation.

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

(a) *Third storey element and associated access and privacy*

The applicant has withdrawn the proposed rear third storey element facing onto the laneway as it does not meet the intent of the Lease and Development Conditions. The front component of the proposed third storey element complies with the L&D controls. The L&D's state that limited third storey elements are permitted where access to sunlight and privacy on the adjacent sites is not compromised. Accordingly, properties may extend to a maximum overall height of 8.5m above ground level and that an overall maximum relative height of 569.4 exists across the entire development.

The 6.0m height of the proposed southern side wall meets the L&D requirement of 6.5m. The applicant has provided amended S144 plans addressing the overshadowing effect of the proposed third storey element by complying with the *Design Guidelines diagram for First Edition Housing, Kingston Foreshore "limited potential for third storey"* group 3, cross section BB, in the Lease and Development Conditions. By running the roof of the third storey back 31 degrees from the southern side boundary wall the side setback is increased 729mm, from 1.850m to 2.579m allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall.

There are no windows facing block 4 on the proposed front third storey element. The two northern side windows on the front third storey element are highlight windows which are up 1.7m from finished floor level to prevent overlooking onto block 2.

(b) *Wall height facing block 2*

Kingston Foreshore Lease and Development Conditions, page 4 states that *maximum height of walls is generally 6.5m. Where shared side walls are constructed with adjacent property, wall height may extend to 8.5m if privacy and solar access provisions are satisfied.* As this wall is north facing there will be no adverse impact on this neighbours amenity.

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.

ActewAGL water and sewerage

On 09 January 2009 advice was received from ActewAGL Corporation in relation to the proposal. The advice states that the application complies with water and sewerage requirements. A copy of the advice is attached to this notice of decision.

ActewAGL electrical

On 09 January 2009 advice was received from ActewAGL Corporation in relation to the proposal. The advice states that the proposal is supported and has been granted a Certificate of Compliance.

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 CZ5 Mixed Use Zone Development Code.

The key issues identified in the assessment are the third storey element and associated privacy and solar access issues. A condition has been imposed that the building shall be constructed in accordance with the amended plans lodged with the Authority as application S144B on 21 April 2009 and S144C on 22 April 2009. The amended S144 plans show that the proposed rear third storey element facing the rear laneway has been deleted and the front third storey element complies with the *Design Guidelines diagram for First Edition Housing, Kingston Foreshore "limited potential for third storey"* group 3, cross section BB, in the Lease and development Conditions. The 31 degree set back requirement increases the third storey southern side set back allowing sufficient solar access to the adjoining property that would already exist with the 6.5m wall.

In reaching the decision, the application has been assessed in accordance with section 120 of the Act – Merit track considerations when deciding development approval.

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 Authority 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.

This Notice of decision has also been sent to all people who made representations in relation to the proposal.

EVIDENCE

Application No. 200813271

Application No. 200813271/A

Application No. 200813271/B

Application No. 200813271/C

The Territory Plan zone – CZ5

The Development Codes – Mixed Use Zone Development Code

Representations – One representation received

Entity advice – Received advice from ActewAGL (Water and Sewerage Division) and ActewAGL (Electrical Division).

DELEGATE



Simon Hawke
Delegate of the ACT Planning and Land Authority
18 May 2009

CONTACT OFFICER

Brian Connors
Phone: (02) 62075644
Email: brian.connors@act.gov.au

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

ACT Health - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
ACT Planning and Land Authority - list of certifiers for building approval - demolition information - asbestos information	Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 or (02) 6207 1687
Department of Territory and Municipal Services - tree damaging activity approval - environment protection - water resources - heritage - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.tams.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 6594
Utilities - Telstra (networks) - TransACT (networks) - ActewAGL - Electricity reticulation	Telephone: (02) 9397 2090 Telephone: (02) 6229 8000 Telephone: 1100 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

UNIT TITLES ACT 2001 – 2 UNITS

Changes to the *Unit Titles Act 2001* (the Act) mean that applications to unit title two dwellings (e.g. townhouses or a commercial building containing two units) that are built beside one another must be lodged with the ACT Planning and Land Authority (ACTPLA) by **9 September 2009**.

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 Territory and Municipal Services.

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 ACT Magistrates Court Building Knowles Place CANBERRA CITY ACT 2601	Website: www.courts.act.gov.au Email: tribunal@act.gov.au Telephone: (02) 6207 1740 Facsimile: (02) 6205 4855 Post: GPO Box 370, CANBERRA, ACT, 2601 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 receiving this Notice of decision. The time limit can be extended in some circumstances. Check with the ACAT for more details.

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 \$172 (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; and
- Welfare Rights and Legal Centre, telephone (02) 6247 2177.

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 τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjuna t'interpretu, çempel:
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

ActewAGL acts as agent for ACTEW Corporation

ActewAGL

STATEMENT OF COMPLIANCE

for

Application N°: 51324 Drawings in set 4

Block: 3 Section: SS

Suburb: KINGSTON

The design depicted in this application has been assessed by ActewAGL and complies with ACTEW's water and sewerage network protection and access requirements.

Please note:

- ❖ Separate applications are required for ActewAGL electricity and gas networks.
- ❖ Any failure to accurately show existing or proposed structures may result in damage and costs for which the property owner will be liable. Damage to network assets must be reported to ActewAGL.
- ❖ Utility conditions may also apply to minor structures and landscaping works that may not have been depicted in this document. Consultation with ActewAGL's Water Division is advised if such structures and landscaping are planned.
- ❖ ActewAGL recommend setbacks provided for equipment access to water or sewerage network assets are kept free of obstruction by the property owner.
- ❖ Construction of works without the approval of ActewAGL may result in connection to ACTEW's water and sewerage networks being denied and /or action being taken to require the property owner to remove non-compliant services (e.g. sanitary drains) or structures.

Comments:

.....

Signed..........Date 9/1/08

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> E. Milczarek | <input type="checkbox"/> R. McKee |
| <input checked="" type="checkbox"/> P. Clarke | <input type="checkbox"/> R. Pearce |
| <input type="checkbox"/> R. Cirson | <input type="checkbox"/> G. Manwaring |

For further information please phone ActewAGL 6248 3555 (then 2)

ActewAGL

Water and Sewerage Network

Utility compliance application

Applicant details

Applicant:		Certifier's case number (if relevant)
Organisation:	DOWSE NORWOOD ARCHITECTS P/L	
Postal address	PO BOX 5087 BRADDON 2612	
Email address (if required for return)		
Phone:	Business () 6230 4688	mobile
Signature:		Date of application 7.1.1.09

Property owner details (if not the applicant) - mandatory

Owner:	
Organisation:	
Phone:	()
Postal address	

Block:	<i>Nature of proposed works:</i>	
	3	Section: 55
Suburb:	KINGSTON	
Street address:	PRINTERS WAY.	
Approval requested for:	<input type="checkbox"/> Commercial <input type="checkbox"/> Multi-unit residential <input type="checkbox"/> Dual Occupancy <input checked="" type="checkbox"/> Single residential	
	<input type="checkbox"/> New structure <input type="checkbox"/> Alterations & additions <input type="checkbox"/> Demolition	
	<input type="checkbox"/> Minor structures <input type="checkbox"/> Existing structures	
	<input type="checkbox"/> Landscaping <input type="checkbox"/> Pool <input type="checkbox"/> Other specify	

Preferred mode of return: pick-up mail email PDF

Please note: separate compliance statements are required from other utilities (eg: electricity, gas, stormwater and communications)

----- for office use only -----

ActewAGL application number:	5	1	3	2	4	
number of drawings in set:	4					

received by: ROB.

From: Lefebvre, Ann
Sent: Tuesday, 19 May 2009 10:24 AM
To: 'devapp@actewagl.com.au'
Subject: Decision 3 - 55 Kingston 200813271

From: Lefebvre, Ann
Sent: Tuesday, 19 May 2009 10:32 AM
To: 'glen.dowse@dnarchitects.com.au'
Cc: 'glovsurv@iinet.net.au'
Subject: Approved Plans Kingston (email 1)

From: Lefebvre, Ann
Sent: Tuesday, 19 May 2009 10:34 AM
To: 'glen.dowse@dnarchitects.com.au'
Cc: 'glovsurv@iinet.net.au'
Subject: Approved Plans Kingston (EMAIL 2)

From: Lefebvre, Ann
Sent: Tuesday, 19 May 2009 10:56 AM
To: [REDACTED]
Subject: Decision 3 - 55 Kingston 200813271
Attachments: Notice of Decision - Signed.pdf; Representor [REDACTED]



ADVICE TO REPRESENTOR AFTER DECISION

Dear 

**BLOCK: 3 SECTION: 55 SUBURB: KINGSTON
DEVELOPMENT APPLICATION NUMBER: 200813271**

Development Application Number 200813271 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

19 May 2009