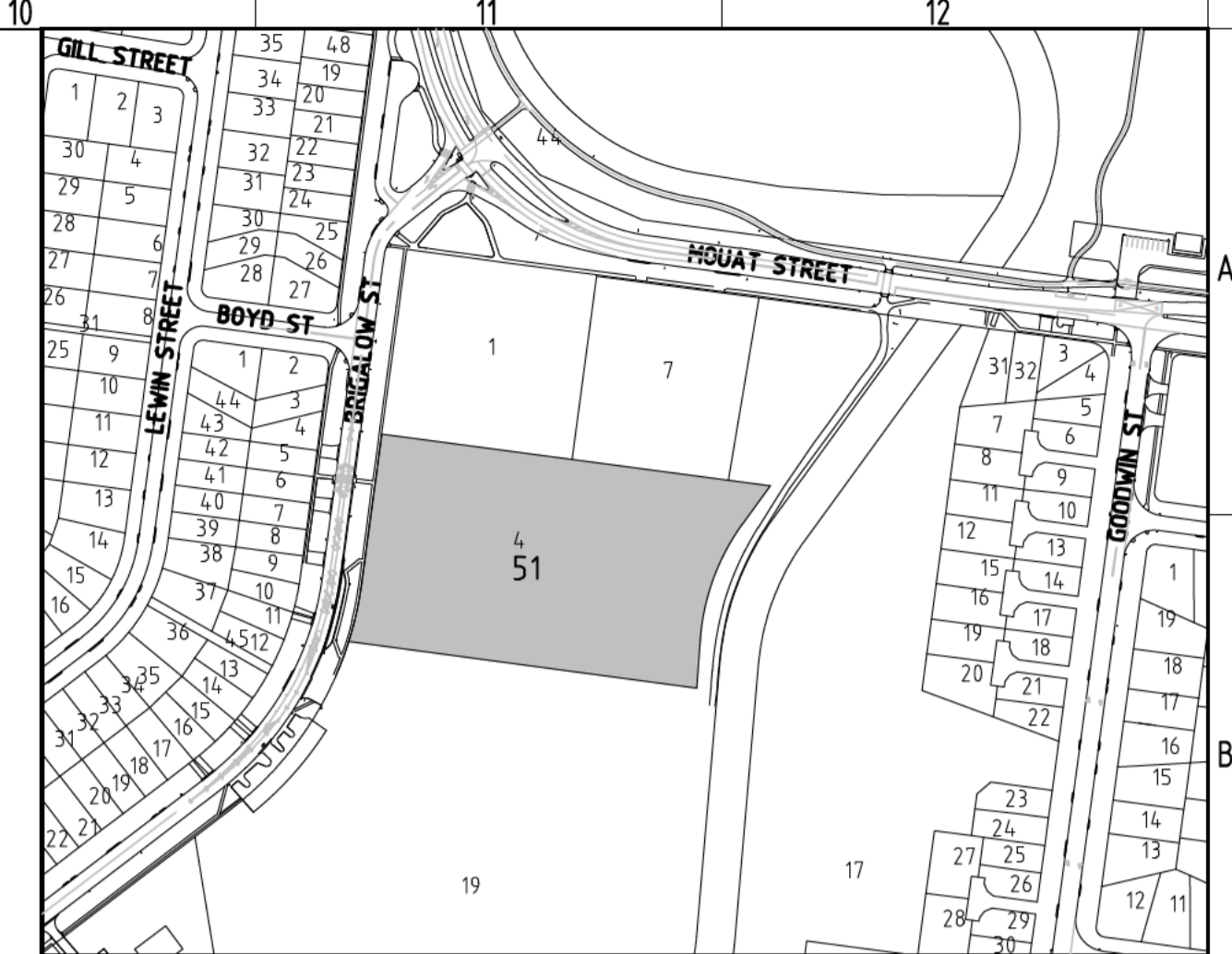


PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 PURSUANT TO SECTION 165

Delegate name AJITH BUDDHADASA
 Date 17/10/2016



LOCALITY PLAN
 NOT TO SCALE

GENERAL NOTES

- ALL WORK ON ICON WATER WATER SUPPLY AND SEWER MAINS TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT ICON WATER, WATER SUPPLY & SEWERAGE STANDARDS RELEASE 2, AMENDMENT 5 SEPTEMBER 2012. ALL WORK ON STORMWATER MAINS TO BE CARRIED OUT IN ACCORDANCE WITH DESIGN STANDARDS FOR URBAN INFRASTRUCTURE AND STANDARD SPECIFICATION FOR URBAN INFRASTRUCTURE WORKS.
- CONNECTIONS AND OR DISCONNECTIONS OF SEWER AND WATER AT THE MAIN TO BE MADE BY ICON WATER AT CONTRACTOR'S EXPENSE. THE CONTRACTOR IS TO EXPOSE THE MAIN AT THE LOCATION OF THE CONNECTION/DISCONNECTION IN PREPARATION FOR THE WORK BY ICON WATER. ALL EXCAVATION IN THE VICINITY OF MAINS IS TO BE CARRIED OUT BY HAND.
- THE CONTRACTOR MUST VISIT THE SITE OF WORKS BEFORE TENDERING AND MAKE ALLOWANCES IN HIS TENDER FOR ALL TOPOGRAPHIC CONSTRAINTS AFFECTING THE EXECUTION OF THE WORKS AND THE RESTORATION OF THE SITE.
- ALTHOUGH THE POSITIONS OF EXISTING UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM AVAILABLE RECORDS, THE CONTRACTOR SHALL CONFIRM THE DEPTH AND LOCATION OF ALL SERVICES ON SITE BEFORE COMMENCING EXCAVATIONS. CONTRACTOR TO ADVISE DESIGN ENGINEER IF NOT IN ACCORDANCE WITH THE PLAN.
- ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM (AHD). ALL COORDINATES ARE BASED ON THE CANBERRA LOCAL GRID SYSTEM.
- THE CONTRACTOR MUST SECURE ALL PERMITS, ARRANGE ALL CLEARANCES AND PAY ALL FEES REQUIRED TO COMPLETE THE PROJECT BEFORE COMMENCING WORK.
- WORK AS EXECUTED DRAWINGS, TIE BOOK AND DEPOSITED PLAN MUST BE SUBMITTED BEFORE CONNECTION.
- ANY NON-METALLIC WATER SERVICE IS TO BE INSTALLED WITH TRACER WIRE AND TESTED.
- EXCESS EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE AND DISPOSED OF AT AN APPROVED SPOIL AREA.
- THE CONTRACTOR SHALL REINSTATE ALL DISTURBED SURFACES TO MATCH EXISTING.
- THE CONTRACTOR IS RESPONSIBLE FOR THE PREPARATION OF ALL NECESSARY TEMPORARY TRAFFIC MANAGEMENT PLANS AND THEIR APPROVAL.
- CONTRACTOR TO CONFIRM DEPTH OF SEWER AND STORMWATER TIE POINTS PRIOR TO COMMENCEMENT OF CONSTRUCTION. ADVISE DESIGN ENGINEER IF NOT IN ACCORDANCE WITH PLAN.

SERVICE STRUCTURES

EXISTING	PROPOSED

SERVICE LINES

EXISTING	PROPOSED

ISSUE	DESCRIPTION	DATE	NS	DRAWN
1	FOR ICON WATER IN PRINCIPLE SUPPORT	31.06.16	NS	
2				

CLIENT
BRINDABELLA CHRISTIAN COLLEGE

ARCHITECT
SQC ARCHITECTS

STRUCTURAL CIVIL HYDRAULIC
 canberra | sydney | brisbane
 02 6201 0200 www.sellickconsultants.com.au

PROJECT TITLE
JUNIOR SCHOOL DEVELOPMENT

DO NOT SCALE OFF DRAWINGS
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DESIGNED BY
 NS

CHECKED BY
 AM

AUTHORISED BY

DATE
 01/06/2016

DRAWING TITLE
EXTERNAL SERVICES PLAN

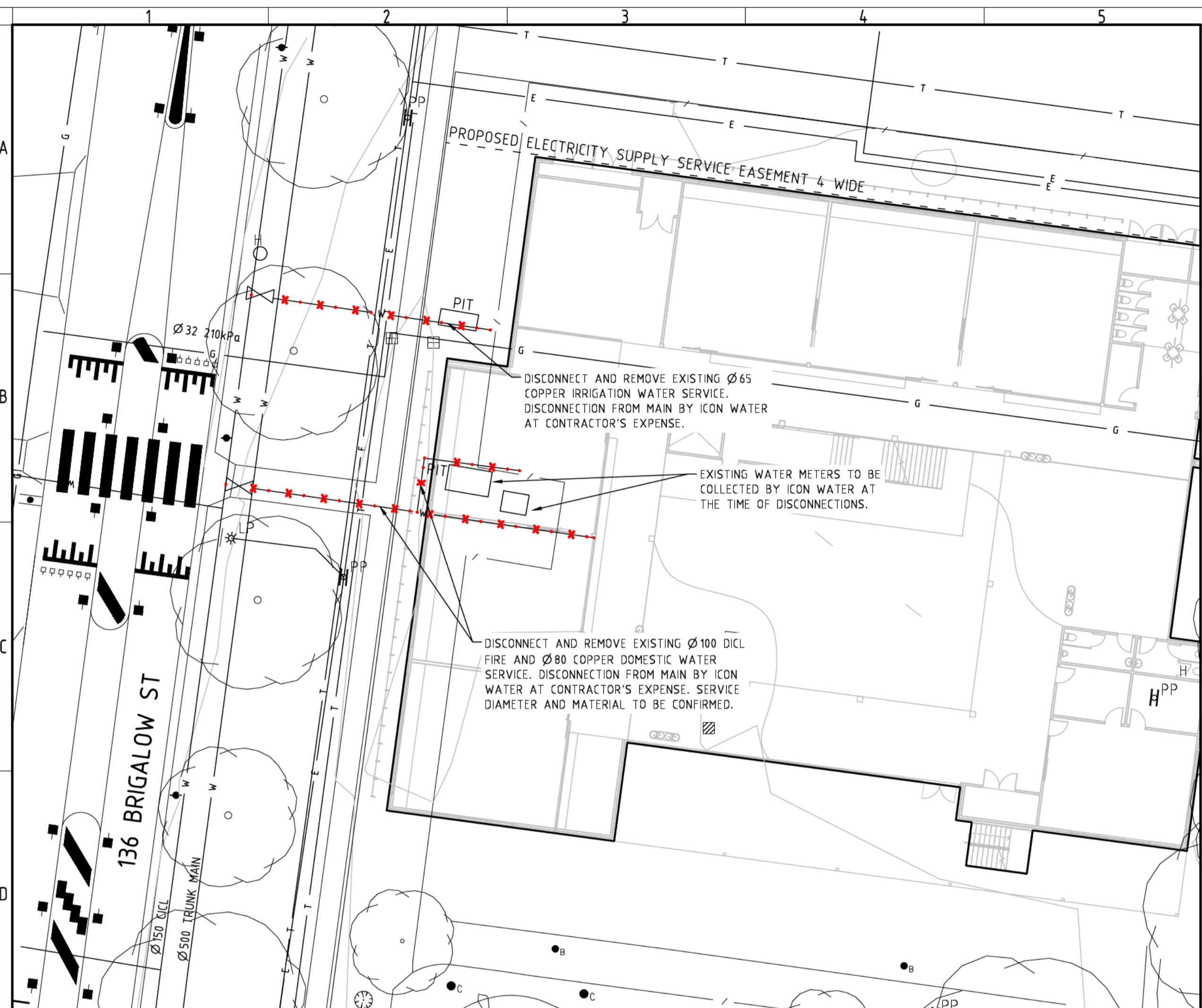
PROJECT LOCATION
**BLOCK 4 SECTION 41
 LYNEHAM, ACT**

SCALE
 0m 5 10 15 20 25
 1:500 @A1 1:1000 @A3

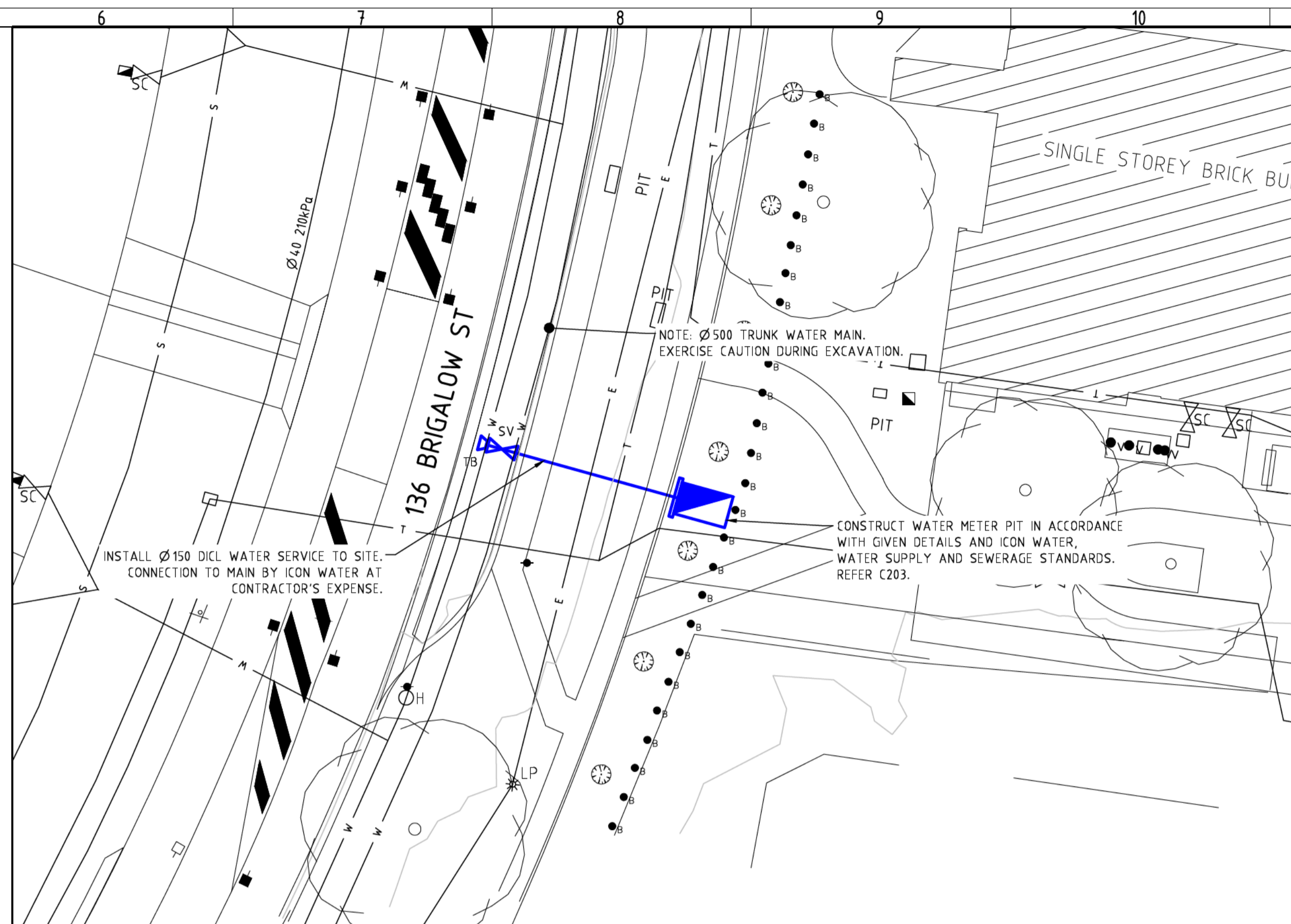
JOB NO.
 150918

DRAWING NO.
 C201

REV.
 A



WATER DISCONNECTION (A)
SCALE 1:200 @ A1



WATER CONNECTION (B)
SCALE 1:200 @ A1

SERVICE STRUCTURES

EXISTING	PROPOSED
ELECTRICAL	

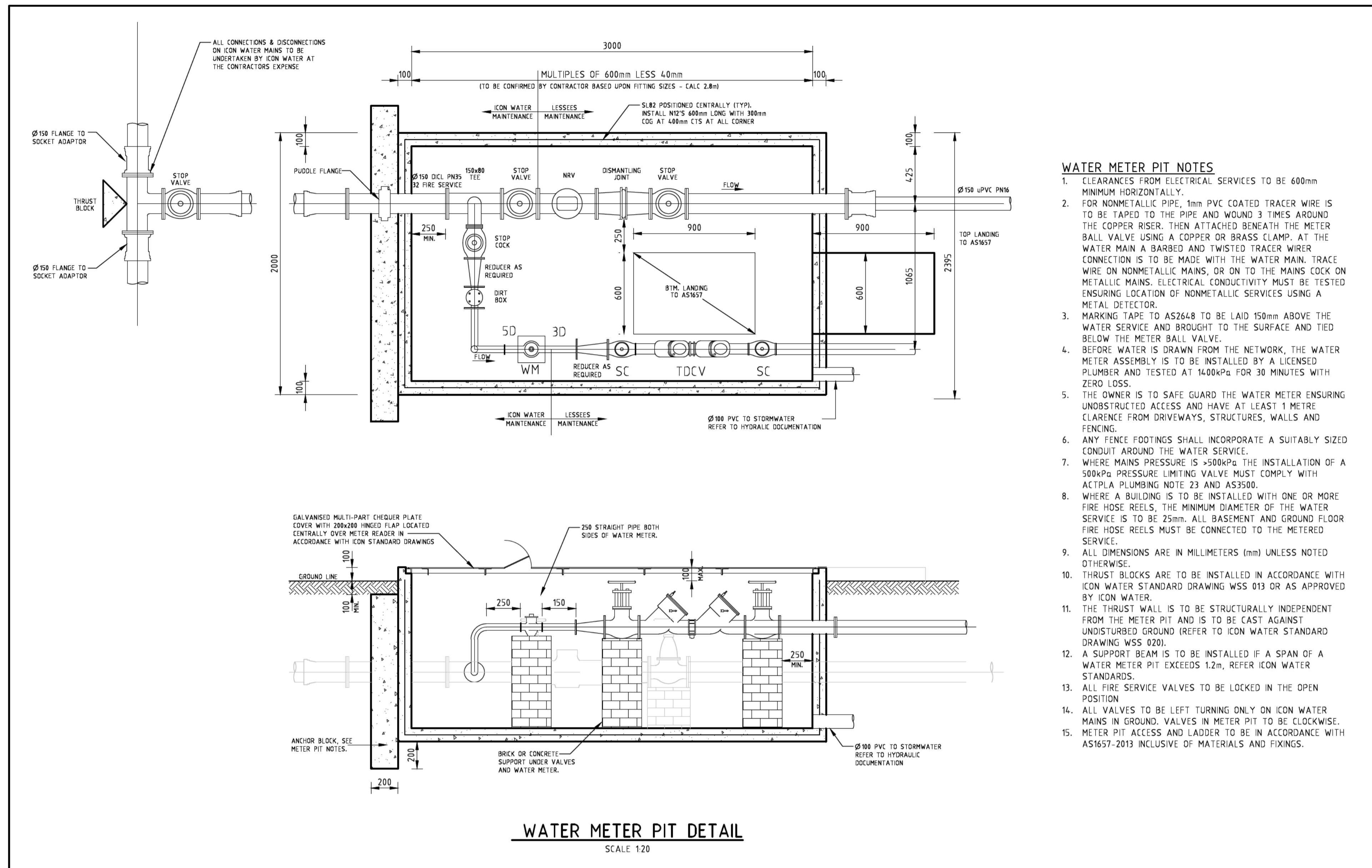
SERVICE LINES

EXISTING	PROPOSED

PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
PURSUANT TO SECTION 165
Delegate name AJITH BUDDHADASA
Date 17/10/2016

<p>FOR ICON WATER IN PRINCIPLE SUPPORT</p> <p>ISSUE 1</p>	<p>01.06.16</p> <p>DATE</p>	<p>NS</p> <p>DRAWN</p>		<p>CLIENT</p> <p>BRINDABELLA CHRISTIAN COLLEGE</p>	<p>ARCHITECT</p> <p>SQC ARCHITECTS</p>	<p>STRUCTURAL CIVIL HYDRAULIC canberra sydney brisbane 02 6201 0200 www.sellickconsultants.com.au</p>	<p>PROJECT TITLE</p> <p>JUNIOR SCHOOL DEVELOPMENT</p>	<p>DESIGNED BY</p> <p>NS</p> <p>CHECKED BY</p> <p>AM</p> <p>AUTHORISED BY</p> <p>DATE</p> <p>01/06/2016</p>	<p>DRAWING TITLE</p> <p>EXTERNAL SERVICES DETAILS</p> <p>PROJECT LOCATION</p> <p>BLOCK 4 SECTION 41 LYNEHAM, ACT</p>	<p>SCALE</p> <p>0m 2 4 6 8 10</p> <p>1:200 @A1 1:400 @A3</p>	<p>JOB NO.</p> <p>150918</p>	<p>DRAWING NO.</p> <p>C202</p>	<p>REV.</p> <p>A</p>

PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 PURSUANT TO SECTION 165
 Delegate name **AJITH BUDDHADASA**
 Date **17/10/2016**



WATER METER PIT NOTES

1. CLEARANCES FROM ELECTRICAL SERVICES TO BE 600mm MINIMUM HORIZONTALLY.
2. FOR NONMETALLIC PIPE, 1mm PVC COATED TRACER WIRE IS TO BE TAPED TO THE PIPE AND WOUND 3 TIMES AROUND THE COPPER RISER, THEN ATTACHED BENEATH THE METER BALL VALVE USING A COPPER OR BRASS CLAMP. AT THE WATER MAIN A BARBED AND TWISTED TRACER WIRE CONNECTION IS TO BE MADE WITH THE WATER MAIN. TRACE WIRE ON NONMETALLIC MAINS, OR ON TO THE MAINS COCK ON METALLIC MAINS. ELECTRICAL CONDUCTIVITY MUST BE TESTED ENSURING LOCATION OF NONMETALLIC SERVICES USING A METAL DETECTOR.
3. MARKING TAPE TO AS2648 TO BE LAID 150mm ABOVE THE WATER SERVICE AND BROUGHT TO THE SURFACE AND TIED BELOW THE METER BALL VALVE.
4. BEFORE WATER IS DRAWN FROM THE NETWORK, THE WATER METER ASSEMBLY IS TO BE INSTALLED BY A LICENSED PLUMBER AND TESTED AT 1400kPa FOR 30 MINUTES WITH ZERO LOSS.
5. THE OWNER IS TO SAFE GUARD THE WATER METER ENSURING UNOBSTRUCTED ACCESS AND HAVE AT LEAST 1 METRE CLARENCE FROM DRIVEWAYS, STRUCTURES, WALLS AND FENCING.
6. ANY FENCE FOOTINGS SHALL INCORPORATE A SUITABLY SIZED CONDUIT AROUND THE WATER SERVICE.
7. WHERE MAINS PRESSURE IS >500kPa THE INSTALLATION OF A 500kPa PRESSURE LIMITING VALVE MUST COMPLY WITH ACTPLA PLUMBING NOTE 23 AND AS3500.
8. WHERE A BUILDING IS TO BE INSTALLED WITH ONE OR MORE FIRE HOSE REELS, THE MINIMUM DIAMETER OF THE WATER SERVICE IS TO BE 25mm. ALL BASEMENT AND GROUND FLOOR FIRE HOSE REELS MUST BE CONNECTED TO THE METERED SERVICE.
9. ALL DIMENSIONS ARE IN MILLIMETERS (mm) UNLESS NOTED OTHERWISE.
10. THRUST BLOCKS ARE TO BE INSTALLED IN ACCORDANCE WITH ICON WATER STANDARD DRAWING WSS 013 OR AS APPROVED BY ICON WATER.
11. THE THRUST WALL IS TO BE STRUCTURALLY INDEPENDENT FROM THE METER PIT AND IS TO BE CAST AGAINST UNDISTURBED GROUND (REFER TO ICON WATER STANDARD DRAWING WSS 020).
12. A SUPPORT BEAM IS TO BE INSTALLED IF A SPAN OF A WATER METER PIT EXCEEDS 1.2m, REFER ICON WATER STANDARDS.
13. ALL FIRE SERVICE VALVES TO BE LOCKED IN THE OPEN POSITION.
14. ALL VALVES TO BE LEFT TURNING ONLY ON ICON WATER MAINS IN GROUND. VALVES IN METER PIT TO BE CLOCKWISE.
15. METER PIT ACCESS AND LADDER TO BE IN ACCORDANCE WITH AS1657-2013 INCLUSIVE OF MATERIALS AND FIXINGS.

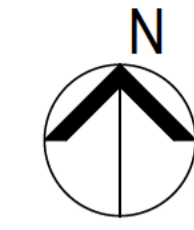
WATER METER PIT DETAIL
 SCALE 1:20

CLIENT BRINDABELLA CHRISTIAN COLLEGE		ARCHITECT SQC ARCHITECTS		PROJECT TITLE JUNIOR SCHOOL DEVELOPMENT		DESIGNED BY NS		DRAWING TITLE WATER METER PIT DETAIL		SCALE AS SHOWN	
FOR ICON WATER IN PRINCIPLE SUPPORT		DATE 31.06.16		DRAWN NS		CHECKED BY AM		PROJECT LOCATION BLOCK 4 SECTION 41 LYNEHAM, ACT		JOB NO. 150918	
ISSUE 1		DATE 2		DRAWN 3		AUTHORISED BY DATE 01/06/2016		DRAWING NO. C203		REV. A	

FOR ICON WATER IN PRINCIPLE SUPPORT
 DATE 31.06.16
 DRAWN NS



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PLANNING AND DEVELOPMENT ACT 2007
APPROVAL GRANTED
 PURSUANT TO SECTION 165
 Delegate name AJITH BUDDHADASA
 Date 17/10/2016

FUTURE STUDENTS CURRENTLY HOUSED IN THE TRIxie RUDDER BUILDING AND D-BLOCK

BICYCLE PARKING 20 PLACES
 BICYCLE ENCLOSURE 10 PLACES

D-BLOCK TO BE DEMOLISHED AT COMPLETION OF JUNIOR SCHOOL BUILDING

BICYCLE PARKING 4 PLACES

TRIXIE RUDDER BUILDING 5 CLASS ROOMS

D-BLOCK 9 CLASS ROOMS

2 CLASS ROOMS

JUNIOR SCHOOL

4 CLASS ROOMS

ENCLOSED PLAYGROUND AREA BELONGING TO THE EARLY LEARNING CENTRE

BICYCLE STORE 17 PLACES

LOCATION FOR 5X MOTOR CYCLE CAR PARKING

LOCATION FOR 1X ACCESSIBLE CAR PARKING SPACE

LOCATION FOR 4X ACCESSIBLE CAR PARKING SPACES

ALL NUMBERS FOR CAR PARKING ALLOWANCES ACCORDING TO PARKING REPORT SUPPLIED AS PART OF THE DA SUBMISSION

Amendment Register		
No	Date	Amendment
A	23-08-16	ISSUE FOR FURTHER INFORMATION



Architect:
SQC ARCHITECTURE
 Suite 4 Hawker Professional Centre
 Hawker Place, Hawker ACT 2614
 T +61 2 6278 3500
 E studio@sqa.com.au
 Planning Members National ACT Act 1993

 sqca.com.au
 ARCHITECTURE ACCESS HERITAGE INTERIORS

Client:
BRINDABELLA CHRISTIAN COLLEGE
 Project Title:
PROPOSED JUNIOR SCHOOL BUILDING
 All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings. Where provided, drawings must be read in conjunction with schedule of work or specification.

Project Status:
DEVELOPMENT APPROVAL
 Project Address:
 136 Brigalow Street, LYNEHAM ACT 2602
 Block: 4 Section: 41 Divison: LYNEHAM

Drawing Title:
STUDENT LOCATIONS CAR PARKING ALLOCATIONS
 Project Number: 1506.06 Design Architect: NG Project Architect: SDV Design Verifier: RS
 Scale: 1 : 400@A1 || Half Scale @A3 Drawn: SDV
 QA Ref: 1506.06 Sheet No: A005 Amendment: A
 © Copyright 2016/2015 SQCA

C:\Users\shane.SQCA\Documents\1506.06 BCC Junior School 2015_Landscape



Mr Remco De Vries
SQC Architecture
9 Wrixon Street
Latham ACT 2615

Dear Remco De Vries

BLOCK 4 SECTION 41 - LYNEHAM
Application Number: 201629628
Lessee: Brindabella Christian Education Limited

I refer to the plans/information you submitted in response to Condition A2 of the Notice of Decision with respect to the above Development Application.

The plans/information now satisfies Condition A2 of the decision and have been endorsed to form part of the above Development Approval.

Enclosed are copies of the approved plans.

Please note that any other outstanding conditions of approval in the Notice of Decision may need to be addressed prior to development commencing on the site.

If you would like to discuss this matter further please telephone me on 02 62051550.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ajith Buddhadasa". The signature is fluid and cursive, written over a horizontal line.

Mr Ajith Buddhadasa
Senior Assessment Officer

17 October 2016

From: EPD, Customer Services
Sent: Monday, 17 October 2016 9:06 AM
To: 'studio@sqca.com.au'
Cc: 'gregz@wings-of-eagles.com'
Subject: ENDORSMENT LETTER & PLANS-201629628-4/41 LYNEHAM [SEC=UNCLASSIFIED]

Good Morning,

Please see attached Endorsement letter & Approved Plans for 4/41 LYNEHAM
Development Application No: 201629628

Kind regards,

Customer Services

Phone: 02 6207 1923

Access Canberra | Environment & Planning | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson ACT | GPO Box 1908 Canberra ACT 2601

Please consider the environment before printing this e-mail



From: Cilliers, George
Sent: Wednesday, 4 October 2017 2:36 PM
To: Nicholas Goodwin
Cc: Buddhadasa, Ajith; Taylor, Bob
Subject: RE: RE : B4 S41 Lyneham - DA No201629628 - Conditions of Approval [SEC=UNCLASSIFIED]
Attachments: 20170802 ltr GC re condition review non draft.pdf

Good afternoon Nicholas,

Apologies for not responding to your initial email in this regard. I'd say that the appropriate way to deal with this would be through the reconsideration process identified under Section 190 – 195 of the *Planning and Development Act 2007*. The relevant form can be found at <http://www.legislation.act.gov.au/af/2017-27/current/pdf/2017-27.pdf> Reconsideration usually happens with a short timeframe after the decision, but you may deem this email as an extension to that timeframe to enable you to lodge such an application. Reconsideration applications gets notified to all representors and the planning and land authority has 20 working days to make a decision.

Regards

George Cilliers | Snr Manager (Development Assessment)

Phone 02 6207 6804

Planning Delivery | Environment, Planning and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au

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.

From: Nicholas Goodwin [mailto:Nicholas.Goodwin@sqca.com.au]
Sent: Wednesday, 4 October 2017 12:15 PM
To: Cilliers, George
Subject: FW: RE : B4 S41 Lyneham - DA No201629628 - Conditions of Approval

Good morning George,

I sent you the attached letter and email in August regarding a project we are the Architects for at Brindabella Christian College Lyneham.

I realise you are very busy and have a lot of projects across your desk, but as I haven't had a reply and the project is nearing completion, I am following up the issue with you.

Can you please provide a response or advise on the status. I will follow up with a call either today or tomorrow. Please feel free to call me

If you have any questions please do not hesitate to call.

Kind Regards,



NICHOLAS GOODWIN

DIRECTOR \\ SNR ARCHITECT \\ CONSERVATION ARCHITECT \\ ACCESS CONSULTANT

MBAEnv BArch, RAlA, Registered Architect ACT 858 QLD 5020

SQC ARCHITECTURE

Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617

T 02 6278 8500 **M** 0406 379 729

E nicholas.goodwin@sqca.com.au

sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020

From: Nicholas Goodwin

Sent: Friday, 4 August 2017 12:39 PM

To: 'george.cilliers@act.gov.au'

Subject: FW: RE : B4 S41 Lyneham - DA No201629628 - Conditions of Approval

George,

I just noticed on my print out that I forgot to remove the draft watermark. Please find attached amended version. My apologies for this inconvenience

If you have any questions please do not hesitate to call.

Kind Regards,



NICHOLAS GOODWIN

DIRECTOR \ \ SNR ARCHITECT \ \ CONSERVATION ARCHITECT \ \ ACCESS CONSULTANT

MBEnv BArch, RAIA, Registered Architect ACT 858 QLD 5020

SQC ARCHITECTURE

Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617

T 02 6278 8500 **M** 0406 379 729

E nicholas.goodwin@sqca.com.au

sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020

From: Nicholas Goodwin

Sent: Friday, 4 August 2017 12:32 PM

To: 'george.cilliers@act.gov.au'

Cc: 'Greg Zwajgenberg'; Mewett; John Ramanu; Sander de Vries

Subject: RE : B4 S41 Lyneham - DA No201629628 - Conditions of Approval

Good Afternoon George,

We are the Architects for the project covered by the Above DA number. We are writing to seek your consideration of an amendment to one of the conditions of approval for the Development Application. As you will see from the attached letter, we are no longer able to comply with the condition as written due to delays imposed on the construction program by external Authority (Icon Water) approvals.

Thank you for your consideration of this request. I would be happy to discuss if you have any questions. Please feel free to call me on 6278 8500

If you have any questions please do not hesitate to call.

Kind Regards,



NICHOLAS GOODWIN

DIRECTOR \\ SNR ARCHITECT \\ CONSERVATION ARCHITECT \\ ACCESS CONSULTANT
MBEnv BArch, RAlA, Registered Architect ACT 858 QLD 5020

SQC ARCHITECTURE

Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617

T 02 6278 8500 **M** 0406 379 729

E nicholas.goodwin@sqca.com.au

sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020

From: John Ramanu <John.Ramanu@sqca.com.au>
Sent: Tuesday, 17 October 2017 4:27 PM
To: EPD, Customer Services
Cc: Nicholas Goodwin
Subject: DA ID 201629628- Application For Reconsideration
Attachments: 20171016150808.pdf; 20170802 ltr GC re condition review non draft.pdf

Hi,

As advised earlier with my discussions with Lindel, these documents are not uploaded via E-development, but via email to this email address. Please advise otherwise.

If you have any questions please do not hesitate to call.

Kind Regards,



JOHN RAMANU

ARCHITECT

March, Registered Architect ACT 2548

SQC ARCHITECTURE

Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617

T 02 6278 8500 **M** 0450 481 981

E john.ramanu@sqca.com.au

sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020



ACT
Government

Environment, Planning and
Sustainable Development

Planning and Development Act 2007, s425

FORM

APPLICATION FOR RECONSIDERATION

Application for Reconsideration

Refusal of Development Application

For applications assessed in the Merit and Impact assessment tracks **only**

Insert Development Application Number to which this application relates:

20.....

Conditions of Approval

For applications assessed in the Code, Merit and Impact assessment tracks

Insert Development Application Number to which this application relates:

20.1629628

Refusal of an Amendment

For amendments assessed in the Merit and Impact assessment tracks **only**

Insert amendment number to which this application relates:

20.....

Amendment approved with conditions

For amendments assessed in the Code, Merit and Impact assessment tracks

Insert amendment number to which this application relates:

20.....

Please specify grounds on which reconsideration of the original decision is sought:

DUE TO SIGNIFICANT DELAYS TO PROGRAM CAUSED BY AUTHORITIES
+ CIRCUMSTANCES BEYOND OUR CLIENTS CONTROL WE ARE SEEKING
AMENDMENT TO ONE OF THE CONDITIONS RELATING TO OCCUPATION ON COMPLETION

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	<input type="text" value="NICHOLAS"/>	First Name	<input type="text" value="GOODWIN"/>
Company Name	<input type="text" value="SQC ARCHITECTURE"/>		
Position held in company	<input type="text" value="DIRECTOR"/>	Australian Company Number (ACN)	<input type="text" value=""/>
Postal Address	<input type="text" value="UNIT 3 LEVEL 1, 22 THYNNE STREET BRUCE ACT 2617 (WAS PO BOX 4462 HAWKER BUT WE HAVE MOVED)"/>		
Suburb	<input type="text" value="BRUCE"/>	State	<input type="text" value="ACT"/>
		Postcode	<input type="text" value="2617"/>
Phone Number Business Hours	<input type="text" value="02 6278 8500"/>	Mobile	<input type="text" value="0406 379 729"/>
EMAIL ADDRESS	<input type="text" value="nicholas.goodwin@sqca.com.au"/>		

Lessee (Property Owners) Details Please Print

1st Lessee's Details (or Government Land Manager)

Surname	<input type="text" value="ZWAJGENBERG"/>	First Name	<input type="text" value="GREG"/>
Company Name	<input type="text" value="BRINDABELLA CHRISTIAN EDUCATION PTY LTD"/>		
Position held in company	<input type="text" value="BOARD CHAIR"/>	Australian Company Number (ACN)	<input type="text" value="21 100 229 699"/>
Postal Address	<input type="text" value="P.O BOX 5103"/>		
Suburb	<input type="text" value="LYNEHAM"/>	State	<input type="text" value="ACT"/>
		Postcode	<input type="text" value="2602"/>
Phone Number Business Hours	<input type="text" value="6247 4644."/>	Mobile	<input type="text" value=""/>
EMAIL ADDRESS	<input type="text" value="Finance@bcc.act.edu.au."/>		

All lessees must sign authorising the lodgement of this application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.

Lessee (Property Owners) Details continued

2nd Lessee's Details (or Government Land Manager)

Surname

First Name

Company Name

Position held in company

Australian Company Number (ACN)

Postal Address

Suburb

State

Postcode

Phone Number Business Hours

Mobile

EMAIL ADDRESS

Provision of Notice of Reconsidered Decision

Your notice of reconsidered decision will be returned via email. Please ensure you have provided an email address.

Documentation Supporting Application

Have you provided documentation to support your application?

NO

YES

LETTER TO MR GEORGE CILLIERS 2/8/2017

Have you amended your plans to support your application?

NO

YES

If YES

Please provide a copy of plans with this application and describe the impact (if any) on other conditions of approval.

Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007* the Planning and Land Authority must make the details and associated documents relevant to a development application available for public inspection.

If you wish to apply to have all or part of this development application excluded from public inspection you must meet the requirements of Section 411(5) or 412(1) of the Planning and Development Act 2007.

Exclusion from Public Inspection Requested

YES

NO

If Yes – please indicate under which section of Planning & Development Act 2007

S.411(5) Restriction on Public Availability

***S.412(1)** Restriction on Public Availability SECURITY

Please specify the information to be excluded from public inspection and provide reasons for exclusion:

* if exclusion is requested under Section 412(1) a letter, signed by a justice Minister, certifying this request satisfies the requirements of the Planning and Development Act 2007 **must** accompany this application.

Conflict of Interest Declaration

Does the applicant or lessee have any association with EPD staff?

NO

YES

If YES please provide details:

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.

Applicant and Lessee Declaration

I/we the undersigned, declare that this application is accompanied by all of the required information and or documents and understand that the documentation provided on CD/DVD or via electronic lodgement process (email or internet) will be considered to be the relevant documentation associated with this application;

I/we understand that the information submitted with this application form will undergo a documentation check. I/we understand that this application will be considered lodged once the relevant application fees have been paid;




I/we hereby authorise ACT Government officers to access the subject property(s) for the purpose of evaluating the proposal;

I/we the undersigned (lessee) appoint the applicant whose name and signature appear below to act on my/our behalf in relation to this application. This authorises the applicant to pay for all application fees, bonds, and securities, liaise with the planning and land authority when required, alter amend or provide further information as necessary and receive any communications relating to this application;

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	<input type="text" value="16/10/17"/>
1 st Lessee Signature		Date	<input type="text" value="5.10.17"/> x
2 nd Lessee Signature		Date	<input type="text" value="5-10-2017"/> x
Govt Land Managers Signature (unleased land only)	<input type="text"/>	Date	<input type="text"/>
Delegate of the Planning and Land Authority (unleased land only)	<input type="text"/>	Date	<input type="text"/>

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, the Australian Valuation 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.

Contact Details:

Environment, Planning and Sustainable Development Directorate

Customer Service Centre

GPO Box 158, Canberra City 2601

16 Challis Street, Dickson ACT 2602

Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)

Phone: (02) 6207 1923

Email: epdcustomerservices@act.gov.au Website: www.planning.act.gov.au

20170802 ltr GC re cond review

3 August 2017

Applications Secretariat
Environment Planning and Sustainability Directorate
PO Box 365
MITCHELL, ACT, 2911

Attention: Mr George Cilliers

Dear George

**RE DA No 201629628 - Block 4 Section 41 Lyneham
Request for review of Approval Condition**

SQC Architecture are the Architects for the Brindabella Christian College who are the Lessees of Block 4 Section 41 Lyneham. We are also the Architects for the Classroom Building which is the subject of DA No 2016 29628.

The DA was approved on 21 June 2016, and works are progressing well on site. We are writing to seek your review of one of the conditions of approval of the DA.

Condition A1 requires that:

"The building approved in this decision must not be used until existing Building 2 and two demountable type classrooms are disconnected from utility services to them. Evidence of disconnection of utility services must be provided to the planning and land authority prior to the issuance of a Certificate of Occupancy and Use for the new Building"

At the commencement of the project this condition was quite achievable for our client as the project was programmed to be completed in the Term 3 – 4 school holidays. This would allow the move of equipment and furniture into the new building from the Building D during the holidays and subsequent disconnection of services. It was also planned to commence demolition of the building during these holidays.

Building D accommodates some of the students who will occupy the new classroom building (Junior School). Other students in Building D who are not Junior School classes will move from Building D into a building vacated by the Junior School students. This will then leave Building D vacant and ready to disconnect and then demolish.

Due to unforeseen circumstances beyond the control of the school and the builder, there have been significant delays imposed on the project. Commencement of Works was delayed nearly 4 months waiting on approvals and works by Icon Water associated with a water main relocations. Consequently the contingency in the program has been lost and the completion date pushed back beyond October despite the best efforts of our building contractor Built.

The project is now planned to be completed in mid November. Due to the delays caused by Icon, we have now lost the planned opportunity to decant from Building D to the new building during the holidays. The move will now have to occur over a weekend, which with the expectation that the students would commence use of the new building on the Monday

Consequently we are in a position where complying with Condition A1 as written is not possible.

We seek your approval to the following amendment to condition A1:

- That as soon as practicable In the week after occupation of the new building, Building D and the two Demountable buildings are disconnected from services and evidence of this disconnection is provided to the Planning and Land Authority;
- That prior to occupation of the building an application for demolition of Building D is lodged d with the relevant Authority and a commencement notice issued, (including hazardous material removal application).

We present this proposal to you for consideration and seek your approval or comment in writing as soon as possible to allow our client to proceed with planning for the relocation of students to the new building.

If you have any questions regarding this proposal, please call me on 6278 8500.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nicholas Goodwin', written in a cursive style.

Nicholas Goodwin AIA
Director \\ Snr Architect

From: Nicholas Goodwin <Nicholas.Goodwin@sqca.com.au>
Sent: Wednesday, 25 October 2017 8:56 AM
To: EPD, Customer Services
Cc: John Ramanu
Subject: Reconsideration completeness check - 201629628 - 4/41 Lyneham - 01
Attachments: 20171025 App reconsideration 201629628 4 41 Lyneham - 01.pdf

In response to the email from Katherine on 23 October, Please find attached our completed form with the 2 points of additional information added as requested

If you have any questions please do not hesitate to call.

Kind Regards,



NICHOLAS GOODWIN

DIRECTOR \ \ SNR ARCHITECT \ \ CONSERVATION ARCHITECT \ \ ACCESS CONSULTANT

MBAEnv BArch, RAlA, Registered Architect ACT 858 QLD 5020

SQC ARCHITECTURE

Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617

T 02 6278 8500 **M** 0406 379 729

E nicholas.goodwin@sqca.com.au

sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020



ACT
Government

Environment, Planning and
Sustainable Development

Planning and Development Act 2007, s425

FORM

APPLICATION FOR RECONSIDERATION

Application for Reconsideration

- Refusal of Development Application**
For applications assessed in the Merit and Impact assessment tracks **only**
Insert Development Application Number to which this application relates:
20.....
- Conditions of Approval**
For applications assessed in the Code, Merit and Impact assessment tracks
Insert Development Application Number to which this application relates:
20.1629628
- Refusal of an Amendment**
For amendments assessed in the Merit and Impact assessment tracks **only**
Insert amendment number to which this application relates:
20.....
- Amendment approved with conditions**
For amendments assessed in the Code, Merit and Impact assessment tracks
Insert amendment number to which this application relates:
20.....

Please specify grounds on which reconsideration of the original decision is sought:

DUE TO SIGNIFICANT DELAYS TO PROGRAM CAUSED BY AUTHORITIES
+ CIRCUMSTANCES BEYOND OUR CLIENTS CONTROL WE ARE SEEKING
AMENDMENT TO ONE OF THE CONDITIONS RELATING TO OCCUPATION ON COMPLETION

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	<input type="text" value="NICHOLAS"/>	First Name	<input type="text" value="GOODWIN"/>		
Company Name	<input type="text" value="SQC ARCHITECTURE"/>				
Position held in company	<input type="text" value="DIRECTOR"/>	Australian Company Number (ACN)	<input type="text" value=""/>		
Postal Address	<input type="text" value="UNIT 3 LEVEL 1, 22 THYNNE STREET BRUCE ACT 2617 (WAS PO BOX 4462 HAWKER BUT WE HAVE MOVED)"/>				
Suburb	<input type="text" value="BRUCE"/>	State	<input type="text" value="ACT"/>	Postcode	<input type="text" value="2617"/>
Phone Number Business Hours	<input type="text" value="02 6278 8500"/>	Mobile	<input type="text" value="0406 379 729"/>		
EMAIL ADDRESS	<input type="text" value="nicholas.goodwin@sqa.com.au"/>				

Lessee (Property Owners) Details Please Print1st Lessee's Details (or Government Land Manager)

Surname	<input type="text" value="ZWAJGENBERG"/>	First Name	<input type="text" value="GREG"/>		
Company Name	<input type="text" value="BRINDABELLA CHRISTIAN EDUCATION PTY LTD"/>				
Position held in company	<input type="text" value="BOARD CHAIR"/>	Australian Company Number (ACN)	<input type="text" value="21 100 229 699"/>		
Postal Address	<input type="text" value="P.O BOX 5103"/>				
Suburb	<input type="text" value="LYNEHAM"/>	State	<input type="text" value="ACT"/>	Postcode	<input type="text" value="2602"/>
Phone Number Business Hours	<input type="text" value="6247 4644."/>	Mobile	<input type="text" value=""/>		
EMAIL ADDRESS	<input type="text" value="Finance@bcc.act.edu.au."/>				

All lessees **must** sign authorising the lodgement of this application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.

Lessee (Property Owners) Details continued

2nd Lessee's Details (or Government Land Manager)

Surname First Name

Company Name

Position held in company Australian Company Number (ACN)

Postal Address

Suburb State Postcode

Phone Number Business Hours Mobile

EMAIL ADDRESS

Provision of Notice of Reconsidered Decision

Your notice of reconsidered decision will be returned via email. Please ensure you have provided an email address.

Documentation Supporting Application

Have you provided documentation to support your application? NO

YES *LETTER TO MR GEORGE CILLIERS 2/8/2017*

Have you amended your plans to support your application? NO

NO CHANGES REQUIRED YES

If YES

Please provide a copy of plans with this application and describe the impact (if any) on other conditions of approval.

Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007* the Planning and Land Authority must make the details and associated documents relevant to a development application available for public inspection.

If you wish to apply to have all or part of this development application excluded from public inspection you must meet the requirements of Section 411(5) or 412(1) of the Planning and Development Act 2007.

Exclusion from Public Inspection Requested

- YES
- NO

If Yes – please indicate under which section of Planning & Development Act 2007

- S.411(5)** Restriction on Public Availability
- *S.412(1)** Restriction on Public Availability SECURITY

Please specify the information to be excluded from public inspection and provide reasons for exclusion:

* if exclusion is requested under Section 412(1) a letter, signed by a justice Minister, certifying this request satisfies the requirements of the Planning and Development Act 2007 **must** accompany this application.

Conflict of Interest Declaration

Does the applicant or lessee have any association with EPD staff?

- NO
- YES

If YES please provide details:

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.

Applicant and Lessee Declaration

I/we the undersigned, declare that this application is accompanied by all of the required information and or documents and understand that the documentation provided on CD/DVD or via electronic lodgement process (email or internet) will be considered to be the relevant documentation associated with this application;

I/we understand that the information submitted with this application form will undergo a documentation check. I/we understand that this application will be considered lodged once the relevant application fees have been paid;

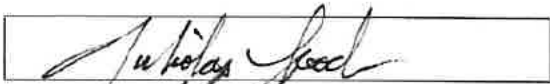
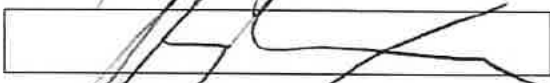
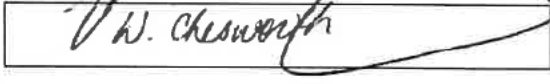
I/we hereby authorise ACT Government officers to access the subject property(s) for the purpose of evaluating the proposal;

I/we the undersigned (lessee) appoint the applicant whose name and signature appear below to act on my/our behalf in relation to this application. This authorises the applicant to pay for all application fees, bonds, and securities, liaise with the planning and land authority when required, alter amend or provide further information as necessary and receive any communications relating to this application;

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	<input type="text" value="16/10/17"/>
1 st Lessee Signature		Date	<input type="text" value="5.10.17"/> x
2 nd Lessee Signature		Date	<input type="text" value="5-10-2017"/> x
Govt Land Managers Signature (unleased land only)	<input type="text"/>	Date	<input type="text"/>
Delegate of the Planning and Land Authority (unleased land only)	<input type="text"/>	Date	<input type="text"/>

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, the Australian Valuation 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.

Contact Details:

Environment, Planning and Sustainable Development Directorate

Customer Service Centre

GPO Box 158, Canberra City 2601

16 Challis Street, Dickson ACT 2602

Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)

Phone: (02) 6207 1923

Email: epdcustomerservices@act.gov.au Website: www.planning.act.gov.au



Fee Advice Payments - EPSDD - Tax receipt

This transaction will appear on your credit card statement as ACCESS CANB INTERNET.

Date and time	Reference code	Payment receipt number	Total amount paid
27 Oct 2017 2:01:00 PM	4ZY3LF	2044704309	\$324.00

Environment, Planning and Sustainable
Development Directorate
ABN81 633 873 422

GPO Box 158
Canberra ACT 2601

Email: epdcustomerservices@act.gov.au
Phone: 02 6207 1923

Fee Advice Payments - EPSDD

This payment is for: *

Reconsideration - DA

Item Number 1

Suburb/District *	Section *	Block *	Unit(s)
LYNEHAM	41	4	

If you require help with suburb/district, section or block details, visit [ACTMAPI](#).

Reference

201629628

I declare that the payment is being made in accordance with the fee advice I have received by Environment, Planning and Sustainable Development Directorate. *

Payer name *

Phone number *

Payment amount

\$324.00

From: EPD, Customer Services
Sent: Wednesday, 1 November 2017 4:52 PM
To: [REDACTED]
Subject: LETTER TO REPRESENTOR-201629628-RECONSIDERATION [REDACTED]
[SEC=UNCLASSIFIED]

Dear [REDACTED]

The Environment and Planning Directorate has received an Application for Reconsideration for the following Development Application.

<p>Block: 4 Section: 41 Suburb: LYNEHAM Address: 136 Brigalow Street Lyneham Development Application Number: 201629628</p>

The Application for Reconsideration is being applied against:

Refusal of the Development Application.

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

If you feel that the Application for Reconsideration may affect you in any way, written comments may be forwarded to Customer Service, GPO Box 365, Mitchell ACT 2601, via e-mail to epdcustomerservices@act.gov.au or delivered to the Environment and Planning Directorate Customer Service Centre, 16 Challis Street, Dickson, by no later than **17 NOVEMBER 2017**. Copies of all correspondence received will be forwarded to the applicant and also made available for public inspection.

If you require any further information please contact Customer Service on (02) 6207 1923.

Yours sincerely

Customer Service
Environment and Planning Directorate
01 November 2017

From: [REDACTED]
Sent: Monday, 13 November 2017 8:42 PM
To: EPD, Customer Services
Subject: Re: LETTER TO REPRESENTOR-201629628-RECONSIDERATION [REDACTED]
[SEC=UNCLASSIFIED]

To whom it may concern

Thank you for the opportunity to comment on the Application for Reconsideration against the refusal of the application to amend condition A1, Development Application Number: 201629628.

I think condition A1 should only be amended as requested in the application if the Environment Planning and Sustainable Development Directorate is able to put sufficient checks in place to ensure that utilities are disconnected within one week of the occupation of the new building. Unless this can be guaranteed, I would not want to see this application approved.

Kind regards

Jodie Pipkorn

On Wed, Nov 1, 2017 at 4:27 PM, EPD, Customer Services <EPDCustomerServices@act.gov.au> wrote:

Dear [REDACTED]

The Environment and Planning Directorate has received an Application for Reconsideration for the following Development Application.

Block: 4 Section: 41 Suburb: LYNEHAM

Address: 136 Brigalow Street Lyneham

Development Application Number: 201629628

The Application for Reconsideration is being applied against:

[Refusal of the Development Application.](#)

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

If you feel that the Application for Reconsideration may affect you in any way, written comments may be forwarded to Customer Service, GPO Box 365, Mitchell ACT 2601, via e-mail to epdcustomerservices@act.gov.au or delivered to the Environment and Planning Directorate Customer Service Centre, 16 Challis Street, Dickson, by no later than **17 NOVEMBER 2017**. Copies of all correspondence received will be forwarded to the applicant and also made available for public inspection.

If you require any further information please contact Customer Service on (02) 6207 1923.

Yours sincerely

Customer Service

Environment and Planning Directorate

01 November 2017

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.

From: EPD, Customer Services
Sent: Tuesday, 14 November 2017 8:53 AM
To: [REDACTED]
Subject: RE: LETTER TO REPRESENTOR-201629628-RECONSIDERATION [REDACTED]
[SEC=UNCLASSIFIED]

Dear Sir/Madam,

Acknowledgement of Receipt of Reconsideration Submission
DEVELOPMENT APPLICATION NO: 201629628 - RECONSIDERATION
BLOCK: 4 SECTION: 41 SUBURB: LYNEHAM

Thank you for your representation made **13/11/2017** regarding the above development application. Your submission has been recorded as a representation to the above mentioned development application.

The issues raised in your submission will be taken into consideration during the assessment of the reconsideration application and you will be notified in writing once a decision has been made.

Please Note: A copy of your representation will be forwarded to the development application applicant and released to the public only on request. All representations are saved electronically within the Development Application file and are not placed on a website.

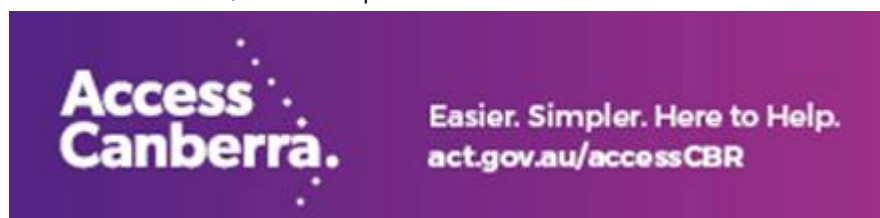
If you require any further information please contact Customer Services on (02) 6207 1923.

Kind Regards

Katherine
Phone 6207 1923
EPDCustomerService@act.gov.au
www.act.gov.au/accesscbr

Access Canberra | ACT Government

16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601



Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

From: Lyneham Community Association <lynehamcommunity@gmail.com>
Sent: Wednesday, 15 November 2017 2:40 PM
To: EPD, Customer Services
Subject: Re: LETTER TO REPRESENTOR-201629628-RECONSIDERATION-LYNEHAM COMMUNITY ORGANISATION-01 [SEC=UNCLASSIFIED]
Attachments: BCC-conditionA1-EDP.pdf

Dear Customer Services,

Please find the attached response from the Lyneham Community Association.

Regards,
Karlene Dickens
Chair, Lyneham Community Association



Lyneham Community Association Inc.

Customer Services
Environment Planning and Sustainable Development Directorate

EPDCustomerServices@act.gov.au

Dear Customer Service,

**Block: 4 Section: 41 Suburb: LYNEHAM
Address: 136 Brigalow Street Lyneham
Development Application Number: 201629628**

Thank you for the opportunity to comment on the Application for Reconsideration against the refusal of the application to amend condition A1.

The view of the Lyneham Community Association is that condition A1 should only be amended as requested if the Environment Planning and Sustainable Development Directorate is able to put sufficient checks in place to ensure that utilities are disconnected within one week of the occupation of the new building.

Sincerely,

Karlene Dickens
Chair, Lyneham Community Association
contact@lyneham.org.au

15 November 2017

From: [REDACTED]
Sent: Thursday, 16 November 2017 8:37 AM
To: EPD, Customer Services
Subject: Re: LETTER TO REPRESENTOR-201629628-RECONSIDERATION-[REDACTED]
[SEC=UNCLASSIFIED]
Attachments: EPD-BCC.docx

Hi

Thanks for the opportunity to comment.
My response is attached.

[REDACTED]

On 1 Nov 2017, at 4:27 pm, EPD, Customer Services <EPDCustomerServices@act.gov.au> wrote:

Dear [REDACTED]

The Environment and Planning Directorate has received an Application for Reconsideration for the following Development Application.

<p>Block: 4 Section: 41 Suburb: LYNEHAM Address: 136 Brigalow Street Lyneham Development Application Number: 201629628</p>

The Application for Reconsideration is being applied against:

[Refusal of the Development Application.](#)

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

If you feel that the Application for Reconsideration may affect you in any way, written comments may be forwarded to Customer Service, GPO Box 365, Mitchell ACT 2601, via e-mail to epdcustomerservices@act.gov.au or delivered to the Environment and Planning Directorate Customer Service Centre, 16 Challis Street, Dickson, by no later than **17 NOVEMBER 2017**. Copies of all correspondence received will be forwarded to the applicant and also made available for public inspection.

If you require any further information please contact Customer Service on (02) 6207 1923.

Yours sincerely

Customer Service
Environment and Planning Directorate
01 November 2017

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.

<APP-201629628-RECONSIDERATION-02.pdf><SUPP-201629628-RECONSIDERATION-LETTER-01.pdf>

Customer Services
Environment Planning and Sustainable Development Directorate

EPDCustomerServices@act.gov.au

Dear Sir/Madam

Block: 4 Section: 41 Suburb: LYNEHAM
Address: 136 Brigalow Street Lyneham
Development Application Number: 201629628

Thank you for the opportunity to comment on the Application for Reconsideration by Brindabella Christian College against the refusal of EPD to amend condition A1 of their above DA.

Condition A1 should not be amended.

Condition A1 was presumably imposed for good reasons. The applicant fails to address any of those reasons in its application, instead simply citing delays.

The applicant has proven on many occasions that it cannot be trusted. One has only to note the unauthorised felling of significant trees along the bike path adjacent to their block. Or their denying access to the public carpark out of hours.

To 'trust' the applicant to disconnect building D after occupation of the new building would seem unwise. At least condition A1 requires that disconnection in order for the applicant to be able to occupy the new building. If the applicant is allowed to first occupy the new building, who knows when, or even if, building D will be disconnected and demolished?

If condition A1 is amended as the applicant requests, who is going to chase it up when evidence of disconnection is not forthcoming by the proposed date? EDP should not be required to provide the resources necessary to investigate the failure and to immediately disconnect the utilities. Condition A1 in its original form does precisely what is required to ensure the applicant complies.

I urge you not to amend condition A1.

Sincerely,



Statement against Relevant Criteria MERIT TRACK

Educational Establishment

Brindabella Christian College – Lyneham Campus
Proposed junior school
Block 4, Section 41, Lyneham

Assessment -
Reconsideration
Application
B4 S41 Lyneham
DA 201629628

CFZ: Community Facility Zone

Contents:



1.0 - Community Facility Zone development Code	✓	
2.0 - Access and Mobility General Code	✓	
3.0 - Bicycle Parking General Code	✓	
4.0 - Community and Recreational Facilities Location Guidelines General Code	✓	
5.0 - Crime Prevention Through Environmental Design General Code	✓	
6.0 - Parking and Vehicular Access General Code	✓	Parking assessment from Northrop Consulting engineers provided in response to this code.
7.0 - Signs General Code	✗	N/A - No proposed signs are included in this development application submission.
8.0 - Waterways: Water Sensitive Urban Design General Code	✓	WSUD assessment from Sellick Consulting engineers provided in response to this code.





1.0 - COMMUNITY FACILITY ZONES DEVELOPMENT CODE

Note: Rules and Criteria not relevant/ applicable to this development have been omitted from the tables listed below.




GENERAL DEVELOPMENT CONTROLS

ELEMENT 1: RESTRICTION ON USE

Rules	Criteria	Response
1.1 Supportive housing		
<p>R1 Development for supportive housing complies with all of the following:</p> <ul style="list-style-type: none"> a) the occupation of individual dwellings in a supportive housing complex is restricted by the lease to persons in need of support b) the site has not been identified in a suburb precinct code as being prohibited for supportive housing c) all dwellings comply with Class 'C' of Australian Standard AS4299 – Adaptable Housing. d) subdivision of a lease developed for supportive housing, including subdivision under the Unit Titles Act 2001, is not permitted. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>N/A</p> 
1.2 Retirement village		
<p>R2 Development for retirement village complies with all of the following:</p> <ul style="list-style-type: none"> a) the site has not been identified in a suburb precinct code as being prohibited for retirement village b) Subdivision of a lease developed for retirement village, including subdivision under the Unit Titles Act 2001, is not permitted c) all dwellings comply with Class 'C' of Australian Standard AS4299 – Adaptable Housing. 	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p> 





Rules	Criteria	Response
1.3 Business agency, office, public agency		
<p>R3 This rule applies to any of the following:</p> <ul style="list-style-type: none"> i. business agency ii. office iii. public agency <p>located within a surplus former ACT Government building. The maximum lease term is 5 years</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p> 
<p>R4 This rule applies to any of the following:</p> <ul style="list-style-type: none"> i. business agency ii. office iii. public agency <p>located in other than a surplus former ACT Government building. The use is conducted only by a not for profit organisation.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p> 
<p>R5 This rule applies to any of the following:</p> <ul style="list-style-type: none"> i. business agency ii. office iii. public agency <p>located in other than a surplus former ACT Government building. The total gross floor area of all such uses does not exceed 400m².</p>	<p>C5 Business agencies, offices and public agencies are small scale.</p>	<p>N/A</p> 
1.4 Development proposals affected by approved lease and development conditions		
<p>R6 The development proposal complies with approved and current lease and development conditions applying to the site. Where there is an inconsistency between the lease and development conditions and the provisions of this code, the former shall take precedence, but only to the extent of the inconsistency.</p>	<p>C6 The development meets the intent of any approved and current lease and development conditions applying to the site.</p>	<p>N/A</p> 

ELEMENT 2: BUILDING AND SITE CONTROLS


Rules	Criteria	Response
2.1 Building height		
<p>R7 The maximum building height is:</p> <p>a) for that part of the building within 30m of a residential block – the greater of the following:</p> <ol style="list-style-type: none"> i. 2 storeys ii. the maximum number of storeys permitted on that residential block <p>b) in all other cases – the lesser of the following:</p> <ol style="list-style-type: none"> i. 4 storeys ii. 15m height of building. <p>For this rule: Residential block means a block that has at least one of the following characteristics –</p> <ol style="list-style-type: none"> a) zoned residential b) affected by a lease which authorises residential use but does not include any land intended to remain as unleased Territory land or public open space. 	<p>C7 Buildings achieve all of the following:</p> <ol style="list-style-type: none"> a) consistency with the desired character b) a scale appropriate to the proposed use c) reasonable separation from adjoining developments d) reasonable privacy for dwellings on adjoining residential blocks e) reasonable privacy for principal private open space on adjoining residential blocks f) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space. 	<p>R7 YES - The building locations is more than 30m distance of a residential block. The height of the proposed building complies with both requirements, being two storeys and less than 15m in height.</p> <p>C7 YES - The proposed building is designed as an integral part of the existing buildings on the campus. Scale, separation and solar access have all been taken into account during design and are deemed reasonable and suitable for the type of building and for the campus as a whole.</p> 
2.2 Setbacks		
<p>R8 Minimum setback of buildings to boundaries of blocks in a residential zone is 6m.</p>	<p>C8 Buildings and other structures are sited to achieve all of the following:</p> <ol style="list-style-type: none"> a) consistency with the desired character b) reasonable separation from adjoining developments c) reasonable privacy for dwellings on adjoining residential blocks d) reasonable privacy for principal private open space on adjoining residential blocks e) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space. 	<p>R8 YES – The closest residential boundary is located to the west. Distance from boundary to boundary exceeds 30m. All other boundaries are shared with NOT residential zones (CF, CZ6 and PRZ1)</p> <p>C8 YES - The proposed building is designed as an integral part of the existing buildings on the campus. Separation from adjoining developments and solar access have all been taken into account during design and are deemed reasonable and suitable for the type of building and for the campus as a whole.</p> 
2.3 Storage		
<p>R9 Outdoor storage areas are screened from view from any road or other public area.</p>	<p>C9 Where the proposed use of the site requires open areas for storage of goods and materials, adequate</p>	<p>R9 N/A – No outdoor storage areas are proposed for this development.</p> 

Rules	Criteria	Response
	provision is to be included in the design layout of the site and should not encroach on car parking areas, driveways or landscaped areas and be adequately screened from public view.	C9 N/A – No outdoor storage areas are proposed for this development.




ELEMENT 3: BUILT FORM




Rules	Criteria	Response
3.1 Materials and finishes		
There is no applicable rule.	C10 Where development presents a blank façade to an adjoining block or public space, a visually interesting architectural treatment is applied to that wall, through the use of one or more elements such as colour, articulation, materials and shadows.	C10 YES – The proposed building doesn't have any blank facades. Proper architectural articulation, through colour, material and texture has been applied to all walls. 
There is no applicable rule.	C11 Buildings use high quality materials and have façade with visually interesting architectural treatments through the use of one or more elements such as colour, materials, shadows or deep framing profiles.	C11 YES – The proposed building is designed with high quality materials in mind. Visual interesting architectural treatments have been put in place through articulation, use of colour, use of material and texture. 
3.1 Materials and finishes		
There is no applicable rule.	C12 Where appropriate, compatible uses of any existing buildings are integrated with new development and provide physical connections and linkages between buildings, and between buildings and public spaces.	C12 YES - The proposed building is designed as an integral part of the existing buildings on the campus. Physical connections and linkages between buildings across the campus are warranted. 
There is no applicable rule.	C13 Elements of the development that interface with a street promote an attractive streetscape.	C13 YES – Street facing facades promote interaction, whilst still providing a prospering educational climate inside 

ELEMENT 4: TRAFFIC IMPACT


Rules	Criteria	Response
4.1 Traffic generation		
There is no applicable rule.	C14 The existing road network can accommodate the amount of traffic likely to be generated by the development.	C14 YES - The proposed building is integral part of the broader school campus. The traffic management as established for the entire school accommodates all traffic generated during drop off times and for permanent parking. A parking report has been provided with this application for Development Approval 

ELEMENT 5: ENVIRONMENT PROTECTION


Rules	Criteria	Response
5.1 Water sensitive urban design		
<p>R15 This rule applies to sites 5000m² or larger. The average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60 per cent b) total phosphorous by at least 45 per cent c) total nitrogen by at least 40 per cent <p>Compared with an urban catchment with no water quality management controls.</p> <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R15 YES – The whole of Campus site is 18,111m², the Proposed building takes up 1,446m². A WSUD assessment is provided as part of this application for Development Approval.</p> <p style="text-align: center;"></p>
<p>R16 This rule applies to sites 2000m² or larger. Stormwater management complies with one of the following:</p> <ul style="list-style-type: none"> a) the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in the 1-in-100 year storm event b) the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R16 YES – The whole of Campus site is 18,111m², the Proposed building takes up 1,446m². A WSUD assessment is provided as part of this application for Development Approval.</p> <p style="text-align: center;"></p>
<p>R17 This rule applies to sites 2,000m² or larger. Provision is made for one or more of the following:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R17 YES – The whole of Campus site is 18,111m², the Proposed building takes up 1,446m². A WSUD assessment is provided as part of this application for Development Approval.</p> <p style="text-align: center;"></p>

Rules	Criteria	Response
<p>a) the storage of stormwater equivalent to at least 1.4kl per 100m² of impervious area, and its release over a period of 1 to 3 days</p> <p>b) runoff peak flow for the 3 month ARI storm to be no more than pre-development levels and release of captured flow over a period of 1 to 3 days.</p> <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>		This assessment will include information regarding stormwater retention and detention.
There is no applicable rule.	C18 Underground piping of natural stormwater overland flow paths is minimised.	C18 YES 
5.2 Sediment and erosion control		
<p>R19 This rule applies to sites larger than 3000m². Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p>Supporting document: A sediment and erosion control concept plan is prepared in accordance with Environment Protection Authority Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	This is a mandatory requirement. There is no applicable criterion.	<p>R19 N/A – The site for the proposed Junior School building does not exceed 3000m². Civil engineering drawings will be provided at BA stage.</p> 
5.3 Earthworks		
There is no applicable rule.	C20 The extent of earthworks is minimised.	C20 YES – No major earthworks is needed as the site is fairly flat. And no basement levels are to be excavated. 
5.4 Tree protection		
R21 This rule applies to a development that has one or	This is a mandatory requirement. There is no applicable criterion.	R21 Several trees are located close to or within the proposed building line. An application for tree damaging activity

Rules	Criteria	Response
<p>more of the following characteristics:</p> <ul style="list-style-type: none"> a) requires groundwork within the tree protection zone of a protected tree b) is likely to cause damage to or removal of any protected trees <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Under the Planning and Development Regulation 2008 a development application for a declared site under the Tree Protection Act 2005, must be referred to the Conservator of Flora and Fauna. 2. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the Planning and Development Act 2007. 3. Protected tree and declared site are defined under the Tree Protection Act 2005. 	<p style="color: red; border: 1px solid red; padding: 5px; display: inline-block;">Original DA referred to Tree Protection. Reconsideration application not referred - original comments still stand.</p>	<p>has been lodged, with as result that three trees are deemed significant. For this reason the TAMS tree protection unit, could not rule that those trees can be removed. However we are of the opinion that for development reasons there is no other option than removing these three significant trees.</p> <p>The location and siting of the proposed building is such that there is no viable alternative that would save the trees in question. The building sits hard against the electrical easement to the north. To the west boundary of the building is restrained by water and gas tie points. The other two sides are restrained by the distance to the existing buildings. The ELC to the south will otherwise have increased overshadowing issues. Moving the building towards the east or south, would gain no benefit to any of the trees.</p> <p>The campus is landlocked and all other available land has been occupied by building and playground space. Leaving this site as the only development site on which to accommodate the growth needs of the school for permanent classroom space for the proposed Junior School.</p> <p>In recognition of the significance of the trees, that we ask to remove for development reasons, we propose to replace them with established trees on site. A conceptual plan from the landscape architect provide two areas outlining where additional trees will be planted. The location of these trees is such that the likelihood of future demolition due to further developments is minimal.</p>
5.5 Heritage		
<p>R22 In accordance with section 148 of the Planning and Development Act 2007, applications for developments on land or buildings subject to provisional registration or registration under s.41 of the Heritage Act 2004 are</p>	<p>C22 If advice from the Heritage Council is required however not provided, the application will be referred to the Heritage Council and its advice considered before the determination of the application.</p>	<p>R22 N/A – No heritage listing is in place for any of the buildings or the site.</p> <p>The development is set far enough back from the neighbouring St. Ninians church that it will not have an impact on this building physically, or in massing or overshadowing terms.</p>



Rules	Criteria	Response
accompanied by advice from the Heritage Council stating that the development meets the requirements of the Heritage Act 2004.		In addition there is another church building situated between the proposed Junior School and the heritage item. C22 N/A
5.6 Contamination		
<p>R23 This rule applies where an assessment by the proponent in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the ACT Environment Protection Policy 2000 identifies contamination within or adjacent to the development area, but does not apply if the Environment Protection Authority has provided written advice that there are no contaminated sites within or adjacent to the development area. Development complies with an environmental site assessment report endorsed by Environment Protection Authority.</p> <p>Supporting document: Environmental site assessment report endorsed by Environment Protection Authority. Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	This is a mandatory requirement. There is no applicable criterion	<p>R23 N/A</p> <p style="text-align: center;"></p>


ELEMENT 6: AMENITY

Rules	Criteria	Response
6.1 Noise		
<p>R24 This rule applies to any of the following:</p> <ol style="list-style-type: none"> i. emergency services facility ii. indoor recreation facility iii. outdoor recreation facility <p>Development complies with a noise management plan prepared by a suitably qualified</p>	<p>C24 Development types specified in rule R24 do not unreasonably diminish the residential amenity of current or future neighbouring residents.</p>	<p>R24 N/A C24 N/A</p> <p style="text-align: center;"></p>

Rules	Criteria	Response
<p>person and endorsed by the Environment Protection Authority.</p> <p>The noise management plan will detail the proposed design, siting and construction methods that will be employed to ensure compliance with the Noise Zone Standard as detailed in the EPA's Noise Environment Protection Policy, January 2010, based on the estimated noise levels when the facility is in use.</p> <p>Supporting document: noise management plan endorsed by the Environment Protection Authority. Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>		


ELEMENT 7: SERVICES AND UTILITIES

Rules	Criteria	Response
7.1 Waste management		
<p>R25</p> <p>Development complies with the waste facilities and management measures endorsed by Territory and Municipal Services Directorate.</p> <p>Supporting document: Written confirmation by Territory and Municipal Services Directorate that with the waste facilities and management associated with the development are in accordance with the current version of the Development Control Code for Best Practice Waste Management in the ACT</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p> <p>Original DA was referred to TCCS. Reconsideration was not referred to TCCS.</p>	<p>R25</p> <p>YES – Waste management measures are part of the whole of campus waste management that is already in place (central hopper collection).</p> <p></p>
7.2 Utilities		
<p>R26</p> <p>A statement of compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed</p>	<p>C26</p> <p>If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> <p>Reconsideration application was not referred to Utility Service providers. Original comments were received</p>	<p>R26</p> <p>A dial before you dig has been done, any conflicting information has been taken on by the specialist consultants connected to the project.</p> <p></p>

Rules	Criteria	Response
<p>buildings, pavements and landscape features comply with utility access provisions and asset clearance zones.</p> <p>Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions.</p>		<p>C26 Where the required compliance is not provided, please refer to the relevant agencies.</p>
7.3 Waste water		
<p>R27 Subject to ActewAGL approval, all under cover areas drain to the sewer.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R27 YES – Hydraulic resolution will comply with this requirement </p>


ELEMENT 8: DEMOLITION

Rules	Criteria	Response
8.1 Utilities		
<p>R28 This rule applies to demolition. The application is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the Planning and Development Act 2007 for all of the following:</p> <ol style="list-style-type: none"> all network infrastructure on or immediately adjacent to the site has been identified on the plan all potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified all required network disconnections have been identified and the disconnection works comply with utility requirements all works associated with the demolition comply with and are in accordance with utility 	<p>This is a mandatory requirement. There is no applicable criterion.</p> <div style="border: 1px solid red; padding: 5px; text-align: center; color: red;"> <p>Reconsideration application was not referred Utility Service providers.</p> </div>	<p>R28 N/A – No demolition required for the construction of the Proposed Junior School building.</p>

Rules	Criteria	Response
asset access and protection requirements.		
8.2 Hazardous materials		
<p>R29 Demolition of:</p> <p>a) Multi unit housing (including garages and carports) for which a certificate of occupancy was issued prior to 1985, or</p> <p>b) commercial or industrial premises for which a certificate of occupancy was issued before 2005,</p> <p>is undertaken in accordance with hazardous materials survey (including an asbestos survey) endorsed by the Environment Protection Authority.</p> <p>A hazardous materials survey includes, as a minimum, the identification of a disposal site for hazardous materials, including asbestos, that complies with one (1) of the following:</p> <p>i. is a licensed disposal facility in the ACT</p> <p>ii. another site outside the ACT.</p> <p>If hazardous materials, including asbestos, are to be transported for disposal interstate, approval from the Environment Protection Authority prior to removal of material from the site.</p> <p>An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</p> <p>Note: If an endorsed hazardous materials survey is required but not provided, the application will be referred to the relevant agency in accordance with the requirements of the</p>	<p>C29 If an endorsed hazardous material survey is required however evidence of an endorsed hazardous materials survey is not provided, the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p>	<p>R29 N/A C29 N/A</p> 

Rules	Criteria	Response
Planning and Development Act 2007.		

ELEMENT 9: SUBDIVISION

Rules	Criteria	Response
9.1 Subdivision		
<p>R30 Subdivision is only permitted where all of the following are met: a) the subdivision is part of</p> <ul style="list-style-type: none"> a) development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this code. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R30 N/A</p> 



2.0 – ACCESS AND MOBILITY GENERAL CODE

Note: Rules and Criteria not relevant/ applicable to this development have been omitted from the tables listed below.


Objectives:

- f) Ensure that non-discriminatory and equitable access is provided to all members of the community to buildings, services and facilities
- g) Ensure access is achieved through pedestrian networks, including footpaths, public arcades, underpasses and overpasses
- h) Provide access to all public open spaces including parks, reserves and shopping centres, where topographically possible

ELEMENT 1: Parking

Rules	Criteria	Response
1.1 Car parking		
R1 j) Designated accessible car parking spaces meet the requirements of AS2890.1 and Parking and Vehicular Access General Code.	C1 Car parking is provided at designated locations to meet the needs of people with disabilities.	R1 YES – Refer parking assessment. Accessible car parking arrangements is as part of the whole of campus parking layout. And complies to the requirements as set out in the relevant standard. C1 YES 
R2 Car parking spaces provided for people with disabilities must have vertical clearance for the entire width of the space and the adjacent shared area of not less than 2.5m described in Figure 2.7 of the AS2890.6.	C2 Adequate space is provided to allow a roofmounted wheelchair to be unloaded either front – in or reverse-in position.	R2 YES – No vertical obstructions interfering with vertical clearance requirements C2 YES 



ELEMENT 2: Parking

Rules	Criteria	Response
2.1 Continuous Accessible Path of Travel and Walkways		
R3 A continuous accessible path of travel is provided that complies with: i. AS 1428.1 - Design For Access and Mobility; ii. AS 1428.4 – Tactile ground surface indicators for the orientation of people with vision impairment to highlight hazards or provide direction;	C3 Continuous accessible path of travel is provided for owners, occupants, employees and visitors: a) to all areas and all required facilities of the building; b) from property boundary, designated accessible parking spaces, passenger drop off points and public spaces to entrances of buildings; c) to connect buildings, facilities and spaces that are on the same block or part of the same	R3 YES – A continuous accessible path of travel is provided at all times. All corridor widths allow for circulation as well as congregation. The proposed building will have a lift for access to the second storey. Glass balustrades adjoining walkways will comply to AS1428.1 requirements. C3 YES – Refer response for R3 

Rules	Criteria	Response
iii. AS 4586 – Slip Resistant Classification of New Pedestrian Surface Materials for external paving and ground surfaces; and iv. designed so that the placement of facilities does not intrude into the continuous accessible path of travel. v. Walkways and glass adjacent to walkways to comply with AS1428.1 and AS1428.2	complex unless topographically impossible; and d) to minimise distances travelled between elements of buildings and facilities. e) Walkways are of an appropriate scale and if clear glass is used adjacent to walkways, are identified by appropriate luminance contrast.	
2.2 Lighting		
R4 Internal lighting along the whole of the continuous accessible path of travel designed to meet AS1680.0.	This is a mandatory requirement. There is no applicable criterion.	R4 YES – Internal lighting design will provide compliance with the required lighting levels of all internal areas. ✓
R5 External lighting along the whole of the continuous accessible path of travel meets AS1158.3.1 and the ACT Crime Prevention and Environmental Design General Code.	This is a mandatory requirement. There is no applicable criterion.	R5 YES – External lighting design will provide compliance with the required lighting levels of all external areas. ✓
2.3 Wayfinding		
R6 Where installed directional signage or other wayfinding methods, e.g. tactile indicators, to be in accordance with AS1428.1 and AS1428.4 and must identify the continuous accessible path of travel, accessible parts of buildings and all accessible facilities. Details to meet AS1428.1 and AS1428.4.	This is a mandatory requirement. There is no applicable criterion.	R6 YES – All directional signage or other wayfinding methods are to comply with the relevant standards. ✓
There is no applicable rule.	C7 For illuminated signs, the luminance of the symbols to be at least 30% in contrast to the background.	C7 YES – All illuminated sign will comply with the required 30% contrast requirements ✓

ELEMENT 3: Entry and doorways


Rules	Criteria	Response
3.1 Doorways and doors		
R8 Doorways and doors are designed to meet	This is a mandatory requirement. There is no applicable criterion.	R8 All doorways provide a minimum clear opening of 850mm, unless ✓

Rules	Criteria	Response
AS 1428.1- Design for Access and Mobility for: f) pedestrian entrances and exits; g) public circulation areas; and any common use areas.		where requirements for Ambulant WC's require a smaller opening. 
There is no applicable rule.	C9 Automatic doors for public entrances should be installed in high use commercial and public buildings.	C9 N/A 

ELEMENT 4: Circulation

Intent: To provide for design elements that are safe and convenient for circulation within and entry to buildings. Stairways, Stairway lifts, Passenger lifts, Ramps, Handrails and Grab rails are provided in accordance with appropriate Australian Standards (refer to Appendix A).


Response

All our projects are designed with the full intention to comply with AS1428.1 in general. As we have an Access consultant as an integral part of this project, the utmost care is taken throughout the whole project to provide an accessible and inclusive Junior school building and school campus. Corridor widths, circulation, lifts and stairs have all been designed to comply to AS1428. 

ELEMENT 5: Toilets

Intent: To provide access and use of sanitary facilities. Sanitary facilities and associated signage are designed and provided to meet the purpose of the buildings and appropriate Australian Standards (refer to Appendix A).


Response

All our projects are designed with the full intention to comply with AS1428.1 in general. As we have an Access consultant as an integral part of this project, the utmost care is taken throughout the whole project to provide an accessible and inclusive Junior school building and school campus. A unisex designated accessible toilet is provided on each level (one with shower). Ambulant cubicles are provided in each bank of toilets. 

ELEMENT 6: Facilities

Intent: To provide access to other appropriate facilities such as street furniture and ATM. Street furniture (seating, drinking fountains, litterbins and the like) and ATM facilities are designed and provided in accordance with appropriate Australian Standards (refer to Appendix A).

Response

All our projects are designed with the full intention to comply with AS1428.1 in general. As we have an Access consultant as an integral part of this project, the utmost care is taken throughout the whole project to provide an accessible and inclusive Junior school building and school campus. 

There are no supplementary street furniture items included in the scope of this project.

3.0 – BICYCLE PARKING GENERAL CODE

**TABLE 2 – QUANTITY AND TYPE OF BICYCLE PARKING REQUIRED
EDUCATION ESTABLISHMENT – PRIMARY SCHOOL**

	Requirement	Response
Employees and students		
Bicycle parking spaces required	1 per 15 students	360 Students $360 / 15 = 24$ bicycle parking spaces required. ✓
Class	1, 2	
Visitors and guest		
Bicycle parking spaces required	1 per 200 students after the first 200 students	360 Students $360 - 200 = 160 / 200 \approx 1$ bicycle parking spaces ✓
Class	1, 2, 3	
Allowances that apply for this land use		
	Section 3.4: Pre-existing bicycle parking	Pre-existing bicycle parking available on site: Class 1: none Class 2: + 1x sea container allowing for 13 bicycles. + 1x full enclosed compound allowing for 20 bicycles Class 3: + 30x bicycle rails between the junior and middle school toilet block and D-block + 6x bicycle rails as part of the new development + Further informal bicycle storage is available on the campus aplenty ✓

TABLE 3 – TYPES OF BICYCLE PARKING FACILITIES

Type	Description	Physical security	Long/short stay	Class
Bicycle locker	Fully enclosed individual lockers	High	Long	1
Bicycle enclosure	Locked cages or compounds containing bicycle rail. Communal access using duplicated keys or electronic swipe cards.	Medium	Long	2
Bicycle rail	Installations such as metal hoops and rails which support the bicycle and to which the bicycle frame and both wheels can be locked	Low	Short	3

Supervised parking station	High capacity facilities with constant security supervision, typically available to the public.	High	Both	All
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5.1 SHOWERS AND CLOTHING LOCKERS

The proposed Junior school, allows for one (1) unisex accessible WC with shower. Across the campus similar locations can be found. The total provision of these areas provide a surplus of showers required. Each student and staff member will have a secure area for the storage of valuables.



4.0 – COMMUNITY AND RECREATIONAL FACILITIES LOCATION GUIDELINES GENERAL CODE

Note: Rules and Criteria not relevant/ applicable to this development have been omitted from the tables listed below.

ELEMENT: EDUCATION – PRIMARY SCHOOL

Objectives:

The objectives of the code are:

1. To protect and enhance social amenity for all ACT resident and visitors. Social amenity includes access to services, safety and equity in the distribution of facilities.
2. To maximise efficient land use, accessibility and convenience for uses through clustering related facilities and encouraging shared use.
3. To protect and enhance residential amenity for ACT residents whilst meeting the need to provide access to facilities best located in the residential area.


General location guidelines:

Item	Response
Public transport routes	Action bus network comes through Brigalow Street, with a bus stop right outside the Brindabella Christian College campus. Approximate walking distance from the Proposed Junior school building is 130m. This distance seems to be practical for all students attending the building. Due to the age of the student group for the Junior school, assumption can be made that main mode of transport will be by drop off from parents.
Parks	The Brindabella Christian College campus provide a collection of green spaces for outdoor recreation within the campus and by utilizing neighbouring ovals and parks.
Retail facilities	Closeness to retail facilities is not an important factor to the student population of the proposed Junior school. As they won't be allowed to leave the campus during school hours. However the Lyneham Shops is found within approximately 350m walking distance from the Brindabella Christian College campus.
Co-location/ mixed use opportunities	The proposed Junior school building combines spaces that include formal learning, outdoor learning, wet area learning and communal gathering that allows all students to interact with each other. But also provides spaces that can be used for afterhours activity, or for gathering of other student groups.
Separation	Noise separation is not an issue for the proposed Junior school building as it is located within the grounds of the Brindabella Christian College campus. Noise generated is expected to be not more or different than any expected on a school campus. Social separation is not an issue either, as the proposed Junior school building is part of the larger Campus and the social interactions are warranted as part of the whole of school community.
Access and mobility	All our projects are designed with the full intention to comply with AS1428.1 in general. As we have an Access consultant as an integral part of this project, the utmost care is taken throughout the whole project to provide an accessible and inclusive Junior school building and school campus.
Parking	Refer parking assessment. Accessible car parking arrangements is as part of the whole of campus parking layout. And complies to the requirements as set out in the relevant standard.

Item	Response
Pedestrian access	Pedestrian access to the Brindabella Christian College campus is as part of the existing pedestrian walkway layout. Access to services is warranted as well as safe and proper access. ✓
Lighting/ surveillance	External lighting and surveillance of the Brindabella Christian College campus provides for safe afterhours access. Screening by landscape elements along the accessible path is minimized where possible. External lighting relating to the proposed Junior school building will be part of the design, and will be to requirements of relevant standards. ✓
Design and siting in residential areas	Not applicable as the proposed Junior school building is sited as part of a Community Facilities zone (CF). ✓

Detailed locations guidelines for Primary School:

Item	Response
Relationship to shops 400m from retail centre where possible	Approximately 350m ✓
Relationship to other uses – Close to Adjoining/ adjacent to playing fields/ ovals essential, and on cycleway; central to long-term catchment; located on distributor or local road or close to a collector road; within safe pedestrian access to dwellings in catchment.	Outdoor playing areas, parks and ovals are either found within the campus, or close by at neighbouring parks and ovals. Connection to public transport, pedestrian walkways, cycle way's are all within close vicinity of the Brindabella Christian College campus. Located on a local road, providing ease of access to the school by car, drop off, bicycle and pedestrian walkways. ✓
Separated from Noise separation from special care hostels; Social separation from clubs and other licensed premises; Separated from safety hazards (e.g. roads with high traffic volumes, stormwater channels) No direct access of arterial roads and other roads with high traffic volumes; Social separation from major shopping areas and amusement centres; Careful consideration should be given to relationship between school and residential streets to avoid disturbing residents, and to ensure safety of children.	The Brindabella Christian College campus although located within the inner north, separation from noise emitting establishments like clubs, and other licensed premises is far enough to be of no issue. No major shopping areas and amusement centres are located close by. Separation from safety hazards is ensured by fencing around the whole of the campus. No accidental run on the road should happen as access to and from the campus is expected to be supervised at all times. There is no direct access to arterial roads and other roads with high traffic volumes. Only one of the boundaries is located along a road with residential blocks to the other side of the road. Strategies to ensure safety for children have been in place for as long as the Brindabella Christian College has been in this location. These strategies will stay in place, and is assessed regularly in order to ensure the safety of students at all time. ✓
Co-location opportunity Other community facilities; Child care centre' Preschool; Church for non-government church school	As part of the Brindabella Christian College, other buildings for different age groups are located within the campus. These buildings provide educational services from Early Learning Centre, to senior school. ✓
Other issues Northerly aspect immediately adjoining oval or playing fields	The proposed Junior school building is an integral part of the Brindabella Christian College campus. It provides an engaging façade to the campus, allowing students to enter and congregate in an open, secure and inspiring ✓


Item	Response
<p>Substantial, uninhibited street frontage on three boundaries where possible</p> <p>Streets must be suitable for bus laybys and pick up and set down areas</p>	<p>manner. The provision of natural light into communal and educational spaces is of the highest importance to provide this.</p> <p>The street frontage an attractive and articulated façade, introducing the school and the building as a representative, to the community and passers-by.</p> 

5.0 – CRIME PREVENTION THROUGH ENVIRONMENTAL GENERAL CODE


Note: Rules and Criteria not relevant/ applicable to this development have been omitted from the tables listed below.

PART A – GENERAL REQUIREMENTS



ELEMENT 1: NEIGHBOURHOOD DESIGN







Rules	Criteria	Response
1.1 Neighbourhood design		
There is no rule applicable.	C1 Design is in accordance with the recommendations of a crime risk assessment as outlined in the ACT Crime Prevention and Urban Design Resource Manual.	C1 N/A – Design is part of the whole of campus layout, and does not have any changing impact on the neighbourhood. 






ELEMENT 2: USE

Rules	Criteria	Response
2.1 General code		
There is no rule applicable.	C2 The development described in Table 1 meet the Crime Prevention Through Environmental Design General Code.	C2 YES 

ELEMENT 3: PUBLIC REALM

Rules	Criteria	Response
3.1 Open space and community (shared) areas		
There is no rule applicable.	C3 Natural surveillance of open space and community areas is provided by: <ul style="list-style-type: none"> a) locating to adjacent activity centres; b) encouraging pedestrian (or cyclist) movement through the space; c) ensuring clear site lines from, and between, buildings and open space areas: community areas; and d) designing out any entrapment spaces. 	C3 YES - The teacher's rooms on both floors are located in the building, in order to maximise supervision opportunities. All outdoor playing area's are directed to inwards, so that they connect to the whole of campus. This will provide ample opportunity of peer interaction and supervision. 
There is no rule applicable.	C4 Natural access is considered, providing clear entry and exit points and a legible, accessible route through the space.	C4 YES – Access to the building can be from two sides of the building. Both access areas are clearly legible by material, lighting design and landscape design features. 

Rules	Criteria	Response
There is no rule applicable.	C5 Planting in public spaces do not obscure views along paths and streets, or to entrances and should not create secluded, hiding areas.	C5 YES 
There is no rule applicable.	C6 Selection of plant material are sturdy and in areas of high crime, to make it difficult to snap main growing stems, heavy standard (140-160mm girth) or semi-mature trees (200-270mm girth) should be used to increase their chance of survival.	C6 YES 
There is no rule applicable.	C7 Plant material, such as creepers or low hedges may be used to deter to access and limit the opportunity for graffiti on fences and walls.	C7 YES Perimeter fencing is installed around the whole campus and would provide deterrent for graffiti opportunities. 
There is no rule applicable.	C8 Hard landscape features such as low walls, bollards are used to delineate movement areas from semi-private areas.	C8 YES 
3.2 Children's play area		
There is no rule applicable.	C9 Children's play areas are located and designed to comply with each of the following: a) there is natural surveillance from adjoining areas b) adjacent areas are used by compatible groups c) there are multiple entry/exits	C9 YES 
3.3 Lighting		
There is no rule applicable.	C10 Provide a schedule of lighting showing that lighting complies with each of the following: a) Australian Standard AS1158 Lighting for Roads and Public Spaces Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements b) Australian Standard AS1158: Lighting for Roads and Public Spaces Part 2: Computer Procedures for the Calculations of Light Technical Parameters for Category V and Category P Lighting c) Australian Standard AS4282: The Control of Obtrusive Effects of Outdoor Lighting, in the case of security lighting	C10 YES – Electrical engineers have been engaged to design the lighting to these referenced standards as the project develops. 







Rules	Criteria	Response
There is no rule applicable.	<p>C11 Legitimate users and activities at night are encouraged by lighting:</p> <ul style="list-style-type: none"> a) spaces evenly and consistently (except where accent/feature lighting is necessary) b) inset spaces, entries/exits and paths c) to reduce the casting of shadows that could hide intruders d) directional signage e) building entries f) exterior to interior spaces evenly to allow for surveillance 	<p>C11 YES </p>
There is no rule applicable.	<p>C12 Areas that are not intended for night time are not lit and are closed off to pedestrians.</p>	<p>C12 N/A </p>
There is no rule applicable.	<p>C13 Damage to light fixtures are minimised by selecting vandal-resistant, high mounted light fixtures. All light bulbs are protected with a suitable lantern bowl.</p>	<p>C13 YES</p>
3.4 Signs		
<p>R14 A statement is provided that all directional signage will comply with the requirements of AS1742.10 (1991) Manual of Uniform Traffic Control Devices – Pedestrian Control and Protection</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R14 N/A – No traffic directional signage included in the project. </p>
There is no rule applicable	<p>C15 Locate signs so that they comply with each of the following:</p> <ul style="list-style-type: none"> a) they are clearly visible from a distance at all times b) they are not likely to be obscured by growing vegetation c) they are strategically placed at entrances and near activity centres including bus stops, taxi rank and public facilities 	<p>C15 N/A - No traffic directional signage included in the project. </p>
There is no rule applicable	<p>C16 Provide legible signs for all users:</p> <ul style="list-style-type: none"> a) specify signs of high contrast, with light lettering on dark backgrounds with nonreflective surfaces; b) signs should be developed as a system with a consistent pattern, based on a hierarchy of most important messages. 	<p>C16 N/A </p>






ELEMENT 4: BUILT FORM

Rules	Criteria	Response
4.1 Interface between buildings and public realm		
There is no rule applicable.	C17 Building entrances are easily identified, providing easy access to all users, affording visibility to and from the street and minimising the potential for hiding spots.	C17 YES – The entrances to the proposed Junior school building are easily identified and access is compliant to the AS1428.1. Hiding spots are not available as both entrances are fully transparent. ✓
There is no rule applicable.	C18 Provide clear sightlines from the building foyer so that occupants can see the nearest pedestrian area/car park before leaving the building.	C18 N/A – The proposed building is part of the Brindabella Christian College campus, car parking is found in a separate area to the campus. ✓
There is no rule applicable.	C19 Recessed sections in the building elevation/façade are detailed and located so as that there is opportunity for natural surveillance, for spill lighting and the potential for hiding is minimised.	C19 YES ✓
There is no rule applicable.	C20 Buildings are detailed in a manner that deters scaling (climbing) the building to access balconies from the ground and/or access between individual balconies.	C20 YES ✓
There is no rule applicable.	C21 Where buildings are set back from the street and/or pedestrian path, the area is developed to minimise hiding and entrapment spots.	C21 YES – Landscape design will ensure minimal hiding and entrapment spots. Considering also that the boundary is fenced. ✓
4.2 Materials and finish		
There is no rule applicable.	C22 Building materials and finishes are of an appropriate quality and detailed in a manner to: a) reduce opportunities for graffiti and vandalism b) facilitate cleaning and replacement c) avoid facilitating illegal access to the building and to services	C22 YES ✓









ELEMENT 6: TRAVEL AND ACCESS


Rules	Criteria	Response
6.1 Pedestrian routes, bicycle paths and lanes		
There is no rule applicable.	C23 Pedestrian Routes, Bicycle Paths and Lanes are designed to maximise opportunities for natural surveillance by:	C23 YES – The whole of campus landscape design takes all requirements into consideration. And ✓

Rules	Criteria	Response
	<ul style="list-style-type: none"> a) maintaining sightlines along paths between destination points b) allowing overlooking from adjacent areas 	provides a holistic approach to access and security.
There is no rule applicable.	<p>C24 Provide direct access routes to buildings streets, car parks and public transport. Signs should be used to assist pedestrians where it is not possible to establish clear sightlines between destinations.</p>	<p>C24 YES – The whole of campus landscape design takes all requirements into consideration. And provides a holistic approach to access and security.</p> 
There is no rule applicable.	<p>C25 Security of pedestrian routes, bicycle paths and lanes are provided by:</p> <ul style="list-style-type: none"> a) selecting and lighting 'safe routes' to the standard required for pedestrian areas so that these become the focus of legitimate movement after dark; b) ensuring that laneways have more than one entrance to avoid "dead-ends" and entrapment spots, where possible. 	<p>C25 YES – The whole of campus landscape design takes all requirements into consideration. And provides a holistic approach to access and security.</p> 
There is no rule applicable.	<p>C26 When planting adjacent to pedestrian /bicycle routes:</p> <ul style="list-style-type: none"> a) ensuring there are open sightlines. Low planting (maximum height 600mm) and high-branching trees (two metres) should be used; b) avoiding tall bushes, dense shrubbery and dense clusters of trees, especially immediately adjacent to routes and at predictable stopping points such as road crossings. 	<p>C26 YES – The whole of campus landscape design takes all requirements into consideration. And provides a holistic approach to access and security.</p> <p>NOTE: There are no bicycle paths included as part of this project.</p> 
<p>R27 A Statement is provided that pedestrian paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 13. – Pedestrians</p>	This is a mandatory requirement. There is no applicable criterion.	<p>R27 N/A – All pedestrian paths are internal to the campus and therefore do not have to comply to this standard.</p> 
<p>R28 A Statement is provided that Bicycle Paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 14. – Bicycles.</p>	This is a mandatory requirement. There is no applicable criterion.	<p>R28 N/A – There are no bicycle paths included as part of this project.</p> 
6.2 Pedestrian underpasses and overpasses		
There is no rule applicable.	<p>C29 The use of pedestrian underpasses is to be avoided. Where there is no practical or feasible alternative underpasses are designed:</p>	<p>C29 N/A</p> 

Rules	Criteria	Response
	a) wide enough to accommodate both pedestrian and cycle traffic b) straight and without recesses c) with mirrors so pedestrians can see around corners if there is a turn of 60 degrees or more d) with entrances and exits that are visible from shops, homes or other areas of frequent pedestrian traffic e) to ensure there is no screening of entries/exits f) with signs at each end indicating where it leads and an alternative route to use at night	
There is no rule applicable.	C30 Overpasses are designed to reduce opportunities to throw missiles at cars or pedestrians.	C30 N/A 
6.3 Bus interchange, bus stops and taxi ranks		
There is no rule applicable.	C31 Locate bus stops and taxi ranks so that: a) natural surveillance is possible b) there are no walls, landscaping, fences or other structures which block sightlines to bus stops and taxi ranks c) they are not located adjacent to vacant land, alleys, car parks or near possible entrapment spots d) there are short, safe routes to bus stops and taxi ranks from night-time venues such as cinemas, theatres etc.	C31 N/A 
There is no rule applicable.	C32 Major bus stops and taxi ranks are well lit and protected from the weather, or adjacent to areas which are well lit or that provide protection from the weather.	C32 N/A 
There is no rule applicable.	C33 Directional signage makes it easy to find bus stops or taxi ranks, and provides up-to-date passenger information.	C33 N/A 
There is no rule applicable.	C34 Interchanges are located on the same level as significant activity generators to avoid entrapment, increase natural surveillance and provide direct routes of access.	C34 N/A 

ELEMENT 7: SERVICES

Rules	Criteria	Response
7.1 Automatic teller machines (ATMs)		
There is no rule applicable.	C35 Approaches and entrances to ATMs are highly visible and adequately lit so that people cannot loiter, or enter, without being seen.	C35 N/A 
There is no rule applicable.	C36 Locations near licensed premises, and bus stops should be avoided to discourage loitering by potential offenders.	C36 N/A 
There is no rule applicable.	C37 Where ATMs are enclosed in a vestibule or similar, the vestibule should be securely glazed, adequately and secure from non-legitimate users	C37 N/A 
There is no rule applicable.	C38 Use bollards, or other landscaping, to restrict the potential for vehicle incursions.	C38 N/A 
7.2 Local waste storage facilities		
There is no rule applicable.	C39 Screening does not provide entrapment or hiding spots and safe access and adequate lighting is provided near the waste storage areas.	C39 N/A 
7.3 Local utility facilities		
There is no rule applicable.	C40 Air conditioning plants, meter boxes and other service points are mounted within a secure building / enclosure for protection.	C40 YES 
7.4 Delivery and storage facilities		
There is no rule applicable.	C41 Ensure that: a) Delivery and storage areas are not isolated from the main building b) Secure storage areas are provided for shop owners	C41 N/A 
7.5 Public toilets		
There is no rule applicable.	C42 Ensure that: a) Public toilets are located in obvious locations, but not in isolated areas of activity centres b) Entrances are highly visible so that people cannot loiter or enter without being seen, particularly for toilets close to Children's' playgrounds c) Public seating and telephones are located away from public toilets	C42 YES – The whole of campus landscape design takes all requirements into consideration. And provides a holistic approach to the availability of public toilets. 

Rules	Criteria	Response
	to avoid opportunities for loitering.	
7.6 Public telephones		
There is no rule applicable.	C43 Public telephones are located in obvious locations, are well lit and well signposted, eg near bus stops or taxi ranks.	C43 N/A 

ASSESSMENT REPORT

ASSESSMENT OFFICER: Mr Ajith Buddhadasa/
Graham Sandeman

APPLICATION NUMBER: 201629628 (Reconsideration)

BLOCK: 4 SECTION: 41

DIVISION: LYNEHAM

Zone: CFZ Community Facility Zone

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>	The relevant code(s) for the development proposal are:	
	Precinct Code:	Lyneham Precinct Map and Code
	Development Code:	Community Facility Zone Development Code
	General Code:	Parking and Vehicular Access General Code
	General Code:	Bicycle Parking General Code
	General Code:	Access and Mobility General Code
	General Code:	Crime Prevention Through Environmental Design General Code
	General Code:	Community and Recreation Facilities Location Guidelines General Code
	General Code:	WaterWays: Water Sensitive Urban Design General Code
	The proposal is not inconsistent with the above code(s) for reasons identified in <u>Form – Territory Plan Code Requirements – Merit Track</u> .	

<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>NB: Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</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>NB: Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</p>	<p>The original decision is inconsistent with advice given by the Conservator to which the application was referred under division 7.3.3 of the Act. The justification for the departure against s119 (2) of the Act, is addressed in the Notice of the Decision. The Reconsideration application was not referred to the Conservator for Flora and Fauna and therefore the original advice is considered to still stand.</p>
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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 (g).

S120 (a) Zone Objectives	<p>The development is proposed to take place in the Community Facility 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 educational facility.</p> <p>The proposed use is listed as an assessable development in the CF zone development table, and is therefore determined 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 (d) Representations	Representations received are addressed in the Reconsideration Notice of Decision.
<p>S120 (e) 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>	As the Reconsideration application was not referred to relevant entities, comment on Entities is noted in the Notice of Decision.
S120 (f) 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.

<p>Proposal for development on land reserved under S315 for the purpose of wilderness area, national park, nature reserve, or special purpose reserve.</p>	<p>The proposal does not occur on land that is reserved under S315 of the Act for the purpose of wilderness area, national park, nature reserve, or special purpose reserve.</p>
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<p>S120 (g) 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>
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Form

Territory Plan Code Requirements Merit Track

**ASSESSMENT REPORT –
Reconsideration application
CF-Community Facility Zone**

ASSESSMENT OFFICER: Mr Ajith Buddhadasa / Graham Sandeman

APPLICATION NUMBER: 201629628

BLOCK: 4 SECTION: 41

DIVISION: LYNEHAM

Territory Plan Code Requirements

This document provides analysis of a development proposal in relation to the relevant codes contained in the Territory Plan. The proposal meets all rules of the code(s) that are relevant to the development with the exception of those either identified in the statement against relevant criteria submitted for the proposal or, listed in the tables below. The statement against relevant criteria demonstrates the proposal meets all relevant criteria that are, either:

- the applicable criterion to a relevant rule that is not met; or,
- the criterion is relevant and there is no applicable rule,

with the exception of those listed in the tables below.

1. Assessment of Compliance with Lyneham Precinct Map and Code and the Community Facility Zone Development Code

The proposal is not inconsistent with the Lyneham Precinct Map and Code.

Refer to separate assessment sheets for the assessment against Community Facility Zone Development Code.

2. Assessment of Compliance with WSUD General Code.

Not inconsistent with the General Code. Refer to supporting information provided with the original DA.

3. Assessment of Compliance with Access and Mobility General Code

Not inconsistent with the General Code. Refer to supporting information provided with the original DA.

4. Assessment of Compliance with Bicycle Parking General Code and the Parking and Vehicular Access General Code

Not inconsistent with the General Code. Refer to supporting information provided with the original DA.

5. Assessment of Compliance with CPTED General Code.

Not inconsistent with the General Code. Refer to supporting information provided with the original DA.

6. Assessment of Compliance with Community and Recreation Facilities Location Guidelines General Code.

Not inconsistent with the General Code. Refer to supporting information provided with the original

DA.



Notice of decision on Reconsideration

Division 7.3.10 of the *Planning and Development Act 2007*

DA NO: 201629628	DATE RECONSIDERATION LODGED: 27 October 2017	
DATE OF DECISION: 1 December 2017		
BLOCKS: 4	SECTION: 41	SUBURB: Lyneham
STREET NO AND NAME: 136 Brigalow Street Lyneham		
APPLICANT: SQC Architecture		
LESSEES: Brindabella Christian Education Limited		

THE APPLICATION

This application seeks reconsideration of the decision by the planning and land authority of 2 September 2016 to conditionally approve the application.

THE DECISION

I, Brett Phillips, delegate of the planning and land authority, pursuant to section 193 of the *Planning and Development Act 2007*, hereby **confirm the original decision**.

PUBLIC NOTIFICATION

Pursuant to Division 7.3.10 of the Act, written notice of the reconsideration application was given to anyone who made representation under section 156 about the original application between 1 November 2017 and 17 November 2017. Three written representations were received.

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

- (a) *Condition A1 should only be amended as requested if the Environment, Planning and Sustainable Development Directorate is able to put sufficient checks in place to ensure utilities are disconnected within one week of occupation of the new building.*

Condition 1A Occupancy and Use, of the original decision, required that “the building approved in this decision must not be used until existing Building D and two demountable type classrooms are disconnected permanently from all utility services to them. Evidence of disconnection of utility services must be provided to the planning and land authority prior to the issue of Certificate of Occupancy and Use for the new building.”

The application for reconsideration sought approval to amend the condition as soon as practicable after occupation of the new building, Building D and the two demountables are disconnected from service and evidence this provided to the planning and land authority. Furthermore, the reconsideration application requested that prior to occupation of the building an application for demolition of Building D is lodged with the relevant Authority and a commencement notice issued (including hazardous material removal application).

Whilst the amended condition involved the disconnection of services after students had moved into the new building, it is noted that the December 2017 school holidays will commence in early December (it is understood the last school day is 6 December 2017), and given that there would be no students attending at this time, that there would be opportunity to disconnect the services to Building D over the 2017/18 holiday Christmas period. In addition,

Condition A1 required that the building approved in the decision must not be used until existing Building D and two demountables are disconnected from utility services, the finalisation of the construction of the new building in preparation for use as classrooms in 2018 (i.e. beginning of the school year) can still proceed.

(b) Condition 1A should not be amended. If Condition 1A is amended, who is going to follow this up when evidence of documentation is not forthcoming by the proposed date.

The planning and land authority has reconfirmed the original decision. Condition 1A has not been amended.

REASONS FOR THE DECISION

The original decision was confirmed because:

- A review of the information available when the original decision was made related to a decision date in early September 2016. Whilst it is understood Condition A1 was intended to be met, unforeseen delays meant construction was delayed and hence completion of the building, and the transfer of students from one building to another could not be duly undertaken.
- The application for Reconsideration was also accompanied by a request to amend Condition A1 to allow for a transition period of a week for students (i.e. occupation of the new building) before an application for demolition of Building D is lodged with the relevant authority and a commencement notice issued (including hazardous material removal).
- It was also noted in the accompanying documentation that it was expected the project to be completed in mid-November 2017 with the planned move will occur over a weekend, with the expectation that students would commence in the new building on the Monday. As it is close to the end of completion of the project, and finish of the school year and the pending 2017/18 school holidays, it is likely any planned disconnection of utility services can be achieved over the holiday period and prior to the issue of a relevant Certificate of Occupancy.

INSPECTION OF THE APPLICATION AND DECISION

A copy of the application and the decision can be inspected between 8:30am and 4:30pm weekdays at the Environment and Planning Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

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 Regulations 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. 201629628

The Territory Plan zone – Community Facility Zone

The Development Codes – Community Facility Zone Development Code

The Precinct Codes – Lyneham Precinct Map and Code

Current Crown Leases – Volume 86 Folio 56

Representations - Three

DELEGATE



Brett Phillips

Delegate of the planning and land authority

Environment, Planning and Sustainable Development Directorate

1 December 2017

CONTACT OFFICER

Graham Sandeman

Phone: (02) 6205 6309

Email: graham.sandeman@act.gov.au

APPENDIX 1

REVIEW OF THE DECISION

The following notes are provided in accordance with regulation 7 of the *ACT Civil and Administrative Tribunal Regulation 2008*. 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 Appeals Tribunal (ACAT).

Location	Contact details
ACT Civil and Administrative Tribunal Level 4, 1 Moore Street (the Health building) CANBERRA CITY ACT 2601	Website: www.acat.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. You can also download the form from the ACT Legislation Register <http://www.legislation.act.gov.au/af/2009-278/current/pdf/2009-278.pdf>.

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 \$178 (the Tribunal Registry will advise of the current fee), unless you are receiving legal or financial assistance from the ACT Attorney-General. You can apply to have the fee waived on the grounds of hardship, subject to approval (refer to section 22T of the *ACT Civil and Administrative Tribunal Act 2008*). Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Write to: The Chief Executive, Justice and Community Safety Directorate, 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, Justice and Community Safety Directorate, 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 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-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	Ako vam je potrebna pomoć prevodioca telefonirajte:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE**131 450**

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

From: EPD, Customer Services
Sent: Tuesday, 5 December 2017 1:18 PM
To: 'nicholas.goodwin@sqca.com.au'
Cc: 'finance@bbc.act.edu.au'
Subject: NOTICE OF DECISION-201629628-4/41 LYNEHAM-RECONSIDERATION [SEC=UNCLASSIFIED]
Attachments: NOTICE OF DECISION-201629628-RECONSIDERATION-SIGNED.PDF

Dear Sir/Madam

Please find attached the Notice of decision on the reconsideration for DA 201629628-4/41 LYNEHAM.

Kind Regards

Katherine
Phone 6207 1923

Access Canberra | ACT Government

16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601



Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

From: EPD, Customer Services
Sent: Tuesday, 5 December 2017 1:25 PM
To: [REDACTED]
Subject: NOTICE OF DECISION-201629628-RECONSIDERATION-4/41 LYNEHAM-LETTER TO REPRESENTOR [REDACTED] [SEC=UNCLASSIFIED]
Attachments: NOTICE OF DECISION-201629628-RECONSIDERATION-SIGNED.PDF

Letter to Representor after Reconsideration Decision

BLOCK 4, SECTION 41: LYNEHAM DEVELOPMENT APPLICATION 201629628

I refer to the Application for Reconsideration received by the Environment and Planning Directorate for the above Development Application. The Authority, after reconsidering the original decision, has **confirmed the original decision**.

The attached 'Notice of Decision on Reconsideration' sets out the details relating to the reconsideration decision.

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

If you wish to seek a review of the reconsideration decision with the ACT Civil and Administrative Tribunal (ACAT) you must lodge an application form together with the required fee, within 28 days from the date of this letter to:

The address of the ACAT is:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street (the Health building)
CANBERRA CITY ACT 2601

OR

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA ACT 2601

An application form can be obtained from the ACAT. If you require further information about the ACAT's requirements or the review process, their office can be contacted on (02) 6207 1740.

If you apply for a review of the reconsideration decision the Authority will, at the direction of the ACAT, give written notice to the applicant and any interested parties that:

- you have applied to the ACAT for a review of the decision; and
- they are entitled to apply to be made a party to the proceedings for the review.

As this application for reconsideration has confirmed the original decision, the applicant may also apply to the ACAT for a review of the reconsideration decision. If this occurs you will be advised, and you will be entitled to apply to the Tribunal to be made a party to the proceedings (i.e. you can apply to the Tribunal to attend the review hearings where you will have the opportunity to present your case).

If you require any further information please contact Customer Service on (02) 6207 1923.

Kind Regards

Katherine

Phone 6207 1923

Access Canberra | ACT Government

16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601



Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

Planning and Development Act 2007

Development Application

Application Number: **201629628S165D**

Type of Application

The type of application you are applying for is a S165 Amendment

Lease/Site Details

Site Number: 1

Suburb	Section	Block Number	Unit Number
LYNEHAM	41	4	136
Street Address			
136 BRIGALOW STREET, LYNEHAM			

Applicant Details

ACN or ABN			
81091693350			
Company Name		Position held / Title	
SQC Architecture		User	
Salutation	First Name	Surname	
None	John	Ramanu	
Postal Address 1		Postal Address 2	
Unit 3, Level 1, 22 Thynne Street			
Postal Address 3			
Suburb	State/Territory	Postcode	Country
BRUCE	ACT	2617	Australia
Phone Number	Fax Number	Mobile Number	
62788500			
Email			
studio@sqca.com.au			

Lessee (Property Owners) Details

Lessee Number: 1

Is the Lessee a

Agency

Australian Business Number (ABN)

21100229669

Company Name

Brindabella Christian Education Limited

Position held / Title

Chair

Salutation

None

First Name

Greg

Surname

Zwajgenberg

Postal Address 1

136 Brigalow Street

Postal Address 2

Postal Address 3

Suburb

Lyneham

State/Territory

ACT

Postcode

2602

Country

Australia

Phone Number

62474644

Fax Number

62487940

Mobile Number

Email

List Amendments Being Satisfied

To satisfy notice of decision condition of approval A1

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.

I accept the above declarations:

Accept

Acceptance Date

18/12/2017









