

Kuffner, Jane

From: Pham, Minh
Sent: Wednesday, 31 May 2017 3:44 PM
To: [REDACTED]
Cc: English, Terri-Ann
Subject: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]
Attachments: Pre-Application Meeting Notes-1-1-Braddon.pdf

Good afternoon [REDACTED]

Thank you for attending a pre-application meeting on 23 May 2017 for the proposal of 8 units on block 1 section 1 in Braddon. Please see the attached meeting notes which includes our details if you have any further questions. In regards to the 30% site coverage, Terri and I have discussed this with our managers including George Cilliers. Although we can understand how the site is very restrictive, the rule is mandatory and unfortunately no exceptions can be made. If you have any further questions, our contact details have been provided in the meeting notes.

Regards

Minh | Duty Planner

Phone: 02 6207 8684

Gateway Team | Environment and Planning Directorate | ACT Government

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

www.environment.act.gov.au | www.planning.act.gov.au



ACT
Government

Environment, Planning and
Sustainable Development

Pre-Application Meeting Notes

BLOCK/S:	1	PROPOSAL NUMBER:	201731470
SECTION:	1	DATE OF MEETING:	23/May/2017
SUBURB:	Braddon		
PROPOSAL:	Demolition of existing dwelling and redevelopment of 8 units		
EPSDD CONTACT DETAILS:	Minh + Terri DA Gateway Team planningenquiries@act.gov.au 02 6205 2888		
PROPONENT:	[REDACTED]		
ENTITY ATTENDEES:	Jose Henriquez, TCCS Terrance Raath, Tree Protection		

KEY CONTACTS FOR ENTITIES

Transport Canberra and City Services (TCCS):	TCCS.DA@act.gov.au (02) 6207 0019
Icon Water:	BASubmission_watersewer@iconwater.com.au
Environment Protection Authority (EPA):	EPAPlanningLiason@act.gov.au
Heritage Office:	heritage@act.gov.au

COMMENTS ON PROPOSAL

What is the proposal	Demolition of existing dwelling and associated structures. Remove protected trees, relocate existing sewer easement and extinguish existing stormwater easement. Construction of 8 units with basement parking and modify driveway verge crossing. Lease variation to permit 8 dwellings.
Is there a Crown lease	Yes
Use/s permissible under lease	TBD by DA Leasing
Zone/s	RZ3
Use proposed	Residential
Is use permissible in zone	Yes
Development codes	Residential Zones Development Code Multi Unit Housing Development Code
Precinct codes	Braddon Precinct Map and Code Inner North Precinct Code
General codes to consider	Parking and Vehicular Access General Code Bicycle Parking General Code

Pre-Application Meeting Notes

	<p>Access and Mobility General Code Crime Prevention through Environmental Design General Code WaterWays: Water Sensitive Urban Design General Code Residential Boundary Fences General Code Lease Variation General Code</p>
Entity referral and consultation	Yes
Mandatory referrals	<ul style="list-style-type: none"> • Icon Water & ACTEW • Transport Canberra and City Services • Tree Protection Unit • DA Leasing
Further entity consultation required or recommended before lodgement?	<p>Yes</p> <ul style="list-style-type: none"> • Icon Water & ACTEW • Transport Canberra and City Services
Assessment track	Merit
If impact track, requirements for lodgement	N/A
Is pre-DA community consultation required?	No
Key issues	<ul style="list-style-type: none"> • We have concerns that the current proposal would not meet the Inner north precinct code Rule 13– Site coverage within the rear zone does not exceed 30%. Please note the criteria for this rules only applies where at least one protected tree is proposed to be retained within the primary building zone. In all other cases the rule is mandatory. Based on the information provided we understand that there are no trees within the primary zone. Therefore, the current design would not meet this mandatory rule and is unlikely to be supported. • The parking and vehicular access general code requires 2 parking spaces for each dwelling with 3 or more bedrooms and 1 visitor space per 4 dwellings. Based on the plans provided it appears the current design is missing two visitor parking spaces. Please note parking details including the location of visitor parking will be required as part of the development application.
<p>Other comments on proposal</p> <p>Note, these rules and criteria are some of the applicable parts of the Territory Plan. A full assessment will be undertaken when the DA is lodged.</p>	<p>Please note the following rule may also apply to your proposal: <u>Inner North Precinct Code</u></p> <ul style="list-style-type: none"> • R5 – Development on corner blocks must be built to the maximum height limit • R6 – Minimum front street setbacks are 6m; mandatory • R7 – No building or design structure are to be located within minimum front street setback • R8 – Minimum 7x7m area in rear corner to allow for deep-

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	<p>root planting.</p> <ul style="list-style-type: none"> • R10 – Dual frontage is a mandatory requirement • C11 – Dual frontage to maximise both main street address from the primary building zone, provide and maximise overlooking and prospect into open spaces and promote increased use of open space. • R14 Front facade is articulated to a depth of 2-3m behind front setback • R15/C15- Articulation of the front building facade must exceed 40% of the width of the building at every storey level. <p><u>Multi Unit Housing Development Code</u></p> <ul style="list-style-type: none"> • R8- Please ensure that plot ratio calculations consider basement storage. • R20/C20- maximum number of storeys is 2. The current design is for three storeys. The development application will need to clearly articulate how the current design is consistent with: <ul style="list-style-type: none"> - desired character - the appearance from street of not more than 2 storeys - reasonable solar access to adjoining blocks. Note solar encroachment. • R26/C26 –potential solar encroachment , this will need to be considered in the development application • R24 –maximum height- is 9.5m • R91 – Tree protection- the development application will need to demonstrate how regulated trees will be retained and protected.
<p>DA Leasing comments</p>	<ul style="list-style-type: none"> •
<p>Meeting discussion points</p>	<ul style="list-style-type: none"> • The applicant provided background and noted the building constraints on the block- largely the sewerage easement, stormwater easement and regulated trees. The applicant also noted that they had already investigated the potential to move the sewerage easement but due to the fall of the land this would not be possible. <p>Tree protection</p> <ul style="list-style-type: none"> • Tree protection considers the Conifers along the Ijong Street to be a unmaintained hedge that can be removed if required. • There are a couple of trees that will need to be considered in relation to the proposal: <ul style="list-style-type: none"> - tree on the front boundary of the property as this may impact vehicle access and sight line. - regulated tree at the rear of the property- please note any excavation work will need a 4 m clearance from the trunk of the tree. Selective pruning maybe required. Please note there is no criterion to support the removal of this trees, however tree protection note it is located over in sewerage easement.

Pre-Application Meeting Notes

	<ul style="list-style-type: none">• A tree management plan will be required as part of the development application. The plan will need to clearly indicate what trees, if any, will be removed and how the applicant will protect the remaining trees.• A landscape management protection plan will also be required. This plan should include details of how any trees located on the verge will be protected during the construction of the proposal. <p>Transport Canberra and City Service (TCCS)</p> <ul style="list-style-type: none">• TCCS recommended that careful consideration be given to the location of bins for kerbside collection up to ensure safety and that there is adequate overhead clearance for truck-clearance of 4 m is required.• The driveway will need to be constructed to allow for two way traffic (vehicles will need to enter and exit the site in a forward direction). The driveway will need to be 5.5m wide for the first 6m to allow vehicles to enter and exit the site safely.• Consideration should be given to how vehicles will be aware of others vehicle is in the driveway for example a light signal system.• Please note that pedestrians have priority over the driveway. The driveway should provide clear sight lines to ensure pedestrian safety.• A turning template will be required to ensure there is sufficient space for vehicles to enter the property and leave in a forward direct.• TCCS notes that there is a stormwater easement running through the block. It is recommended that a hydraulic report be provided to TCCS for further discussion.• There is potential to use street parking for visitors, the location of visitor parking will need to be shown on the plans as part of the development application.• The following plans will be required as part of the development applications:<ul style="list-style-type: none">- Landscape Management and Protection Plan -this should clearly show how the verge will be protected during construction. Please note no parking permissible on the verge;- Stormwater plan; and,- Waste management plan. <p>ESDD</p> <ul style="list-style-type: none">• We have concerns that the proposed design will not meet the mandatory requirements of the inner north precinct code, therefore it is unlikely the proposal in its current form would be supported.• The current design is for two and three 3 storey units. The maximum number of storeys is 2. As set out in the multi-unit housing development code. A statement against criteria
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Pre-Application Meeting Notes

	<p>would be required justifying how the proposal would meet :</p> <ul style="list-style-type: none">- desired character- the appearance from street of not more than 2 storeys <p>reasonable solar access to adjoining blocks.</p> <ul style="list-style-type: none">• Please check the solar envelope as there appears to be some overshadowing. Please note a shadow diagram should be submitted as part of the development application.
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Pre-Application Meeting Notes

STANDARD DA LODGEMENT REQUIREMENTS - DESIGN AND SITING

There may be additional requirements for your development required by the Territory Plan. Please also note the acknowledgement at the end of this document.

DA form – correctly completed with lessee details <i>Please note: for works involving a body corporate (for example, works affecting a common boundary wall), the body corporate must have signed as a lessee. For works on unleased territory land (for example, the road reserve) the land custodian must sign the DA form as lessee.</i>	<input type="checkbox"/> Yes
Survey certificate	<input type="checkbox"/> Yes
Statement against relevant criteria	<input type="checkbox"/> Yes
Site plan	<input type="checkbox"/> Yes
Floor plan <i>Please note: for residential development two floor plans are required, one showing an internal layout and one without the internal layout. The public register and public notification do not show the internal floor plan.</i>	<input type="checkbox"/> Yes
Area plan <i>Not required for single residential development.</i>	<input type="checkbox"/> Yes
Elevations	<input type="checkbox"/> Yes
Sections	<input type="checkbox"/> Yes
Driveway plan and turning circles	<input type="checkbox"/> Yes
Colour sample schedule	<input type="checkbox"/> Maybe
Shadow diagrams	<input type="checkbox"/> Yes
Demolition plan	<input type="checkbox"/> Yes
Pollution control plan	<input type="checkbox"/> Maybe
Water sensitive urban design documentation <i>Please note: this is required for all new single dwellings and additions and alterations that trigger Water Sensitive Urban Design requirements. Also required for new multi unit development & developments that trigger the Water Sensitive Urban Design General Code.</i>	<input type="checkbox"/> Yes
Unapproved existing works plan <i>Please note: this needs to be signed by a surveyor.</i>	<input type="checkbox"/> No
Tree Management Plan <i>Please note: this is required where any trees under the Tree Protection Act 2005 requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees.</i>	<input type="checkbox"/> Yes
Composite streetscape elevation	<input type="checkbox"/> Yes
Noise Management Plan <i>Please note: the EPA have been requesting a Noise Management Plan for new developments and must address all permissible uses regardless of use being taken up.</i>	<input type="checkbox"/> Maybe
Bill of costs (must be provided for projects over \$10 million)	<input type="checkbox"/> Yes

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Parking plan	<input type="checkbox"/> Yes
Off site works plan	<input type="checkbox"/> No
Landscape plan	<input type="checkbox"/> Yes
Access and Mobility Report/Adaptability report	<input type="checkbox"/> Maybe
Signage plan	<input type="checkbox"/> No
Waste management plan	<input type="checkbox"/> Yes
Assessment of Environmental Effects	<input type="checkbox"/> No

STANDARD DA LODGEMENT REQUIREMENTS – LEASE VARIATION

There may be additional requirements for your development required by the Territory Plan. Please also note the acknowledgement at the end of this document.

List of registered interested parties (e.g. mortgagees, sublessees etc) and their addresses or a written statement advising that there are no registered interested parties.	<input type="checkbox"/> Yes/no/maybe
A survey-like subdivision plan showing the proposed block boundaries, dimensions, bearings, proposed block sizes (subject to survey), easements, development footprints.	<input type="checkbox"/> Yes/no/maybe
A valuation report and certificate prepared in accordance with section 277 of the <i>Planning and Development Act 2007</i> .	<input type="checkbox"/> Yes/no/maybe

IMPORTANT INFORMATION ABOUT YOUR DEVELOPMENT AND THESE NOTES

- Lodgement of development applications are electronic in the ACT and must be lodged using eDevelopment. Further information can be obtained at www.planning.act.gov.au.
- This information shall not be taken to be pre-application advice for the purposes of s138 of the *Planning and Development Act 2007*. Pre-application advice can be formally requested from the planning and land authority under s138.
- This document reflects preliminary information provided by the applicant and/or concept sketches submitted to the planning and land authority. The submitted information was not subjected to a formal assessment and this advice will not be binding on the determination of any future development application that may be lodged. It is also advised that relevant policies may alter between the time the information on this form is provided and the lodgement of the development application.
- Any information relating to advice by other authorities or entities reflected in these notes are for guidance only and must not be relied upon. It is the responsibility of the proponent to confirm any requirements of other authorities or entities directly with that authority or entity.
- A decision to sell unit 'off a plan', or a property forming part of an unapproved development, is a marketing decision entirely for the risk of the developer or Crown lessee. This practice will by no means be given any consideration in the assessment of a future development application, and sales contracts or 'off-the-plan' sales does not pre-empt or influence the planning and land authority's decision in any way.

Kuffner, Jane

From: Myers, Rhonda
Sent: Wednesday, 10 January 2018 12:44 PM
To: Weller, Craig; Sare, Irma; Hurst, Jackie; Teasdale, Jonathan
Subject: LODGEMENTCHECKLIST-201733103-01 - 1/1 Braddon [SEC=UNCLASSIFIED]
Attachments: LODGEMENTCHECKLIST-201733103-01.obr

Hi Craig,

I have spoken to [REDACTED] (the applicant) about lodging a lease variation to amend the easements - he will likely submit a separate application to be assessed under code track at the similar time as this application. I advised he may be able to "link" the applications to allow for additional LVC remission as the D&S approval (if approved) will be reliant upon the easement variation therefore meeting the requirements for the remission DI.

☺ Rhonda

Is a Lease Search fee (Dial-a-search) applicable for this application?

If a Lease Search fee is applicable, number of **additional** leased blocks?

Exemption S411/412:

Has the Applicant requested exemption for part of the Development Application? **NO**

Is this a **Concurrent** Development Application under Division 7.3.2A of the *Planning and Development Act 2007*? **NO**

Note: the public notification period is not less than 35 working days for Concurrent Development Application.

Part B (i): Public Notification Requirements

The development application requires:

IF MAJOR NOTIFICATION:

Number of additional *small* signs required is

Number of additional *large* signs required is

Number of days for notification: **15 - Major**

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

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

Part B (ii) Public Notification Wording

Customer Services to complete - Insert wording for public notification:

DA Leasing to complete lease variation component – Insert Lease Variation public notification wording component:

PROPOSAL FOR MULTI UNIT DEVELOPMENT - demolition of the existing dwelling, sewer and drainage easement reconfigurations, construction of 7 new dwellings up to 3 storeys, basement carparking, landscaping and associated site works.

DA LEASING OFFICER TO COMPLETE PART C
(Before commencing Leasing Check: complete and check Part B(ii) Public Notification Wording If there is a Lease Variation Component)

Part C: Leasing Check

Public Notification wording checked by DA Leasing officer

LEASING OFFICER rhonda DATE: 19/12/17

INITIAL CHECK BY DA LEASING Pass Fail

DA Leasing Failure reasons

Resubmission

Accepted? List each failure reason separately

1. DATE

2. DATE

3. DATE

Comments

there is currently a DA for a lease variation to permit a max of 8 dwellings under assessment and due 13/2/17 (representation) - DA201732001

I have spoken to the applicant about lodging a lease variation to amend the easements - he will likely submit a separate application to be assessed under code track at the same time as this application. He may be able to "link" the applications to allow for additional LVC remission as the easement variation is required to enable this DA to be approved therefore meeting the requirements for the remission DI.

Is the application for a combined lease variation and design and siting? NOT APPLICABLE
If YES complete Part B(ii) – lease variation public notification wording component

Is the application to vary the lease to remove the concessional status? Make Selection

If yes, has a Social Impact Assessment report been provided? Make Selection

Is this a land rent lease? NO

Is a Lease Variation fee applicable? \$

If yes, how many additional Lease Variation components?

Type of Lease: Residential >5 years Proposal is Consistent with all clauses in the Lease: Yes

Type of Lease Variation: N/A Initial referral to AVO:

Most Recent Variation Date:

Building and Development Provisions -	
Commencement of development by:	Completion of development by:
Commencement of associated works by:	Completion of associated works by:
LVC	
LVC is s276E <input type="checkbox"/> OR LVC is s277 <input type="checkbox"/>	
Valuation Report Supplied: <input type="checkbox"/>	
Valuation Certificate Supplied: <input type="checkbox"/>	
If LVC is s277 – Leasing Officer to tick entity referral boxes for AVO and Treasury	
Relevant Clauses	
Purpose: To use the said land for residential purposes only;	
Gross Floor Area:	
Car Parking:	
Other:	
Units Plan	
Endorsement by Owners Corporation:	
Written evidence from a Certified Practising Valuer advising whether the proposed variation to the Unit Title will affect the Schedule of Unit Entitlements (Form 3) for the Units Plan; and Where a Certified Practising Valuer has advised a Unit Entitlement will change, a Revised Schedule of Unit Entitlements (Form 3):	
Consolidation	
Existing Lease Details:	Issues to be noted:
Subdivision	
Existing Lease Details:	Issues to be noted:
Land Use	
Details: RZ3 Urban residential zone	
Other Comments: Demolition of existing dwelling. Construction of a new 2-3 storey building with basement carparking comprising 7 residential dwellings. Associated landscaping and verge works. separate DA to vary the lease to allow unit title	

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**DA OFFICER TO COMPLETE FROM THIS POINT FORWARD**  
*(Before commencing completeness check: complete and check Part B: Public Notification)*

**Part D: DA Officer Completeness Check**

Public Notification wording checked by DA officer

DA OFFICER: Therese Tran

DATE: 21/12/2017  
09/01/2018

INITIAL CHECK BY DEVELOPMENT ASSESSMENT

Pass  Fail

**DA Officer Failure reasons**

Resubmission

Accepted? List each failure reason separately

- 1. If there are proposals for new easements or easement reconfigurations, please address this on the Development Application form. DATE 09/01/2018
- 2. Please identify type of easement on site plan and floor assessment. DATE 09/01/2018
- 3. Please label NGL on section plan DATE 09/01/2018
- 4. DATE
- 5. DATE

**Comments**

Please see DA leasing notes regarding easements.

*Please include Customer Services and DA Leasing failure reasons to redevelopment if applicable.*

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

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

**Comment:**

- Does the application state the intended land use? YES
- Which is the chosen assessment track? MERIT
- Is the application accompanied by a survey certificate as specified at Section 139 (2)(i) (unless exempt – see Section 25 of Regulations)? YES
- Does Section 205 (DAs for developments undertaken without approval) apply and if so, is the application accompanied with a plan/s endorsed by a registered surveyor that sets out the dimensions of the development as specified at Section 139(2)(j)? NO
- If the application is for a single unit(s) on a unit titled block, is works being carried out on common property?  
*(if yes, Any works within the common property will require the Owner's Corporation to Authorise the DA as the lessee of the common property and the owners corporation is listed on the application form)* NOT APPLICABLE
- Is the land undeveloped?  
*(if yes, a referral to DA Leasing is required)* NO
- Is the land subject to a FUA layer? *(Development by an entity other than the Territory in a future urban area is prohibited unless the structure plan for the area states otherwise – see section 137)* NO
- Has this application been subject to an Environmental Significance Opinion?  
*(if yes, a additional fee component is applicable – see part I)* NO
- Are any blocks impacted by the development a Reserved Area - public land under S315 of the Planning and Development Act 2007 for any one of the following purposes: NO

- a wilderness area,
- a national park,
- a nature reserve,
- a special purpose reserve.

NO

Is this application subject to pre-lodgement community consultation?  
(if yes, select the relevant number of days for notification in part B(i))

If this application is a Concurrent Development Application, is it accompanied by a concurrent document?

NO

**Part F: Track Specific requirements**

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

YES

Also if Merit Track and relevant, does the application include an assessment of the possible environmental effects of the development?

NO

Also if Impact Track has a completed Environmental Impact Statement for the proposal been submitted (unless Section 211 applies)?

NOT APPLICABLE

Also if Impact Track has a signed letter from a delegate of the Minister for an exemption from requiring an EIS been submitted (under Section 211)?

NOT APPLICABLE

Public notification requirements and wording checked and amended?  
*See Notification Requirements (Page 2, Part B)*

YES

*Review Development Application Form to ensure the description of the proposal is accurate; and corresponds with terminology in the Territory Plan.*

**Part G: GFA and Cost of Works**

Costs of works are calculated in accordance with Building (General) (Cost of Building Work) Determination 2015 (No 1).

Fees can be determined using the Cost of Works and DA Fees Calculator 2015-16. The calculator is located in objective in the assessment tools folder, under development assessment team.

**Note:** Where a bill of quantities has been provided, please ensure GST is not included in the cost of works.

Total Cost of Works:       **\$ 2, 958, 320 (taken from DA application form) (ex GST)**

Development fee payable: \$ 8082.81

**Part H: Entity Referrals**

*For guidance please refer to Work Instruction – Entity Referrals*

If no entity referrals are required check box

Refer to Work Instruction – Entity Referrals for guidance.  
Indicate referral requirements by checking appropriate box/es:

Checklist  
DA Lodgement

|                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Asset Acceptance</b><br>(Transport Canberra and City Services)                                                                                                                 | <input checked="" type="checkbox"/> Referral to TCCS is required<br>(NB: no need to send a separate email for referral to the Land Custodian for TCCS)<br><br><b>Notes for referral:</b>                                                                                                                                                                                                           |
| <b>ICON Water/ACTEW Corporation</b>                                                                                                                                               | <input checked="" type="checkbox"/> Demolition works – utilities<br><input checked="" type="checkbox"/> Utilities – electricity, water & sewer and gas<br><input type="checkbox"/> Liquid Trade Waste<br><br><b>Notes for referral:</b>                                                                                                                                                            |
| <b>Conservator of Flora and Fauna</b>                                                                                                                                             | <input type="checkbox"/> General referral<br><input type="checkbox"/> Declared site only<br><input type="checkbox"/> Plan of Management (works on public land)<br><input type="checkbox"/> S147A (Selected Impact Track applications only – case officer must liaise with the Impact Assessment Team for all Impact Track DA's to determine if this is required)<br><br><b>Notes for referral:</b> |
| <b>City Renewal Authority</b><br><a href="mailto:cityrenewal@act.gov.au">cityrenewal@act.gov.au</a>                                                                               | <input type="checkbox"/><br><b>Notes for referral:</b>                                                                                                                                                                                                                                                                                                                                             |
| <b>Custodian of the Land (unleased)</b>                                                                                                                                           | <input checked="" type="checkbox"/> Identify Custodian: TCCS<br><b>Notes for referral:</b>                                                                                                                                                                                                                                                                                                         |
| <b>Environment Protection Agency</b>                                                                                                                                              | <input type="checkbox"/> Noise<br><input type="checkbox"/> Erosion and Sediment Control (if site > 0.3 of a hectare)<br><input type="checkbox"/> Hazardous Material – Pre 1985 Multi-unit Housing or Pre 2005 commercial / industrial premises<br><input type="checkbox"/> Other – please specify<br><br><b>Notes for referral:</b>                                                                |
| <b>Heritage</b>                                                                                                                                                                   | <input type="checkbox"/> Heritage – Registered Land or Building<br><br><b>Notes for referral:</b>                                                                                                                                                                                                                                                                                                  |
| <b>Tree Protection</b>                                                                                                                                                            | <input checked="" type="checkbox"/> Where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees<br><br><b>Notes for referral:</b>                                                                                                                                                   |
| <b>Worksafe</b><br><a href="mailto:Worksafe_asbestos@act.gov.au">Worksafe_asbestos@act.gov.au</a><br>Cc: <a href="mailto:Matthew.Colman@act.gov.au">Matthew.Colman@act.gov.au</a> | <input type="checkbox"/> Private demolltion of loose fill affected residence<br><br><b>Notes for referral:</b>                                                                                                                                                                                                                                                                                     |

**Asbestos Response Task force  
Coordinator General**  
[artmaintenance@act.gov.au](mailto:artmaintenance@act.gov.au)  
CC: [sarah.radford@act.gov.au](mailto:sarah.radford@act.gov.au)

Asbestos affected "Mr Fluffy" block  
(Do not refer if the block has been deregistered)

**Notes for referral:**

Checklist  
DA Lodgement

|                                                                                                                                                                                                                                      |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <input type="checkbox"/> ACT Health                                                                                                                                                                                                  |                                    |
| <input type="checkbox"/> ACT Valuation Office                                                                                                                                                                                        |                                    |
| <input type="checkbox"/> Australian National University                                                                                                                                                                              |                                    |
| <input type="checkbox"/> Breach Management<br>Any development applications that relate to rectification of Service Station sites.                                                                                                    |                                    |
| <input type="checkbox"/> Capital Metro                                                                                                                                                                                               |                                    |
| <input type="checkbox"/> Department of Education and Training (Childcare Centres)<br>To be referred to <a href="mailto:ceca@act.gov.au">ceca@act.gov.au</a> and Social Infrastructure Planning)                                      |                                    |
| <input type="checkbox"/> Department of Education and Training (School Planning section)<br>Any application for removal of underground tanks in close proximity to child care centres, and schools plus any other additional triggers |                                    |
| <input type="checkbox"/> Emergency Services (Fire or Ambulance)                                                                                                                                                                      |                                    |
| <input type="checkbox"/> Gambling and Racing Commission                                                                                                                                                                              |                                    |
| <input type="checkbox"/> Housing and Community Services                                                                                                                                                                              |                                    |
| <input checked="" type="checkbox"/> National Capital Authority                                                                                                                                                                       |                                    |
| <input type="checkbox"/> Office of Regulatory Services (Registrar Generals Office)<br>Any development applications that relate to permanent structures, on unleased Territory land, associated with permits for outdoor eating.      |                                    |
| <input type="checkbox"/> Office of Regulatory Services (Liquor compliance)                                                                                                                                                           |                                    |
| <input type="checkbox"/> Plan Implementation Team at EDD<br>All EDP's in Gungahlin District                                                                                                                                          |                                    |
| <input type="checkbox"/> Police                                                                                                                                                                                                      |                                    |
| <input type="checkbox"/> Queanbeyan City Council                                                                                                                                                                                     |                                    |
| <input type="checkbox"/> EPD Utilities Team<br>Proposals involving utility scale power generation e.g. solar farm                                                                                                                    |                                    |
| <input type="checkbox"/> Workcover                                                                                                                                                                                                   |                                    |
| <input type="checkbox"/> Yass Valley Council                                                                                                                                                                                         |                                    |
| <input type="checkbox"/> Other (please specify)                                                                                                                                                                                      |                                    |
| <b>Internal</b>                                                                                                                                                                                                                      | <b>Provide Reason for Referral</b> |
| <input type="checkbox"/> General Leasing team - <a href="mailto:leasing@act.gov.au">leasing@act.gov.au</a><br>All Merit Track applications with encroachments or works on unleased Territory Land                                    |                                    |
| <input checked="" type="checkbox"/> DA Leasing team – <a href="mailto:ACTPLADALEasing@act.gov.au">ACTPLADALEasing@act.gov.au</a><br>All Merit Track applications with combined design and siting and lease variation component       | separate DA for Lease Variation    |
| <input type="checkbox"/> Rural Leasing<br>Proposals on all agricultural rural blocks or in Pialligo                                                                                                                                  |                                    |
| <input type="checkbox"/> DA Merit Assessment team – Commercial                                                                                                                                                                       |                                    |
| <input type="checkbox"/> DA Merit Assessment team – Residential                                                                                                                                                                      |                                    |
| <input type="checkbox"/> DA Impact Assessment team (referral mandatory for all Impact Track DA's and Merit Track DA's with a ESO)                                                                                                    |                                    |

|                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                        |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <input type="checkbox"/> Deed Management<br>Conditions for a Deed of Agreement if Works being returned to the Territory (including offsite works) costs >\$300k.                  |                                                                                                                                                                                                                                                                                                                                        |  |
| <input type="checkbox"/> Strategic Planning –<br><a href="mailto:esddstrategicplanningreferrals@act.gov.au">esddstrategicplanningreferrals@act.gov.au</a>                         | <input type="checkbox"/> Social Infrastructure Planning<br><input type="checkbox"/> Infrastructure Policy<br><input type="checkbox"/> Design Policy<br><input type="checkbox"/> Land Policy<br><input type="checkbox"/> Land and Infrastructure Group<br><input type="checkbox"/> Major projects<br>- <input type="checkbox"/> Parking |  |
| <input type="checkbox"/> Water Policy EPSDD<br><input checked="" type="checkbox"/> WSUD Code Requirements<br><a href="mailto:water.policy@act.gov.au">water.policy@act.gov.au</a> |                                                                                                                                                                                                                                                                                                                                        |  |
| <input type="checkbox"/> Utilities Technical Regulation team<br><a href="mailto:Techregulator.utilities@act.gov.au">Techregulator.utilities@act.gov.au</a>                        |                                                                                                                                                                                                                                                                                                                                        |  |

**Part I: Calculation of fees for the development application (Merit or Impact Track)**

|                                             |         |
|---------------------------------------------|---------|
| Completeness Check:                         | 0       |
| Development (Cost of Works Fee or EDP Fee): | 8082.81 |
| Merit Track with ESO:                       | 0       |
| Impact Track Fee/s:                         | 0       |
| Lease Variation:                            | 0       |
| Public Notification:                        | 1472    |
| Lease Search:                               | 38      |

*Note: Please see fees and charges schedule 2017-2018 for a variation of a unit title lease in which to vary a lease by single application which affects more than one unit in the same units plan for one unit.*

*Note: An additional fee of \$1156.00 is required in addition to the development fee where the application is in the merit track where an ESO is provided to support lodgement in that track*

**I (i) Home Business Fee**

|                                                   |       |
|---------------------------------------------------|-------|
| Is this application a new application or renewal? | N/A ▼ |
| How many years is the applicant applying for?     | 0 ▼   |
| <b>Home Business Fee:</b>                         | 0     |

*Note: Other fee components are still applicable.*

**I (ii) Estate Development Plan Fee** (To be added as development fee, if applicable)

To determine relevant development fees consult the EDP Fee calculator in objective.

**Estate Development Plan fee:**

*Note: Other fee components are still applicable.*

**I (iii) Impact Track Fees** (To be added in addition to development fee)

- Matters specified in Schedule 4, Part 4.2 and/or **\$34,091.00**
  - Matters specified in Schedule 4, Part 4.3, Column 1, Items 1 to 6 and/or **\$12,813.00**
  - Matters specified in Schedule 4, Part 4.3, Column 1, Items 7 to 11 **\$2,564.00**
- OR**
- Impact Track application with no specific Schedule 4 trigger **\$2,564.00**

*Note: Other fee components are still applicable*

**Part J: Resubmissions** (If application to be failed)

- Resubmission to be checked by Customer Services
- Resubmission to be checked by DA Leasing
- Resubmission to be checked by DA officer

Numbers of Completeness check failures:

File Note:

Meeting with [REDACTED] The Lessee was also present

Authority Staff present: Rumana Jamaly (Manager Residential Assessments) & myself

Date: 3.00pm 28 March 2018

Re: 1/1Braddon - DA201733103

---

[REDACTED] requested the meeting. It was to clarify parts of the additional information request and to provide an update of the DA.

We discussed elements of the assessment (refer to additional information request dated 27/2/18) in particular front façade and appearance of 3 storey, articulation requirements of INPC, overshadowing. Some discussion about DA information was held and an update in regards to potential solutions were provided by the applicant but these were advised to be secondary until the power/electricity issue was resolved.

[REDACTED] advised that there were issues getting ActewAGL/EvoEnergy advice in regards to electricity sign off. They advised that this matter was not evident upon design but the property to the south (Block 2 Section 1) was required to agree to new electrical arrangements which was being withheld. The location of the mains was involved with this. They also advised that the Lessee was a senior ActewAGL staff member.

I advised that this was an entity matter and that the Authority was not able to assist but recommended further discussion with the Lessee and ActewAGL/EvoEnergy.

Upon (if) the power issue was resolved, it was anticipated that a S144 application addressing the additional information request would be lodged.

Richard Davies

Senior Assessment Officer

**Kuffner, Jane**

---

**From:** Davies, Richard  
**Sent:** Tuesday, 27 February 2018 10:15 AM  
**To:** [REDACTED]  
**Subject:** RE: Request for further information - 1/1 Braddon - DA201733103 [SEC=UNCLASSIFIED]

Hi [REDACTED] again,  
Edevelopment already has this DA as 'waiting for further information' and the application status will not change until you lodge your S144 or S141 application. So there won't be an edevelopment message in response to the email sent a few moments ago.

Regards

Richard

**From:** Davies, Richard  
**Sent:** Tuesday, 27 February 2018 10:11 AM  
**To:** [REDACTED]  
**Subject:** Request for further information - 1/1 Braddon - DA201733103 [SEC=UNCLASSIFIED]

Hi [REDACTED]  
Further to my phone call yesterday (and email advice below), I can offer the following advice in regards to the assessment carried out to date. Please consider this email a request for further information and respond as per the general/admin advice at the end of this email.

**Inner North Precinct Code (INPC):**  
R6 –Setbacks: The 6m requirement is achieved for both frontages however the volume of the facades setback at this 6m requirement is limited. While R14 (articulation) is noted and provided, as raised in some of the representations, there is concern whether compliance with R6 has been achieved given the bulk of the glass façade is setback from the 6m setback requirement. It is recommended that greater justification for the design (or modification be made to achieve greater compliance) be provided.

The upper storey also has walls which face Torrens Street which are likely to be considered applicable to this rule and are beyond the articulation requirements of R14. Noting the conflicting requirements of the Codes on this area, I would be happy to discuss alternatives or design responses to the Territory Plan requirements.

R7 – building design elements – While the buildings do not project forward of the front setback, there have been previous decisions (in ACAT) concerning the connection of courtyard walls to the main building and therefore not complying with this (mandatory) rule. I understand that a Territory Plan variation is being considered to clarify this interpretation but given the current definitions in the Plan, it appears this is an issue. Please clarify the connection of the courtyard walls to the building.

**Multi Unit Housing Development Code (MUHDC):**

R8 – Plot ratio – I have measured the GFA > than the 65% permitted in this rule. My PDF mark ups will be forwarded through (separately) shortly. Please review the GFA for the proposed development.

R20/C20 - As discussed, there is limited guidance in the Territory Plan for this criterion. My assessment has found that the Ijong Street presentation could be approved as proposed. However the Torrens Street façade/elevation, in my opinion, presents as a 3 storey development which is not meeting criterion b). There is also concern for Criterion c) as discussed further below.

R25/ C25 and R26/C26 – Building and Solar Building envelopes – The section plans do not appear to accurately represent the solar building envelope. My own estimation shows a notable larger solar building envelope departure than depicted in the DA information. Please review the section plan with the solar and building envelopes. Noting that the section is

provided for the closest (southern) part of the development, to gain a better understanding of the development impact, it is recommended that an additional section plan be provided including indication of the building and solar envelopes further West from the current section plan eg through unit 4 (parallel to Section AA)  
Please check the height of the envelopes from natural ground when preparing each plan.

The impact of the proposed development in regards to overshadowing is notable. The shadow diagrams indicate that the adjacent dwelling is impacted between 9am and 12pm. It also appears likely that shading will occur into the afternoon although the 3pm shadow shows it clear of the existing building. The closest and highest part of the development (Unit 1) appears to be the main area of the solar building envelope departure (subject to confirmation from additional information requested above) and with the time the adjoining dwelling is shaded, the solar envelope departure as proposed is not supported. As addressed above, C20 also relies upon reasonable solar access in addressing the number of stories.

The 3<sup>rd</sup> level requires improvement to be supported addressing the combination of issues above.

R42/C42 – In addition to the above comment (about connecting to the building), the courtyard wall for Unit 2 appears excessive in length with continuous single material choice. This appears to require improvement.

R60/C60 – Windows are less than 12m to the adjoining property. A site inspection will be carried out shortly however it may be worth considering privacy controls to the southern face of the proposed development.

Other:

The Entities advice (as previously supplied is copied below). For the Tree/Conservator advice, it appears I will need to present the proposal to our internal Landscape Review Panel meeting. Please provide the relevant Tree's/Conservator response and information and I will present the DA to this meeting and group.

There appears a range of issues to bring together above and below but am happy to work with you through these matters.

General/admin:

An edevelopment message summarising the above will be sent out shortly.

Additional information will need to be lodged with an accompanying application in edevelopment. If any details of the proposed development are to be modified, please ensure the new information is submitted as a **S144** application. If only additional information is to be provided consistent with the current design (no amendments), please submit this as a **S141** additional information application. For assistance with edevelopment, please contact EPSDD Customer Services on [epdcustomerservices@act.gov.au](mailto:epdcustomerservices@act.gov.au) or 02 6207 1923. Note that this information can only be lodged through edevelopment.

I hope this information assists with your development application. Feel free to call or email to discuss.

Regards,  
Richard

Richard Davles

Phone 02 6207 1923

Senior Assessment Officer – Residential Assessments

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

From: Davles, Richard

Sent: Thursday, 22 February 2018 1:53 PM

To: [REDACTED]

Subject: FW: REVISED 14-02-2018 COMM-TREE PROTECTION-201733103-1/1 BRADDON [SEC=UNCLASSIFIED]

Hi [REDACTED]

Good to catch up quickly on this DA. As mentioned I will be carrying out a detailed assessment over the coming days. Attached and below is further entity advice which will need addressing. Apologies for the delay in forwarding this however I was away when these were received in this office.

As a recap for Entitles, the file now shows:

ActewAGL (Electricity) - Not approved (previously advised)  
Evo Energy (Gas) – conditionally complies  
Icon Water – Not accepted (see attached) but it sounds like you are already aware of this one  
(internal) DA Leasing – standard response – capable (subject to conditions) of being determined in regards to leasing matters  
NCA – No special requirements  
TCCS – Supported subject to conditions  
Conservator /Tree Protection Unit – Not supported - See below & attached

The file also shows you have 6 representations in regards to this application. These should have been sent to you by our Customer Services section. While not required in legislation, I recommend addressing the issues raised in the representations in a response to the authority. Typically this is supplied along with addressing the entity (or additional information requests) issues but happy to receive it at any time before decision.

I will try to get any further matters 'on the table' as soon as possible and hopefully in next few business days. So back to you soon.

Regards

Richard

Richard Davles

Phone (direct) 02 6207 4557

Senior Assessment Officer

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

**From:** McKeown, Helen

**Sent:** Wednesday, 14 February 2018 3:54 PM

**To:** EPD, Customer Services <[EPDCustomerServices@act.gov.au](mailto:EPDCustomerServices@act.gov.au)>

**Cc:** Dojcic, Rosie <[Rosie.Dojcic@act.gov.au](mailto:Rosie.Dojcic@act.gov.au)>

**Subject:** REVISED 14-02-2018 COMM-TREE PROTECTION-201733103-1/1 BRADDON [SEC=UNCLASSIFIED]

Please see revised advice below.

Helen McKeown | Conservator Liaison

Phone 02 6207 2247 |

Environment | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)

Helen

The Tree Protection Unit was contacted by the adjoining lessee REDACTED in regard to the proposed DA 201733103-1/1 BRADDON at 83 Torrens Street. The concern related to the protection of other possible regulated trees on his block which may not have been properly represented on the DA 201733103 documentation.

I have returned to the site and met with the resident to examine the trees in his yard and investigate his concerns.

Please can you provide EPD with an updated / revised advice?

DA No 201733103

Description - PROPOSAL FOR MULTI UNIT DEVELOPMENT - Demolition of the existing dwelling; Sewer and drainage easement reconfigurations; Construction of 7 new dwellings up to 3 storeys, basement car parking, landscaping and associated site works.

| BLOCK: | SECTION: | DIVISION: |
|--------|----------|-----------|
| 1      | 1        | Braddon   |

The DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

|                                         |   |
|-----------------------------------------|---|
| No regulated trees on the site          |   |
| Supported                               |   |
| Advice for the applicant                |   |
| Not Supported                           | X |
| Further Information/amendments required |   |

#### Comments

Please NOTE: - Revised advice

Please refer to the attached diagram

- At the request of the current lessee, Tree Protection Unit officer inspected trees in the back yard of 81 Torrens Street Braddon which will be subject to development pressures due to the proposed DA -201733103.
- There are two additional regulated trees in the back yard of 81 Torrens Street which were not noted on the DA documentation. They may be affected by the proposed development and need to be considered by the architects in terms of tree protection measures.
- The trees consist of 1 x *Ginkgo biloba* and 1 x *Juglans regia*.
- The *Juglans regia* has a significantly large canopy which was under represented in the architectural drawings. The tree overhangs the garage on block 1-1 Braddon and proposed work will be required within the tree protection zone of the tree. The trunk of the tree is 3.0m from the lease boundary the canopy approximately 16 m.
- The *Ginkgo biloba* appears to have a height at or about 12m- this needs to be verified. The trunk of the tree is approximately 2.5m from the lease boundary. Proposed works will need to be undertaken within the tree protection zone.
- There is an additional very large *Eucalyptus mannifera*, the tree is well within the lease boundary of number 81 Torrens Street and the tree is unlikely to be affected by the proposed development.
- The large *Cerdrus deodara* is also well within the lease and not likely to be affected by the proposed development.
- Advice regarding the *Cupressus sempervirens* remains the same – the tree is regulated and does not meet criteria for removal under the provisions of the *Tree Protection Act 2005*.
- The proponents will need to have the missing trees included in their DA documentation.
- A Tree Management Plan should include tree protection measures to ensure that regulated trees inside the adjoining lease will not be adversely impacted upon by the proposed development.
- A question was raised about the large *Ulmus parvifolia* noted for removal as part of the proposed DA. The tree is located within an easement, however the landscape plans indicate the deep root planting zone will be located within the newly aligned easement. The point is valid and may need to be considered in relation to the DA's approval.

#### Advice

- The proponents will need to provide a tree assessment noting: numbered trees, tree species, health, condition and any potential impacts the proposed development may have on the trees.

- A Tree Management Plan will have to be provided showing protection measure which minimise the impact on any regulated trees being retained on the site or neighbouring leases. Driveways, basement parking, building footprint and any proposed services within the Tree Protection zone of any regulated trees in the neighbouring yard will need to be addressed in the TMP.

From: McKeown, Helen  
 Sent: Friday, 2 February 2018 2:19 PM  
 To: EPD, Customer Services <EPDCustomerServices@act.gov.au>  
 Cc: Dojic, Rosle <Rosie.Dojic@act.gov.au>  
 Subject: COMM-TREE PROTECTION-201733103-1/1 BRADDON [SEC=UNCLASSIFIED]

DA No 201733103

| BLOCK: | SECTION: | DIVISION: |
|--------|----------|-----------|
| 1      | 1        | BRADDON   |

This DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

|                                                     |   |
|-----------------------------------------------------|---|
| No regulated trees on the site                      |   |
| Supported provided there are conditions of approval |   |
| Advice for the applicant                            |   |
| Not Supported                                       | X |
| Further Information/amendments required             |   |

Conditions/Comments/Advice:

- The unmaintained *Cupressus* hedge of which some trees have grown in excess of 12m is supported for removal.
- The *Ulmus parvifolia* is supported for removal as a compelling case can be put forward regarding its location on the sewerage easement.
- The *Cedrus deodora* located within the adjoining lease is well away from the lease boundary and is not likely to be affected by the proposal.
- There is a broken down fruit tree suffering from decay in the middle of the back yard which is not covered by the legislation.
- The *Cupressus sempevirens* marked for removal via the Demolition Plan is regulated due to height & trunk circumference and of medium quality. This tree does not meet any criteria for removal via the Tree Protection Act.

Helen McKeown | Conservator Liaison

Phone 02 6207 2247 |

Environment | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)

**From:** English, Terri-Ann  
**Sent:** Friday, 16 June 2017 1:42 PM  
**To:** [REDACTED]  
**Cc:** Pham, Minh <Minh.Pham@act.gov.au>; Weller, Craig <Craig.Weller@act.gov.au>  
**Subject:** FW: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Good afternoon [REDACTED]

Apologies for not following this up with you sooner. Minh and I have discussed this with the residential assessment manager and concluded an upper floor area is still counted towards the rear site coverage. While the manager understands the site constraints, the rule has been written in such a way it will not allow any leniency as it is a mandatory requirement.

We understand this is not an ideal outcome and the number of units proposed for this block size isn't considered over-development. However, the site is significantly constrained by the service connections and is further limited by the rules in the Inner North Precinct Code. If you have any further questions, please contact us by reply email or on the planning enquiries number 6205 2888.

Regards

Terri

Terri | Duty Planner

Phone: 02 6205 2888

Gateway Team | Environment, Planning and Sustainable Development Directorate | ACT Government

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**From:** [REDACTED]  
**Sent:** Wednesday, 14 June 2017 4:48 PM  
**To:** Pham, Minh  
**Cc:** English, Terri-Ann  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi Minh,

Hope you are well. Just following up to see how you and Terri went with discussing this query with the residential assessment team.

Kind regards,

[REDACTED]  
2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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**From:** Pham, Minh [<mailto:Minh.Pham@act.gov.au>]  
**Sent:** Wednesday, 07 June, 2017 10:28 AM  
**To:** [REDACTED]  
**Cc:** English, Terri-Ann <[Terri-Ann.English@act.gov.au](mailto:Terri-Ann.English@act.gov.au)>  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

Thank you for providing the new plans to review. Please allow Terri and I to some time to gather some advice from the residential assessment team and we'll get back to you as soon as we can. Due to competing priorities, we anticipate a response can be given early next week and appreciate your patience.

Regards

Minh | Duty Planner

Phone: 02 6207 8684

Gateway Team | Environment and Planning Directorate | ACT Government

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

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**From:** [REDACTED]  
**Sent:** Wednesday, 7 June 2017 9:47 AM  
**To:** Pham, Minh  
**Cc:** English, Terri-Ann; [REDACTED]  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi Minh,

Thank you for your feedback – I would like to discuss this a little further. As you know, there are **significant** development constraints on this site due to the existing utility networks, some of which are seemingly not even registered/recorded.

We do not feel that a cantilevered structure precludes the sites ability to incorporate deep rooted planting areas. We understand that deep rooted trees or the like cannot be planted directly below a cantilevered structure, however having the structure cantilevered over tree/root protection zones, reduces the built forms impact on deep rooted planting enabling such vegetation to be incorporated into the landscape. This particular site has a 7m x 7m deep root zone in the S-W corner to achieve the desired outcome for the inner north precincts. The deep root zone does not extend along the entire length of a boundary and an existing large tree already exists within this zone. There is room to plant additional deep rooted plants along the southern boundary.

I have attached some drawings to further show our design intent with this cantilevered option, including some images showing built examples with a similar concept.

Is there legislation that states that parts of a building that are cantilevered over the rear zone are included in rear site coverage? I have previously been advised by ACTPLA that they do not, but felt I should seek confirmation prior to developing this concept too much further.

If we cannot develop the site this way, this will result in a significant underdevelopment of the site. A number of the desired outcomes of the inner north precinct code may also be compromised.

Can you please review the attached and consider this approach with regards to the site coverage control and it's intent. As mentioned, I do not feel that this type of development would restrict the sites ability to accommodate deep rooted planting.

Looking forward to hearing from you.

Kind regards,



2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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From: Pham, Minh [<mailto:Minh.Pham@act.gov.au>]

Sent: Tuesday, 06 June, 2017 3:51 PM



Cc: English, Terri-Ann <Terri-Ann.English@act.gov.au>

Subject: FW: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

In regards to your question please find response below. Please note every development application is assessed on a case by case basis. It is up to the applicant to ensure the proposal complies with the Territory Plan and provided a statement against criteria to support the proposal where applicable.

If a driveway ramp is able to be constructed of a permeable material, can it be excluded from the rear site coverage calculations?

We have accepted a number of internal driveways (at grade) that are permeable, i.e, internal driveways of this nature have been excluded from rear site coverage calculation. However, we haven't assessed any proposal that have a permeable driveway ramp, and unsure if this would be structurally possible. Please note it may also be worth contacting Transport Canberra and City Services as they also have construction standards to consider which may not support driveway ramps to be permeable.

If you can also please confirm if parts of the building that are cantilevered over the rear zone are included in rear site coverage or is it only the parts of the building that sit directly on or below natural ground level.

Yes, parts of the building that are cantilevered over the rear zone are included in rear site coverage, however, eaves are excluded. The intent behind this rule is to allow for deep rooted planting areas.

I hope this information is helpful, if you have any further question please don't hesitate to contact Terri or myself.

Regards

Minh

From: [REDACTED]

Sent: Monday, 5 June 2017 3:09 PM

To: English, Terri-Ann

Subject: RE: Pre-Appllcation Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Thank you Terri.

If you can also please confirm if parts of the building that are cantilevered over the rear zone are included in rear site coverage or is it only the parts of the building that sit directly on or below natural ground level.

Many thanks.

kind regards,

[REDACTED]  
2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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**From:** English, Terri-Ann [<mailto:Terri-Ann.English@act.gov.au>]  
**Sent:** Monday, 05 June, 2017 2:29 PM  
**To:** [REDACTED]  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

I'll follow this up and get back to you ASAP.

Regards  
Terri

**From:** [REDACTED]  
**Sent:** Monday, 5 June 2017 1:37 PM  
**To:** Pham, Minh  
**Cc:** English, Terri-Ann  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Thank you Minh.

I do have a question regarding rear site coverage. If a driveway ramp is able to be constructed of a permeable material, can it be excluded from the rear site coverage calculations?

Kind regards,

[REDACTED]  
2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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**From:** Pham, Minh [<mailto:Minh.Pham@act.gov.au>]  
**Sent:** Wednesday, 31 May 2017 4:25 PM  
**To:** [REDACTED]  
**Cc:** English, Terri-Ann <[Terri-Ann.English@act.gov.au](mailto:Terri-Ann.English@act.gov.au)>  
**Subject:** FW: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

Sorry I forgot to mention that we have not received advice from DA leasing as of yet. We will resend the meeting notes when they do add their notes. However if you had any immediate concerns with the lease, you can contact them on 6207 5403 or by emailing [actpladaleasing@act.gov.au](mailto:actpladaleasing@act.gov.au).

Regards

Minh | Duty Planner

Phone: 02 6207 8684

Gateway Team | Environment and Planning Directorate | ACT Government

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

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**From:** Pham, Minh  
**Sent:** Wednesday, 31 May 2017 3:44 PM  
**To:** [REDACTED]  
**Cc:** English, Terri-Ann  
**Subject:** Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Good afternoon [REDACTED]

Thank you for attending a pre-application meeting on 23 May 2017 for the proposal of 8 units on block 1 section 1 in Braddon. Please see the attached meeting notes which includes our details if you have any further questions. In regards to the 30% site coverage, Terri and I have discussed this with our managers including George Cilliers. Although we can understand how the site is very restrictive,

the rule is mandatory and unfortunately no exceptions can be made. If you have any further questions, our contact details have been provided in the meeting notes.

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**From:** Pham, Minh  
**Sent:** Wednesday, 31 May 2017 4:25 PM  
**To:** [REDACTED]  
**Cc:** English, Terri-Ann <Terri-Ann.English@act.gov.au>  
**Subject:** FW: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

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**From:** English, Terri-Ann  
**Sent:** Tuesday, 6 June 2017 2:44 PM  
**To:** Pham, Minh <Minh.Pham@act.gov.au>  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

In regards to your question please find response below. Please note every development application is assessed on a case by case basis. It is up to the applicant to ensure the proposal complies with the Territory Plan and provided a statement against criteria to support the proposal where applicable.

I hope this helps, if you have any further question please don't hesitate to contact Minh.

Regards  
Terri

If a driveway ramp is able to be constructed of a permeable material, can it be excluded from the rear site coverage calculations?

We have accepted a number of internal driveways (at grade) that are permeable, i.e, internal driveways of this nature have been excluded from rear site coverage calculation. However, we haven't assessed any proposal that have a permeable driveway ramp, and unsure if this would be structurally possible. Please note it may also be worth contacting Transport Canberra and City Services as they also have construction standards to consider which may not support driveway ramps to be permeable.

If you can also please confirm if parts of the building that are cantilevered over the rear zone are included in rear site coverage or is it only the parts of the building that sit directly on or below natural ground level.

Yes, parts of the building that are cantilevered over the rear zone are included in rear site coverage, however, eaves are excluded. The intent behind this rule is to allow for deep rooted planting areas.

**From:** [REDACTED]  
**Sent:** Monday, 5 June 2017 3:09 PM  
**To:** English, Terri-Ann  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Thank you Terri.

If you can also please confirm if parts of the building that are cantilevered over the rear zone are included in rear site coverage or is it only the parts of the building that sit directly on or below natural ground level.

Many thanks.

Kind regards,

[REDACTED]  
2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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**From:** English, Terri-Ann [<mailto:Terri-Ann.English@act.gov.au>]  
**Sent:** Monday, 05 June 2017 2:29 PM  
**To:** [REDACTED]  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Hi [REDACTED]

I'll follow this up and get back to you ASAP.

Regards  
Terri

**From:** [REDACTED]  
**Sent:** Monday, 5 June 2017 1:37 PM  
**To:** Pham, Minh  
**Cc:** English, Terri-Ann  
**Subject:** RE: Pre-Application Meeting Notes 1/1 Braddon [SEC=UNCLASSIFIED]

Thank you Minh.

I do have a question regarding rear site coverage. If a driveway ramp is able to be constructed of a permeable material, can it be excluded from the rear site coverage calculations?

kind regards,

[REDACTED]  
2/59 Wentworth Avenue Kingston ACT 2604 | PO Box 3299 Manuka ACT 2603



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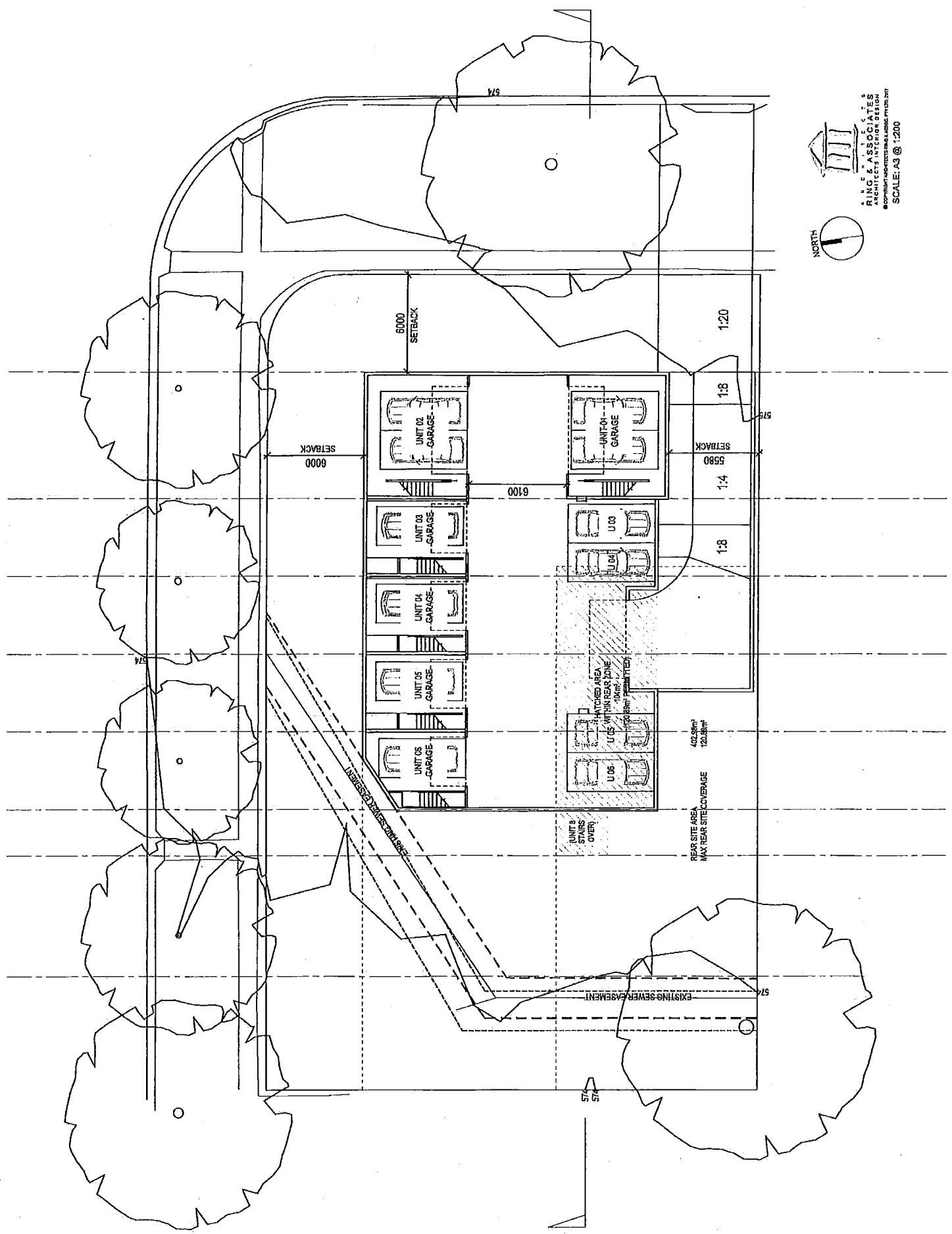
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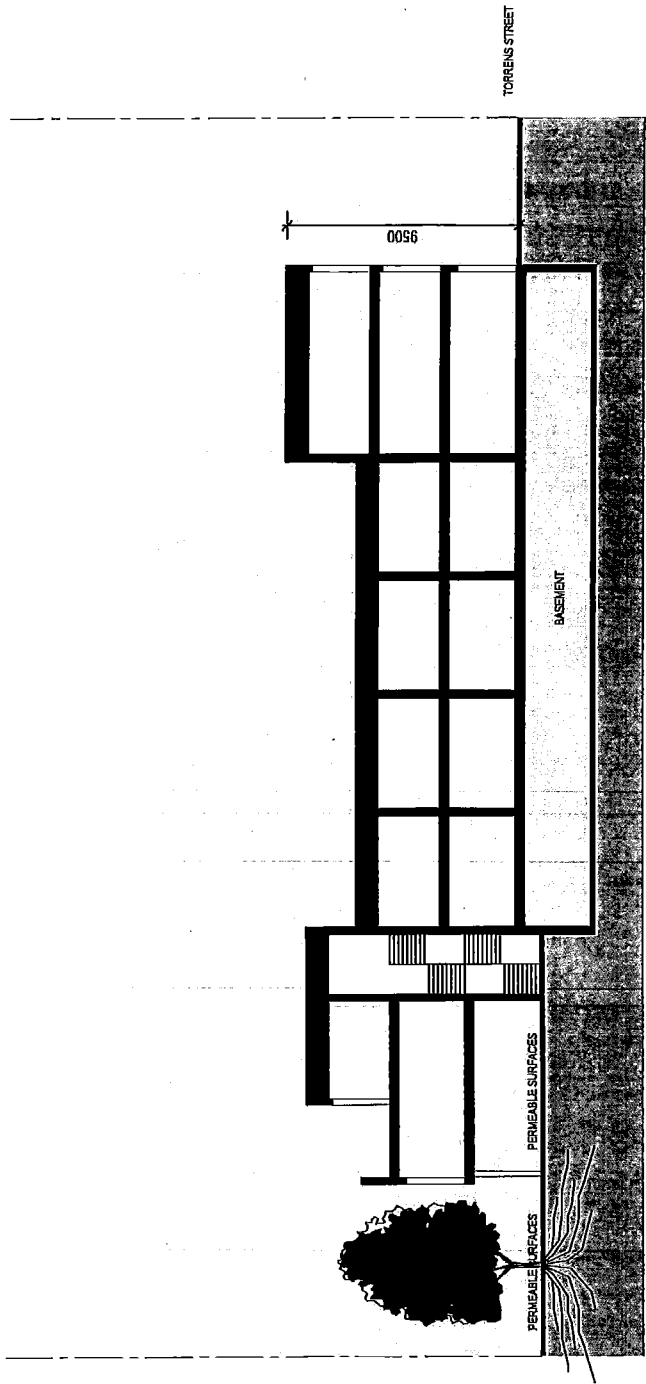
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 DENVER, CO 80202  
 SCALE: A3 @ 1/2" = 1'-0"

