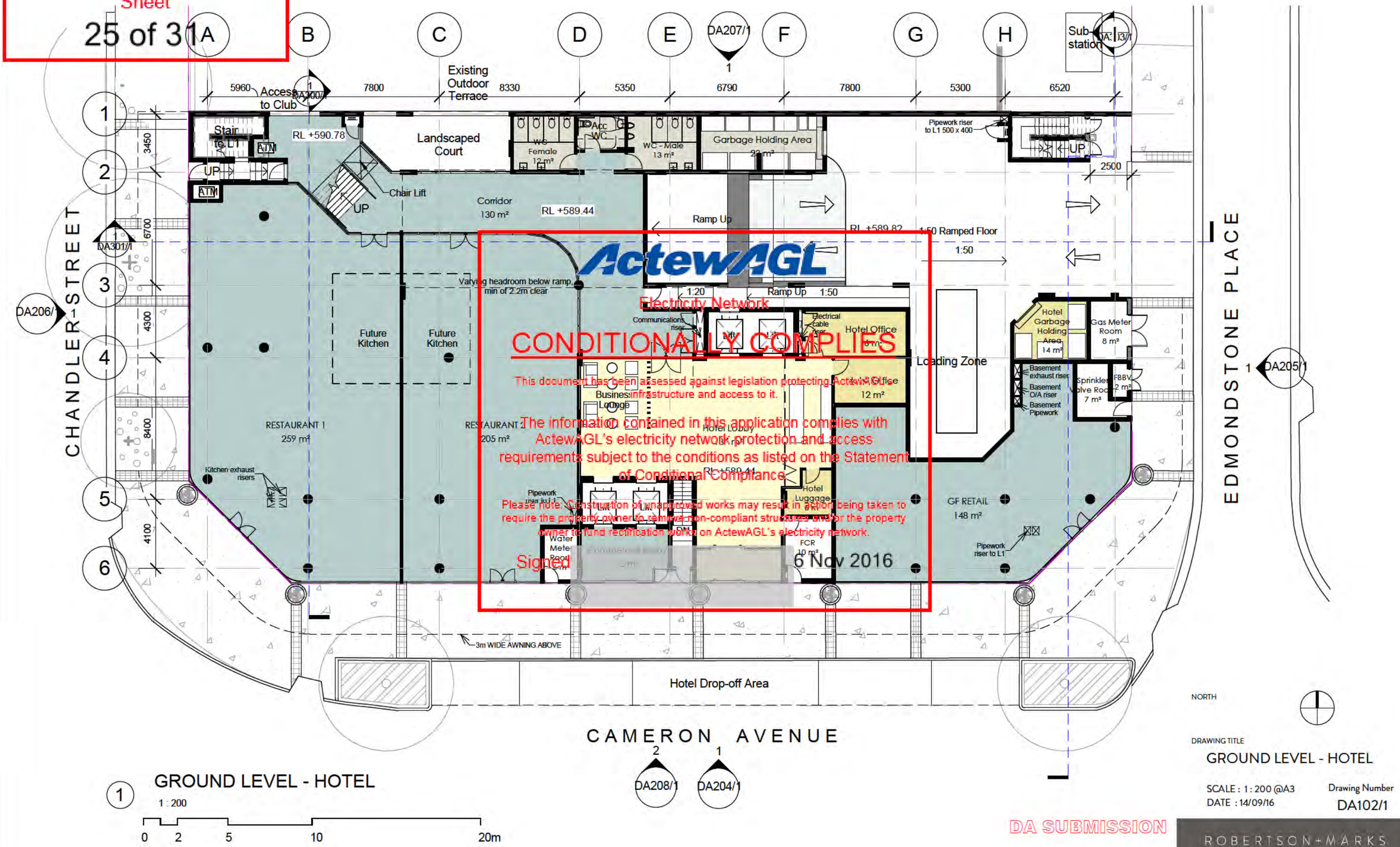
ActewAGL

Application Number
158481

Sheet
25 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN



ActewAGL
Electricity Network
CONDITIONALLY COMPLIES
This document has been assessed against legislation protecting ActewAGL's infrastructure and access to it.
The information contained in this application complies with ActewAGL's electricity network protection and access requirements subject to the conditions as listed on the Statement of Conditional Compliance.
Please note: Construction of unapproved works may result in action being taken to require the property owner to remove non-compliant structures and/or the property owner to fund rectification works on ActewAGL's electricity network.
Signed
6 Nov 2016

1 GROUND LEVEL - HOTEL
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
GROUND LEVEL - HOTEL

SCALE : 1 : 200 @A3
DATE : 14/09/16

Drawing Number
DA102/1

DA SUBMISSION

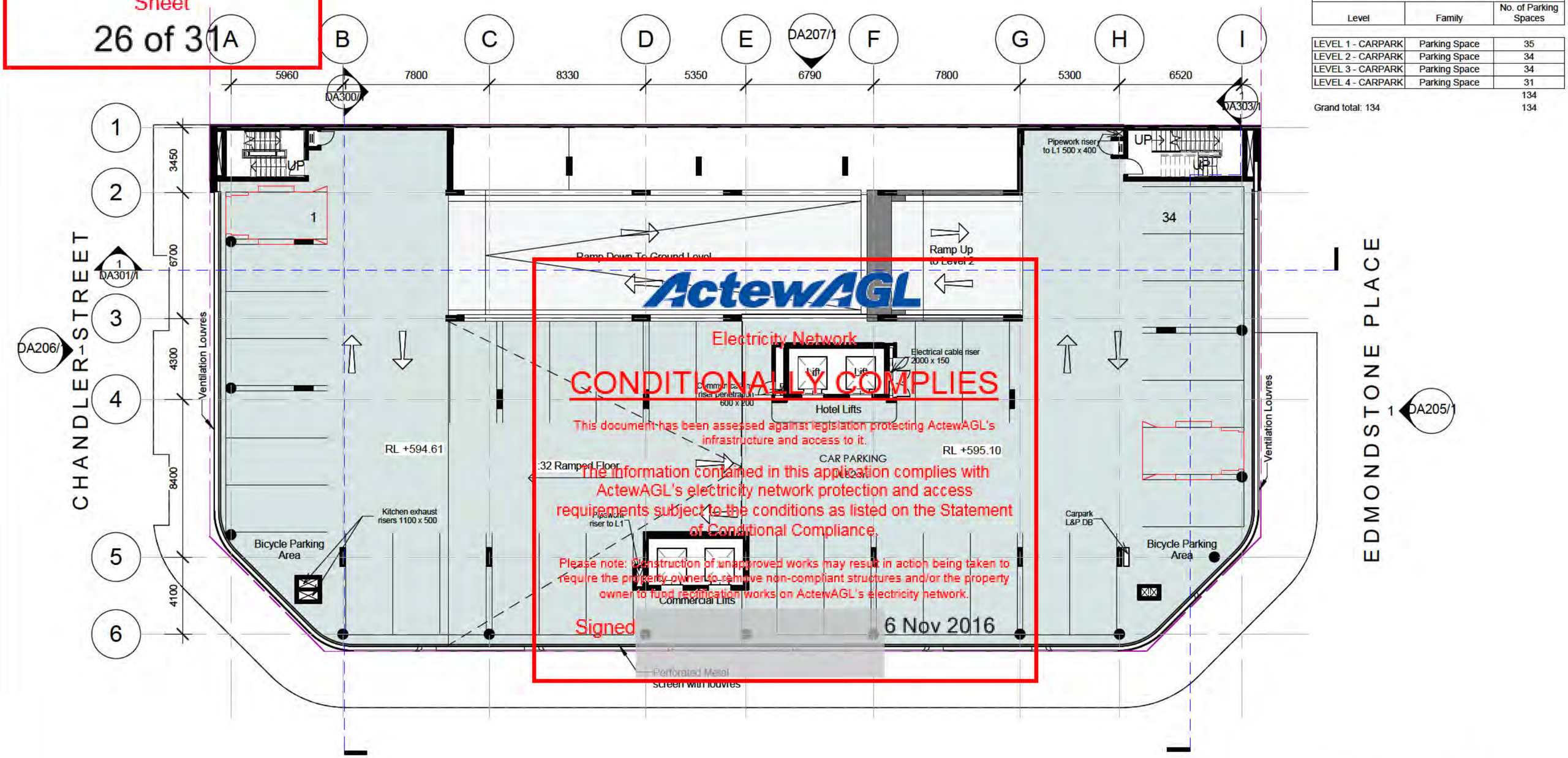
ROBERTSON+MARKS

ActewAGL

Application Number
158481
Sheet
26 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN

Hotel & Commercial Parking Schedule		
Level	Family	No. of Parking Spaces
LEVEL 1 - CARPARK	Parking Space	35
LEVEL 2 - CARPARK	Parking Space	34
LEVEL 3 - CARPARK	Parking Space	34
LEVEL 4 - CARPARK	Parking Space	31
		134
Grand total: 134		134



1 LEVEL 1 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 1 - CARPARK

SCALE : 1 : 200 @A3
DATE : 14/09/16

Drawing Number
DA103/1

DA SUBMISSION

ROBERTSON+MARKS

ActewAGL

Application Number
158481
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27 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN

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LEVEL 1 - CARPARK	Parking Space	35
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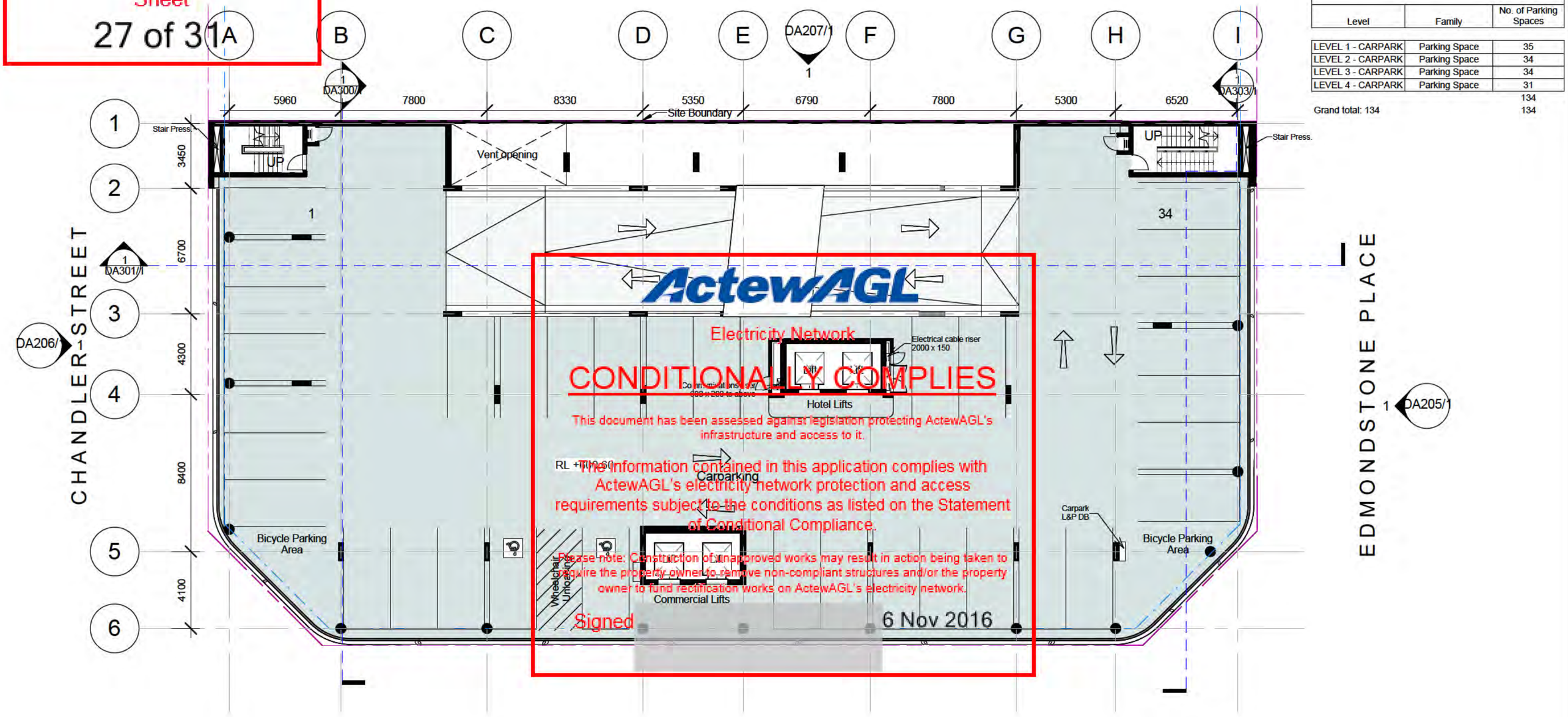

1 LEVEL 2 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 2 - CARPARK

SCALE : 1 : 200 @A3
DATE : 14/09/16

Drawing Number
DA104/1

DA SUBMISSION
FOR PUBLIC NOTIFICATION

ROBERTSON+MARKS

ActewAGL

Application Number
158481

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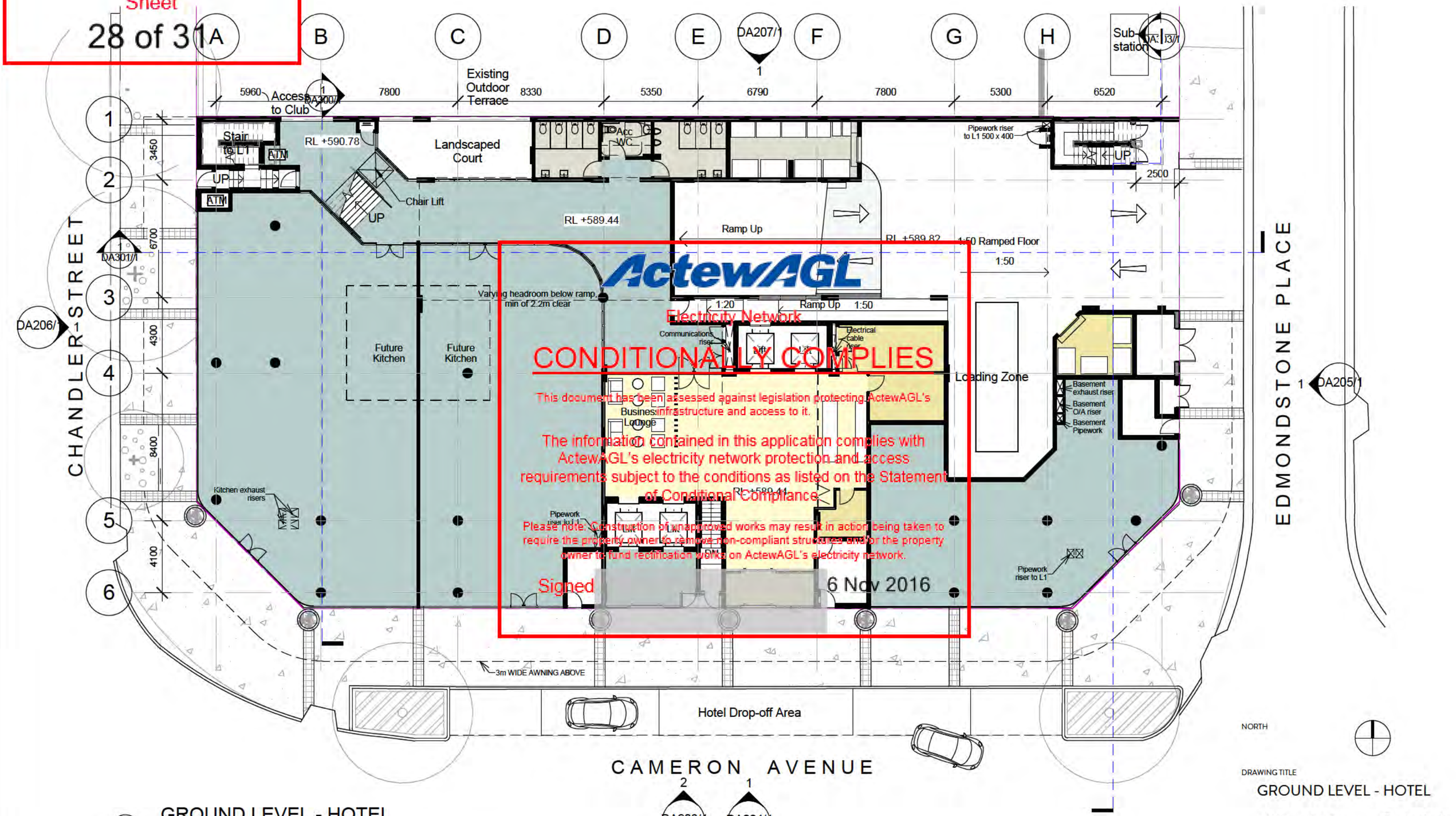
28 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN



Electricity Network

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Signed 6 Nov 2016

1 GROUND LEVEL - HOTEL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
GROUND LEVEL - HOTEL

SCALE : 1 : 200 @A3
DATE : 14/09/16

Drawing Number
DA102/1

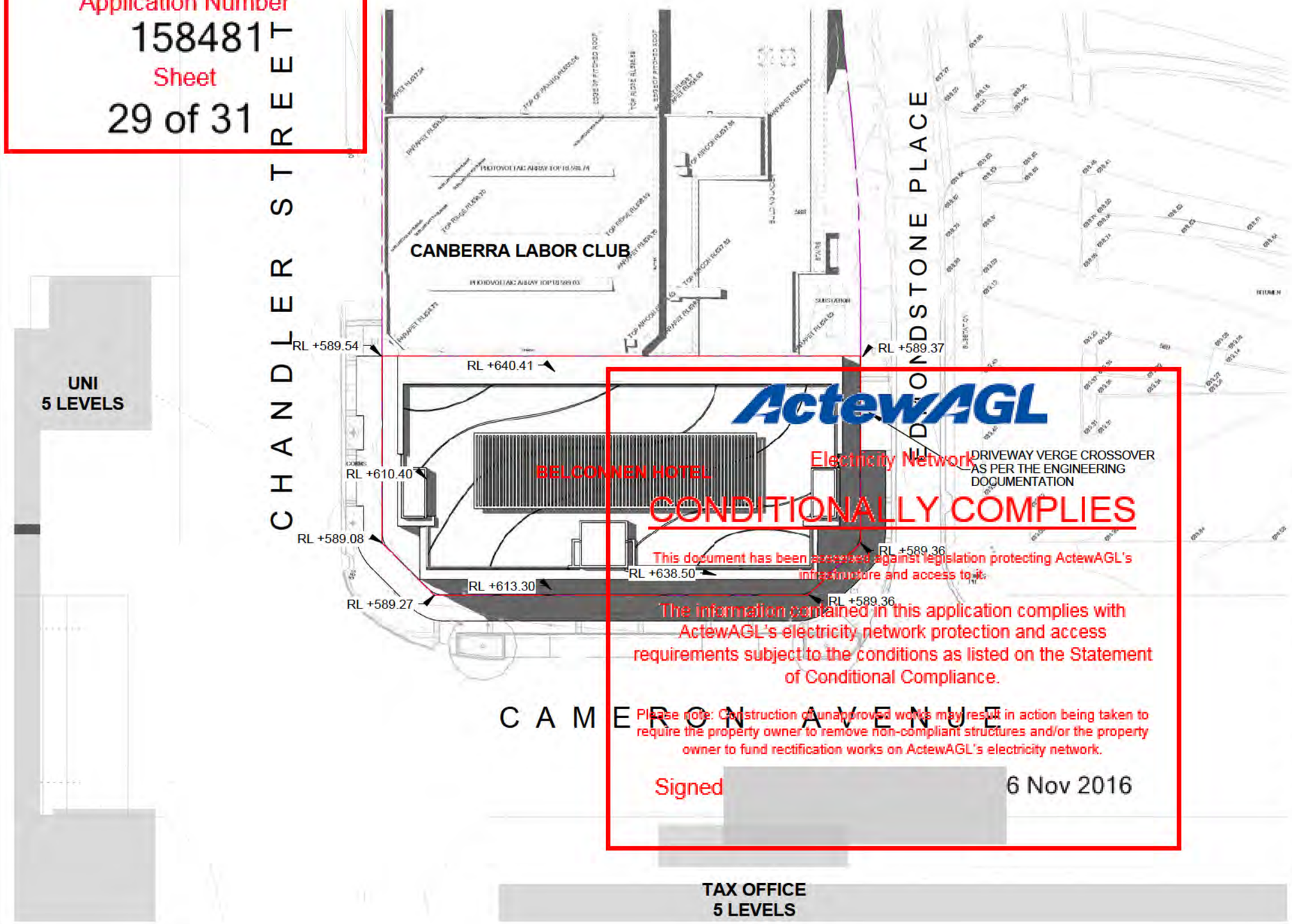
DA SUBMISSION
FOR PUBLIC NOTIFICATION

ROBERTSON+MARKS

ActewAGL

Application Number
158481
Sheet
29 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN



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Signed [redacted] 6 Nov 2016

Belconnen Hotel - Gross Floor Area	
Level	Area
BASEMENT - HOTEL	687 m²
GROUND LEVEL - HOTEL	1523 m²
LEVEL 1 - CARPARK	1418 m²
LEVEL 2 - CARPARK	1339 m²
LEVEL 3 - CARPARK	1339 m²
LEVEL 4 - CARPARK	1341 m²
LEVEL 5 - HOTEL	1089 m²
LEVEL 6 - HOTEL	1089 m²
LEVEL 7 - HOTEL	1089 m²
LEVEL 8 - HOTEL	1089 m²
LEVEL 9 - HOTEL	1089 m²
LEVEL 10 - COMMERCIAL	1132 m²
LEVEL 11 - COMMERCIAL	1142 m²
	15367 m²

NORTH

1 SITE PLAN
1 : 500
0 2 5 10 20 30 40m

DRAWING TITLE
SITE PLAN

SCALE : 1 : 500 @A3
DATE : 14/09/16

Drawing Number
DA115/1

DA SUBMISSION

ROBERTSON+MARKS

From: basubmission_electricity@actewagl.com.au
Sent: Wednesday, 16 November 2016 11:01 AM
To: EPD, Customer Services
Subject: ActewAGL Application Decision. Application - 158481. Belconnen - 8/48 (Email 5 of 5)
Attachments: SITE-201630289-02#2.pdf; 3832_018.pdf

ACTEWAGL - ELECTRICITY NETWORKS DIVISION

Approval ID : 158481, Belconnen 8 /48

Please note that your application has been assessed for compliance with ActewAGL's Electricity Network and conditionally complies with our Electricity Networks requirements.

Please find attached, your stamped plans together with a conditional statement of compliance.

Separate compliance statements may be required from other entities.

Regards

ActewAGL Electricity Networks Division

Telephone 02 6293 5770
Facsimile 02 6293 5762
Email devapp@ActewAGL.com.au
GPO Box 366 Canberra ACT 2601
www.ActewAGL.com.au

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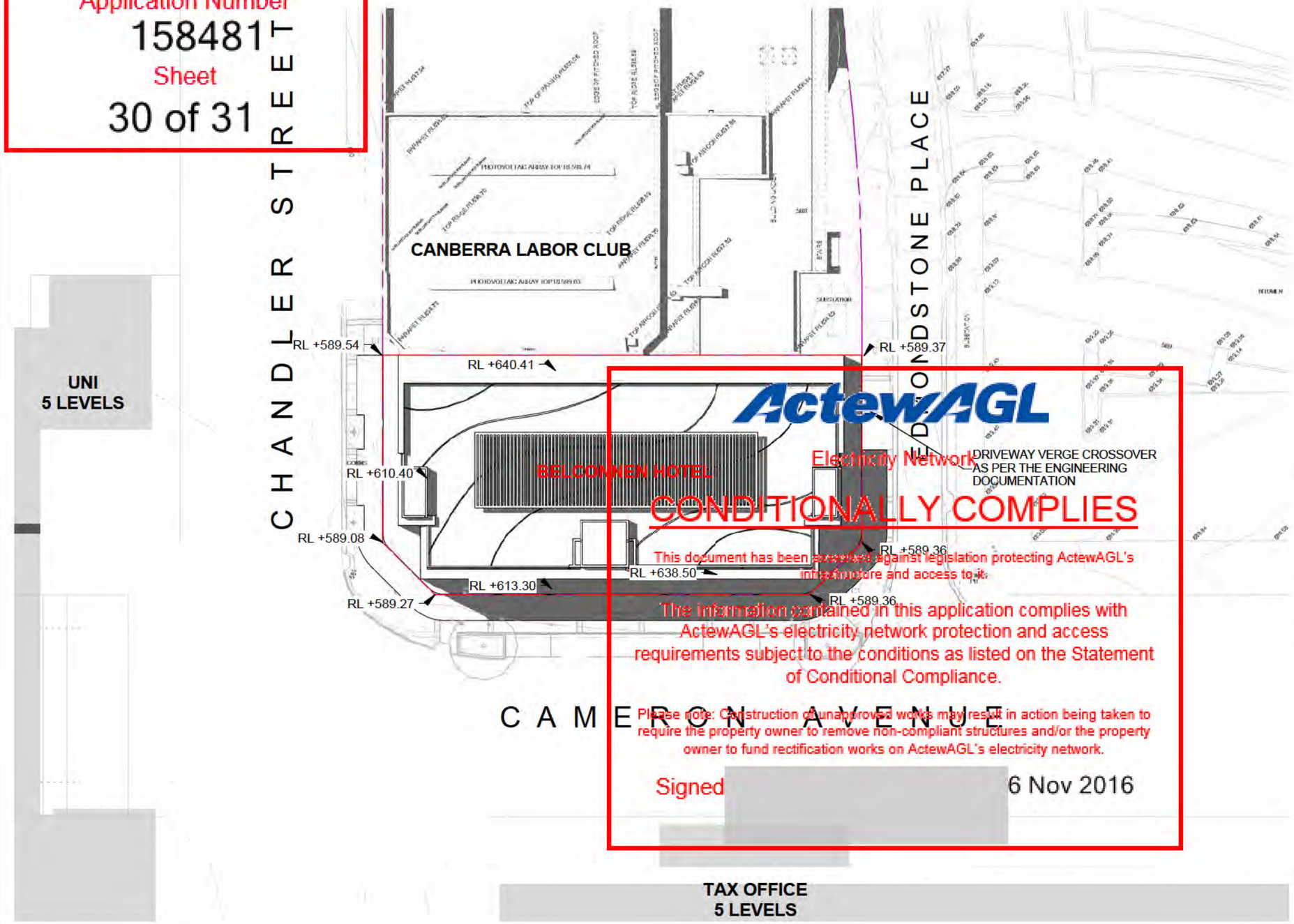
ActewAGL

Application Number
158481
Sheet
30 of 31

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 &9, SECTION 48
BELCONNEN



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Signed [redacted] 6 Nov 2016

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	15367 m²

NORTH

1 SITE PLAN
1 : 500
0 2 5 10 20 30 40m

DRAWING TITLE
SITE PLAN

SCALE : 1 : 500 @A3
DATE : 14/09/16

Drawing Number
DA115/1

DA SUBMISSION

ROBERTSON+MARKS

ActewAGL

Application Number
158481
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31 of 31

MINIMUM SEPARATION REQUIREMENTS

FROM ANY PART OF:	TO NEAREST PART OF:	SEPARATION (m) SEPARATE EARTHING	SEPARATION (m) CMEN & COMBINED EARTHING SITUATIONS
PADMOUNT SUBSTATION	-BUILDING	1.5 (NOTE 3)	1.5 (NOTE 3)
	-PROPERTY BOUNDARY	1.5	1.5
	-ABOVE GROUND OBJECTS	1.5	1.5
	-DRIVEWAYS & ROADS	1.5	1.5
	-COMMS CABLES, GAS & WATER PIPES, SEWER LINES	1.5 (NOTE 12)	1.5 (NOTE 12)
	-DESIGNATED HAZARDS	NOTE 5	NOTE 5
	-NON FIRE RATED PARTS OF BUILDINGS	3 (NOTE 3)	3 (NOTE 3)
	-BUILDINGS & STRUCTURES	1.2 (NOTE 8)	1.2 (NOTE 8)
MINI PILLAR	-PROPERTY BOUNDARY	1.2 (NOTE 8)	1.2 (NOTE 8)
	-ROADS	1.2	1.2
	-DRIVEWAYS	1.5	1.5
	-SHRUBS AND SMALL TREES	1.2 (NOTES 8 & 10)	1.2 (NOTES 8 & 10)
HV CABLES (1kV < U ≤ 22kV)	-WATER PIPES	0.5 (H) (NOTE 12)	0.5 (H)(NOTE 12)
	-SEWER PIPE LINES & STORMWATER PIPE LINES	0.6 (H), (NOTES 1 &12)	0.6 (H), (NOTES 1&12)
	-COMMUNICATIONS CABLES	0.3	0.3
	-GAS PIPES	0.3	0.3
	-HV CABLES (22kV < U ≤ 132kV)	0.75 (NOTE 11)	0.75 (NOTE 11)
	-EDGE OF INGROUND SWIMMING POOLS OR SPAS	3.5 (NOTE 9)	3.5 (NOTE 9)
	-HV CABLES (1kV < U ≤ 22kV)	0.2 (MIN)	0.2 (MIN)
LV CABLES (≤ 1kV) SERVICE MAINS CABLE PITS	-WATER PIPES	0.5 (H)	0.5 (H)
	-SEWER PIPE LINES & STORMWATER PIPE LINES	0.6 (H), (NOTES 1 &12)	0.6 (H), (NOTES 1&12)
	-COMMUNICATIONS CABLES	0.15	0.15
	-GAS PIPES	0.15	0.15
	-EDGE OF INGROUND SWIMMING POOLS OR SPAS	3.5 (NOTE 9)	3.5 (NOTE 9)
	-HV CABLES (1kV < U ≤ 22kV)	0.09	0.09

HV EARTHING ELECTRODE(S) HV EARTH CONDUCTORS (NOTE 6)	HV EARTH RESISTANCE 30Ω	10Ω	5Ω	3Ω	
-IN GROUND SWIMMING POOLS, SPAS & CHILDRENS METAL PLAYGROUND EQUIPMENT (NOTE 4)	30	20	15	12	4 (NOTE 4)
-TELECOMMUNICATIONS PITS, PILLARS, JOINTS, EXCHANGES & PABX EQUIPMENT	15	10	8	6	4
-UG UNINSULATED METALWORK AND METAL PIPES	4	3	2	2	2
-METAL FENCING OR METAL CLAD BUILDINGS	4	3	2	2	2
-LV EARTHING ELECTRODE(S)	4	3	2	2	0
-BARE UG LV EARTH CONDUCTORS	4	3	2	2	0

BARE UG LV EARTH CONDUCTORS (INCL. STEEL & CONCRETE POLES) BARE UG LV EARTH CONDUCTORS (NOTE 7)			
-UG UNINSULATED METALWORK AND METAL PIPES	2		2
-CONCRETE REINFORCING BONDED TO HV EARTH	SEE HV ELECTRODE		N/A
-INGROUND SWIMMING POOLS, SPAS & CHILDRENS METAL PLAYGROUND EQUIPMENT	4		4
-COMMUNICATIONS EARTH STAKE	0.5		4

RECOMMENDED BURIAL DEPTHS FOR UNDERGROUND LINES (FROM SURFACE TO THE TOP OF THE CABLE)

TYPE OF UNDERGROUND LINE	DIRECT BURIED WITH NO ADDITIONAL MECHANICAL PROTECTION (NOTE 5) NOMINAL (MINIMUM) (mm)	DIRECT BURIED AND COVERED WITH A MECHANICAL COVER NOMINAL (MINIMUM) (mm)	ENCLOSED IN A HEAVY DUTY PIPE OR CONDUIT (NOTE 4) NOMINAL (MINIMUM) (mm)
LV SERVICE LINE	750 (600)	600 (450)	550 (450)
LV MAINS	750 (600)	750 (600)	750 (600)
1kV < U ≤ 22kV	850 (750)	850 (600)	750 (600)
22kV < U ≤ 132kV	NOT PERMITTED	1000 (1000)	1000 (1000)

BURIAL NOTES:

1. FIGURES IN BRACKETS INDICATE MINIMUM REQUIREMENT
2. ALL CABLES INSTALLED UNDER ROADWAYS SHALL HAVE A MINIMUM BURIAL DEPTH OF 750mm
3. MAXIMUM TRENCH DEPTH FOR INSTALLATION OF CABLES IS 1.5 METRES
4. HEAVY DUTY CONDUITS TO AS2053.2 AND CLASS 12 PRESSURE PIPES TO AS1477 MAY BE CONSIDERED SUITABLE FOR THE HEAVY DUTY CATEGORY. (CORFLO TYPES ARE NOT ACCEPTABLE)
5. THIS CATEGORY ALSO INCLUDES CABLES INSTALLED IN CONDUITS THAT ARE NOT RATED AS HEAVY DUTY (FOR EXAMPLE CONDUITS INSTALLED BY UNDERGROUND BORING)

SEPARATION NOTES:

1. CROSSOVER CLEARANCES: SEWER & STORMWATER PIPE LINES – LV CABLES 150mm
   SEWER & STORMWATER PIPE LINES – HV CABLES 300mm
2. (H) – HORIZONTAL CLEARANCE REQUIRED
3. ANY PART OF A BUILDING WITHIN 3 METRES OF THE SUBSTATION SHALL HAVE A ONE HOUR FIRE RATING
4. SUBSTATIONS WITH SEPARATE EARTHING SYSTEMS ARE NOT PERMITTED IN SPECIAL LOCATIONS. LOCATIONS WITHIN 100m OF SCHOOL GROUNDS, CHILDREN'S PLAYGROUND, SWIMMING POOL OR IN A PUBLIC THOROUGHFARE ARE GENERALLY CLASSIFIED AS SPECIAL LOCATIONS.
5. SUBSTATIONS ARE NOT PERMITTED IN HAZARDOUS AREAS. REFER AS2381 OR HB13
6. INCLUDES GRADING RINGS AND EXCLUDES DEEP ELECTRODES
7. BARE UG LV EARTH CONDUCTORS ALSO INCLUDES EARTHS ASSOCIATED WITH MINIPILLARS AND ANY OTHER LV EQUIPMENT THAT IS EARTHED
8. THIS FIGURE CAN BE REDUCED ON ONE SIDE ONLY (NOT THE FRONT) TO 300mm
9. THIS FIGURE CAN BE REDUCED TO 500mm PROVIDED THE CABLE IS INSTALLED IN A HEAVY DUTY PLASTIC NON CONDUCTIVE PIPE AND ANY JOINS IN THE PIPE ARE MADE WATERPROOF WITH A NON CONDUCTIVE ADHESIVE
10. THIS FIGURE SHOULD BE INCREASED FOR TREES THAT WILL GROW TO A HEIGHT IN EXCESS OF THREE METRES AT MATURITY
11. NO STRUCTURES OR SERVICES ARE PERMITTED WITHIN 750mm OF THE VERTICAL PROJECTION OF ANY 132KV CABLES
12. REFER TO THE PROXIMITY GUIDELINES (DM#468024) AS THERE ARE ADDITIONAL REQUIREMENTS FOR WATER, SEWER AND ELECTRICITY ASSETS WITHIN LEASED LAND.
13. SUBSTATION EARTHING DESIGN SHALL COMPLY WITH THE FOLLOWING STANDARDS
    - ENA EG-0 (2010): POWER SYSTEM EARTHING
    - ENA EG-1 (2006): SUBSTATION EARTHING GUIDE
    - AS7000: OVERHEAD LINE DESIGN (FORMERLY ENA C(b)1)

No	REVISION	DATE	DRD	AUTH
K	MINIPILLAR - DRIVEWAY CHANGED TO TAMS DS4-03	08-10-10	AC	BB
J	NOTE 12 ADDED	24-5-10	GA	GA
H	NON FIRE RATED PARTS ADDED, NOTE 8 REVISED	26-08-08	AC	GA
M	NOTE 4 AMENDED	06-02-14	CD	BS
L	HV-HV & HV-LV SEPARATIONS ADDED. NOTES AMENDED	11.04.13	EA	BS

ActewAGL

Drawn: GA
Designed: gcsmith
Checked:
Branch Engineer: G ASTBURY
Branch Manager: D. Howe

SEPARATION AND COVER REQUIREMENTS FOR CABLES AND PLANT

Scale: NA | Date: | Sheet No:
File: | Tender No:

A3 | 3832-018 | Rev M

CADD File Name: \\SEAPPSPRD36\am\VAULT,D=DRWELECDBP,P=AMCONTEXT_1\Mains\Design_Data\Alignment\3832_018.dwg

From: Henriquez, Jose
Sent: Monday, 21 November 2016 4:16 PM
To: EPD, Customer Services
Cc: TCCS_SPATAS DA COORD; Bell, Jeff
Subject: COMM: TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Dear App Sec,

We are still assessing this project so we will provide our comments ASAP.

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | **Transport Canberra and City Services Directorate** | **ACT Government**
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Connected services for the people of Canberra

ACT Government
Transport Canberra and City Services

From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:30 PM
To: TCCS_SPATAS DA
Subject: REFERRAL-TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**21/11/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
Access Canberra | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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From: Lacey, Natalie
Sent: Tuesday, 22 November 2016 4:38 PM
To: EPD, Customer Services
Cc: Ramesh, Meena
Subject: COMMENT-LEASING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]
Attachments: supporting docs#2.obr; plans#2.obr

Dear Customer Service,

Thank you for referring DA 201630289 to General Leasing for comment on the proposed commercial development over Block 8 & Block 9 Section 48 Belconnen. (sorry it's a tad late)

I have identified one (1) proposed encroachment being numbered below, over Unleased Territory Land adjacent to Block 8 & Block 9 Section 48 Belconnen.

1. Awning encroachment

However there could be more encroachments, I will leave the identification of all encroachments to the DA Officer.

Please note that any proposed swinging doors opening outwards from Block 8 or Block 9 onto Unleased Territory land are to be revised so that doors are wholly contained within the Block boundaries of Block 8 & Block 9 when opened.

Unless advised otherwise by the Land Custodian (TAMS) encroachments on Unleased Territory Land require a Licence. Therefore, at the time the Notice of Decision is being prepared, please contact General Leasing to obtain the most up to date Licence Conditions as well as the application form.

Regards

Natalie
General Leasing

From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:34 PM
To: ACTPLA Leasing
Subject: REFERRAL-LEASING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

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www.planning.act.gov.au |EPDcustomerservices@act.gov.au

From: Henriquez, Jose
Sent: Tuesday, 22 November 2016 4:44 PM
To: EPD, Customer Services
Cc: TCCS_SPATAS DA COORD; Bell, Jeff; Chowdhury, Abu Sayem
Subject: COMM: TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]
Attachments: Tree removal_single_xx project_DAxx.doc; 201611221518.pdf

Dear App Sec,

We apologise for our late response but please consider our comments below.

DEVELOPMENT APPLICATION NO: 201630289

Project Description:
PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

BLOCK: 8 & 9	**SECTION: 48**	**SUBURB: BELCONNNEN**

This DA has been assessed in regards to the following:

Traffic	**X**	**Driveways/Verge Crossings**	**X**
Parking (to be checked by EPD)	**X**	**LMPP/Street Trees**	**X**
Public Transport		**Street Lighting**	**X**
Waste Management	**X**	**Pedestrian Footpath**	**X**
Stormwater Tie	**X**	**Stormwater Easement**	**X**
Subdivision		**EDP**	
Further Information		**Amendments/Additions/Alteration**	
Lease Variation		**Capital Works**	

X = Areas Assessed.

And our position is:

That It Is Supported	
That It Is Supported Subject to Compliance With Following Conditions	**X**
That It Is Not Supported	
That Further Information Is Required	

Conditions

VERGE CROSSING

1. **The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.**
2. **The internal ground floor driveway must comply with sightlines requirements as per AS 2890.1.**
3. **The levels on the verge are not to be altered as a result of the new constructed verge crossing.**

4. **Any infrastructure assets such as street lighting, mini-pillars, signage etc must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.**

VERGE

5. **A Landscape Management and Protection Plan and a dilapidation report for all Govt Assets adjacent to the site must be submitted to Asset Acceptance –TAMS prior to commencement of construction and on the completion of works.**
6. **Urban Treescapes support the development at Block 8 & 9 Section 48 Belconnen in terms of the impact on existing trees with the following conditions to increase the likelihood that new tree plantings will succeed.**
7. **The proposed removal of Tree 1 in the Landscape Management and Protection Plan (1625 LMPP-01 Issue A dated 26.8.2016) is not consistent with the Demolition Plan (160810 C107 Issue B dated 14.09.16) and other associated plans (i.e. Landscape Plan 1625 L01 Issue A dated 12.09.2015 and Ground Floor – Hotel DA102/1 14.09.2016) and plans must be updated for consistency.**
8. **As the supporting Tree Assessment has identified that Tree 1 is in poor health, please remove Tree 1 and replant with *Eucalyptus mannifera* 'Little Spotty' (please note that due to limited verge space Cameron Avenue the 'Little Spotty' cultivar is to be used for both new tree plantings).**
9. **Please increase the space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) to improve growing conditions and promote the development of healthy root systems.**
10. **Please also increase the distance from the outside of the tree trunk to the back of kerb to 1.7m minimum.**
11. **Please confirm that the awning on Chandler Street will be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.**
12. **There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.**
13. **Please provide more detail at design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.**
14. **In line with Urban Treescapes community notification procedures please ensure the tree to be removed is signposted at least 14 days before removal is carried out.**

PEDESTRIAN NETWORK

15. **The pedestrian walkway is to take precedence over the verge crossing and be constructed in accordance with TCCS Standards.**
16. **A Construction Management Plan must be submitted at the Design Acceptance stage.**

STORMWATER

17. **The Stormwater plan must be resubmitted at the Design Acceptance stage.**

WASTE

18. **Please note that the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, therefore, all waste will need to be collected through rear loading (please see attach document).**

Standard Conditions

The following general conditions will apply as appropriate for Works on and Use of Territory Land in addition to the above:

In accordance with the Public Unleased Land Act 2013 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. Such approval must be obtained from the Senior Manager, Asset Acceptance, TCCS by the ways of:

1. A certificate of design acceptance prior to the commencement of any work; and

2. A certificate of Operational Acceptance on completion of all works to be handed over to TCCS.

Design Acceptance and Operational Acceptance

A Certificate of Design Acceptance is required for all off-site works from the Senior Manager, Asset Acceptance, TCCS, prior to the construction.

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

A Certificate of Operational Acceptance on completion of the works is required from the Senior Manager, Asset Acceptance, TCCS, prior to the issue of a Certificate of Occupancy.

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

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

Temporary Traffic Management (TTM)

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

Landscape Management & Protection Plan (LMPP)

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

Use of Verges or other Unleased Territory land

In accordance with the Public Unleased Land Act 2013, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

Repair of Damage to Public Assets

The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

Notice of Commencement of Construction

Notice of Commencement for the Works in Unleased Territory Land shall be submitted to the Senior Manager, Asset Acceptance, TCCS one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

Additional Comments/Advice (as advice to ACTPLA only, and not to be included in the Notice of Decision)

19. **All parking requirements should be checked by EPD in accordance with the Parking and Vehicular Access General Code.**
20. **All plans must be updated before they are stamped approved and released to the Applicant.**

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | Transport Canberra and City Services Directorate | ACT Government
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Connected services for the people of Canberra

ACT Government
Transport Canberra and City Services

From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:30 PM
To: TCCS_SPATAS DA
Subject: REFERRAL-TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**21/11/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
Access Canberra | **ACT Government**
Dame Pattie Menzies House, 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.

www.planning.act.gov.au |EPDcustomerservices@act.gov.au

Relevant Logo

Tree removal and replanting

This street tree has been approved for removal under DAxxxxxxxxx. Their removal was approved to allow for xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx. The tree removal and planting of replacement trees nearby will be undertaken as part of the Project works.

Removal has been scheduled for (xxx date). The new tree/s will be planted at the end of the development project works.

For further information, contact xxxxxxxxx on xxxxxxx within 14 days of the date of this notice.

Date .....

REAR LIFT COLLECTION

VEHICLE SPECIFICATIONS	
Overall length	8.0m
Overall width	2.5m
Height (travel)	3.4m
Height (in operation)	3.4m
Weight (vehicle only)	13.0t
Weight (payload)	9.5t
Turning circle	25.0m

*** Vehicle specifications are approximate and may vary by location.*

SITA's full range of collection services include:

- General waste
- Paper and cardboard
- Co-mingled recyclables (containers)
- Food and garden organics
- Electronic waste
- Batteries, globes and fluorescent tubes
- Metals
- Plastics
- Document destruction (confidential)
- Product destruction
- Untreated timber
- Construction waste
- Sanitary
- Quarantine waste
- Liquids
- Hazardous waste
- Medical/clinical waste

FOR MORE DETAILS CONTACT YOUR LOCAL SITA CUSTOMER SERVICE CENTRE ON 13 13 35

SITA IS COMMITTED TO ENSURING THAT ALL OF OUR OPERATIONS ARE CONDUCTED IN A MANNER THAT PROTECTS THE HEALTH AND SAFETY OF OUR EMPLOYEES, CUSTOMERS, CONTRACTORS, SUPPLIERS AND THE GENERAL PUBLIC, PROVIDING A SAFE AND HEALTHY WORKING ENVIRONMENT.

Printed on 100% recycled paper created entirely from post consumer waste, using vegetable oil based inks and an alcohol-free ISO 14001 certified printing process.

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REAR LIFT COLLECTION

THE REAR LIFT COLLECTION SYSTEM IS BEST SUITED TO SITES WITH **LIMITED ACCESS AND SPACE**.

SUPPORTED BY OUR NATIONAL NETWORK OF **SUSTAINABLE RESOURCE RECOVERY FACILITIES**, SITA AUSTRALIA'S COLLECTION SYSTEMS WILL HELP YOU SAVE ON DISPOSAL COSTS THROUGH **SERVICE EXCELLENCE AND REDUCING EXPOSURE TO LANDFILL LEVIES**.

BY ADOPTING SIMPLE AND RELIABLE COLLECTION SYSTEMS TAILORED TO THE WASTE GENERATION PROFILE OF YOUR BUSINESS, YOU CAN **IMPROVE CORPORATE RESPONSIBILITY** AND BUILD **ENVIRONMENTALLY SUSTAINABLE** PERFORMANCE.

OVERVIEW

- Best suited for lightweight and small to midsized waste volumes.
- Ideal for workshops, offices, restaurants and retail outlets.
- Suits businesses that generate odorous food wastes as the waste can be bagged and cleared daily.
- Perfect secondary partner for a primary Front Lift or Roll-on/Roll-off (RORO) system.
- Convenient range of standard containers from 120L to 1100L capacities.
- Bins are colour-coded to Australian Standards for easy identification of waste streams.
- Reduced labour costs when bin is located close to waste generation source.
- Easily manoeuvrable due to solid rubber wheels.
- Equally suitable for indoor or outdoor use.
- Carts can be supplied in a range of sizes ensuring flexibility and total compatibility with the customer's site.

CONTAINER SPECIFICATIONS

Plastic (polyethelene)

Capacity	120L	240L	660L	1100L
Height	0.92m	1.075m	1.235m	1.485m
Width	0.54m	0.58m	1.36m	1.36m
Length	0.62m	0.715m	0.765m	1.07m
Weight	9.5kg	13.5kg	45kg	65kg

**Availability of the complete suite of bin sizes varies across states. Sizes are approximate measurements and may vary by location.*

CONTAINER OPTIONS AND ACCESSORIES

- Foot pedal operated lid
- Wheel locking device
- Range of bin sizes
- Tow hitches
- Flip top and roll top lids
- Wheel brakes
- Liners
- Security posts
- Cart cradle
- Waste ID labels
- Bin lifters
- Padlocks and chains

THE LEADER IN RESOURCE RECOVERY

suez environnement · sembcorp · SITA

ACT Government
Environment, Planning and Sustainable Development

Notice of decision

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

Merit track

DA NO: 201630289		**DATE LODGED: 27/10/2016**
DATE OF DECISION: -----December 2016		
BLOCKS: 8 & 9	**SECTION: 48**	**SUBURB: BELCONNEN**
STREET NO AND NAME: 1 Edmondstone Place & 55 Chandler Street Belconnen		
APPLICANT: Canberra Town Planning Pty Ltd		
LESSEE: **Canberra Labor Club Limited**		

THE DECISION

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

I, Meena Ramesh, delegate of the planning and land authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for a mixed use development including:

(a) a variation of the Crown lease to:

- remove the Gross Floor Area limitations in relation to 'Restaurant' and 'Indoor Recreation Facility', and
- consolidate the subject blocks;

(b) Demolition of the existing buildings;

(c) Construction of a twelve (12) storey mixed use building above one level of basement including:

- Restaurant and retail space at the ground floor level;
- Four (4) levels of podium car parking comprising 134 car parking spaces;
- Hotel comprising 90 commercial accommodation units over five (5) levels and ancillary uses including a Conference Room and Gym within the basement level;
- 2,037sqm of commercial/office space across the two uppermost levels;

(d) associated landscaping, paving and other site works,

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

This decision is subject to the conditions of approval at **PART 1** being satisfied. Please note that plans will not be dispatched until all relevant conditions are satisfied..

PART 2 sets out the Reasons for the Decision.

PART 3 is Public Notification and Entity Advice.

PART 4 contains administrative information relating to the determination.

DELEGATE

Meena Ramesh
Delegate of the planning and land authority
Environment and Planning Directorate
------/12/2016

CONTACT OFFICER
Meena Ramesh
Phone: 62076174
Email: meena.ramesh@act.gov.au

PART 1
CONDITIONS OF APPROVAL

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

A. ADMINISTRATIVE / PROCESS CONDITIONS

A1. APROVAL DOES NOT TAKE EFFECT – CONTAMINATION
That this approval for a variation to the Crown lease does not take effect until the applicant/lessee has lodged with the planning and land authority written evidence that:

(a) the site has been assessed for possible contamination to the satisfaction of the Environment Protection Authority (EPA), or its successors;

(b) if required, the site is remediated to the satisfaction of the EPA; and

(c) the applicant/lessee has obtained written evidence that the EPA has advised that the site is suitable for the proposed development.

Note: This condition is to be read in conjunction with Condition B1 below in relation to this matter. Also refer further advice from EPA under Part 3 - ENTITY ADVICE below.

A2. TIMEFRAME TO COMPLY WITH CONDITION A1
Within 24 months of the date of this Decision the applicant/lessee must:

(a) commence and complete the assessment of possible contamination required pursuant to Condition A1(a); and

(b) lodge with the planning and land authority written evidence of compliance with Condition A1.

A3. COMPLIANCE WITH CONDITION A2
This approval will end if the applicant/lessee has not lodged the written evidence required pursuant to Condition A2 within 24 months of the date of this Decision.

Note: Upon the applicant/lessee lodging with the planning and land authority written evidence of the commencement of the environmental assessment pursuant to Condition A2(a), the applicant/lessee may apply to the planning and land authority in writing for an extension of the approved timeframes at Conditions A2 and A3.

CONDITIONS RELATING TO THE VARIATION OF THE CROWN LEASE

Please note that this approval includes leasing requirements. The approval will expire 2 years after the date of approval being (insert date)

A4. COMMENCEMENT OF BUILDING WORK
That no building work in relation to this Development Application, except for demolition and the decontamination of the land (if required), is to commence on the site until the new Crown lease is registered at Access Canberra (Land Titles and Rental Bonds).

CONDITIONS FOR LICENCING OF ENCROACHMENTS (2-Party)

A5. COMMENCEMENT OF BUILDING WORK

No building work in relation to the encroachment (the works on unleased Territory land that are part of this development approval) is to commence on the site until the lessee has applied for and has been granted a licence in relation to the encroachment, being an awning, by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007* and in the form approved by the planning and land authority.

A6. APPLICATION FOR A LICENCE (See **Attachment 2**)

Prior to the commencement of building work, the lessee (the proposed Licensee) must lodge with the Environment, Planning and Sustainable Development Directorate (EPSDD) an application for the grant of a licence to occupy and use unleased Territory land, pay the appropriate fee and undertake the following:

(i) Encroachment plan

the lessee (the proposed Licensee) must submit to EPSDD a plan detailing all dimensions of the proposed encroachment including area, block boundaries and location of encroachment in relation to the building, adjacent unleased Territory land and/or public road. Plan details must be sufficient to enable the preparation of a Spatial Data Mapping System (SDMS) plan and number.

(ii) Public liability insurance

the lessee (the proposed licensee) must obtain public liability insurance in respect of the encroachment by complying with the procedures outlined in the Financial Management (Public Liability Insurance) Guidelines 2011.

The procedures are specified below in summary form:

1. nominate each and all of the proposed activities the proposed licensee wishes to undertake on Territory land or premises ("Premises");
2. take out a public liability insurance policy for the term of the licence;
3. submit a certificate of currency in respect of the public liability insurance, which clearly states that the encroachment is covered by the insurance policy; and
4. Comply with obligations in respect of risk management plans if applicable.

This information is to be forwarded to the:

Licensing Officer
Leasing Services
Planning Delivery Division
EPSDD
GPO Box 158
CANBERRA ACT 2601
Ph: (02) 6207 1923

Note: The Activity Schedule will form part of the licence agreement

A7. TRANSFER OF TITLE

The lessee must not transfer or assign its interest in the premises unless and until the proposed transferee or assignee is granted a licence by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007*, under the same terms and conditions as the licence granted in accordance with Conditions A5 and A6 and meets the insurance requirements in accordance with Condition A6.

CONDITIONS RELATING TO THE DEVELOPMENT WORKS

A8. FURTHER INFORMATION

Within 28 days from the date of this decision, or within such further time as may be approved in writing by the planning and land authority, the applicant shall lodge with the planning and land authority for approval:

(a) revised architectural drawings, based on the relevant drawings submitted as part of the application, showing:

(i) revised facade treatment as per drawings appearing at **Attachment A** to this decision;

(ii) external dimensions of the basement;

(iii) the removal of Tree 1;

Note: All plans to be consistent including Demolition Plan.

(iv) the accurate total number of car parking spaces on Levels 1 and 4;

Note: It is also highly recommended that 2 accessible parking spaces be provided on the Level 1 to ensure accessible parking is available on all levels of the proposed podium parking structure.

(v) the configuration of the proposed hotel drop-off area to the satisfaction of Transport Canberra and City Services (TCCS);

Note: All plans including landscape plans to be consistent.

(vi) bicycle parking within the verge adjacent the subject site;

Note: Such parking must meet all relevant requirements of TCCS including appropriate clearances from surrounding infrastructure such as street trees, kerb, Stormwater sumps, signage, buildings, etc.). Details of this bicycle parking should be submitted to the Senior Manager, Asset Acceptance, TCCS at the Design Acceptance stage.

(vii) four (4)motorcycle visitor parking bays on the plans; and

Note: The surplus of vehicle parking presents an opportunity to convert some of these spaces into motorcycle parking, preferably on Level 1 and near one of the bicycle parking areas.

(viii) the proposed building except for the awning encroachment wholly contained within the subject site boundaries.

A9. TRANSPORT CANBERRA AND CITY SERVICES (TCCS)

1. The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
2. The internal ground floor driveway must comply with sightline requirements as per AS 2890.1.
3. The levels on the verge are not to be altered as a result of the new constructed verge crossing.

4. Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.
5. A Landscape Management and Protection Plan and dilapidation report for all Government assets adjacent the site must be submitted to Asset Acceptance, TCCS prior to commencement of construction and on the completion of works.
6. The proposed removal of Tree 1 should be consistent on all plans.
7. Both new trees in Cameron Avenue are to be Eucalyptus mannifera 'Little Spotty' cultivar.
8. The space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) must be increased to improve growing conditions and promote the development of healthy root systems.
9. The distance from the outside of the tree trunk to the back of kerb must be increased to 1.7m minimum.
10. Awning on Chandler Street must be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
11. There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.
12. More detail must be provided at the design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
13. In line with Urban Treescapes community notification procedures, the tree to be removed must be sign posted at least 14 days before its removal (see **Attachment 3**).
14. The pedestrian walkway must take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
15. A Construction Management Plan must be submitted at the Design Acceptance stage.
16. The Stormwater plan must be resubmitted at the Design Acceptance stage.
17. Since the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, all waste must be collected through rear loading (See **Attachment 4**).
18. A Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area must be provided at the Design Acceptance.

A10. AIR EMISSIONS

All Food retail and restaurant premises on the subject site must have exhaust and ventilation systems installed and operated to comply with the *Australian Standard AS1668.1- The Use of Ventilation and Air conditioning in Buildings.*

A11. NOISE MANAGEMENT

The noise mitigation measures identified in Section 4 of the Noise Management Plan dated September 2016 by Parsons Brinckerhoff must be implemented on site.

A12. WIND ASSESSMENT

Further detailed modelling must be undertaken to confirm that the wind effect identified at point A in Figure 9 on Page 5 of the Wind Assessment Report, Project: 2304587U, dated 13 September 2016 by Parsons Brinckerhoff will not negatively impact the local wind climate in the public realm around the subject site. Any mitigation measures recommended from such a study must be implemented on site.

A13. COMPLIANCE WITH ENTITY REQUIREMENTS

The development must comply with all the relevant conditions imposed by each of the relevant entities stated in each of their advice that need to be addressed prior to, during and post construction (Refer to Part 1 - ADVISORY NOTES and Part 3 - ENTITY ADVICE of this Notice of Decision).

B. PRIOR TO CONSTRUCTION AND/OR DEMOLITION

B1. ENVIRONMENT PROTECTION

(a) Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

(b) Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004* and the *Dangerous Substances (General) Regulation 2004.*

(c) The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

(d) A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the EPA for review and endorsement prior to the commencement of new development works.

(e) Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

(f) Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4.*

(g) No material is to be removed from the site without EPA approval.

(h) The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

(i) All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*"

Note: Refer further advice from this entity under Part 3 - ENTITY ADVICE below.

B2. TREE PROTECTION

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

B3. DESIGN ACCEPTANCE

Prior to the commencement of any work on the site, a Certificate of Design Acceptance must be obtained for all off-site works from the Senior Manager, Asset Acceptance, TCCS.

B4. TEMPORARY TRAFFIC MANAGEMENT (TTM)

Prior to the commencement of any work on the site, approval must be obtained for a TTM Plan from the Manager, Traffic Management & Safety, Roads ACT, Transport and Infrastructure Division, TCCS. All times during construction, the site and surrounds must be managed in accordance with a Temporary Traffic Management Plan, prepared by a suitably qualified person and approved by the Manager, Traffic Management & Safety.

This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices.

B5. LANDSCAPE MANAGEMENT & PROTECTION PLAN (LMPP)
Prior to the commencement of any work on the site, approval must be obtained for a LMPP from the Senior Manager, Asset Acceptance, TCCS. During construction, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development must be managed, protected and maintained in accordance with the LMPP approved by the Senior Manager, Asset Acceptance, TCCS. This plan is to be implemented before the commencement of works, including demolition on the site and is to be in accordance with *TCCS Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04.*

B6. USE OF VERGES OR OTHER UNLEASED TERRITORY LAND
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

B7. REPAIR OF DAMAGE TO PUBLIC ASSETS
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

B8. NOTICE OF COMMENCEMENT OF CONSTRUCTION
Notice of Commencement for the Works in Unleased Territory Land must be submitted to the Senior Manager, Asset Acceptance, TCCS one week prior to the commencement of works. The Notice must also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

C. DURING CONSTRUCTION AND/OR DEMOLITION

C1. SEDIMENT AND EROSION CONTROL

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

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

C2. TREE PROTECTION

The applicant/lessee shall protect and maintain all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and a Tree Management Plan.

C3. VERGE MANAGEMENT

During any work undertaken on the site, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development

shall be managed, protected and maintained in accordance with a Landscape Management Plan approved by the Manager, Asset Acceptance, TCCS.

C4. TRAFFIC MANAGEMENT

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

C5. WASTE MANAGEMENT

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

D. POST CONSTRUCTION AND/OR DEMOLITION

Not applicable.

E. ADVISORY NOTES

This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes prior to commencing work.

- UTILITIES

  - Refer to conditional statement of compliance from ActewAGL Electricity Networks Division at **Attachment B**.
  - Refer to conditional statement of compliance from ICON Water at **Attachment C**.
  - Refer to conditional statement of compliance from Jemena Gas Networks (NSW) Limited at **Attachment D**.

- EMERGENCY SERVICES AGENCY (ESA)

  Refer to ESA statement at **Attachment E**.

- PARKING

  Measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area should be given consideration.

- ENTITY ADVICE

  The applicant is advised to carefully consider all the relevant advice (in addition to the conditions imposed) from each of the entities stated in Part 3 of this decision throughout the process of development (prior to, during & post construction) as applicable.

Also see advice from other entities under PART 3 ENTITY ADVICE. Refer to Appendix 1 for information about approvals that may be required for construction.

PART 2
REASONS FOR THE DECISION

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet the relevant codes, being the Belconnen Precinct Map & Code and the Commercial Zones Development Code.

The key issues identified in the assessment are visual impact of the proposed building, possible site contamination, licence requirements for the proposed encroachment, noise management, and other entity issues and LEASING . Conditions have been imposed to address the key issues and ensure that the proposal is consistent with the Territory Plan and the *Planning and Development Act 2007*.

EVIDENCE

Application No. 201630289
Territory Plan Zone – CZ2 Business Zone
The Development Codes – Commercial Zones Development Code, Access and Mobility General Code, Parking and Vehicular Access General Code, Bicycle Parking General Code & Crime Prevention Through Environmental Design General Code
The Precinct Codes – Belconnen Precinct Map & Code
Current Crown Lease – Block 8 - Volume 1963 Folio 3 and Block 9 - Volume 2055 Folio 3
Representations – none received
Entity advice- TCCS, EPA, Actew, ICON, Jemena, ESA, ACT Health, EPSDD Strategic Planning and EPSDD Major Projects & Transport,

PART 3
PUBLIC NOTIFICATION AND ENTITY ADVICE

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 3 November 2016 to 23 November 2016. No written representations were received during public notification.

ENTITY ADVICE

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

TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE (TCCS)
On 22 November 2016, advice was received from this entity in relation to the proposal. The advice stated that the application is supported subject to the following conditions.

Conditions

VERGE CROSSING

1. The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
2. The internal ground floor driveway must comply with sightlines requirements as per AS 2890.1.
3. The levels on the verge are not to be altered as a result of the new constructed verge crossing.
4. Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.

VERGE

5. A Landscape Management and Protection Plan and dilapidation report for all Government Assets adjacent the site must be submitted to Asset Acceptance –TCCS prior to commencement of construction and on the completion of works.
6. Urban Treescapes support the development in terms of the impact on existing trees with the following conditions to increase the likelihood that new tree plantings will succeed.

    - The proposed removal of Tree 1 in the Landscape Management and Protection Plan (1625 LMPP-01 Issue A dated 26.8.2016) is not consistent with the Demolition Plan (160810 C107 Issue B dated 14.09.16) and other associated plans (i.e. Landscape Plan 1625 L01 Issue A dated 12.09.2015 and Ground Floor – Hotel DA102/1 14.09.2016) and plans must be updated for consistency.
    - As the supporting Tree Assessment has identified that Tree 1 is in poor health, please remove Tree 1 and replant with *Eucalyptus mannifera* 'Little Spotty' (note that due to limited verge space in Cameron Avenue the 'Little Spotty' cultivar is to be used for both new tree plantings).
    - Increase the space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) to improve growing conditions and promote the development of healthy root systems.

- Increase the distance from the outside of the tree trunk to the back of kerb to 1.7m minimum.
- Confirm that the awning on Chandler Street will be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
- There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.
- Provide more detail at design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
- In line with Urban Treescapes community notification procedures, please ensure the tree to be removed is signposted at least 14 days before removal is carried out (see **Attachment 3**).

PEDESTRIAN NETWORK

7. The pedestrian walkway is to take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
8. A Construction Management Plan must be submitted at the Design Acceptance stage.

STORMWATER

9. The Stormwater plan must be resubmitted at the Design Acceptance stage.

WASTE

10. Please note that the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, therefore, all waste will need to be collected through rear loading (See **Attachment 4**).

Standard Conditions

The following general conditions will apply as appropriate for Works on and Use of Territory Land in addition to the above:

In accordance with the *Public Unleased Land Act 2013* no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. Such approval must be obtained from the Senior Manager, Asset Acceptance, TCCS by the ways of:

1. A certificate of design acceptance prior to the commencement of any work; and
2. A certificate of Operational Acceptance on completion of all works to be handed over to TCCS.

Design Acceptance and Operational Acceptance
A Certificate of Design Acceptance is required for all off-site works from the Senior Manager, Asset Acceptance, TCCS, prior to the construction.

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

A Certificate of Operational Acceptance on completion of the works is required from the Senior Manager, Asset Acceptance, TCCS, prior to the issue of a Certificate of Occupancy.

Similarly a Chartered Engineer/Landscape Architect should certify compliance with *TCCS Ref No*

08: "Requirements for Works as Executed Quality Records Requirements" when the request for Operational Acceptance is made to the Senior Manager, Asset Acceptance, TCCS on completion of all off-site works.

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

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

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

Use of Verges or other Unleased Territory land
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

Repair of Damage to Public Assets
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

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

On 24 November 2016, further advice was received from this entity in relation to the proposal. The advice stated that the applicant will need to provide a Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area.

On 24 November 2016, additional advice was received from this entity in relation to the proposal. The advice stated that TCCS doesn't object to the provision of bicycle parking with the verge adjoining the subject site for restaurant patrons and visitors to the retail shops if this is required by EPSDD Transport Planning.

However, this condition must be met at the Design Acceptance stage. Its location is to be

appropriate (clearances from surrounding infrastructure such as street trees, kerb, SW sumps, signage, buildings, etc,) otherwise the proposal may have problems obtaining Design Acceptance if it can't comply.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ACTEWAGL ELECTRICITY NETWORKS DIVISION
On 16 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with the Electricity Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment A**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ICON WATER
On 3 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with their requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment B**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

JEMENA
On 2 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal conditionally complies with the Gas Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment C**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ACT HEALTH
On ---- 2016, advice was received from this entity in relation to the proposal as below.

Comment - Matters raised have been incorporated as advice to the applicant.

EMERGENCY SERVICES AGENCY (ESA)
On 11 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal is supported.

Comment – Refer to ESA statement at **Attachment D**. Matters raised have been incorporated as advice to the applicant.

ENVIRONMENT PROTECTION AUTHORITY (EPA)
On 29 November 2016, advice was received from EPA in relation to the proposal which states that the application is supported subject to conditions.

The Environment Protection Unit reviewed a report titled "Phase 1 Environmental Assessment 55 Chandler Street Belconnen, ACT 2616 (Block 8 Section 48 Belconnen)" dated November 2010 by Robson Environmental Pty Ltd in November 2010 and supported the consultant's conclusions

and recommendations that "the site is considered suitable for the uses outlined in the DA (201018461) lodged in August 2010" subject to it undergoing further assessment at the time of demolition to ascertain the presence or otherwise of underground fuel storage.

On this basis, the EPA would support the application subject to the following conditions:

Conditions

- Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

- Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004 and the Dangerous Substances (General) Regulation 2004.*

- The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

- A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the EPA for review and endorsement prior to the commencement of new development works.

- Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

- Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4* available at www.environment.act.gov.au.

- No material is to be removed from site without EPA approval.

- The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

- All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*", available at www.environment.act.gov.au or by calling 132281.

Advice

- Noise from generators and other plant which may be installed at the site, including air conditioning units, must comply with the noise standard as per the *Environment Protection Regulation 2005.*

- Al rain water that enters the site and pools in excavations during a rain storm event would be considered as a sediment control pond, and must meet the following conditions.

    - No discharge from dam. All stormwater must be pumped out and disposed in at an approved location.
    - No discharge is allowed to enter the stormwater system.
    - No discharge from pond unless sediment level is less than 60mg/litre. If sediment level is greater, then prior to discharge, the dam must be dosed with either Alum or Gypsum and

allowed to settle until the sediment is less than 60 mg/litre.
- Water level must not exceed 20% capacity at all times to allow runoff storage during a rain event.
- All underground drains must lead to a pit and not connected to the stormwater system or be connected to sewage with the approval of ICON Water.

- All external lights must comply with Australian Standards AS4282 Control of the obtrusive effects of outdoor lighting.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

STRATEGIC PLANNING, EPSDD

On 30 November 2016, advice was received from this entity in relation to the proposal which stated -

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.

- Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvers and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvers. Consider breaking down the extent of louvers by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- Note – The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Comment – The applicant was asked to address these design issues. The applicant provided a written response to the issues raised together with an alternative solution for the facade treatment which was presented to the Major Projects Review Group (MPRG) on 7 December 2016. The MPRG supported the alternative solution. A condition has been imposed to provide revised architectural drawings to reflect the facade changes as in the alternative solution.

MAJOR PROJECTS & TRANSPORT, EPSDD

On 24 November 2016, advice was received from this entity in relation to the proposal which stated that the following advice must be considered to produce a satisfactory outcome for this proposal.

- The provision of 2 accessible parking spaces on the level 1 basement parking – this would ensure that accessible parking is available on all levels of the proposed podium parking structure;
- Further explanation on proposed measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area;
- In addition to step 2, an indication of which bicycle parking areas will be allocated for each particular use in this mixed use development;
- The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option;
- An indication of 4 motorcycle visitor parking bays on the plans. The surplus of vehicle parking being proposed by the applicant presents an opportunity to convert some of these spaces into motorcycle parking, preferably on level 1 and near one of the bicycle parking areas; and
- Recommend that a TCCS view be sought on the suitability of the proposed swept path as indicated on drawing number C501.

Comment – TCCS has supported the proposal. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

PART 4
ADMINISTRATIVE INFORMATION

DATE THAT THIS APPROVAL TAKES EFFECT

Unless a condition of approval provides for otherwise this approval is effective from the day after the date of this notice. The effective date for development applications approved subject conditions could also be adjusted if the approval is reconsidered by the planning and land authority or if an application is made to the ACT Civil and Administrative Tribunal.

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

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

Conditional Approval

This approval will expire if, in accordance with Section 165(3)(d) of the Act, a condition has deferred the effect of the development approval ***and*** imposed a time frame during which another approval must be revoked, amended or given, and the time frame has expired.

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

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

INSPECTION OF THE APPLICATION AND DECISION

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

RECONSIDERATION OF THE DECISION

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

To submit an application for reconsideration, documents must be provided electronically by email to EPSDDcustomerservices@act.gov.au or provided at the customer service centre on a CD/DVD. The delegate of the Authority reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Civil and Administrative Tribunal. Application forms and further information about reconsideration are available from the planning and land authority's website and Customer Service Centres.

REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

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

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

Health Directorate - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
Environment, Planning & Sustainable Development Directorate *Planning and land authority* - list of certifiers for building approval - demolition information - asbestos information *Environment Protection Authority* - environment protection - water resources - asbestos information *Conservation, Planning and Research* - threatened species/wildlife management	 Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 Website: www.environment.act.gov.au Telephone: (02) 6207 6251 Website: www.environment.act.gov.au Telephone: (02) 6207 1911
Transport Canberra & City Services Directorate - tree damaging activity approval - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.TCCS.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 7480
Utilities - Telstra (networks) - TransACT (networks) - Icon Water - Electricity reticulation	 Telephone: (02) 8576 9799 Telephone: (02) 6229 8000 Telephone: (02) 6248 3111 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the planning and land authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made by:

- Completing an application for S165 Satisfying Conditions of Approval and submitting the documentation online using edevelopment. More information on edevelopment can be found at http://www.actpla.act.gov.au/tools_resources/e-services/edevelopment

For further information regarding the lodgement of this information please contact Customer Service Centre by Phone: (02) 6207 1923, Email: **esddcustomerservices@act.gov.au** or on the planning and land authority website at **www.actpla.act.gov.au.**

FURTHER APPROVALS FOR CONSTRUCTION

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

BUILDING APPROVAL

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

PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

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

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

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

"TREE DAMAGING ACTIVITY" APPROVAL

A Tree Management Plan under the *Tree Protection Act 2005* is required for approval where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees by that Act. More information is available from the Territory and Municipal Services Directorate.

USE OF VERGES OR OTHER UNLEASED TERRITORY LAND

In accordance with the *Public Unleased Land Act of 2013,* road verges and other unleased Territory land must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. Approval can be obtained from the Territory and Municipal Services Directorate.

WORKS ON UNLEASED TERRITORY LAND – DESIGN AND OPERATIONAL ACCEPTANCE

In accordance with the *Public Unleased Land Act of 2013,* no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval must be obtained from the Manager Asset Acceptance, Asset Services Group, TCCSD by way of:

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

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

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

CONSTRUCTION REQUIREMENTS

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

DEMOLITION AND ASBESTOS MANAGEMENT

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

ENVIRONMENT PROTECTION

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

REPAIR OF DAMAGE TO PUBLIC ASSETS

The applicant/lessee is held responsible for all damage to ACT Government assets (including footpaths) caused by the development and they must properly repair any damage to those assets. Before work commences, they should notify the Territory and Municipal Services Directorate of any existing damage to public facilities.

UTILITY ASSETS RETENTION

The lessee should obtain a plant location advice from ActewAGL to avoid conflict with existing plant or electrical easements. The lessee will be responsible for the costs associated with the relocation of assets, if necessary. The lessee is to ensure that the water service and water meter are retained in position and in good condition. Icon Water's water meters are accountable items and must not be removed from the site or otherwise disposed of.

WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

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

DRAINAGE

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

REVIEW OF THE DECISION

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

CONTACT DETAILS

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

Location	Contact details
ACT Civil and Administrative Tribunal Level 4, 1 Moore Street 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

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

FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee (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;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

AWARDING OF COSTS

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

ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the 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:
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TRANSLATING AND INTERPRETING SERVICE

131 450

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

From: Karanfilovski, George
Sent: Thursday, 24 November 2016 9:18 AM
To: EPD, Customer Services
Cc: Ramesh, Meena; Wyatt, Tim; EPD Strategic Planning Referrals
Subject: COMMS-EPD TRANSPORT PLANNING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Good morning EPSDD customer services,

Thank you for the opportunity to provide comments in relation to **DEVELOPMENT APPLICATION NO: 201630289** at:

BLOCK: 8&9	**SECTION: 48**	**DIVISION: BELCONNEN**

This referral has been assessed for:

Parking	X
Walking and Cycling	X
Traffic	X
Noise	
Public Transport	X
Freight	

Major Projects and Transport provide the following:

Recommend Support	
No comments	
Advice for the applicant	X
Recommend Not Supported	
Further Information/amendments Required	

Advice:
Transport planning have the following advice for the officer and applicant to consider in order to produce a satisfactory outcome for this proposal –

1) The provision of 2 accessible parking spaces on the level 1 basement parking – this would ensure that accessible parking is available on all levels of the proposed podium parking structure;

2) Further explanation on proposed measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area;
3) In addition to step 2, an indication of which bicycle parking areas will be allocated for each particular use in this mixed use development;
4) The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option;
5) An indication of 4 motorcycle visitor parking bays on the plans. The surplus of vehicle parking being proposed by the applicant presents an opportunity to convert some of these spaces into motorcycle parking, preferably on level 1 and near one of the bicycle parking areas;
6) Recommend that a TCCS view be sought on the suitability of the proposed swept path as indicated on drawing number C501.

Feel free to contact myself or Tim Wyatt should you wish to clarify any of the above advice.

Kind regards,

George Karanfilovski | Urban Planner | Major Projects and Transport
Phone: 02 6207 4322 | Email: george.karanfilovski@act.gov.au
Strategic Planning | **Environment, Planning and Sustainable Development Directorate** | **ACT Government**
Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

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From: EPD Strategic Planning Referrals
Sent: Wednesday, 2 November 2016 12:59 PM
To: Karanfilovski, George
Cc: Wyatt, Tim
Subject: FW: REFERRAL-EPD TRANSPORT PLANNING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

George –
This has been referred to Transport Planning for comment – It is for two sites owned by the Labor Club at the corner of Chandler and Cameron Ave in Belconnen. Comments are due 21/11.
I will also be providing comments, so happy to combine them if you like.

Thanks

Chris

From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:31 PM
To: EPD Strategic Planning Referrals
Subject: REFERRAL-EPD TRANSPORT PLANNING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**21/11/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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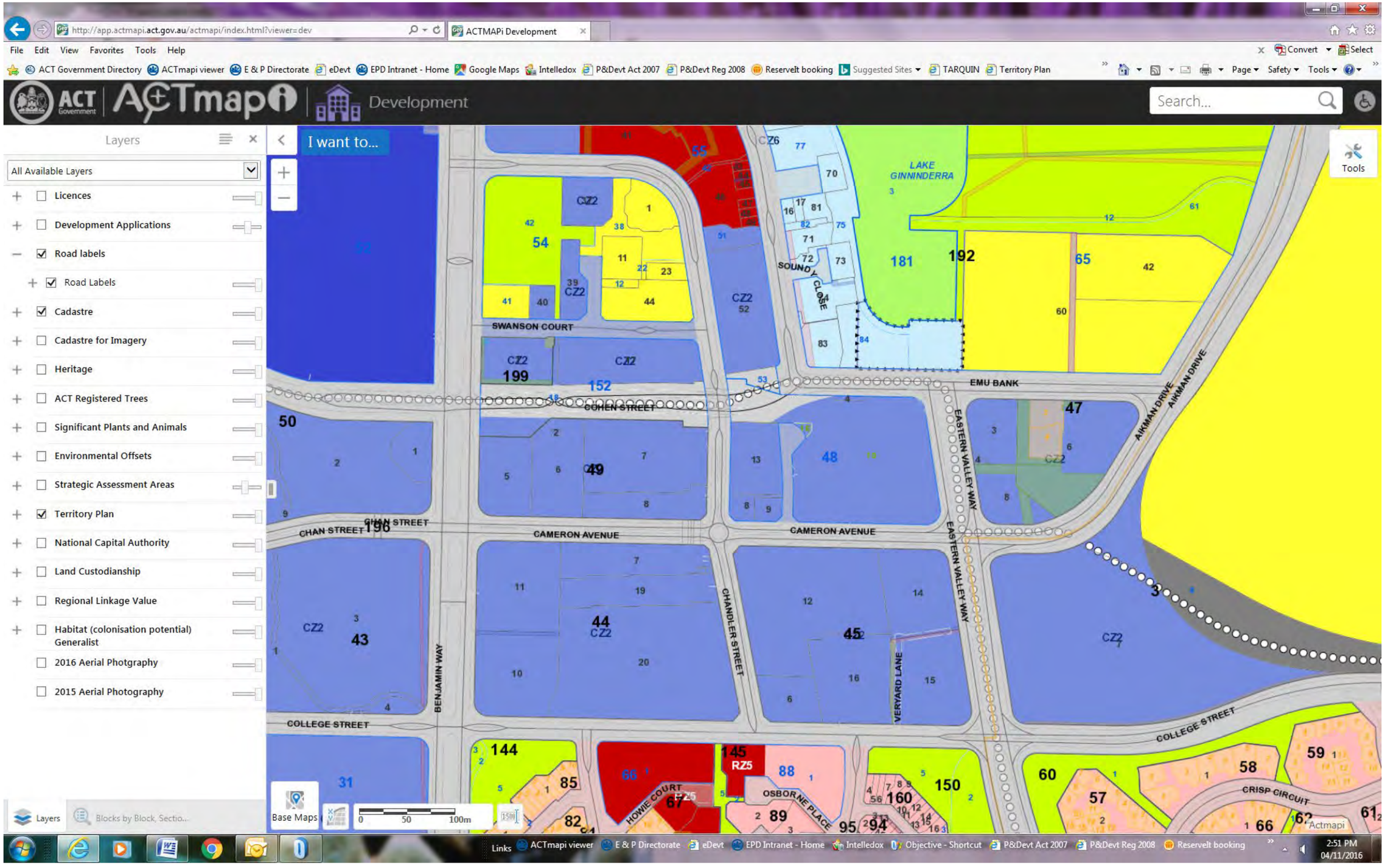
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Heritage
ACT Registered Trees
Significant Plants and Animals
Environmental Offsets
Strategic Assessment Areas
Territory Plan
National Capital Authority
Land Custodianship
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COHEN STREET
EMU BANK
AIKMAN DRIVE
EASTERN VALLEY WAY
CHAN STREET
CAMERON AVENUE
BENJAMIN WAY
CHANDLER STREET
VERYARD LANE
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HOWIE COURT
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Chandler St
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The Lighthouse Bar
Kmart Belconnen
JB Hi-Fi Belconnen
Belconnen - Toys "R" Us
Babies "R" Us
ALDI Belconnen
Coles Supermarkets
Margaret Timpson Park
Belconnen Library
Access Canberra Shopfront Belconnen
Westfield Belconnen Bus Station
Westfield Belconnen
Swanson Ct
Swanson Ct
Emu Bank
Sturdy Ct
University of Canberra Senior Secondary...
Belconnen Skate Park
Aikman Dr
Cohen St
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Chandler St
Eastern Valley Way
Emu Bank
AMF Bowling Belconnen
The Good Guys Belconnen
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Commonwealth Superannuation...
Canberra Labor Club
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Chatterbox Espresso Bar
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Jaycar Electronics Belconnen
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Tristar Medical Group Bruce
Club Blue CISAC
Club Pink CISAC
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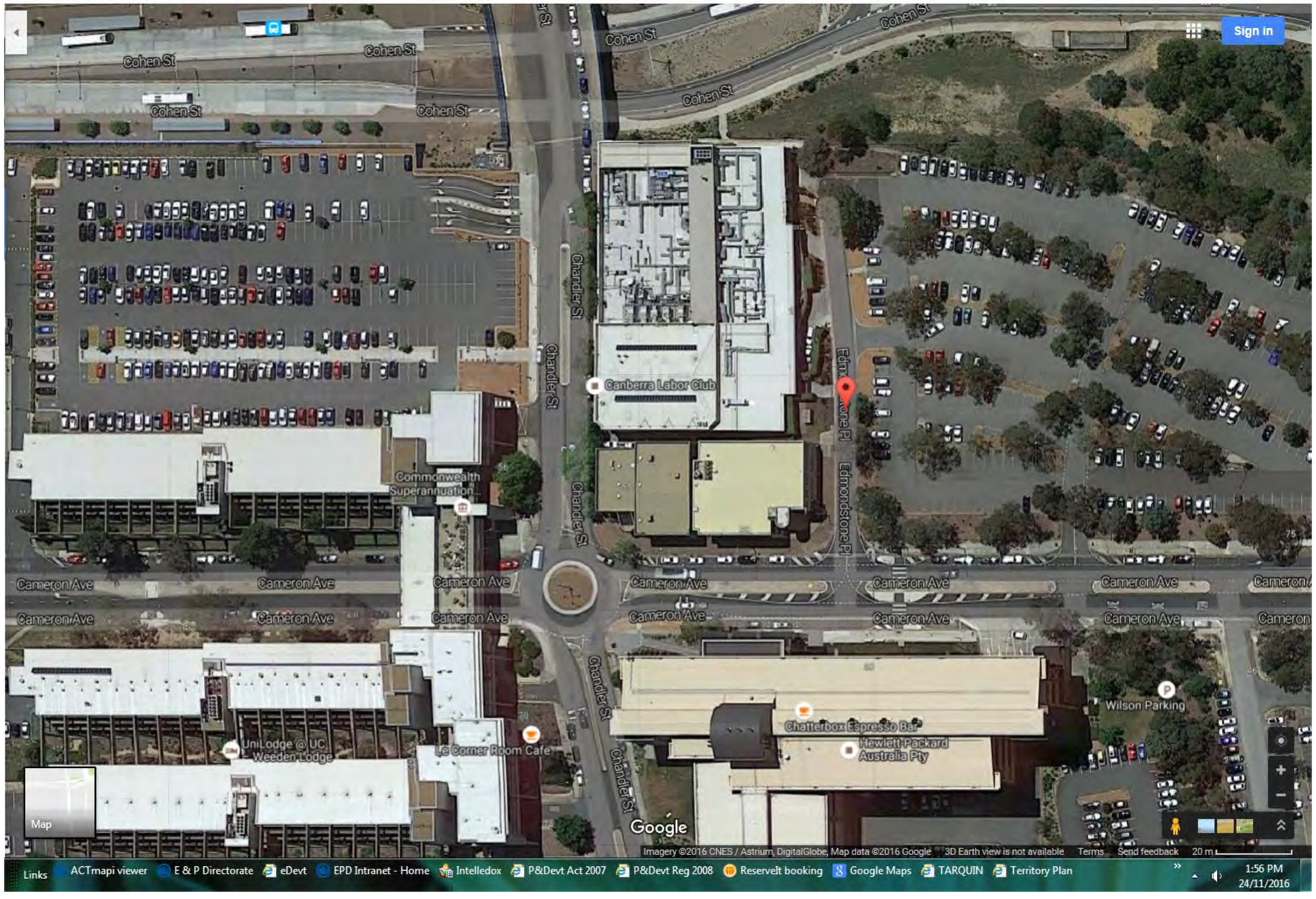
24/11/2016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Cameron Ave
Wilson Parking
Chatterbox Espresso Bar
Hewlett-Packard Australia Pty
UniLodge @ UC Weeden Lodge
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24/11/2016

From: EPD, Customer Services
Sent: Thursday, 24 November 2016 3:52 PM
To: HPS
Subject: REFERRAL-ACT HEALTH-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Due to the number and size of documents a CD will be posted. In the interim please find attached a link to the public register documents on our website.

PLEASE PROVIDE COMMENTS ASAP

LINK TO WEBSITE

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8 & 9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**15/12/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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From: Henriquez, Jose
Sent: Thursday, 24 November 2016 4:42 PM
To: Ramesh, Meena
Cc: Chowdhury, Abu Sayem; Bell, Jeff; TCCS_SPATAS DA COORD; EPD, Customer Services
Subject: RE: COMM: TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Importance: High

Meena,

The on-street parking are existing provisions with minor verge changes – so yes we can support the hotel drop off area.

However, the applicant will need to provide a TCD proposing any changes required in the duration of parking times if it will be used as a hotel drop-off area.

If you have any queries please let me know.

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | **Transport Canberra and City Services Directorate** | **ACT Government**
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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Transport Canberra and City Services

From: Ramesh, Meena
Sent: Thursday, 24 November 2016 3:38 PM
To: Henriquez, Jose
Cc: Chowdhury, Abu Sayem; TCCS_SPATAS DA
Subject: RE: COMM: TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Hi Jose

Please see my comments in blue below.

Please confirm TCCS supports the hotel drop off area.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)

Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

From: Henriquez, Jose
Sent: Tuesday, 22 November 2016 4:44 PM
To: EPD, Customer Services
Cc: TCCS_SPATAS DA COORD; Bell, Jeff; Chowdhury, Abu Sayem
Subject: COMM: TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Dear App Sec,

We apologise for our late response but please consider our comments below.

DEVELOPMENT APPLICATION NO: 201630289

Project Description:
PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

BLOCK: 8 & 9	**SECTION: 48**	**SUBURB: BELCONNNEN**

This DA has been assessed in regards to the following:

Traffic	**X**	**Driveways/Verge Crossings**	**X**
Parking (to be checked by EPD)	**X**	**LMPP/Street Trees**	**X**
Public Transport		**Street Lighting**	**X**
Waste Management	**X**	**Pedestrian Footpath**	**X**
Stormwater Tie	**X**	**Stormwater Easement**	**X**
Subdivision		**EDP**	
Further Information		**Amendments/Additions/Alteration**	
Lease Variation		**Capital Works**	

X = Areas Assessed.

And our position is:

That It Is Supported	
That It Is Supported Subject to Compliance With Following Conditions	**X**
That It Is Not Supported	
That Further Information Is Required	

Conditions

VERGE CROSSING

1. **The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.**
2. **The internal ground floor driveway must comply with sightlines requirements as per AS 2890.1.**

3. **The levels on the verge are not to be altered as a result of the new constructed verge crossing.**
4. **Any infrastructure assets such as street lighting, mini-pillars, signage etc must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.**

VERGE

5. **A Landscape Management and Protection Plan and a dilapidation report for all Govt Assets adjacent to the site must be submitted to Asset Acceptance –TAMS prior to commencement of construction and on the completion of works.**
6. **Urban Treescapes support the development at Block 8 & 9 Section 48 Belconnen in terms of the impact on existing trees with the following conditions to increase the likelihood that new tree plantings will succeed.**
7. **The proposed removal of Tree 1 in the Landscape Management and Protection Plan (1625 LMPP-01 Issue A dated 26.8.2016) is not consistent with the Demolition Plan (160810 C107 Issue B dated 14.09.16) – AGREE and other associated plans (i.e. Landscape Plan 1625 L01 Issue A dated 12.09.2015 and Ground Floor – Hotel DA102/1 14.09.2016- are ok – both plans actually show new tree planting where Tree 1 currently exists - see Planting Plan L01 for clarification) and plans must be updated for consistency.**
8. **As the supporting Tree Assessment has identified that Tree 1 is in poor health, please remove Tree 1 and replant with *Eucalyptus mannifera* 'Little Spotty' (please note that due to limited verge space Cameron Avenue the 'Little Spotty' cultivar is to be used for both new tree plantings).**
9. **Please increase the space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) to improve growing conditions and promote the development of healthy root systems.**
10. **Please also increase the distance from the outside of the tree trunk to the back of kerb to 1.7m minimum.**
11. **Please confirm that the awning on Chandler Street will be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies. – already shown –see Site Plan & Roof Plan, Chandler Street Elevation & Perspectives 4**
12. **There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.**
13. **Please provide more detail at design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.**
14. **In line with Urban Treescapes community notification procedures please ensure the tree to be removed is signposted at least 14 days before removal is carried out.**

PEDESTRIAN NETWORK

15. **The pedestrian walkway is to take precedence over the verge crossing and be constructed in accordance with TCCS Standards.**
16. **A Construction Management Plan must be submitted at the Design Acceptance stage.**

STORMWATER

17. **The Stormwater plan must be resubmitted at the Design Acceptance stage.**

WASTE

18. **Please note that the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, therefore, all waste will need to be collected through rear loading (please see attach document).**

Standard Conditions

The following general conditions will apply as appropriate for Works on and Use of Territory Land in addition to the above:

In accordance with the Public Unleased Land Act 2013 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. Such approval must be obtained from the Senior Manager, Asset Acceptance, TCCS by the ways of:

1. A certificate of design acceptance prior to the commencement of any work; and
2. A certificate of Operational Acceptance on completion of all works to be handed over to TCCS.

Design Acceptance and Operational Acceptance

A Certificate of Design Acceptance is required for all off-site works from the Senior Manager, Asset Acceptance, TCCS, prior to the construction.

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

A Certificate of Operational Acceptance on completion of the works is required from the Senior Manager, Asset Acceptance, TCCS, prior to the issue of a Certificate of Occupancy.

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

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

Temporary Traffic Management (TTM)

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

Landscape Management & Protection Plan (LMPP)

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

Use of Verges or other Unleased Territory land

In accordance with the Public Unleased Land Act 2013, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

Repair of Damage to Public Assets

The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

Notice of Commencement of Construction

Notice of Commencement for the Works in Unleased Territory Land shall be submitted to the Senior Manager, Asset Acceptance, TCCS one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

Additional Comments/Advice (as advice to ACTPLA only, and not to be included in the Notice of Decision)

19. **All parking requirements should be checked by EPD in accordance with the Parking and Vehicular Access General Code.**
20. **All plans must be updated before they are stamped approved and released to the Applicant.**

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | Transport Canberra and City Services Directorate | ACT Government
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:30 PM
To: TCCS_SPATAS DA
Subject: REFERRAL-TCCS-STORMWATER-WASTE MANAGEMENT-TRAFFIC MANAGEMENT-URBAN TREESCAPES-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

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Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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From: ACTPLA DA Leasing
Sent: Friday, 25 November 2016 12:25 PM
To: EPD, Customer Services
Subject: COMM-DA LEASING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]
Attachments: supporting docs#2.obr; plans#2.obr

Hi,

Thank you for referring DA 201630289 to the DA leasing section for comment.

The proposal is to consolidate the leases, vary block 8 to remove the GFA restrictions on restaurant and indoor rec, together with the construction of the development.

While the application as submitted makes no mention of including child care in the lease variation it has been included in the suggested wording of the purpose clause. The excluding of child care will remain in the consolidated lease purpose clause unless/until an application to vary the lease is submitted and approved to include it.

Once the assessment officer is aware of the design and siting decision that they intend to make, and if it is to approve this application, please refer the draft notice of decision to DA Leasing as early as possible for inclusion of relevant conditions and preparation of documentation for attachment. DA Leasing will need at least **5 working days** to add conditions to a notice of decision. Please also refer this application to DA Leasing if the matter is to be presented to MPRG or EPC for inclusion of lease related information and issues. A minimum of 5 working days will be required for input into MPRG/EPC documents.

Any questions or comments please let me know.

Thanks,
Karen.

Karen Walker| Leasing DA
Phone 02 6207 7257 | Fax 02 6207 1856
Planning and Delivery Division | Environment, Planning and Sustainable Development | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.planning.act.gov.au
Mon - Fri, 9:30 - 14:30

From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:34 PM
To: ACTPLA DA Leasing
Subject: REFERRAL-DA LEASING-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and

associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**21/11/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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From: Lacey, Natalie
Sent: Monday, 28 November 2016 12:29 PM
To: Ramesh, Meena
Subject: NOD Conditions [SEC=UNCLASSIFIED]
Attachments: EPD Application Form - Encroachment (minor) - 2 Party.doc

Sorry about the wait Meena!!!

Please find below the 2 party licence conditions for the awning encroachment.
(We found the awning to be the only encroachment – please let me know otherwise)

Application form also attached ☺

CONDITIONS FOR LICENCING OF ENCROACHMENTS (2-Party)

A1. COMMENCEMENT OF BUILDING WORK

No building work in relation to the encroachment (the works on unleased Territory land that are part of this development approval) is to commence on the site until the lessee has applied for and has been granted a licence in relation to the encroachment, being an awning, by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007* and in the form approved by the planning and land authority.

A2. APPLICATION FOR A LICENCE (See attached application form)

Prior to the commencement of building work, the lessee (the proposed Licensee) must lodge with the Environment and Planning Directorate (EPD) an application for the grant of a licence to occupy and use unleased Territory land, pay the appropriate fee and undertake the following:

(i) Encroachment plan
the lessee (the proposed Licensee) must submit to EPD a plan detailing all dimensions of the proposed encroachment including area, block boundaries and location of encroachment in relation to the building, adjacent unleased Territory land and/or public road. Plan details must be sufficient to enable the preparation of a Spatial Data Mapping System (SDMS) plan and number.

(ii) Public liability insurance
the lessee (the proposed licensee) must obtain public liability insurance in respect of the encroachment by complying with the procedures outlined in the *Financial Management (Public Liability Insurance) Guidelines 2011.*

The procedures are specified below in summary form:

1. nominate each and all of the proposed activities the proposed licensee wishes to undertake on Territory land or premises ("Premises");
2. take out a public liability insurance policy for the term of the licence;
3. submit a certificate of currency in respect of the public liability insurance, which clearly states that the encroachment is covered by the insurance policy; and
4. Comply with obligations in respect of risk management plans if applicable.

This information is to be forwarded to the:

Licencing Officer

Leasing Services
Planning Delivery Division
Environment, Planning & Sustainable Development Directorate
GPO Box 158
CANBERRA ACT 2601
Ph: (02) 6207 1923

Note: The Activity Schedule will form part of the licence agreement

A3. TRANSFER OF TITLE

The lessee must not transfer or assign its interest in the premises unless and until the proposed transferee or assignee is granted a licence by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007*, under the same terms and conditions as the licence granted in accordance with Conditions A1 and A2 and meets the insurance requirements in accordance with Condition A2.

Natalie Lacey | Leasing Services | General Leasing

Phone 02 6205 9803 |

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

ACT Government
Environment, Planning and Sustainable Development

APPLICATION FOR THE GRANT OF A LICENCE

(2 Party - Minor Encroachment Only)

PART 1 – LICENSEE and APPLICANT DETAILS

LICENSEE (*as is to appear on licence*)

NAME	
A.C.N. or **A.B.N.**	
POSTAL ADDRESS	
PHONE NUMBER	

APPLICANT (*if different from Licensee*)

NAME	
POSTAL ADDRESS	
PHONE NUMBER	

BRIEF DESCRIPTION OF ORGANISATIONS ACTIVITIES/SERVICES

_____

_____

_____

PART 2 - THE PROPOSAL

PROPOSED USE OF LAND

_____

_____

_____

PART 3 – BLOCK DETAILS

LAND ADJACENT TO:

BLOCK _____

SECTION _____

DIVISION/DISTRICT _____

STREET ADDRESS _____

DEVELOPMENT APPLICATION NUMBER (If applicable) **DA -** _____

PART 4 - THE DEVELOPMENT

TYPE OF ENCROACHMENT

(eg. Awning, signage, facade):

_____

_____

ENCROACHMENT LOCATION PLAN

Plan should show area of unleased land for proposed encroachment and include the following;

- **All elevations and dimensions including area;**
- **Block boundaries and location of encroachment/s in relation to the building, adjacent Territory land and/or public roads.**

INSURANCE DOCUMENTS:

From 1 October 2005, the level of public liability insurance required by a proposed licensee of unleased Territory land is now determined by a legislated process. Your insurance Policy must be approved by the ACT Insurance Agency (ACTIA).

Under this legislation in general terms, the licensee will be required to:

1. **Submit a Certificate of Currency of insurance to the department;**
   ** For a 2 party encroachment Licence, EPD will seek ACTIA's approval**

2. **Nominate each and all of the proposed activities on Territory land or premises;**
   EPD will incorporate those activities in a schedule to the licence (Activity Schedule)

3. **If the Public Liability Activities rating is higher than 7, a risk management plan may be required:** **EPD will let you know about this after submission of the application**

AN APPLICATION FEE IS APPLICABLE

SIGNED:

DATE:

REQUIREMENTS & CHECKLIST

A plan showing encroachment/s and surrounding area as per application	☐ **Yes**
A copy of the Companies/Associations Certificate of Incorporation or Registered Trading Name including A.B.N./A.C.N.	☐ **Yes**
Public Liability Insurance documentation (Certificate of Currency)	☐ **Yes**
Application fee paid	☐ **Yes**

Notifications closed for application id 201630289

From: EPD, Customer Services
Sent: Monday, 28 November 2016 4:06 PM
To: admin@canberratownplanning.com.au
Subject: CLOSE OF PUBLIC NOTIFICATION-DA 201630289-8&9/48 BELCONNEN-(No Representations Received) [SEC=UNCLASSIFIED]

CLOSE OF PUBLIC CONSULTATION PERIOD

The public consultation period for DA 201630289 has now closed.

No representations were received by the Environment, Planning and Sustainable Development Directorate during the public consultation period.

You will be advised in writing of the decision as soon as the DA has been determined.

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

Kind Regards

Customer Services

Phone 02 6207 1923

Access Canberra | **ACT Government**

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

Access Canberra Fyshwick shopfront will close on 30 November 2016. Land titles and Revenue services are moving to Dame Pattie Menzies House, 16 Challis Street, Dickson to be collocated with the Access Canberra Environment, Planning and Land Shopfront. For more information visit ***www.act.gov.au/accessCBR***

From: Henriquez, Jose
Sent: Tuesday, 29 November 2016 1:37 PM
To: Ramesh, Meena
Cc: Jatheendran, Lingam
Subject: COMM: 8 & 9/48 BELCONNEN [SEC=UNCLASSIFIED]

Importance: High

Meena,

TCCS doesn't object to bike parking if this is required by Transport Planning.

However, please make sure that this condition can be met at the Design Acceptance stage and its location is appropriate otherwise the proposal may have problems obtaining Design Acceptance if it can't comply.

It is better if they can provide a plan now at the DA stage with dimension from surrounding infrastructure such as street trees, kerb, SW sumps, signage, buildings etc, to avoid unnecessary delays later.

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | **Transport Canberra and City Services Directorate** | **ACT Government**
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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ACT Government
Transport Canberra and City Services

From: Ramesh, Meena
Sent: Tuesday, 29 November 2016 8:59 AM
To: Henriquez, Jose
Cc: Jatheendran, Lingam
Subject: RE: Voice Mail from Ramesh, Meena (22 seconds) [SEC=UNCLASSIFIED]

Jose

Our Transport Planner has recommended the following:

1) The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option;

If you confirm it is a possibility, we will include a condition as below:

In consultation with TCCS, visitor bicycle parking must be provided within the verge adjacent the subject site.

Please get back to me ASAP.

Thanks

Meena

From: Henriquez, Jose
Sent: Tuesday, 29 November 2016 7:35 AM
To: Ramesh, Meena
Cc: Jatheendran, Lingam
Subject: FW: Voice Mail from Ramesh, Meena (22 seconds) [SEC=UNCLASSIFIED]

Meena,

Bike parking for who? The public or the adjoining residents?

If they want the bike parking facilities for themselves then they have to provide it on-site.

However, if the bike parking facilities is required to be installed by Transport Planning and justified then we can look at it.

Happy to discuss.

Kind regards,

Jose Henriquez | DA Coordinator Development Review & Coordination
Phone 02 6207 7480 | Email: jose.henriquez@act.gov.au
Strategy, Innovation and Customer Experience | **Transport Canberra and City Services Directorate** | **ACT Government**
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: Microsoft Outlook **On Behalf Of** Ramesh, Meena
Sent: Monday, 28 November 2016 11:26 AM
To: Henriquez, Jose
Subject: Voice Mail from Ramesh, Meena (22 seconds)

You received a voice mail from Ramesh, Meena at 76174

Caller-Id:	76174
Job Title:	Senior Assessment Officer
Work:	(02) 6207 6174
E-mail:	Meena.Ramesh@act.gov.au
IM Address:	Meena Ramesh@act.gov.au

From: EPAPlanningLiaison
Sent: Tuesday, 29 November 2016 3:21 PM
To: EPD, Customer Services
Cc: Ramesh, Meena
Subject: RE: REFERRAL-EPA-NOISE-EROSION-HAZARDOUS MATERIAL-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Environment & Planning Directorate,

DA 201630289

BLOCK: 8 & 9	SECTION: 48	DIVISION: BELCONNEN

This DA has been assessed by the following:

Contaminated Lands	X
Hazardous Materials	X
Sediment and Erosion Control	X
Noise	X
Air quality	X
Water Regulation	X

And EPA provide the following:

No comments	
Recommend Conditions of Approval	X
Advice for the applicant	X
Recommend Lease Conditions	
Recommend Not Supported	
Further Information/amendments Required	

Advice:

The Environment Protection Unit reviewed a report titled "Phase 1 Environmental Assessment 55 Chandler Street Belconnen, ACT 2616 (Block 8 Section 48 Belconnen)" dated November 2010 by Robson Environmental Pty Ltd in November 2010 and supported the consultant's conclusions and recommendations that "the site is considered suitable for the uses outlined in the DA (201018461) lodged in August 2010" subject to it undergoing further assessment at the time of demolition to ascertain the presence or otherwise of underground fuel storage.

On this basis the EPA would support the application subject to the following conditions:

Conditions:

Following demolition and prior to the commencement of new development works an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

Where fuel storage facilities are identified these facilities these facilities and related infrastructure must be decommissioned in accordance with the Dangerous Substances Act 2004 and the Dangerous Substances (General) Regulation 2004.

The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the ACT Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2009, and associated guidelines;

A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the EPA for review and endorsement prior to the commencement of new development works;

Any contaminated soil landfarmed on site must be approved by EPA prior to landfarming commencing;

Any soil disposed of from the site must be assessed in accordance with the requirements of EPA Information Sheet No.4 available at www.environment.act.gov.au.

No material is to be removed from site without EPA approval.

The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000 within the complex.

All works must be carried out in accordance with "Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011", available at www.environment.act.gov.au or by calling 132281.

Advice:

Noise from generators and other plant which may be installed at the site, including air conditioning units, must comply with the noise standard as per the Environment Protection Regulation 2005.

Al rain water that enters the site and pools in excavations during a rain storm event would be considered as a sediment control pond, and must meet the following conditions.

1. No discharge from dam all stormwater must be pumped out and disposed in at an approved location.
2. No discharge is allowed to enter the stormwater system.
3. No discharge from pond unless sediment level is less than 60mg/litre. If sediment level is greater, then prior to discharge, the dam must be dosed with either Alum or Gypsum and allowed to settle until the sediment is less than 60 mg/litre.
4. Water level must not exceed 20% capacity at all times to allow runoff storage during a rain event.
5. All underground drains must lead to a pit and not connected to the stormwater system or be connected to sewage with the approval of ICON Water

All external lights must comply with Australian Standards AS4282 Control of the obtrusive effects of outdoor lighting.

For further information please contact the Environment Protection Authority Planning Liaison on 62075642 or EPAplanningliaison@act.gov.au

Regards,

Robin Brown | Environment Protection Authority Planning Liaison
Phone 02 6207 5642
Environmental Quality | Construction Environment & Workplace Protection | Access Canberra | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

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From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:31 PM
To: EPAPlanningLiaison
Subject: REFERRAL-EPA-NOISE-EROSION-HAZARDOUS MATERIAL-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**21/11/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

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COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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From: Pieter Van Der Walt
Sent: Tuesday, 29 November 2016 4:10 PM
To: Ramesh, Meena
Subject: DA 201630289-8&9/48 BELCONNEN-

Meena,

Thanks for brining the Elevation/boundary matter to our attention.

I can confirm that the issue is that if a Drafting error and no encroachment of the podium parking is proposed (as per the floor plans).

We can get you a replacement elevation drawing set immediately if you want or deal with this as a condition – just met me know.

Regards

Pieter

Pieter Van der Walt
Director • Town Planner
Mobile 0409 550 596

This message may be confidential. If you are not the intended recipient please contact the sender and permanently delete the message.

From: EPD Strategic Planning Referrals
Sent: Wednesday, 30 November 2016 11:37 AM
To: EPD, Customer Services
Cc: Ramesh, Meena
Subject: RE: REFERRAL-LAND & INFRASTRUCTURE-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

Meena – as discussed, thanks for accepting these late comments

Thank you for referring DA 201630289 for blocks 8 and 9 of section 48 Belconnen to Strategic Planning for comment. Strategic Planning provides the following comments for your consideration:

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium carpark. When combined with the ground floor, the proposed podium carpark will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing carpark floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement carparking.

- Please consider measures to improve the screening of the proposed carpark podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvres and powder coated screens are repetitive and emphasise that this is a carpark, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvres. Consider breaking down the extent of louvres by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the carpark levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- Note – The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Thanks.

Chris Gell | **Senior Project Officer**
Phone: 02 6207 2642 | Email: chris.gell@act.gov.au
Strategic Planning | **Environment, Planning and Sustainable Development Directorate** | **ACT Government**
Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

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From: EPD, Customer Services
Sent: Monday, 31 October 2016 1:34 PM
To: EPD Strategic Planning Referrals
Subject: REFERRAL-LAND & INFRASTRUCTURE-201630289-8&9/48 BELCONNNEN-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201630289
BLOCKS: 8&9 **SECTION**: 48 **DIVISION:** BELCONNEN

Description - PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases. Please see application form for description.

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Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923
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From: Ramesh, Meena
Sent: Wednesday, 30 November 2016 12:19 PM
To: 'Pieter Van Der Walt'
Cc: 'admin@canberratownplanning.com.au'
Subject: DA201630289 – Belconnen Hotel (Canberra Labor Club)- Blocks 8 & 9 Section 48 Belconnen [SEC=UNCLASSIFIED]

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Pieter

As discussed over the phone, we have received the following comments from our Strategic Planning Unit. The Unit has raised a number of design issues as below.

The DA is to be presented to MPRG next Wednesday 7 December 2016 morning. Can you please provide a written response to the issues raised below (in consultation with the lessee & the architect), so we can present it to the MPRG. Can you please include any revised drawings and 3D modelling to support your response. I will send a formal additional information request via eDevelopment. However, at this stage for presentation to MPRG an email response with just "sketches" will suffice.

I need your response by noon Tuesday 6 December 2016. If you cannot meet this timeframe, we will need to postpone the MPRG meeting to the following week. Please note MPRG schedule for next few weeks will fill up quickly, so please let me know ASAP if you cannot meet the timeframe.

Strategic Planning comments

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.

- Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvres and powder coated screens are repetitive and emphasise that this is a car park,

rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvres. Consider breaking down the extent of louvres by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

From: Gell, Chris
Sent: Thursday, 1 December 2016 12:08 PM
To: Ramesh, Meena
Subject: RE: URGENT -DA201630289-COLOUR SAMPLE SCHEDULE-Belconnen hotel [SEC=UNCLASSIFIED]

Thanks Meena.
As discussed, I'm concerned with the extent and overall design of the podium, rather than just the colour.
I've got no specific comments on the colour choices....

Regards.

Chris

From: Ramesh, Meena
Sent: Thursday, 1 December 2016 11:42 AM
To: Gell, Chris
Subject: URGENT -DA201630289-COLOUR SAMPLE SCHEDULE-Belconnen hotel [SEC=UNCLASSIFIED]
Importance: High

HI Chris

As discussed, here is the external colour/material schedule for this building. If you have any comments please let me know ASAP.

Thnaks
Meena

From: Pieter Van Der Walt
Sent: Tuesday, 6 December 2016 12:14 PM
To: Ramesh, Meena
Cc: Tania Honneysett; ; Arthur Roufogalis
Subject: RE: DA201630289 – Belconnen Hotel (Canberra Labor Club)- Blocks 8 & 9 Section 48 Belconnen [SEC=UNCLASSIFIED]
Attachments: Ltr BELCO FIR 8_9_48_STRATPLAN_COMV2e.pdf

Importance: High

Meena,

Please find attached our response to the matters raised by the Strategic Planning Unit – happy to continue working with the Authority on this matter as may be required.

We will get a copy of the 3-D model to you As soon as possible.

Regards

Pieter

Pieter Van der Walt
Director • Town Planner

Mobile 0409 550 596

This message may be confidential. If you are not the intended recipient please contact the sender and permanently delete the message.

From: Ramesh, Meena [mailto:Meena.Ramesh@act.gov.au]
Sent: Wednesday, 30 November 2016 12:19 PM
To: Pieter Van Der Walt
Cc: Tania Honneysett
Subject: DA201630289 – Belconnen Hotel (Canberra Labor Club)- Blocks 8 & 9 Section 48 Belconnen [SEC=UNCLASSIFIED]
Importance: High

Hi Pieter

As discussed over the phone, we have received the following comments from our Strategic Planning Unit. The Unit has raised a number of design issues as below.

The DA is to be presented to MPRG next Wednesday 7 December 2016 morning. Can you please provide a written response to the issues raised below (in consultation with the lessee & the architect), so we can present it to the MPRG. Can you please include any revised drawings and 3D modelling to support your response. I will send a

formal additional information request via eDevelopment. However, at this stage for presentation to MPRG an email response with just "sketches" will suffice.

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Strategic Planning comments

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.

- Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvres and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvres. Consider breaking down the extent of louvres by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**

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CANBERRA TOWN PLANNING

PIETER VAN DER WALT
0409 550 596
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ABN 66 131 577 261

1 December 2016

Meena Ramesh
Senior Assessment Officer, Merit Assessment - Commercial Team
Planning Delivery Division, ACTPLA
Environment, Planning & Sustainable Development Directorate
ACT Government

Via e-mail: Meena.Ramesh@act.gov.au

Dear Meena

RESPONSE TO FURTHER INFORMATION REQUEST – STRATEGIC PLANNING UNIT COMMENTS: DA201630289: BLOCKS 8 AND 9 SECTION 48 BELCONNEN

We refer to the Further Information request from the EPSD, relating to comments the Strategic Planning Unit had regarding some design elements of the proposed development on the site.

We note that the matter is to be presented to the MPRG on 7 December 2016 and provide the advice below and attached (as requested) for use at this discussion.

We also provide a 3D electronic model of the proposed building that accompanies this correspondence on a thumb-drive.

We reviewed the matters raised and discuss the information requests in turn below:

> ***It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.***

There is no specific planning requirement that these ancillary uses to the primary hotel use are located at upper levels with view aspects. The facilities (as presented) relates strongly to the financial viability and business model that is presented to the proponent by potential operators of the future Hotel facility.

The proponent, with input from potential operators, canvased a hotel use business model, operational needs and the requirements of a building, noting that the preferred operator specifically requested the gym and conference spaces be located in a basement space. The objective being to tailor a suitable building to support the proposed use and is adaptable for future needs in an ever-changing Hotel industry.

Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

We are not aware of any specific planning control and/or requirement for the development of the subject site that calls for the development of a basement carpark. The newly approved Belconnen Master Plan acknowledges podium parking solutions as the preferred method of providing carparking in the Town Centre.

A basement design with podium parking was explored and found to require a second ramp structure separate from the podium. This could not be accommodated along Edmondstone Place given the proximity of the intersection with Cameron Avenue. New access points on Cameron Avenue and/or Chandler Street- although carefully considered in design- was dismissed on grounds including:

- Geometry of existing roads and the site/s, status of roadways in the hierarchy, use of and expected use of these roads in the future render such that a solution is impracticable and unviable,
- Wider ramps and/or additional ramp locations dominated building facades, increase conflicts with pedestrians, adversely impact on the ability to create active frontages on Ground Level, reduce the ability to create usable/viable ground floor commercially tenancies,
- Access for another ramp (as per Traffic Engineer's advice) is unlikely to be supported in locations other than the existing site entry place.

Active frontages with display windows and shop fronts are required by the planning controls and the geometry of the Block already provided challenges around the minimisation of building services in favour of active facades and interaction with the adjoining verge footpath.

The number of hotel units, provision of parking and building programming is closely related to the commercial feasibility of the project. The design also provided consideration to how this building relates to future development of Section 48 and potential integration options in the future (and specifically the future use and development of the main Club facility).

Basement carparking is costly to build, requires a high level of engineering, structure and waterproofing, require additional stair escape provisions, mechanical ventilation systems and ongoing lighting provisions.

These considerations result in a parking component of the building that performs poorly from an energy efficiency and sustainability consideration when compared with podium parking solutions in terms of the following:

- podium parking is naturally ventilated,
- podium parking often presents a building solution that has a smaller environmental impact when considering the embedded energy required to construct and service a basement;
- podium parking is a less costly solution that improves the building's feasibility and provides opportunities to enhance the building design and materiality of the building by providing more durable (and often more costly) materials to be incorporated in the building fabric,
- podium parking provides opportunities to house other building services and plant within the building fabric at locations that optimise their efficiency and operation without generating direct and indirect impacts associated with the built form and operation and benefit from natural light minimising illumination requirements, and
- safety and amenity for public users as there is reduced visibility from surrounding lands/buildings.

In the context of the site with regard to its size, location on key roads (road hierarchy), topography and the operation of uses, a basement structure for parking does not present a commercially feasible prospect.

> ***Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.***

There are no specific requirement that buildings in this location be provided with basement parking structures and the design adhere to the requirement to present active frontages to the ground floor interface with Chandler Street and Cameron Avenue.

The proposed building programming and height are carefully considered to create a resolved and commercially viable development proposal. The scheme was submitted at the pre-DA EPD meeting and at community/neighbour consultation sessions with no adverse comments

raised in relation to the design. To the contrary, commentary received from stakeholders has been overwhelmingly positive with specific commentary relating to the design quality of the building expressed.

The building presentation focusses strongly on the creation of a well-designed active façade around the majority of the Chandler Street/Cameron Avenue (and some of the Edmondstone Place) frontage.

The substantial awning structure provide an all-weather protected space that breaks down the podium impact from the verge/sidewalk and adjoining road to a "human scale". The design of the podium and other building components seeks to create a strong and recognisable built form with a clearly articulated building base, middle and top. The built form communicates the functions within the building and sets up a character that appeals from vantage points further afield such as a location across the street or adjoining blocks. The scale of the podium parking segment of the building is similar to that approved at other developments within the Town Centre, with the design seeking to provide an improved design and façade presentation than what is achieved elsewhere.

Basement carparking in our opinion (and our operators) is viewed as isolating, inefficient, un-economic, less save, less appealing and an un-sustainable design solution. It limits the strategic opportunity to integrate the proposed building with the remainder of Section 48 in a future scenario.

It seems incorrect to assume that the building design is inefficient without understanding the full context of the design as intended. It is also worth noting that there are no specific planning controls in the Territory Plan that set the floor-to-floor heights for commercial and podium parking structures (other than a minimum height criteria of 3.6m that is commonly accepted for ground floor commercially adaptable spaces). The additional height in the podium space allows for better ventilation and light ingress into the carpark structure – both important sustainability considerations. The proposed solution also provides a unique siting locality for key plant and support services within the building fabric in centralised locations that maximise their operation and efficiency and allow the proponent to reduce the physical size of the plant machinery and the associated operational footprint associated with large plant. This is both an immediate and ongoing sustainability initiatives that is built into the building fabric.

The recently approved Belconnen Master Plan acknowledges that podium solutions are now the preferred method of providing carparking in the Town Centre and state (in various locations) that 6 storey podiums with a zero setback-to-boundary context in 12 and 18 storey tall buildings are an acceptable/encouraged design outcome.

Height limits are not specified for the site in the current Territory Plan context, and the Master Plan sets up a context in which the site can be developed to 14 storeys in height with an additional 4 storeys possible (subject to demonstrating a proposal performing well against a set of design criteria). These criteria include large block size, building design criteria, setbacks, finish (materiality), innovation in design, sustainability, public domain improvement, active travel initiatives, dwelling mix, shadowing consideration and the like. We provide a height specific consideration in the context of the master plan below.

Lastly it is important to understand that the fire stair transition proposed is a practical way to deal with a key building service and provides a resolution to this design matter in a conventional and cost-effective manner. An ordinary proposition would be to locate the fire stairs at locations that optimise the BCA compliance requirements and this was determined and drawn as per the Level 4 – 12 floor plans. A continuation of this pattern would result in inefficiencies in the carpark layouts (noting that the floor plate is already compromised due to the site geometry) and would set-up major services conflicts at ground level and domination of services along the building facades; effectively limiting opportunities to achieve the high level of active and continuous frontages and shopfront windows achieved in the design. Transitioning the fire stair location within the carpark relocate these services to the corners of the proposed building and free up ground floor frontage to active use spaces. The proposed solutions provide an optimum balance between these (apparently) conflicting planning and building compliancy requirements.

> ***Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvres and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvres. Consider breaking down the extent of louvres by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.***

The proposal was presented at the pre-DA application meeting and pre-DA consultation - at no time did any of the Government or community stakeholders voice any concern relating to the podium design. To the contrary the proposal received commentary commending the design outcome and particularly the carpark treatment.

In the pre-application meeting advice were given that the treatment of other podium façade finishes appeared "stuck-on" and of low quality and amenity and that a more solid treatment

will present a more desirable outcome. When considering other (recent) development in Canberra such as the Mayfair and Manhattan developments in Civic; a car park treatment providing screening/camouflage to the internal use would be preferable.

The design that was submitted in the DA sought to address these matters by;

- Providing adequate screening from the carparking use at the podium levels,
- Relieve to the podium facade treatment in design by adding architectural features and expressions that are integrated with the building design and answers the design language used in the rest of the building; and
- Includes the use of high quality materials that provide a quality, low maintenance finish that for the life of the building while providing the benefits associated with the podium carpark as expressed above.

We considered the commentary from the Strategic Planning Unit, revisited the design and façade treatment to this part of the proposed building and wish to present an alternative solution for your consideration and submitting to the MPRG.
With reference to the images included in Attachment A, we are pleased to present a change to the podium facade that sees the introduction of a new architectural element to be finished in aluminium composite panels and a perforated metal screens. The treatment proposed reduces the expanse of podium parking façade, forms a transition in the base of the building that unifies and anchors the podium treatment/detail to the upper level treatments/finishes and add interest to the overall building composition.

The design intent is for slab edges to be concealed and covered by the screening while the curved forms in the screening are subtlety interfaced with the curved forms used in the treatment of the hotel and offices levels above providing each with an individual yet connected identity. This sets up a deliberate and controlled architectural language for the building and forms a strong part of the future development context in which the Section 48 multi-use entertainment and hospitality/ future residential precinct may be developed.

We are very pleased with the resultant design outcome and building form and agree that the change will result in an improved presentation of the building in the context of the Town Centre from closer and more distant vantage points.

The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for

We acknowledge the response provided un the final Belconnen Master Plan building height consideration as it relates to Section 48; especially in the context of the submission provided by the proponent during the Draft Master Plan phase.

We disagree that the intent of the height control is that the whole of Section 48 be developed to a height of 18 storeys, but rather that this height may be achieved where a range of matters are considered in parallel and in the context of a specific design proposal. Noting that Blocks 8 and 9 represent a minor component of Section 48 (~5,600sqm total area) and are located on the southern side of the Section, it is unlikely that the maximum development height (As per the Master plan provisions) would present a good design outcome.

Section 5.6.2 of the Master Plan (read in conjunction with Map 22 - maximum building heights) states that the base height limit for the Section would be 14 storeys with a potential for additional height where the matters in Section 5.6.3 are adequately addressed.

Given the size of the subject site (~1,500sqm or less than 40% of Section 48) and its location on the south side of the Section, it is unlikely that the planning matters can be adequately addressed to yield the full 18 storey limit. When considering the Master Plan Section 5.6.2 and 5.6.3 matters that provide the context for achieving maximum height limits the site performs as follows:

- Are not large Blocks (block are only 1,500sqm in area and less than 40% of the Section 48 total area),
- Are located on the southern end of the section and taller building elements on this part of the Section will have significant impacts on the adjoining developments to the south in terms of overshadowing and scale,
- Moving plant and equipment from the podium (building base) element to the roof will result in substantially larger plant areas and associated infrastructure and screening that will impact on building height, built from, plant room concealment and integration – all matters that are integral to the built form presented in the DA,
- Setback requirements above Level 12 would severely impact on the built form and provides a "wedding cake" effect to the building form,
- Will result in a building that is diminished in environmental performance – both in the construction context as well as the ongoing operation, and
- Restrain design innovation in terms of efficient use and scaling of plant as well as building compliance considerations to maximise the active ground floor frontage.

It is apparent that the development proposal was conceived in a context where the site characteristics, relative impact of the proposed building and its operation and future sustainability has been carefully understood.

The remainder of Section 48 is currently subject to a relatively low rise development, and the opportunity is that this part of the centre may be able to yield a development of up to 18 storeys. A detailed development concept for this precinct has not been progressed but it was considered that a homogenous height level across the whole of Section 48 would not achieve a desirable planning outcome visually for the town centre and that a future built form that rise from the south to the north of the Section and tie into the Altitude Apartment building height would be more desirable.

In this context, the proposed 12 storey building limits the impact on adjacent properties and amenity of these uses while providing opportunities to explore additional height over the remainder of Section 48 in the future.

The planning and variety of hotel rooms is generally considered good and is supported

Noted

We trust that this correspondence is acceptable. Should you wish to discuss the matter further please do not hesitate to call me on 0409 550 596.

This letter is for the use only of the party to whom it is addressed and for no other parties. No responsibility is accepted to any third party who may use or rely on the whole, or any part, of the content of this letter.

Yours sincerely

Pieter van der Walt
Director – Senior Town Planner

Attachments:

- Alternative Façade Treatment to Hotel Podium

CANBERRA TOWN PLANNING

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Attachment A – Alternative Façade Treatment to Hotel Podium

3D VIEW - CNR CAMERON AVE EDMONSTONE PL

3D VIEW - CNR CHANDLER ST CAMERON AVE

SOUTH ELEVATION

EAST ELEVATION

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Form
Legislated Requirements
Merit Track

ASSESSMENT REPORT

ASSESSMENT OFFICER: Meena Ramesh

APPLICATION NUMBER: 201630289

BLOCKS: 8 & 9 SECTION: 48

DIVISION: BELCONNEN

Zone: CZ2 Business 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.

<table>
<tr>
<td>S119 (1)(a) The relevant code

NB: Refer to form Territory Plan Code Requirements Merit Track to complete this question</td>
<td>The relevant code(s) for the development proposal are:
<table>
<tr><td>Precinct Code:</td><td>Belconnen Precinct Map & Code</td></tr>
</table>
<table>
<tr><td>Development Code:</td><td>Commercial Zones Development Cod</td></tr>
</table>
<table>
<tr><td>General Code:</td><td>Parking and Vehicular Access General Code</td></tr>
<tr><td>General Code:</td><td>Bicycle Parking General Code</td></tr>
<tr><td>General Code:</td><td>Access and Mobility General Code</td></tr>
<tr><td>General Code:</td><td>Crime Prevention Through Environmental Design General Code</td></tr>
</table>

The proposal meets all rules of the above code(s) that are relevant to the development with the exception of those identified in the statement against relevant criteria submitted for the proposal. 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.

The proposal is consistent with the above code(s) for reasons identified in Form – Territory Plan Code Requirements – Merit Track.</td>
</tr>
<tr>
<td>S119 (1)(b) Any land management agreement for the land (for proposed development relating to land comprised in a rural lease)</td>
<td>The proposal is not for a proposed development relating to land comprised in a rural lease.</td>
</tr>
</table>

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) **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. **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.	The proposal is not for a proposed development that will affect a registered tree or declared site.

S119 (2) Consistency with advice given by an entity to which the application was referred under division 7.3.3 of the Act. **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 – (a) the following have been considered: (i) any applicable guidelines; (ii) any realistic alternative to the proposed development, or relevant aspects of it; and (b) the decision is consistent with the objects of the Territory Plan **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.	The decision is not inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 of the Act.

***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	The development is proposed to take place in the CZ2 Business zone. The application meets all objectives of the zone.

S120 (b) Suitability of the Land	The proposed development seeks approval to use the land or a building or structure of the land for the purpose(s) of a mixed use development for uses consistent with the approved variation. The proposed uses are listed as an assessable development in the CZ2 zone development table, and are therefore determined to be permissible uses for the land. The proposed development is in accordance with the provisions of the Crown Lease as varied by this approval. The land is suitable for the development proposed.

S120 (c) Environmental Significance Opinion	An Environmental Significance Opinion (ESO) is not in force for the development proposal.

S120 (d) Representations	No representations were received.

S120 (e) advice given by an entity in accordance with section 149 of the Act **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.	Entity advice received is addressed 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.
Proposal for development on land reserved under S315 for the purpose of wilderness area, national park, nature reserve, or special purpose reserve.	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.

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

Site Inspection (Although not a legislative requirement as such, a site inspection may assist with the assessment of the proposal against the provisions of S120)	A site inspection was conducted on 1 Dec 2016. Photos saved in DA file. Accompanied by Phab V.

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Form

Internal Referral Brief for MPRG

SUBMISSION TO MAJOR PROJECT REVIEW GROUP

AGENDA ITEM NO.	
DATE OF MEETING	7 DECEMBER 2016
SUBJECT	DA 201630289 – BLOCKS 8 & 9 SECTION 48 BELCONNEN
BRANCH	PLANNING DELIVERY
PRESENTED BY	MEENA RAMESH

This proposal has been referred to the Major Project Review Group because the total GFA proposed is more than 7000sqm and the building height is greater than 25m.

Purpose

1. To brief the Major Project Review Group on a mixed use development proposal comprising –

   - Lease variation to remove the Gross Floor Area limitations in relation to 'Restaurant' and 'Indoor Recreation Facility', some other Lease clause changes to prepare the Lease for consolidation and to consolidate the subject blocks;
   - Demolition of the existing buildings;
   - Construction of a twelve (12) storey mixed use building above one level of basement including:
     - Restaurant and retail space at the ground floor level;
     - Four (4) levels of podium car parking comprising 134 car parking spaces;
     - Hotel comprising 90 commercial accommodation units over five (5) levels and ancillary uses including a Conference Room and Gym within the basement level;
     - 2,037sqm of commercial/office space across the two uppermost levels;
   - associated landscaping, paving and other site works; and

2. To seek MPRG advice on the development proposal.

Leasing

Blocks 8 and 9 Section 48 Belconnen are both market value leases granted under the *Planning and Development Act 2007* to the Canberra Labour Club Limited.

While the application submitted makes no mention of including child care in the lease variation it has been included in the suggested wording of the purpose clause. If the application is approved, the exclusion of child care will remain in the consolidated lease purpose clause unless/until an application to vary the lease is submitted and

approved to include it.

Issues identified for discussion:

- Building design & external materials

  Strategic Planning Unit had significant concerns with the height and appearance of the proposed podium car park. The proposed car park proposal was not considered to be of a high quality outcome.

  When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive.

  Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvers and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building.

  Applicant was asked to consider measures to reduce the height of the parking structure, including reducing the floor to floor height, providing basement car parking and measures to improve the screening of the proposed car park podium structure. It was also suggested that consideration be given to breaking down the extent of louvres by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels.

  In response to this request, the applicant has provided an alternative solution (See **Attachment A**) for consideration by the MPRG. The solution provided is considered to be a far better design outcome for the site.

- Representations – None received.
- Entity comments – All relevant entities have supported the proposal with or without conditions. Entity conditions can be addressed as conditions of approval.

Site Inspection

Please see photos under MPRG folder.

Communications

The Belconnen Labor Club has been the subject of recent media enquiries from Fairfax Media (late November). It is important that the EPSDD Communications team is alerted prior to any decisions made to ensure appropriate media preparation is in place.

Options

The options to progress this matter are as follows:

1. Support the proposal as per the revised sketches appearing at **Attachment A** with appropriate conditions included in the DA decision for submission of revised architectural plans to reflect these changes.

2. Remit the proposal back to the proponent to submit revised architectural plans to reflect these changes prior to DA approval.

Recommendation

It is recommended that Option 1 be supported.

Meena Ramesh
Case Officer
5 December 2016

Minutes

Chair: George Cilliers **Minute Taker:** Meena
Present: Chris Gell, Monica Saad, Helen Mckeown, Bob Taylor, Meena Ramesh

Decision by Major Project Review Group: MPRG noted that height of the podium car park - in particular, the excessive ceiling heights within the car park levels. While the applicant has justified it as allowing for services, natural lighting & ventilation, MPRG considered the opportunity to retrofit in the future by converting one or more of these levels for commercial use. The facade facing the Labor Club appears to be designed to integrate with future development on Labor Club site. It was also noted that the height of the podium ca park was not dissimilar to the nearby Wayfarer building.

While the opportunity for a taller building as permitted by the Belconnen Town Centre Master Plan has not been taken up, the proposal meets all relevant requirement s of the Territory Plan. MPRG agreed that the revised facade treatment was a far better design outcome for the site and supported the recommendation.

Date this decision was Approved in Objective by Chair of MPRG meeting:

Is additional referral required? No

Date referred to Communications Unit: 5 December 2016

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Attachment A – Alternative Façade Treatment to Hotel Podium

3D VIEW - CNR CAMERON AVE EDMONSTONE PL

SOUTH ELEVATION

EAST ELEVATION

3D VIEW - CNR CHANDLER ST CAMERON AVE

ACT Government
Environment, Planning and Sustainable Development

Notice of decision

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

Merit track

DA NO: 201630289		**DATE LODGED: 27/10/2016**
DATE OF DECISION: 13 December 2016		
BLOCKS: 8 & 9	**SECTION: 48**	**SUBURB: BELCONNEN**
STREET NO AND NAME: 1 Edmondstone Place & 55 Chandler Street Belconnen		
APPLICANT: Canberra Town Planning Pty Ltd		
LESSEE: **Canberra Labor Club Limited**		

THE DECISION

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

I, Meena Ramesh, delegate of the planning and land authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for a mixed use development including:

(a) a variation of the Crown lease over Block 8 to remove the gross floor area limitations on restaurant and indoor recreation facility;

(b) consolidation of Blocks 8 and 9 Section 48 Belconnen;

(c) demolition of the existing buildings;

(d) construction of a twelve (12) storey mixed use building above one level of basement including:

- restaurant and retail space at the ground floor level;
- four (4) levels of podium car parking comprising 134 car parking spaces;
- hotel comprising 90 commercial accommodation units over five (5) levels and ancillary uses including a conference room and gym within the basement level;
- 2,037sqm of commercial space across the two uppermost levels; and

(e) associated landscaping, paving and other site works,

in accordance with the plans, drawings and other documents and items submitted with the application for approval and endorsed as forming part of this approval and substantially in accordance with the draft Crown lease at **Attachment 1**.

This decision is subject to the conditions of approval at **PART 1** being satisfied. Please note that plans will not be dispatched until all relevant conditions are satisfied.

PART 2 sets out the Reasons for the Decision.

PART 3 is Public Notification and Entity Advice.

PART 4 contains administrative information relating to the determination.

DELEGATE

Meena Ramesh
Delegate of the planning and land authority
Environment, Planning and Sustainable Development Directorate
13/12/2016

CONTACT OFFICER
Meena Ramesh
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PART 1
CONDITIONS OF APPROVAL

Please note that this approval includes leasing requirements.
THE APPROVAL WILL EXPIRE 2 YEARS AFTER THE APPROVAL TAKES EFFECT or otherwise in accordance with the conditions of approval. In addition, there are legislative requirements that must be met prior to the registration of the new Crown lease. See Advisory Notes for further information about those legislative requirements

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

A. ADMINISTRATIVE / PROCESS CONDITIONS

A1. APROVAL DOES NOT TAKE EFFECT – CONTAMINATION
That this approval for a variation to the Crown lease and consolidation of the blocks does not take effect until the applicant/lessee has lodged with the planning and land authority written evidence that:

(a) the site has been assessed for possible contamination to the satisfaction of the Environment Protection Authority (EPA), or its successors;

(b) if required, the site is remediated to the satisfaction of the EPA; and

(c) the applicant/lessee has obtained written evidence that the EPA has advised that the site is suitable for the proposed development.

A2. TIMEFRAME TO COMPLY WITH CONDITION A1
Within 24 months of the date of this Decision the applicant/lessee must:

(a) commence and complete the assessment of possible contamination required pursuant to Condition A1(a); and

(b) lodge with the planning and land authority, in accordance with Section 165 of the *Planning and Development Act 2007*, written evidence of compliance with Condition A1.

A3. COMPLIANCE WITH CONDITION A2
This approval will end if the applicant/lessee has not lodged the written evidence required pursuant to Condition A2 within 24 months of the date of this Decision.

Note: Upon the applicant/lessee lodging with the planning and land authority written evidence of the commencement of the environmental assessment pursuant to Condition A2(a), the applicant/lessee may apply to the planning and land authority in writing for an extension of the approved timeframes at Conditions A2 and A3.

CONDITIONS RELATING TO THE VARIATION OF THE CROWN LEASE

A4. COMMENCEMENT OF BUILDING WORK
That no building work in relation to this Development Application, except for demolition and the decontamination of the land (if required), is to commence on the site until the new Crown lease is registered at Access Canberra (Land Titles and Rental Bonds).

A5. NEW BLOCK SURVEY
That the applicant/lessee shall arrange for a survey of the consolidated block. When advised of the new block number, the applicant/lessee shall lodge the survey plan with the Environment, Planning and Sustainable Development Directorate for examination and clearance by the Surveyor-General, Surveying and Spatial Data Section, and pay the appropriate examination fee.

The new block survey must show:

(i) the dimensioned location of the proposed boundaries for the new block generally in accordance with the approved consolidation plan (including the centreline of any party wall as constructed);

(ii) the surveyed block size; and

(iii) the location of all service easements in accordance with the requirements of the relevant service providers.

A6. SURRENDER AND REGRANT
That the lessee surrender the existing Crown leases over Block 8 Section 48 Division of Belconnen - (Volume 1963 : Folio 3) and Block 9 Section 48 Division of Belconnen - (Volume 2055 : Folio 3) and accept a new Crown lease substantially in accordance with the draft lease appearing at ***Attachment 1***.

A7. LEASE REGISTRATION
That the lessee shall do all that is necessary to ensure that the new Crown lease is registered at Access Canberra (Land Titles and Rental Bonds) prior to the end of the approval for the variation of the Crown lease.

Note: Please also see the Advisory Notes for additional information on the lease variation.

CONDITIONS FOR LICENCING OF ENCROACHMENTS (2-Party)

A8. COMMENCEMENT OF BUILDING WORK
No building work in relation to the encroachment (the works on unleased Territory land that are part of this development approval) is to commence on the site until the lessee has applied for and has been granted a licence in relation to the encroachment, being an awning, by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007* and in the form approved by the planning and land authority.

A9. APPLICATION FOR A LICENCE (See **Attachment 2**)
Prior to the commencement of building work, the lessee (the proposed Licensee) must lodge with the Environment, Planning and Sustainable Development Directorate (EPSDD) an application for the grant of a licence to occupy and use unleased Territory land, pay the appropriate fee and undertake the following:

(i) Encroachment plan
the lessee (the proposed Licensee) must submit to EPSDD a plan detailing all dimensions of the proposed encroachment including area, block boundaries and location of encroachment in relation to the building, adjacent unleased Territory land and/or public road. Plan details must be sufficient to enable the preparation of a Spatial Data Mapping System (SDMS) plan and number.

(ii) Public liability insurance
the lessee (the proposed licensee) must obtain public liability insurance in respect of the encroachment by complying with the procedures outlined in the *Financial Management (Public Liability Insurance) Guidelines 2011*.

The procedures are specified below in summary form:

1. nominate each and all of the proposed activities the proposed licensee wishes to undertake on Territory land or premises ("Premises");
2. take out a public liability insurance policy for the term of the licence;
3. submit a certificate of currency in respect of the public liability insurance, which clearly states that the encroachment is covered by the insurance policy; and
4. Comply with obligations in respect of risk management plans if applicable.

This information is to be forwarded to the:

Licensing Officer
Leasing Services
Planning Delivery Division
EPSDD
GPO Box 158
CANBERRA ACT 2601
Ph: (02) 6207 1923

Note: The Activity Schedule will form part of the licence agreement

A10. TRANSFER OF TITLE
The lessee must not transfer or assign its interest in the premises unless and until the proposed transferee or assignee is granted a licence by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007*, under the same terms and conditions as the licence granted in accordance with Conditions A8 and A9 and meets the insurance requirements in accordance with Condition A9.

CONDITIONS RELATING TO THE DEVELOPMENT WORKS

A11. FURTHER INFORMATION
Within 28 days from the date of this decision, or within such further time as may be approved in writing by the planning and land authority, the applicant shall lodge with the planning and land authority for approval:

(a) revised architectural drawings, based on the relevant drawings submitted as part of the application, showing:

(i) revised facade treatment as per drawings appearing at **Attachment A** to this decision and an appropriate treatment (articulation by material & colour) to the proposed northern facade of the car park structure to minimise its visual impact;

(ii) external dimensions of the basement;

(iii) the removal of Tree 1;

Note: All plans to be consistent including Demolition Plan.

(iv) the accurate total number of car parking spaces on Levels 1 and 4;

Note: It is also highly recommended that 2 accessible parking spaces be provided on Level 1 to ensure accessible parking is available on all levels of the proposed podium parking structure.

(v) the configuration of the proposed hotel drop-off area to the satisfaction of Transport Canberra and City Services (TCCS);

Note: All plans including landscape plans to be consistent.

(vi) bicycle parking within the verge adjacent the subject site;

Note: Such parking must meet all relevant requirements of TCCS including appropriate clearances from surrounding infrastructure such as street trees, kerb, Stormwater sumps, signage, buildings, etc.). Details of this bicycle parking should be submitted to the Senior Manager, Asset Acceptance, TCCS at the Design Acceptance stage.

(vii) four (4) motorcycle visitor parking bays on the plans; and

Note: The surplus of vehicle parking presents an opportunity to convert some of these spaces into motorcycle parking, preferably on Level 1 and near one of the bicycle parking areas.

(viii) the proposed building (except for the proposed awning encroachment) wholly contained within the subject site boundaries.

A12. TRANSPORT CANBERRA AND CITY SERVICES (TCCS)

(a) The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
(b) The internal ground floor driveway must comply with sightline requirements as per *AS 2890.1*.
(c) The levels on the verge are not to be altered as a result of the new constructed verge crossing.
(d) Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.
(e) A Landscape Management and Protection Plan and dilapidation report for all Government assets adjacent the site must be submitted to Asset Acceptance, TCCS prior to commencement of construction and on the completion of works.
(f) The proposed removal of Tree 1 should be consistent on all plans.
(g) Both new trees in Cameron Avenue are to be Eucalyptus mannifera 'Little Spotty' cultivar.
(h) The space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) must be increased to improve growing conditions and promote the development of healthy root systems.
(i) The distance from the outside of the tree trunk to the back of kerb must be increased to 1.7m minimum.
(j) Awning on Chandler Street must be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
(k) There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.

(l) More detail must be provided at the design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
(m) In line with Urban Treescapes community notification procedures, the tree to be removed must be sign posted at least 14 days before its removal (see **Attachment 3**).
(n) The pedestrian walkway must take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
(o) A Construction Management Plan must be submitted at the Design Acceptance stage.
(p) The Stormwater plan must be resubmitted at the Design Acceptance stage.
(q) Since the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, all waste must be collected through rear loading (See **Attachment 4**).
(r) A Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area must be provided at the Design Acceptance.

A13. AIR EMISSIONS
All Food retail and restaurant premises on the subject site must have exhaust and ventilation systems installed and operated to comply with the *Australian Standard AS1668.1- The Use of Ventilation and Air conditioning in Buildings.*

A14. NOISE MANAGEMENT
The noise mitigation measures identified in Section 4 of the Noise Management Plan dated September 2016 by Parsons Brinckerhoff must be implemented on site.

A15. WIND ASSESSMENT
Further detailed modelling must be undertaken to confirm that the wind effect identified at Point A in Figure 9 (Page 5) of the Wind Assessment Report, Project: 2304587U, dated 13 September 2016 by Parsons Brinckerhoff will not negatively impact the local wind climate in the public realm around the subject site. Any mitigation measures recommended from such a study must be implemented on site.

A16. COMPLIANCE WITH ENTITY REQUIREMENTS
The development must comply with all the relevant conditions imposed by each of the relevant entities stated in each of their advice that need to be addressed prior to, during and post construction (Refer to Part 1 - ADVISORY NOTES and Part 3 - ENTITY ADVICE of this Notice of Decision).

B. PRIOR TO CONSTRUCTION AND/OR DEMOLITION

B1. ENVIRONMENT PROTECTION

(a) Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

(b) Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004* and the *Dangerous Substances (General) Regulation 2004.*

(c) The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

(d) A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the Environment Protection Authority (EPA) for review and endorsement prior to the commencement of new development works.

(e) Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

(f) Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4.*

(g) No material is to be removed from the site without EPA approval.

(h) The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

(i) All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*"

Note: Refer further advice from this entity under Part 3 - ENTITY ADVICE below.

B2. TREE PROTECTION

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

B3. DESIGN ACCEPTANCE

Prior to the commencement of any work on the site, a Certificate of Design Acceptance must be obtained for all off-site works from the Senior Manager, Asset Acceptance, TCCS.

B4. TEMPORARY TRAFFIC MANAGEMENT (TTM)

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

B5. LANDSCAPE MANAGEMENT & PROTECTION PLAN (LMPP)

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

B6. USE OF VERGES OR OTHER UNLEASED TERRITORY LAND
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

B7. REPAIR OF DAMAGE TO PUBLIC ASSETS
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

B8. NOTICE OF COMMENCEMENT OF CONSTRUCTION
Notice of Commencement for the Works in Unleased Territory Land must be submitted to the Senior Manager, Asset Acceptance, TCCS one week prior to the commencement of works. The Notice must also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

C. DURING CONSTRUCTION AND/OR DEMOLITION

C1. SEDIMENT AND EROSION CONTROL

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

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

C2. TREE PROTECTION

The applicant/lessee shall protect and maintain all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and a Tree Management Plan.

C3. VERGE MANAGEMENT

During any work undertaken on the site, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with a Landscape Management and Protection Plan approved by the Manager, Asset Acceptance, TCCS.

C4. TRAFFIC MANAGEMENT

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

C5. WASTE MANAGEMENT

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

D. POST CONSTRUCTION AND/OR DEMOLITION

Not applicable.

E. ADVISORY NOTES

This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes prior to commencing work.

E1. LEASE VARIATION CHARGE

Prior to the registration of the new Crown lease, the lessee must, as is required under the *Planning and Development Act 2007*, pay any assessed Lease Variation Charge. Once advised of the lease variation charge, the charge should be paid not less than 6 months prior to the expiration of this approval. This will ensure that sufficient time remains to enable the new Crown lease and new survey plan to be registered at Access Canberra (Land Titles and Rental Bonds) prior to expiry of this approval.

E2. BLOCK NUMBERS

The new block number will not be provided until the Lease Variation Charge is paid. The new survey plan must be cleared by the Surveyor-General prior to the execution of the new Crown lease.

E3. EXPIRY OF APPROVAL

For approvals that include a lease variation, there is no provision under the *Planning and Development Act 2007* to extend the timeframe for compliance with the consolidation conditions of the approval beyond 2 years after the date this approval takes effect.

E4. UTILITIES

- Refer to conditional statement of compliance from ActewAGL Electricity Networks Division at **Attachment B**.
- Refer to conditional statement of compliance from ICON Water at **Attachment C**.
- Refer to conditional statement of compliance from Jemena Gas Networks (NSW) Limited at **Attachment D**.

E5. Emergency Services Agency (ESA)

Refer to ESA statement at **Attachment E**.

E6. Parking

Measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area should be given consideration.

E7. ENTITY ADVICE

The applicant is advised to carefully consider all the relevant advice (in addition to the conditions imposed) from each of the entities stated in Part 3 of this decision throughout the process of development (prior to, during & post construction) as applicable.

Also see advice from other entities under PART 3 ENTITY ADVICE. Refer to Appendix 1 for information about approvals that may be required for construction.

PART 2
REASONS FOR THE DECISION

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet the relevant codes, being the Belconnen Precinct Map & Code and the Commercial Zones Development Code.

The key issues identified in the assessment are visual impact of the proposed building, possible site contamination, licence requirements for the proposed encroachment, noise management, and other entity issues and the suitability of the site for the proposed development, the payment of any assessed Lease Variation Charge, and the registration of the new Crown lease and new survey plan.

In response to the concerns with the visual impact of the building, the applicant provided revised plans appearing at **Attachment A** as an alternative solution to the facade treatment. The proposal with this alternative facade treatment was presented to the Major Projects Review Group (MPRG). The MPRG supported the proposal with the alternative facade treatment which has been incorporated as a condition of approval.

Conditions have also been imposed to address other key issues and ensure that the proposal is consistent with the Territory Plan and the *Planning and Development Act 2007*.

EVIDENCE
Application No. 201630289
Territory Plan Zone – CZ2 Business Zone
The Development Codes – Commercial Zones Development Code, Access and Mobility General Code, Parking and Vehicular Access General Code, Bicycle Parking General Code & Crime Prevention Through Environmental Design General Code
The Precinct Codes – Belconnen Precinct Map & Code
Current Crown Lease – Block 8 - Volume 1963 Folio 3 and
Block 9 - Volume 2055 Folio 3
Representations – none received
Entity advice- TCCS, EPA, Actew, ICON, Jemena, ESA, HPS, EPSDD Strategic Planning and EPSDD Major Projects & Transport

PART 3
PUBLIC NOTIFICATION AND ENTITY ADVICE

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 3 November 2016 to 23 November 2016. No written representations were received during public notification.

ENTITY ADVICE

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

TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE (TCCS)
On 22 November 2016, advice was received from this entity in relation to the proposal. The advice stated that the application is supported subject to the following conditions.

Conditions

VERGE CROSSING

1. The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
2. The internal ground floor driveway must comply with sightlines requirements as per AS 2890.1.
3. The levels on the verge are not to be altered as a result of the new constructed verge crossing.
4. Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.

VERGE

5. A Landscape Management and Protection Plan and dilapidation report for all Government Assets adjacent the site must be submitted to Asset Acceptance –TCCS prior to commencement of construction and on the completion of works.
6. Urban Treescapes support the development in terms of the impact on existing trees with the following conditions to increase the likelihood that new tree plantings will succeed.

    - The proposed removal of Tree 1 in the Landscape Management and Protection Plan (1625 LMPP-01 Issue A dated 26.8.2016) is not consistent with the Demolition Plan (160810 C107 Issue B dated 14.09.16) and other associated plans (i.e. Landscape Plan 1625 L01 Issue A dated 12.09.2015 and Ground Floor – Hotel DA102/1 14.09.2016) and plans must be updated for consistency.
    - As the supporting Tree Assessment has identified that Tree 1 is in poor health, please remove Tree 1 and replant with *Eucalyptus mannifera* 'Little Spotty' (note that due to limited verge space in Cameron Avenue the 'Little Spotty' cultivar is to be used for both new tree plantings).
    - Increase the space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) to improve growing conditions and promote the development of healthy root systems.

- Increase the distance from the outside of the tree trunk to the back of kerb to 1.7m minimum.
- Confirm that the awning on Chandler Street will be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
- There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.
- Provide more detail at design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
- In line with Urban Treescapes community notification procedures, please ensure the tree to be removed is signposted at least 14 days before removal is carried out (see **Attachment 3**).

PEDESTRIAN NETWORK

7. The pedestrian walkway is to take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
8. A Construction Management Plan must be submitted at the Design Acceptance stage.

STORMWATER

9. The Stormwater plan must be resubmitted at the Design Acceptance stage.

WASTE

10. Please note that the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, therefore, all waste will need to be collected through rear loading (See **Attachment 4**).

Standard Conditions

The following general conditions will apply as appropriate for Works on and Use of Territory Land in addition to the above:

In accordance with the *Public Unleased Land Act 2013* no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. Such approval must be obtained from the Senior Manager, Asset Acceptance, TCCS by the ways of:

1. A certificate of design acceptance prior to the commencement of any work; and
2. A certificate of Operational Acceptance on completion of all works to be handed over to TCCS.

Design Acceptance and Operational Acceptance
A Certificate of Design Acceptance is required for all off-site works from the Senior Manager, Asset Acceptance, TCCS, prior to the construction.

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

A Certificate of Operational Acceptance on completion of the works is required from the Senior Manager, Asset Acceptance, TCCS, prior to the issue of a Certificate of Occupancy.

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

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

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

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

Use of Verges or other Unleased Territory land
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

Repair of Damage to Public Assets
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

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

On 24 November 2016, further advice was received from this entity in relation to the proposal. The advice stated that the applicant will need to provide a Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area.

On 24 November 2016, additional advice was received from this entity in relation to the proposal. The advice stated that TCCS doesn't object to the provision of bicycle parking within the verge adjoining the subject site for restaurant patrons and visitors to the retail shops if this is required by EPSDD Transport Planning.

However, this condition must be met at the Design Acceptance stage. Its location is to be appropriate (clearances from surrounding infrastructure such as street trees, kerb, SW sumps, signage, buildings, etc,) otherwise the proposal may have problems obtaining Design Acceptance if it can't comply.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ACTEWAGL ELECTRICITY NETWORKS DIVISION

On 16 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with the Electricity Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment B**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ICON WATER

On 3 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with their requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment C**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

JEMENA

On 2 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal conditionally complies with the Gas Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment D**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

HEALTH PROTECTION SERVICE (HPS)

On 8 December 2016, advice was received from this entity in relation to the proposal as below.

The development proposes construction of a conference kitchen on the basement level and two restaurants on the ground floor of the building. The applicant is required to submit food business registration and fit-out assessment application (with suitably detailed plans) to the HPS for each food business prior to construction. The applicant is advised to contact the HPS on 6205 7716 for further information.

There are no other public health concerns in relation to the proposed development.

Comment - Matters raised have been incorporated as advice to the applicant.

EMERGENCY SERVICES AGENCY (ESA)

On 11 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal is supported.

Comment – Refer to ESA statement at **Attachment E**. Matters raised have been incorporated as advice to the applicant.

ENVIRONMENT PROTECTION AUTHORITY (EPA)

On 29 November 2016, advice was received from EPA in relation to the proposal which states that the application is supported subject to conditions.

The Environment Protection Unit reviewed a report titled "Phase 1 Environmental Assessment 55 Chandler Street Belconnen, ACT 2616 (Block 8 Section 48 Belconnen)" dated November 2010 by Robson Environmental Pty Ltd in November 2010 and supported the consultant's conclusions and recommendations that "the site is considered suitable for the uses outlined in the DA (201018461) lodged in August 2010" subject to it undergoing further assessment at the time of demolition to ascertain the presence or otherwise of underground fuel storage.

On this basis, the EPA would support the application subject to the following conditions:

Conditions

- Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

- Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004 and the Dangerous Substances (General) Regulation 2004.*

- The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

- A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the EPA for review and endorsement prior to the commencement of new development works.

- Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

- Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4* available at www.environment.act.gov.au.

- No material is to be removed from site without EPA approval.

- The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

- All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*", available at www.environment.act.gov.au or by calling 132281.

Advice

- Noise from generators and other plant which may be installed at the site, including air conditioning units, must comply with the noise standard as per the *Environment Protection Regulation 2005.*

- All rain water that enters the site and pools in excavations during a rain storm event would be considered as a sediment control pond, and must meet the following conditions.

    - No discharge from dam. All stormwater must be pumped out and disposed in at an approved location.
    - No discharge is allowed to enter the stormwater system.
    - No discharge from pond unless sediment level is less than 60mg/litre. If sediment level is greater, then prior to discharge, the dam must be dosed with either Alum or Gypsum and allowed to settle until the sediment is less than 60 mg/litre.
    - Water level must not exceed 20% capacity at all times to allow runoff storage during a rain event.
    - All underground drains must lead to a pit and not connected to the stormwater system or be connected to sewage with the approval of ICON Water.

- All external lights must comply with Australian Standards AS4282 Control of the obtrusive effects of outdoor lighting.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

STRATEGIC PLANNING, EPSDD

On 30 November 2016, advice was received from this entity in relation to the proposal which stated -

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.

- Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvers and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvers. Consider breaking down the extent of louvers by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- Note – The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Comment – The applicant was asked to address these design issues. The applicant provided a written response to the issues raised together with an alternative solution for the facade treatment which was presented to the Major Projects Review Group (MPRG) on 7 December 2016. The MPRG supported the alternative solution. A condition has been imposed to provide revised architectural drawings to reflect the facade changes as in the alternative solution.

MAJOR PROJECTS & TRANSPORT, EPSDD

On 24 November 2016, advice was received from this entity in relation to the proposal which stated that the following advice must be considered to produce a satisfactory outcome for this proposal.

- The provision of 2 accessible parking spaces on Level 1 basement parking – this would ensure that accessible parking is available on all levels of the proposed podium parking structure;
- Further explanation on proposed measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area;
- In addition to dot point 2 above, an indication of which bicycle parking areas will be allocated for each particular use in this mixed use development;
- The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option;
- An indication of 4 motorcycle visitor parking bays on the plans. The surplus of vehicle parking being proposed by the applicant presents an opportunity to convert some of these spaces into motorcycle parking, preferably on level 1 and near one of the bicycle parking areas; and
- Recommend that a TCCS view be sought on the suitability of the proposed swept path as indicated on drawing number C501.

Comment – TCCS has supported the proposal. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

PART 4
ADMINISTRATIVE INFORMATION

DATE THAT THIS APPROVAL TAKES EFFECT

Unless a condition of approval provides for otherwise, this approval is effective from the day after the date of this notice. The effective date for development applications approved subject conditions could be adjusted if the approval is reconsidered by the planning and land authority or if an application is made to the ACT Civil and Administrative Tribunal.

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

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

Pursuant to section 185 of the Act, this approval will expire if:

- the lease variation is not completed two years after the day the approval takes effect.

Conditional Approval

This approval will expire if, in accordance with Section 165(3)(d) of the Act, a condition has deferred the effect of the development approval ***and*** imposed a time frame during which another approval must be revoked, amended or given, and the time frame has expired.

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

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

INSPECTION OF THE APPLICATION AND DECISION

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

RECONSIDERATION OF THE DECISION

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

To submit an application for reconsideration, documents must be provided electronically by email to EPSDDcustomerservices@act.gov.au or provided at the customer service centre on a CD/DVD. The delegate of the Authority reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Civil and Administrative Tribunal. Application forms and further information about reconsideration are available from the planning and land authority's website and Customer Service Centres.

REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

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

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

Health Directorate - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
Environment, Planning & Sustainable Development Directorate *Planning and land authority* - list of certifiers for building approval - demolition information - asbestos information *Environment Protection Authority* - environment protection - water resources - asbestos information *Conservation, Planning and Research* - threatened species/wildlife management	 Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 Website: www.environment.act.gov.au Telephone: (02) 6207 6251 Website: www.environment.act.gov.au Telephone: (02) 6207 1911
Transport Canberra & City Services Directorate - tree damaging activity approval - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.TCCS.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 7480
Utilities - Telstra (networks) - TransACT (networks) - Icon Water - Electricity reticulation	 Telephone: (02) 8576 9799 Telephone: (02) 6229 8000 Telephone: (02) 6248 3111 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the planning and land authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made by:

- Completing an application for S165 Satisfying Conditions of Approval and submitting the documentation online using edevelopment. More information on edevelopment can be found at http://www.actpla.act.gov.au/tools_resources/e-services/edevelopment

For further information regarding the lodgement of this information please contact Customer Service Centre by Phone: (02) 6207 1923, Email: **esddcustomerservices@act.gov.au** or on the planning and land authority website at **www.actpla.act.gov.au.**

FURTHER APPROVALS FOR CONSTRUCTION

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

BUILDING APPROVAL

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

PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

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

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

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

"TREE DAMAGING ACTIVITY" APPROVAL

A Tree Management Plan under the *Tree Protection Act 2005* is required for approval where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees by that Act. More information is available from the TCCS.

USE OF VERGES OR OTHER UNLEASED TERRITORY LAND

In accordance with the *Public Unleased Land Act of 2013,* road verges and other unleased Territory land must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. Approval can be obtained from the TCCS.

WORKS ON UNLEASED TERRITORY LAND – DESIGN AND OPERATIONAL ACCEPTANCE

In accordance with the *Public Unleased Land Act of 2013,* no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval must be obtained from the Manager Asset Acceptance, Asset Services Group, TCCSD by way of:

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

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

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

CONSTRUCTION REQUIREMENTS

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

DEMOLITION AND ASBESTOS MANAGEMENT

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

ENVIRONMENT PROTECTION

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

REPAIR OF DAMAGE TO PUBLIC ASSETS

The applicant/lessee is held responsible for all damage to ACT Government assets (including footpaths) caused by the development and they must properly repair any damage to those assets. Before work commences, they should notify the TCCS of any existing damage to public facilities.

UTILITY ASSETS RETENTION

The lessee should obtain a plant location advice from ActewAGL to avoid conflict with existing plant or electrical easements. The lessee will be responsible for the costs associated with the relocation of assets, if necessary. The lessee is to ensure that the water service and water meter are retained in position and in good condition. Icon Water's water meters are accountable items and must not be removed from the site or otherwise disposed of.

WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

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

DRAINAGE

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

REVIEW OF THE DECISION

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

CONTACT DETAILS

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

Location	Contact details
ACT Civil and Administrative Tribunal Level 4, 1 Moore Street 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

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

FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee (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;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

AWARDING OF COSTS

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

ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the 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	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

131 450

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

Entered in Register Book Vol Folio

This is a market value lease - s238(2)(a)(ii) Planning and Development Act 2007

AUSTRALIAN CAPITAL TERRITORY

PLANNING AND DEVELOPMENT ACT 2007

Australian Capital Territory (Planning and Land Management) Act 1988 (C'th) (ss 29, 30 & 31)

LEASE GRANTED pursuant to the Planning and Development Act 2007 and the Regulations made under that Act on the day of Two thousand and eighteen WHEREBY THE PLANNING AND LAND AUTHORITY ("the Authority") ON BEHALF OF THE COMMONWEALTH OF AUSTRALIA ("the Commonwealth") in exercising its functions grants to

LESSEE **CANBERRA LABOR CLUB LIMITED A.C.N. 008 546 030** a company having its registered office at 55 Chandler Street Belconnen in the Australian Capital Territory ("the Lessee") ALL THAT piece or parcel of land situate in

LAND the Australian Capital Territory containing **an area of 1530 square metres** or thereabouts and being **Block 20 Section 48 Division of Belconnen** as delineated on **Deposited Plan Number** in the Registrar-General's Office at Canberra in the said Territory ("the land") RESERVING unto the Territory all minerals and the right to the use, flow and control of ground water under the surface of the land TO HOLD unto the Lessee for the term commencing on the

TERM day of **Two thousand and eighteen** ("the date of the commencement of the lease") and terminating on the **Thirteenth** day of **September Two thousand one hundred** to be used by the Lessee for the purpose set out in Clause 3(a) of this lease only YIELDING AND PAYING THEREFOR rent in the amount and in the manner and at the times provided for in this lease and UPON AND SUBJECT TO the covenants conditions and agreements contained in this lease.

INTERPRETATION

1. IN THIS LEASE unless the contrary intention appears:

(a) "Authority" means the Planning and Land Authority established by section 10 of the Planning and Development Act 2007;

(b) "building" means any building or structure, constructed or partially constructed or to be constructed, as the context permits or requires, on or under the land;

(c) "bulky goods retailing" means a shop which includes a loading dock within the building, and where the goods or materials sold or displayed are of such a size, shape or weight as to require:

a) a large area for handling, storage or display; and/or

b) direct vehicular access to the site by members of the public, for the purpose of loading goods or materials into their vehicles after purchase, but does not include any shop used primarily for the sale of food or clothing;

(d) "business agency" means the use of land for the purpose of providing a commercial service directly and regularly to the public;

(e) "child care centre" means the use of land for the purpose of educating, supervising or caring for children of any age throughout a specified period of time in any one day, which is registered under the Children and Young People Act 2008 or authorised pursuant to the Education and Care Services National Law (ACT) Act 2011 and which does not include residential care;

(f) "class" for a building or structure, means the class of building or structure under the building code as defined in the Building Act 2004;

(g) "club" means the use of land as a meeting place for persons associated, or for a body incorporated, for a social, sporting, athletic, literary, political or other like purpose, and which is a licensed premise under the Liquor Act 2010;

(h) "commercial accommodation use" means commercial accommodation unit, guest house, hotel, motel, serviced apartment, tourist resort. It does not include a caravan park/camping ground or a group or organised camp;

(i) "commercial accommodation unit" means a room or suite of rooms that is made available on a commercial basis for short-term accommodation. A commercial accommodation unit may comprise a dwelling but not a room or suite of rooms within a dwelling. It does not include any associated facility such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which is also available for use by non occupant members of the public;

(j) "community activity centre" means the use of land by a public authority or a body of persons associated for the purpose of providing for the social well being of the community;

(k) "community theatre" means the use of land for a theatre, cinema, concert hall, auditorium or theatrette run by non-profit organisations;

(l) "community use" means child care centre, community activity centre, community theatre, cultural facility, educational establishment, health facility, hospital, place of worship, religious associated use;

(m) "cultural facility" means the use of land for the purpose of cultural activities to which the public normally has access, but does not include a shop for art, craft or sculpture dealer;

(n) "department store" means a shop in which goods are sold by separate departments within the shop and from which a significant amount or proportion of retail sales occur from at least four of the following types of goods: furniture and floor coverings; fabrics and household textiles; clothing; footwear; household appliances; china, glassware and domestic hardware;

(o) "drink establishment" means the use of land for the sale of alcoholic beverages and spirits to members of the public primarily for consumption on the premises, and which is a licensed premise under the Liquor Act 2010;

(p) "dual occupancy housing" means the use of land that was originally used or leased for the purposes of single dwelling housing for two dwellings;

(q) "dwelling"
(i) means a class 1 building, or a self-contained part of a class 2 building, that:

(A) includes the following that are accessible from within the building, or the self-contained part of the building:

(1) not more than 2 kitchens;

(2) at least 1 bath or shower;

(3) at least 1 toilet pan; and

(B) does not have access from another building that is either a class 1 building or the self-contained part of a class 2 building; and

(ii) includes any ancillary parts of the building and any class 10a buildings associated with the building;

(r) "educational establishment" means the use of land for the purpose of tuition, training or research directed towards the discovery or application of knowledge, whether or not for the purposes of gain, and may include associated residential accommodation;

(s) "financial establishment" means the use of land for the primary purpose of providing finance, investing money, and providing services to lenders, borrowers and investors on a direct and regular basis;

(t) "gross floor area" means the sum of the area of all floors of the building measured from the external faces of the exterior walls or from the centre lines of walls separating the building from any other building excluding any area used solely for rooftop fixed mechanical plant and/or basement carparking;

(u) "guest house" means the use of land for one or more commercial accommodation units and where common or shared facilities are provided for the provision of services such as meals and laundry to occupants of the premises but not to non occupant members of the public;

(v) "health facility" means the use of land for providing health care services (including diagnosis, preventative care or counselling) or medical or surgical treatment to out-patients only;

(w) "hospital" means the use of land for the medical care (including diagnosis, preventative care and counselling) of in-patients, whether or not out-patients are also provided with care or treatment, and may include associated residential accommodation;

(x) "hotel" means the use of land for one or more commercial accommodation units and where the premise is licensed under the Liquor Act 2010. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public;

(y) "indoor recreation facility" means the use of land for sporting activities where such use is primarily indoors;

(z) "Lessee" shall:

(i) where the Lessee consists of one person be deemed to include the Lessee and the executors administrators and assigns of the Lessee;

(ii) where the Lessee consists of two or more persons be deemed to include in the case of a tenancy in common the persons and each of them and their and each of their executors administrators and assigns and in the case of a joint tenancy be deemed to include the said persons and each of them and their and each of their assigns and the executors administrators and assigns of the survivor of them; and

(iii) where the Lessee is a corporation be deemed to include such corporation its successors and assigns;

(aa) "motel" means the use of land for one or more commercial accommodation units and where the units are provided with convenient space for parking of motor vehicles. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public. A motel may be licensed under the Liquor Act 2010;

(bb) "multi unit housing" means the use of land for more than one dwelling and includes but is not limited to dual occupancy housing;

(cc) "non retail commercial use" means business agency, financial establishment, office, public agency;

(dd) "office" means the use of land for the purpose of administration, clerical, technical, professional or like business activities, including a government office, which does not include dealing with members of the public on a direct and regular basis except where this is ancillary to the main purpose of the office;

(ee) “personal service” means a shop used primarily for selling services and in which the sale of goods is ancillary to the service provided;

(ff) “place of worship” means the use of land for the primary purposes of religious worship and associated activities by a congregation, religious group or members of the public whether or not the premises are also used for religious instruction, tuition, meetings, training and other community activities;

(gg) “premises” means the land and any building or other improvements on the land;

(hh) “public agency” means the use of land for the purpose of providing a public service directly and regularly to the public and includes a government agency, which provides a commercial service to the public;

(ii) “religious associated use” means the use of land for the activities conducted by religious organisations other than for worship or for offices and may include residential accommodation by ministers of religion;

(jj) “residential use” means caretaker’s residence, multi-unit housing, residential care accommodation, retirement village, retirement village scheme, secondary residence, single dweling housing, supportive housing;

(kk) “restaurant” means the use of land for the primary purpose of providing food for consumption on the premises whether or not the premises are licensed premises under the Liquor Act 2010 and whether or not entertainment is provided;

(ll) “retail plant nursery” means a shop used for the propagation and sale of plants, shrubs, trees and garden supplies;

(mm) “serviced apartment” means an apartment that is used as a commercial accommodation unit;

(nn) “shop” means the use of land for the purpose of selling, exposing or offering the sale by retail or hire, goods and personal services. It includes but is not limited to bulky goods retailing, department store, personal service, retail plant nursery, supermarket, take-away food shop;

(oo) “supermarket” means a large shop selling food and other household items where the selection of goods is organised on a selfservice basis;

(pp) "take-away food shop" means a shop, which is predominantly for the preparation of food and refreshments for consumption elsewhere;

(qq) "Territory" means:

(i) when used in a geographical sense the Australian Capital Territory; and

(ii) when used in any other sense the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (C'th);

(rr) "tourist resort" means the use of land for one or more commercial accommodation units together with a wide range of recreational and/or cultural facilities in a resort style setting. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public. A tourist resort may be licensed under the Liquor Act 2010;

(ss) words in the singular include the plural and vice versa;

(tt) words importing one gender include the other genders;

(uu) a reference in this lease to any statute or statutory provision shall include a reference to any statute or statutory provision that amends, extends, consolidates or replaces the statute or statutory provision and to any other regulation, instrument or other subordinate legislation made under the statute.

2. THE LESSEE COVENANTS WITH THE COMMONWEALTH as follows:

RENT

(a) That the Lessee shall pay to the Authority rent at the rate of five cents per annum if and when demanded payable within one month of the date of any demand made by the Authority relating thereto and served on the Lessee;

MANNER OF PAYMENT OF RENT

(b) That any rent or other moneys payable by the Lessee to the Authority under this lease shall be paid to such person as may be authorised by the Authority for that purpose at Canberra in the said Territory without any deduction whatsoever.

3. THE LESSEE FURTHER COVENANTS WITH THE COMMONWEALTH as follows:

PURPOSE

(a) To use the premises only for one or more of the following purposes:

(i) club;
(ii) commercial accommodation use EXCLUDING tourist resort;
(iii) community use EXCLUDING child care centre and hospital;
(iv) drink establishment;
(v) indoor recreation facility;
(vi) non retail commercial use;
(vii) residential use LIMITED TO multi unit housing;
(viii) restaurant;
(ix) shop;

PROVIDED ALWAYS THAT:

A. the maximum gross floor area per shop is 200 square metres;

B. any building on the premises fronting a main pedestrian area will incorporate uses on the ground floor that generate activity in the public space;

NOISE MANAGEMENT PLAN

(b) That the Lessee must, prior to the use of the premises for club, drink establishment, hotel, multi unit housing, and/or restaurant implement noise attenuation measures in accordance with a Noise Management Plan prepared specifically for the proposed use and that has previously been submitted to and endorsed by the Environment Protection Authority, or its successor;

PROVISION OF HYDRAULIC MAINS STORMWATER DRAINS AND SEWER LINES

(c) That the Lessee shall provide and thereafter maintain hydraulic mains stormwater drains sewer lines hydraulic fire mains and hydrants on the land in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;

PROVISION OF STORAGE AREAS CARPARKING AND ILLUMINATION

(d) That the Lessee shall provide and thereafter maintain storage areas covered carparking hardstanding carparking adequately illuminated vehicle access roads pedestrian pathways and vehicle access drives on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;

PROVISION OF FACILITIES FOR ELECTRICAL AND TELEPHONE CABLES	(e)	That the Lessee shall provide facilities on the land to a standard acceptable to the Authority to enable electrical and telephone cables and wires to be installed underground;
LANDSCAPING	(f)	That the Lessee shall provide and maintain landscaping on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
LIGHTING	(g)	That the Lessee shall illuminate and keep illuminated all public access areas on the land at the Lessee's cost during the evening hours of operation to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
LOADING AND UNLOADING OF VEHICLES	(h)	That the Lessee shall provide and maintain an area for the loading and unloading of vehicles on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
PRESERVATION OF TREES	(i)	That the Lessee shall not, without the previous consent in writing of the Territory, remove any tree: (i) that has been identified in a development approval for retention during the period allowed for construction of the building; or (ii) to which the Tree Protection Act 2005, applies;
FACILITIES AND ACCESS FOR PERSONS WITH A DISABILITY	(j)	That the Lessee shall provide and maintain facilities and access on the land for persons with a disability in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
SERVICE AREAS	(k)	That the Lessee shall screen and keep screened all service areas to the satisfaction of the Authority and shall ensure that all plant and machinery contained within the premises is suitably screened from public view;
BUILDING SUBJECT TO APPROVAL	(l)	That the Lessee shall not without the previous approval in writing of the Authority, except where exempt by law, erect any building, or make any structural alterations to any building, on the land;

REPAIR

(m) That the Lessee shall at all times during the said term maintain repair and keep in repair the premises to the satisfaction of the Authority;

FAILURE TO REPAIR

(n) If and whenever the Lessee is in breach of the Lessee's obligations to maintain repair and keep in repair the premises the Authority may by notice in writing to the Lessee specifying the repairs and maintenance needed require the Lessee to effect the necessary work in accordance with the notice. If the Authority is of the opinion that a building or some other improvement on the land is beyond reasonable repair the Authority may by notice in writing to the Lessee require the Lessee to remove the building or improvement and may require the Lessee to construct a new building or improvement in place of that removed within the time specified in the notice. If the Lessee does not carry out the required work within the time specified by the Authority any person or persons duly authorised by the Authority with such equipment as is necessary may enter the premises and carry out the necessary work and all costs and expenses incurred by the Authority in carrying out the work shall be paid by the Lessee to the Authority on demand and from the date of such demand until paid shall for all purposes of this lease be a debt due and payable to the Authority by the Lessee;

RIGHT OF INSPECTION

(o) Subject to the provisions of the Planning and Development Act 2007 to permit any person or persons authorised by the Authority to enter and inspect the premises at all reasonable times and in any reasonable manner;

RATES AND CHARGES

(p) To pay all rates charges and other statutory outgoings assessed levied or payable in respect of the premises as and when they are due for payment.

4. THE COMMONWEALTH COVENANTS WITH THE LESSEE as follows:

QUIET ENJOYMENT

That the Lessee paying the rent and all other money due and observing and performing the covenants and stipulations on the part of the Lessee to be observed and performed shall quietly enjoy the premises without interruption by the Authority or any person lawfully claiming from or under or in trust for the Authority.

5. IT IS MUTUALLY COVENANTED AND AGREED as follows:

TERMINATION

(a) That if:

(i) any rent or other moneys payable under this lease shall remain unpaid for three months next after the date appointed for payment thereof (whether such rent or other moneys shall have been formally demanded or not); or

(ii) the said land is at any time not used for a period of one year for the purpose for which this lease is granted; or

(iii) the Lessee shall fail to observe or perform any other of the covenants herein contained in this lease on the part of the Lessee to be observed or performed and shall have failed to remedy such breach within a period of six months from the date of service on the Lessee of a notice in writing from the Authority specifying the nature of such breach

the Authority on behalf of the Commonwealth may terminate this lease but without prejudice to any claim which the Authority or the Commonwealth may have against the Lessee in respect of any breach of the covenants on the part of the Lessee to be observed or performed;

ACCEPTANCE OF RENT

(b) That acceptance of rent or other moneys by the Authority during or after any period referred to in Clauses 5(a) (i), (ii), or (iii) of this lease shall not prevent or impede the exercise by the Authority of the powers conferred upon it by the said Clauses;

FURTHER LEASE

(c) Subject to the Lessee paying all money required to be paid under the provisions of the Planning and Development Act 2007 the Lessee shall be entitled to a further lease of the land for such further term and at such rent and subject to such conditions as may then be provided or permitted by Statute Ordinance or Regulation;

NOTICES

(d) That any notice requirement demand consent or other communication to be given to or served upon the Lessee under this lease shall be deemed to have been duly given or served if signed by or on behalf of the Authority and delivered to or sent in a prepaid letter addressed to the Lessee at the registered office of the Lessee in the said Territory BUT if for any reason the Lessee does not have a registered office in the said Territory then at the usual or last-known address of the Lessee or affixed in a conspicuous position on the premises;

EXERCISE OF POWERS

(e) Any and every right, power or remedy conferred on the Commonwealth or Territory in this lease, by law or implied by law may be exercised on behalf of the Commonwealth or the Territory or as the case may be by:

(i) the Authority;

(ii) an authority or person for the time being authorised by the Authority or by law to exercise those powers or functions of the Commonwealth or Territory; or

(iii) an authority or person to whom the Authority has delegated all its powers or functions under the Planning and Development Act 2007.

IN WITNESS whereof the Authority on behalf of the Commonwealth and the Lessee have executed this lease.

Signed by)
a delegate authorised to execute this lease)
on behalf of the Commonwealth in the)
presence of)

…….
Delegate

……..
Witness

Signed by **CANBERRA LABOR**)

CLUB LIMITED A.C.N. 008 546 030 by:)

……..
Signature

……..
Signature

……..
Name in full

……..
Name in full

……
Sole Director/Director/Secretary

……..
Director/Secretary

REPORT ON NEW TERMINATION DATE FOR CONSOLIDATED BLOCKS

DA No. 20163028 Est. DA Approval Date 20-JAN-17

Suburb : BELCONNEN
Section : 48

Areas	Blocks		
		8	817.5
		9	713.3
New Block Total :			**1530.8**

Lease Details		Commencement Date	Expiry Date Due
Block	8	01-APR-2011	31-AUG-2078
	8	23-MAY-2011	31-AUG-2078
	9	01-SEP-1979	31-AUG-2029

Balance Lease Period Of Theoretical Block _____

Commencement date from 20-JAN-2017 **is** 14-SEP-2001

Termination date from 20-JAN-2017 **is** 13-SEP-2100

From: HPS
Sent: Thursday, 8 December 2016 4:08 PM
To: EPD, Customer Services
Subject: Development Application: 201630289-8&9-48 Belconnen - 01 [SEC=UNCLASSIFIED]
Attachments: 08122016160635.pdf

Response from HPS. Thanks

Cathie Smith
Manager | Business Support Services
Health Protection Service | Population Health Protection and Prevention| ACT Health
25 Mulley Street Holder ACT | Locked Bag 5005 Weston Creek ACT 2611
T 02 6205 1714 | | **E** Cathie.smith@act.gov.au | Website |

ACT Government
Health

EPDcustomerservices@act.gov.au

Referral-Health-Development Application – 201630289-8&9-48-BELCONNNEN-01

Dear Sir/Madam,

Thank you for the documentation received on 24 November 2016 regarding the proposed lease variation and construction of a 12 storey multipurpose building in Belconnen.

The Health Protection Service (HPS) notes that the proposed development will include:

- A lease variation to consolidate two blocks of land into a single parcel and remove the gross floor area restrictions.
- Construction of a 12 storey multi use building on the consolidated land parcel consisting of:
    - basement level conference kitchen, conference room and Back of House facilities
    - two ground floor restaurants and commercial retail space
    - four levels of car parking comprising 134 car parking spaces
    - five levels of commercial accommodation comprising 90 units, conference room and a gym
    - approximately 2,000m2 commercial office space in the uppermost two levels
    - site landscaping and associated site servicing works.

The development proposes construction of a conference kitchen on the basement level and two restaurants on the ground floor of the building. The applicant is required to submit food business registration and fit-out assessment application (with suitably detailed plans) to the HPS for each food business prior to construction. The applicant is advised to contact the HPS for further information.

There are no other public health concerns in relation to the proposed development.

Please contact Keith Rogers on (02) 6205 1716 if you require any further information.

Yours since

Conrad Barr
Executive Director
Health Protection Service

8 December 2016

ACT Government
Environment, Planning and Sustainable Development

Form
Territory Plan Code Requirements
Merit Track

ASSESSMENT REPORT

CZ2 Business zone

ASSESSMENT OFFICER: Meena Ramesh

APPLICATION NUMBER: 201630289

BLOCKS: 8 & 9 SECTION: 48

DIVISION: BELCONNEN

Proposal – Mixed use development

- Lease variation to remove the Gross Floor Area (GFA) limitations in relation to 'Restaurant' and 'Indoor Recreation Facility', some other Lease clause changes to prepare the Lease for consolidation and to consolidate the blocks into a single development parcel
- Demolition of the existing buildings;
- Construction of a twelve (12) storey mixed use building above one level of basement comprising:
  - Restaurant and retail space at the ground floor level;
  - Four (4) levels of podium car parking comprising 134 car parking spaces;
  - Hotel comprising 90 commercial accommodation units over five (5) levels and ancillary uses including a Conference Room and Gym within the basement level; and
  - 2,037m2 of commercial/office space across the two uppermost levels.
- Landscaping and associated site servicing works, verge crossovers, offsite works and other works as documented in this DA.

MPRG – Required due to the GFA of the building being more than 7000sqm.

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 Belconnen Precinct Map and Code-

- RC2 Belconnen Town Centre.

This is a Code relevant to this proposal. The comments for the criterion or rule identified in tables below are provided where it is considered warranted to clarify why a particular criterion or rule is either met or not met.

Sub-Element: **2.1 Ground floor use & 3.2 Active frontage**	
Rule: R2 & 10	Applicable Criterion: C2, C3, C10
This rule applies to area "a" but subject blocks are in area "b" – therefore this rule does not apply. C3 - Subject block adjoins main pedestrian area of Chandler Street frontage - Building incorporates uses on the ground floor that generate activity in the public space – complies	

Sub-Element: **2.2 SHOP – floor area limit**	
Rule: R4	Applicable Criterion: C4
Complies	

Sub-Element: **3.1 Height of buildings & 3.3 Materials and finishes**	
Rule: N/A	Applicable Criterion: C8
Overall height supported by Strategic Planning since Belconnen Town Centre Master Plan allows 18 storeys on this site. However, issues raised by Strategic Planning re: the configuration of floor heights & car park structure design. – APPLICANT ASKED TO RESPOND – 30/11 – revised facade treatment sketch provided by applicant which is an improvement to original -Refer to MPRG – MPRG supported the proposal with the revised facade treatment.	

2. Assessment of Compliance with Commercial Zones Development Code

This is a Code relevant to this proposal. The comments for the criterion or rule identified in tables below are provided where it is considered warranted to clarify why a particular criterion or rule is either met or not met.

Sub-Element: **3.3 Car parking structures**	
Rule: N/A	Applicable Criterion: C6
Car parking structures integrate with the built form of adjacent existing development- revised facade treatment sketch provided by applicant which is an improvement to original -Refer to MPRG– MPRG supported the proposal with the revised facade treatment.	

Sub-Element: **3.6 Wind**	
Rule: R10 mandatory	Applicable Criterion: N/A
As a consequence of the proposed development wind speeds do not exceed the following: *a) adjacent main pedestrian areas and routes (as defined in the relevant precinct code) - 10m/s* *b) all other adjacent streets and public places - 16 m/s.* *Compliance with this rule is demonstrated by a wind assessment report prepared by a suitably qualified person.* Review wind study indicates it meets this rule. However, it recommends – *To confirm that the wind effect identified at point A in Figure 9 on page 5 will not negatively impact the local wind climate in the public realm around the development site further detailed CFD modelling is required.* Include above as condition – plus any mitigation measures recommended from such a study should be implemented on site.	

Sub-Element: **3.7 Ventilation & 4.2 Lighting**	
Rule: R11 & R16 – both mandatory, R17	Applicable Criterion: N/A, C17
Exhaust riser proposed within the restaurant area. Include condition - All exhaust and ventilation systems are installed and operated to comply with Australian Standard *AS1668.1 The Use of Ventilation and Airconditioning in Buildings*. External lighting design statement by consultant indicates external lighting will be designed to these standards	

Sub-Element: **5.2 Traffic generation, 5.3 Service access and delivery 20.1 Goods**	
Rule: N/A, R22 & 62 (mandatory)	Applicable Criterion: C21, C22
Supported by TCCS	

Sub-Element: **6.1 Potentially noisy uses**	
Rule: R23 mandatory	Applicable Criterion: N/A
Include condition - The required noise mitigation measures provided in Section 4 of the Noise Management Plan dated September 2016 by Parson Brinckerhoff must be implemented on site. EPA has supported the DA subject to conditions.	

Sub-Element: **7.1 Water sensitive urban design**	
Rule: R27 MANDATORY	Applicable Criterion: Not Applicable
complies	

Sub-Element: : **9.1 Statement of endorsement , 9.2 Hazardous materials survey 21.1 Management of construction waste, 21.2 Post occupancy waste management, 22.1 Utilities, 23.1 Erosion and sediment control, 23.2 Contamination**	
Rule: R34 & R35, R63 & 64, R67, R68 & R69, R70, R71 (all mandatory), R65	Applicable Criterion: Not Applicable, C65
• TCCS – conditional support • ICON Water –conditional support • JEMENA - supported with conditions • ActewAGL Electrical – conditional support • EPA has supported the DA subject to conditions.	

Sub-Element: 12.1 Materials and finishes	
Rule: N/A	Applicable Criterion: C39
Building colours and materials are consistent with existing development within the particular town centre. Consistent	

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

- Current leases excludes child care centre
- But new purpose clause adds child care centre by deletion of "exclusion" without formally requesting the deletion – i.e. not specifically applied for– suitability of the site for this use has also not been demonstrated – Discussed with Karen Walker – she confirmed that since they have not applied for it, child care will be excluded as per current leases.

4. Assessment of Compliance with Access and Mobility General Code

This is a Code relevant to this proposal. The proposal meets all rules of this Code that are relevant to the development.

5. Assessment of Compliance with Parking and Vehicular Access & Bicycle Parking General Codes

These Codes are relevant to this proposal. The comments for the criterion or rule identified in the tables below are provided where it is considered warranted to clarify why a particular criterion or rule is either met or not.

Car parking
Complies - Refer parking assessment in the Traffic Impact & Parking Assessment Report.

2.2.1 Dimensions of parking spaces for people with disabilities
Complies

Transport Planner has provided following advice to applicant -

The provision of 2 accessible parking spaces on the level 1 basement parking – this would ensure that accessible parking is available on all levels of the proposed podium parking structure – include as advice

2.2.2 Head room - complies

2.2.4 Percentages of parking spaces for people with disabilities – minimum parking provision rate (excluding residential zones)

Requirement = minimum of 3% (rounded up to the nearest whole number) of the total number of parking spaces required = 3% of 94 = 3 spaces required – complies

2.4 Parking for motorcycles and motor scooters
Three dedicated spaces per 100 car parking spaces are required,
For 134 spaces – 4 spaces required – none provided

Advice from Transport Planner –

An indication of 4 motorcycle visitor parking bays on the plans. The surplus of vehicle parking being proposed by the applicant presents an opportunity to convert some of these spaces into motorcycle parking, preferably on level 1 and near one of the bicycle parking areas – Include as condition

Bicycle

Hotel
Employees - Requirement
1 per 80 guest bedrooms after the first 50 bedrooms

Total bedrooms = 110 (35 studio, 35x 1 bedroom and 20 two bed) = 1 space required

Visitors, shoppers and guests -Requirement
1 per 25 m^2 bar floor area after the first 25 m^2 bar floor area PLUS
1 per 100 m^2 of lounge and beer garden after the first 100 m^2 of lounge and beer garden PLUS
1 per 30 guest bedrooms after the first 30 bedrooms (minimum 2 Class 3 Bicycle Parking Spaces)

No bar /beer/lounge area, 3 spaces for guest bedrooms required

Office
Employees - Requirement
1 per 250 m^2 GFA after the first 250 m^2 GFA
2037sqm of office proposed - 7 spaces required

Visitors and guests - Requirement
1 per 950 m^2 GFA after the first 400 m^2 GFA – 2 spaces required

Restaurant
Employees - Requirement
1 per 400 m^2 GFA after the first 400 m^2 GFA
Restaurant 464sqm – 1 space required
Visitors and guests - Requirement
1 per 200 m^2 GFA after the first 200 m^2 GFA (minimum 2) – 2 spaces required

Shop
Employees - Requirement
1 per 500 m^2 GFA after the first 500 m^2 GFA – Shop GFA = 148sqm – none required

Visitors and guests - Requirement
1 per 300 m^2 GFA (minimum 2) – 2 spaces required

Total – 9 for employees and 9 for visitors – adequate space provided within podium car park

However, Transport Planner has provided following advice–

The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option – Include as advice that opportunities should be explored with TCCS.

5. Assessment of Compliance with CEPTED Code
This is a Code relevant to this proposal. The proposal meets all requirements of this Code that are relevant to the development.

External lighting design statement by consultant indicates external lighting will be designed to relevant standards

Leases

Block 9

PURPOSE	(a) To use the land for the purpose one or more of the following:	
		i) club; ii) commercial accommodation use EXCLUDING tourist resort iii) community use EXCLUDING child care facility and hospital; iv) drink establishment; v) indoor recreation facility; vi) non retail commercial use; vii) residential use LIMITED to multi unit housing; viii) restaurant; ix) shop;

PROVIDED ALWAYS THAT:

A. the maximum gross floor area per shop is 200 square metres;

B. any building on the premises fronting a main pedestrian area will incorporate uses on the ground floor that generate activity in the public space;

C. prior to the commencement of residential use on the premises a statement must be provided to the Authority to the effect that the potential for land contamination has been assessed in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000, and it is demonstrated that the land is suitable for the proposed development; and

D. prior to the commencement of any of the following uses on the premises:
- club;
- drink establishment;
- hotel;
- restaurant

a Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustical Society, will be submitted to Environment Protection for endorsement is obtained. The Noise Management Plan will detail the design, siting and construction methods which will be used to minimise the impact of noise on neighbours;

Block 8

PURPOSE

(a) To use the premises only for one or more of the following purposes:

(i) club;
(ii) commercial accommodation use;
(iii) community use EXCLUDING child care centre and hospital;
(iv) drink establishment;
(v) indoor recreation facility LIMITED TO a maximum gross floor area of 280 square metres;
(vi) non retail commercial use;
(vii) residential LIMITED to multi unit housing;
(viii) restaurant LIMITED TO a maximum gross floor area of 197 square metres;
(ix) shop

PROVIDED THAT the maximum gross floor area per shop is 200 square metres; and

FURTHER PROVIDED ALWAYS THAT upon redevelopment of the premises clauses 3(c) (d), (e), and (f) shall apply;

Note -Clause 3(b) in relation to public access easement has been deleted by an earlier lease variation.

Proposed lease variation – see proposed purpose clause below

- consolidate leases into a single block;
- introduce alternative wording in relation to active uses (Clause 3(a)B;
- delete GFA restriction on Indoor recreation facility & restaurant
- Current leases excludes child care centre. But new purpose clause adds child care centre by deletion of exclusion without formally requesting the deletion – i.e. not specifically applied for– suitability of the site for this use has also not been demonstrated – Discussed with Karen Walker – she confirmed that since they have not applied for it, child care will be excluded as per current leases.

The lease is to be varied so Blocks 8 and 9 can be amalgamated. The proposed variation is to remove the GFA restrictions on indoor recreation facility and restaurant.

The new purpose clause for Blocks 8 and 9 will read as follows:

" 3(a) To use the premises for one or more of the following purposes ancillary thereto:

i) club;

ii) commercial accommodation use EXCLUDING tourist resort;

iii) community use EXCLUDING hospital;

iv) drink establishment;

v) indoor recreation facility;

vi) non retail commercial use;

vii) residential LIMITED to multi unit housing;

viii) restaurant;

ix) shop

PROVIDED THAT:

A. the maximum gross floor area per shop is 200 square metres;

B. any building facing Chandler Street will incorporate uses on the ground floor that generate activity in the public space;

C. prior to the commencement of residential use on the premises a statement must be provided to the Authority to the effect that the potential for land contamination has been assessed in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000, and it is demonstrated that the land is suitable for the proposed development; and

D. prior to the commencement of any of the following uses on the premises:

- *club;*
- *drink establishment;*
- *hotel;*
- *restaurant*

a Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustical Society, will be submitted to Environment Protection for endorsement is obtained. The Noise Management Plan will detail the design, siting and construction methods which will be used to minimise the impact of noise on neighbours;"

Other matters

Note – Incorrect advice given at pre-app meeting – commercial accommodation use or hotel need not be assessed against the Multi unit Housing Development code.

- Existing GFA = 2668 sqm
- Proposed GFA = 15,367 sqm – needs to go to MPRG
- Block 8 = 817sqm
- Block 9 = 713sqm
- Consolidated block = 1530sqm

- Include licence conditions

Documentation

- Service area structures have doors opening out onto the verge – supported by TCCS – yes discussed

with Jose 28/11.

- No Dimensions on the basement plan–include condition to amend
- Demolition plan shows Tree 1 as being retained –include condition to amend
- Landscape Plan, Planting Plan and civil drawings show different configuration of on-street parking to that on Site & Ground Level Plans - include condition to amend
- Elevations indicate part of the lower 5 levels of the building encroach over the boundary – clarify & – include – confirmation sought from applicant – Pieter V by phone – confirmed not an encroachment – drawing error - Include condition to amend
- The numbering (total) of car spaces shown on podium car park Levels 1 & 4 drawings is incorrect- include condition to amend

- DA not referred to Health Protection Service – request sent to Customer Services 24/11- sent 25/11/16 – supported.

ACT Government
Environment and Planning

CHECKLIST

Dispatch Advice Checklist

DA Number: 201630289 Block(s): 9 Section: 48 District/Division: BELCONNEN

Case Officer: MEENA Contact Number: 76174 Decision Date: 13/12/16

Application Type: **MERIT TRACK DA**

Dispatch Plans: **NO** Dispatch by: **AS PER DA FORM**

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

Dispatch Entity Referral Advice: **YES**

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

Type of Decision: **APPROVED WITH CONDITIONS** Decision By: **DELEGATE OF THE AUTHORITY**

Representations: **NO**

Appeal Rights

Applicant: **YES** Person who made Representation: **NOT APPLICABLE**

Encroachment

Is an application for encroachment (minor) to be dispatched to the applicant? **YES**

(If yes, create application for encroachment (minor) document from Intelledox and attach to Notice of decision)

Draft crown leases/Instruments of Variations

Does the NOD require the draft crown leases or Instruments of Variation put with the NOD?
YES added to NOD

(If yes, DA officer to include any attachments with the NOD where the DA includes a Lease Variation)

Entities to be advised

Referral Required: **YES**

NB: Section 174 of the Act states that "The planning and land authority must give a copy of the decision on the development application to each entity to which the application was referred".

☒	DA Leasing Referral Required
☐	Deed Mgt. Referral Required
☐	Land Reg. Referral Required
☐	Action Buses (refer to Asset Acceptance)
☒	ICON Water (formerly ActewAGL Water)
☒	ActewAGL (All other entities)
☒	ACT Health
☐	ACT Heritage Council
☐	ACT Valuation Office
☒	Asset Acceptance
☐	Australian Communications and Media Authority
☐	Australian National University
☐	Conservator of Flora and Fauna (Referred under S147A or S148)
☐	Commonwealth Department of the Environment (Only Applicable to Impact Track Applications Referred Under S127A.
☐	Custodian of the land -
☒	Emergency Services (Fire or Ambulance)
☒	Environment Protection Agency
☐	Gambling and Racing Commission
☐	Heritage
☐	Housing and Community Services
☐	Land Development Agency
☐	Land and Property Services
☒	Leasing – General Leasing Encroachments and Licences
☐	Office of Regulatory Services - All Multi-Dwelling decisions and any that relate to permanent structures, on unleased Territory land, associated with permits for outdoor eating.
☐	Owners Corporation Lease variation for single units – please use relevant letter template
☐	National Capital Authority
☐	Police
☐	Queanbeyan City Council
☐	Register General's Office
☐	Surveying and Spatial Data
☐	Territory Plan Variation Unit
☒	Transport Planning
☐	Tree Protection
☐	WorkCover
☐	Yass City Council
☐	ACT Place Names - Placenames@act.gov.au
☒	Other – EPD Strategic Planning

Comments

ACT Government
Environment, Planning and Sustainable Development

Checklist
DA Assessment and Decision Peer Review

ASSESSMENT OFFICER: Meena Ramesh

REVIEWING OFFICER: Phab Vetsavong

APPLICATION NUMBER: DA201630418

BLOCKS: 8 & 9 SECTION:48

DIVISION: Belconnen

1 Purpose

The purpose of this checklist is to assist an Environmental and Sustainable Development Directorate (ESDD) Officer to undertake the correct process for undertaking a peer review for a DA assessment and Notice of Decision. The peer review is not a re-assessment of the development application.

2 Checklist

Item	Completed (Yes / No / Not Applicable)	Comment
Conflict of Interest declared	NO	
Legislated requirements Assessment	YES	
Territory Plan Assessment (justification provided were necessary against relevant Rules and Criterion)	YES	

Item	Completed (Yes / No / Not Applicable)	Comment
Internal Referral to MPRG, EPC, DAP	yes	Supported by MPRG
Entity advice recorded and addressed in NoD	yes	
Written Representations recorded and addressed in NoD	N/A	None received
Leasing input provided for NoD	yes	
Key assessment issues have been addressed in the NoD	yes	
Correct classification to make the decision	yes	
Is there any suggestion of an improper influence on the assessment or decision making for the DA	No	

Phab Vetsavong
Reviewing Officer

13/12/2016

3 Record of Peer Review

When completed, the Case Officer shall scan and save this checklist in the Objective assessment folder for the Development Application.

ACT Government
Environment, Planning and Sustainable Development

Notice of decision

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

Merit track

DA NO: 201630289		**DATE LODGED: 27/10/2016**
DATE OF DECISION: 13 December 2016		
BLOCKS: 8 & 9	**SECTION: 48**	**SUBURB: BELCONNEN**
STREET NO AND NAME: 1 Edmondstone Place & 55 Chandler Street Belconnen		
APPLICANT: Canberra Town Planning Pty Ltd		
LESSEE: **Canberra Labor Club Limited**		

THE DECISION

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

I, Meena Ramesh, delegate of the planning and land authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for a mixed use development including:

(a) a variation of the Crown lease over Block 8 to remove the gross floor area limitations on restaurant and indoor recreation facility;

(b) consolidation of Blocks 8 and 9 Section 48 Belconnen;

(c) demolition of the existing buildings;

(d) construction of a twelve (12) storey mixed use building above one level of basement including:

- restaurant and retail space at the ground floor level;
- four (4) levels of podium car parking comprising 134 car parking spaces;
- hotel comprising 90 commercial accommodation units over five (5) levels and ancillary uses including a conference room and gym within the basement level;
- 2,037sqm of commercial space across the two uppermost levels; and

(e) associated landscaping, paving and other site works,

in accordance with the plans, drawings and other documents and items submitted with the application for approval and endorsed as forming part of this approval and substantially in accordance with the draft Crown lease at **Attachment 1**.

This decision is subject to the conditions of approval at **PART 1** being satisfied. Please note that plans will not be dispatched until all relevant conditions are satisfied.

PART 2 sets out the Reasons for the Decision.

PART 3 is Public Notification and Entity Advice.

PART 4 contains administrative information relating to the determination.

DELEGATE

Meena Ramesh
Delegate of the planning and land authority
Environment, Planning and Sustainable Development Directorate
13/12/2016

CONTACT OFFICER
Meena Ramesh
Phone: 62076174
Email: meena.ramesh@act.gov.au

PART 1
CONDITIONS OF APPROVAL

Please note that this approval includes leasing requirements.
THE APPROVAL WILL EXPIRE 2 YEARS AFTER THE APPROVAL TAKES EFFECT or otherwise in accordance with the conditions of approval. In addition, there are legislative requirements that must be met prior to the registration of the new Crown lease. See Advisory Notes for further information about those legislative requirements

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

A. ADMINISTRATIVE / PROCESS CONDITIONS

A1. APROVAL DOES NOT TAKE EFFECT – CONTAMINATION
That this approval for a variation to the Crown lease and consolidation of the blocks does not take effect until the applicant/lessee has lodged with the planning and land authority written evidence that:

(a) the site has been assessed for possible contamination to the satisfaction of the Environment Protection Authority (EPA), or its successors;

(b) if required, the site is remediated to the satisfaction of the EPA; and

(c) the applicant/lessee has obtained written evidence that the EPA has advised that the site is suitable for the proposed development.

A2. TIMEFRAME TO COMPLY WITH CONDITION A1
Within 24 months of the date of this Decision the applicant/lessee must:

(a) commence and complete the assessment of possible contamination required pursuant to Condition A1(a); and

(b) lodge with the planning and land authority, in accordance with Section 165 of the *Planning and Development Act 2007*, written evidence of compliance with Condition A1.

A3. COMPLIANCE WITH CONDITION A2
This approval will end if the applicant/lessee has not lodged the written evidence required pursuant to Condition A2 within 24 months of the date of this Decision.

Note: Upon the applicant/lessee lodging with the planning and land authority written evidence of the commencement of the environmental assessment pursuant to Condition A2(a), the applicant/lessee may apply to the planning and land authority in writing for an extension of the approved timeframes at Conditions A2 and A3.

CONDITIONS RELATING TO THE VARIATION OF THE CROWN LEASE

A4. COMMENCEMENT OF BUILDING WORK
That no building work in relation to this Development Application, except for demolition and the decontamination of the land (if required), is to commence on the site until the new Crown lease is registered at Access Canberra (Land Titles and Rental Bonds).

A5. NEW BLOCK SURVEY
That the applicant/lessee shall arrange for a survey of the consolidated block. When advised of the new block number, the applicant/lessee shall lodge the survey plan with the Environment, Planning and Sustainable Development Directorate for examination and clearance by the Surveyor-General, Surveying and Spatial Data Section, and pay the appropriate examination fee.

The new block survey must show:

(i) the dimensioned location of the proposed boundaries for the new block generally in accordance with the approved consolidation plan (including the centreline of any party wall as constructed);

(ii) the surveyed block size; and

(iii) the location of all service easements in accordance with the requirements of the relevant service providers.

A6. SURRENDER AND REGRANT
That the lessee surrender the existing Crown leases over Block 8 Section 48 Division of Belconnen - (Volume 1963 : Folio 3) and Block 9 Section 48 Division of Belconnen - (Volume 2055 : Folio 3) and accept a new Crown lease substantially in accordance with the draft lease appearing at ***Attachment 1***.

A7. LEASE REGISTRATION
That the lessee shall do all that is necessary to ensure that the new Crown lease is registered at Access Canberra (Land Titles and Rental Bonds) prior to the end of the approval for the variation of the Crown lease.

Note: Please also see the Advisory Notes for additional information on the lease variation.

CONDITIONS FOR LICENCING OF ENCROACHMENTS (2-Party)

A8. COMMENCEMENT OF BUILDING WORK
No building work in relation to the encroachment (the works on unleased Territory land that are part of this development approval) is to commence on the site until the lessee has applied for and has been granted a licence in relation to the encroachment, being an awning, by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007* and in the form approved by the planning and land authority.

A9. APPLICATION FOR A LICENCE (See **Attachment 2**)
Prior to the commencement of building work, the lessee (the proposed Licensee) must lodge with the Environment, Planning and Sustainable Development Directorate (EPSDD) an application for the grant of a licence to occupy and use unleased Territory land, pay the appropriate fee and undertake the following:

(i) Encroachment plan
the lessee (the proposed Licensee) must submit to EPSDD a plan detailing all dimensions of the proposed encroachment including area, block boundaries and location of encroachment in relation to the building, adjacent unleased Territory land and/or public road. Plan details must be sufficient to enable the preparation of a Spatial Data Mapping System (SDMS) plan and number.

(ii) Public liability insurance
the lessee (the proposed licensee) must obtain public liability insurance in respect of the encroachment by complying with the procedures outlined in the *Financial Management (Public Liability Insurance) Guidelines 2011.*

The procedures are specified below in summary form:

1. nominate each and all of the proposed activities the proposed licensee wishes to undertake on Territory land or premises ("Premises");
2. take out a public liability insurance policy for the term of the licence;
3. submit a certificate of currency in respect of the public liability insurance, which clearly states that the encroachment is covered by the insurance policy; and
4. Comply with obligations in respect of risk management plans if applicable.

This information is to be forwarded to the:

Licensing Officer
Leasing Services
Planning Delivery Division
EPSDD
GPO Box 158
CANBERRA ACT 2601
Ph: (02) 6207 1923

Note: The Activity Schedule will form part of the licence agreement

A10. TRANSFER OF TITLE
The lessee must not transfer or assign its interest in the premises unless and until the proposed transferee or assignee is granted a licence by the planning and land authority pursuant to section 303 of the *Planning and Development Act 2007*, under the same terms and conditions as the licence granted in accordance with Conditions A8 and A9 and meets the insurance requirements in accordance with Condition A9.

CONDITIONS RELATING TO THE DEVELOPMENT WORKS

A11. FURTHER INFORMATION
Within 28 days from the date of this decision, or within such further time as may be approved in writing by the planning and land authority, the applicant shall lodge with the planning and land authority for approval:

(a) revised architectural drawings, based on the relevant drawings submitted as part of the application, showing:

(i) revised facade treatment as per drawings appearing at **Attachment A** to this decision and an appropriate treatment (articulation by material & colour) to the proposed northern facade of the car park structure to minimise its visual impact;

(ii) external dimensions of the basement;

(iii) the removal of Tree 1;

Note: All plans to be consistent including Demolition Plan.

(iv) the accurate total number of car parking spaces on Levels 1 and 4;

Note: It is also highly recommended that 2 accessible parking spaces be provided on Level 1 to ensure accessible parking is available on all levels of the proposed podium parking structure.

(v) the configuration of the proposed hotel drop-off area to the satisfaction of Transport Canberra and City Services (TCCS);

Note: All plans including landscape plans to be consistent.

(vi) bicycle parking within the verge adjacent the subject site;

Note: Such parking must meet all relevant requirements of TCCS including appropriate clearances from surrounding infrastructure such as street trees, kerb, Stormwater sumps, signage, buildings, etc.). Details of this bicycle parking should be submitted to the Senior Manager, Asset Acceptance, TCCS at the Design Acceptance stage.

(vii) four (4) motorcycle visitor parking bays on the plans; and

Note: The surplus of vehicle parking presents an opportunity to convert some of these spaces into motorcycle parking, preferably on Level 1 and near one of the bicycle parking areas.

(viii) the proposed building (except for the proposed awning encroachment) wholly contained within the subject site boundaries.

A12. TRANSPORT CANBERRA AND CITY SERVICES (TCCS)

(a) The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
(b) The internal ground floor driveway must comply with sightline requirements as per *AS 2890.1*.
(c) The levels on the verge are not to be altered as a result of the new constructed verge crossing.
(d) Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.
(e) A Landscape Management and Protection Plan and dilapidation report for all Government assets adjacent the site must be submitted to Asset Acceptance, TCCS prior to commencement of construction and on the completion of works.
(f) The proposed removal of Tree 1 should be consistent on all plans.
(g) Both new trees in Cameron Avenue are to be Eucalyptus mannifera 'Little Spotty' cultivar.
(h) The space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) must be increased to improve growing conditions and promote the development of healthy root systems.
(i) The distance from the outside of the tree trunk to the back of kerb must be increased to 1.7m minimum.
(j) Awning on Chandler Street must be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
(k) There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.

(l) More detail must be provided at the design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
(m) In line with Urban Treescapes community notification procedures, the tree to be removed must be sign posted at least 14 days before its removal (see **Attachment 3**).
(n) The pedestrian walkway must take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
(o) A Construction Management Plan must be submitted at the Design Acceptance stage.
(p) The Stormwater plan must be resubmitted at the Design Acceptance stage.
(q) Since the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, all waste must be collected through rear loading (See **Attachment 4**).
(r) A Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area must be provided at the Design Acceptance.

A13. AIR EMISSIONS
All Food retail and restaurant premises on the subject site must have exhaust and ventilation systems installed and operated to comply with the *Australian Standard AS1668.1- The Use of Ventilation and Air conditioning in Buildings.*

A14. NOISE MANAGEMENT
The noise mitigation measures identified in Section 4 of the Noise Management Plan dated September 2016 by Parsons Brinckerhoff must be implemented on site.

A15. WIND ASSESSMENT
Further detailed modelling must be undertaken to confirm that the wind effect identified at Point A in Figure 9 (Page 5) of the Wind Assessment Report, Project: 2304587U, dated 13 September 2016 by Parsons Brinckerhoff will not negatively impact the local wind climate in the public realm around the subject site. Any mitigation measures recommended from such a study must be implemented on site.

A16. COMPLIANCE WITH ENTITY REQUIREMENTS
The development must comply with all the relevant conditions imposed by each of the relevant entities stated in each of their advice that need to be addressed prior to, during and post construction (Refer to Part 1 - ADVISORY NOTES and Part 3 - ENTITY ADVICE of this Notice of Decision).

B. PRIOR TO CONSTRUCTION AND/OR DEMOLITION

B1. ENVIRONMENT PROTECTION

(a) Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

(b) Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004* and the *Dangerous Substances (General) Regulation 2004.*

(c) The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

(d) A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the Environment Protection Authority (EPA) for review and endorsement prior to the commencement of new development works.

(e) Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

(f) Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4.*

(g) No material is to be removed from the site without EPA approval.

(h) The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

(i) All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*"

Note: Refer further advice from this entity under Part 3 - ENTITY ADVICE below.

B2. TREE PROTECTION

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

B3. DESIGN ACCEPTANCE

Prior to the commencement of any work on the site, a Certificate of Design Acceptance must be obtained for all off-site works from the Senior Manager, Asset Acceptance, TCCS.

B4. TEMPORARY TRAFFIC MANAGEMENT (TTM)

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

B5. LANDSCAPE MANAGEMENT & PROTECTION PLAN (LMPP)

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

B6. USE OF VERGES OR OTHER UNLEASED TERRITORY LAND
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

B7. REPAIR OF DAMAGE TO PUBLIC ASSETS
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

B8. NOTICE OF COMMENCEMENT OF CONSTRUCTION
Notice of Commencement for the Works in Unleased Territory Land must be submitted to the Senior Manager, Asset Acceptance, TCCS one week prior to the commencement of works. The Notice must also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

C. DURING CONSTRUCTION AND/OR DEMOLITION

C1. SEDIMENT AND EROSION CONTROL

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

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

C2. TREE PROTECTION

The applicant/lessee shall protect and maintain all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and a Tree Management Plan.

C3. VERGE MANAGEMENT

During any work undertaken on the site, all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with a Landscape Management and Protection Plan approved by the Manager, Asset Acceptance, TCCS.

C4. TRAFFIC MANAGEMENT

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

C5. WASTE MANAGEMENT

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

D. POST CONSTRUCTION AND/OR DEMOLITION

Not applicable.

E. ADVISORY NOTES

This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes prior to commencing work.

E1. LEASE VARIATION CHARGE

Prior to the registration of the new Crown lease, the lessee must, as is required under the *Planning and Development Act 2007*, pay any assessed Lease Variation Charge. Once advised of the lease variation charge, the charge should be paid not less than 6 months prior to the expiration of this approval. This will ensure that sufficient time remains to enable the new Crown lease and new survey plan to be registered at Access Canberra (Land Titles and Rental Bonds) prior to expiry of this approval.

E2. BLOCK NUMBERS

The new block number will not be provided until the Lease Variation Charge is paid. The new survey plan must be cleared by the Surveyor-General prior to the execution of the new Crown lease.

E3. EXPIRY OF APPROVAL

For approvals that include a lease variation, there is no provision under the *Planning and Development Act 2007* to extend the timeframe for compliance with the consolidation conditions of the approval beyond 2 years after the date this approval takes effect.

E4. UTILITIES

- Refer to conditional statement of compliance from ActewAGL Electricity Networks Division at **Attachment B**.
- Refer to conditional statement of compliance from ICON Water at **Attachment C**.
- Refer to conditional statement of compliance from Jemena Gas Networks (NSW) Limited at **Attachment D**.

E5. Emergency Services Agency (ESA)

Refer to ESA statement at **Attachment E**.

E6. Parking

Measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area should be given consideration.

E7. ENTITY ADVICE

The applicant is advised to carefully consider all the relevant advice (in addition to the conditions imposed) from each of the entities stated in Part 3 of this decision throughout the process of development (prior to, during & post construction) as applicable.

Also see advice from other entities under PART 3 ENTITY ADVICE. Refer to Appendix 1 for information about approvals that may be required for construction.

PART 2
REASONS FOR THE DECISION

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet the relevant codes, being the Belconnen Precinct Map & Code and the Commercial Zones Development Code.

The key issues identified in the assessment are visual impact of the proposed building, possible site contamination, licence requirements for the proposed encroachment, noise management, and other entity issues and the suitability of the site for the proposed development, the payment of any assessed Lease Variation Charge, and the registration of the new Crown lease and new survey plan.

In response to the concerns with the visual impact of the building, the applicant provided revised plans appearing at **Attachment A** as an alternative solution to the facade treatment. The proposal with this alternative facade treatment was presented to the Major Projects Review Group (MPRG). The MPRG supported the proposal with the alternative facade treatment which has been incorporated as a condition of approval.

Conditions have also been imposed to address other key issues and ensure that the proposal is consistent with the Territory Plan and the *Planning and Development Act 2007*.

EVIDENCE

Application No. 201630289
Territory Plan Zone – CZ2 Business Zone
The Development Codes – Commercial Zones Development Code, Access and Mobility General Code, Parking and Vehicular Access General Code, Bicycle Parking General Code & Crime Prevention Through Environmental Design General Code
The Precinct Codes – Belconnen Precinct Map & Code
Current Crown Lease – Block 8 - Volume 1963 Folio 3 and
Block 9 - Volume 2055 Folio 3
Representations – none received
Entity advice- TCCS, EPA, Actew, ICON, Jemena, ESA, HPS, EPSDD Strategic Planning and EPSDD Major Projects & Transport

PART 3
PUBLIC NOTIFICATION AND ENTITY ADVICE

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 3 November 2016 to 23 November 2016. No written representations were received during public notification.

ENTITY ADVICE

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

TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE (TCCS)
On 22 November 2016, advice was received from this entity in relation to the proposal. The advice stated that the application is supported subject to the following conditions.

Conditions

VERGE CROSSING

1. The existing verge crossings must be removed and reconstructed in accordance with TCCS Standards to match proposed verge concrete paving treatment.
2. The internal ground floor driveway must comply with sightlines requirements as per AS 2890.1.
3. The levels on the verge are not to be altered as a result of the new constructed verge crossing.
4. Any infrastructure assets such as street lighting, mini-pillars, signage, etc. must be a minimum of 1.5m away from the closest edge of the verge crossing and 1.2m for stormwater sumps.

VERGE

5. A Landscape Management and Protection Plan and dilapidation report for all Government Assets adjacent the site must be submitted to Asset Acceptance –TCCS prior to commencement of construction and on the completion of works.
6. Urban Treescapes support the development in terms of the impact on existing trees with the following conditions to increase the likelihood that new tree plantings will succeed.

    - The proposed removal of Tree 1 in the Landscape Management and Protection Plan (1625 LMPP-01 Issue A dated 26.8.2016) is not consistent with the Demolition Plan (160810 C107 Issue B dated 14.09.16) and other associated plans (i.e. Landscape Plan 1625 L01 Issue A dated 12.09.2015 and Ground Floor – Hotel DA102/1 14.09.2016) and plans must be updated for consistency.
    - As the supporting Tree Assessment has identified that Tree 1 is in poor health, please remove Tree 1 and replant with *Eucalyptus mannifera* 'Little Spotty' (note that due to limited verge space in Cameron Avenue the 'Little Spotty' cultivar is to be used for both new tree plantings).
    - Increase the space for the new Eucalyptus mannifera 'Little Spotty' (Tree 1) adjacent to the car park bays on Cameron Avenue (as per the design indicated on the Ground Level – Hotel plan DA102/1 14.09.2016) to improve growing conditions and promote the development of healthy root systems.

- Increase the distance from the outside of the tree trunk to the back of kerb to 1.7m minimum.
- Confirm that the awning on Chandler Street will be articulated to provide space for existing street trees and prevent conflict between the awning and tree canopies.
- There is to be no additional excavation to install concrete pavement or 'soak through gravel' within the tree protection zones of existing trees on Chandler Street.
- Provide more detail at design acceptance stage to show the planting methodology for the new trees in the garden beds on Cameron Avenue.
- In line with Urban Treescapes community notification procedures, please ensure the tree to be removed is signposted at least 14 days before removal is carried out (see **Attachment 3**).

PEDESTRIAN NETWORK

7. The pedestrian walkway is to take precedence over the verge crossing and be constructed in accordance with TCCS Standards.
8. A Construction Management Plan must be submitted at the Design Acceptance stage.

STORMWATER

9. The Stormwater plan must be resubmitted at the Design Acceptance stage.

WASTE

10. Please note that the headroom clearance around the waste enclosure and loading zone at the ground level is only 4.5m, therefore, all waste will need to be collected through rear loading (See **Attachment 4**).

Standard Conditions

The following general conditions will apply as appropriate for Works on and Use of Territory Land in addition to the above:

In accordance with the *Public Unleased Land Act 2013* no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. Such approval must be obtained from the Senior Manager, Asset Acceptance, TCCS by the ways of:

1. A certificate of design acceptance prior to the commencement of any work; and
2. A certificate of Operational Acceptance on completion of all works to be handed over to TCCS.

Design Acceptance and Operational Acceptance
A Certificate of Design Acceptance is required for all off-site works from the Senior Manager, Asset Acceptance, TCCS, prior to the construction.

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

A Certificate of Operational Acceptance on completion of the works is required from the Senior Manager, Asset Acceptance, TCCS, prior to the issue of a Certificate of Occupancy.

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

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

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

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

Use of Verges or other Unleased Territory land
In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for carrying out of works, including storage of materials or waste, without prior approval of the Territory. Such approval can be obtained from Licensing and Compliance, City Services, Parks and City Services, TCCS.

Repair of Damage to Public Assets
The applicant/lessee is held responsible for all damages to ACT Government assets (including footpaths) caused by the development and they must properly repair any damages to those assets. Before work commences, they should notify TCCS of any existing damage to public facilities.

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

On 24 November 2016, further advice was received from this entity in relation to the proposal. The advice stated that the applicant will need to provide a Traffic Control Devices Plan proposing any changes required in the duration of parking times for the hotel drop-off area.

On 24 November 2016, additional advice was received from this entity in relation to the proposal. The advice stated that TCCS doesn't object to the provision of bicycle parking within the verge adjoining the subject site for restaurant patrons and visitors to the retail shops if this is required by EPSDD Transport Planning.

However, this condition must be met at the Design Acceptance stage. Its location is to be appropriate (clearances from surrounding infrastructure such as street trees, kerb, SW sumps, signage, buildings, etc,) otherwise the proposal may have problems obtaining Design Acceptance if it can't comply.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ACTEWAGL ELECTRICITY NETWORKS DIVISION

On 16 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with the Electricity Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment B**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

ICON WATER

On 3 November 2016, advice was received from this entity in relation to the proposal. The advice states that the application conditionally complies with their requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment C**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

JEMENA

On 2 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal conditionally complies with the Gas Networks requirements.

Comment - Refer to conditional statement of compliance from this entity at **Attachment D**. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

HEALTH PROTECTION SERVICE (HPS)

On 8 December 2016, advice was received from this entity in relation to the proposal as below.

The development proposes construction of a conference kitchen on the basement level and two restaurants on the ground floor of the building. The applicant is required to submit food business registration and fit-out assessment application (with suitably detailed plans) to the HPS for each food business prior to construction. The applicant is advised to contact the HPS on 6205 7716 for further information.

There are no other public health concerns in relation to the proposed development.

Comment - Matters raised have been incorporated as advice to the applicant.

EMERGENCY SERVICES AGENCY (ESA)

On 11 November 2016, advice was received from this entity in relation to the proposal. The advice states that the proposal is supported.

Comment – Refer to ESA statement at **Attachment E**. Matters raised have been incorporated as advice to the applicant.

ENVIRONMENT PROTECTION AUTHORITY (EPA)

On 29 November 2016, advice was received from EPA in relation to the proposal which states that the application is supported subject to conditions.

The Environment Protection Unit reviewed a report titled "Phase 1 Environmental Assessment 55 Chandler Street Belconnen, ACT 2616 (Block 8 Section 48 Belconnen)" dated November 2010 by Robson Environmental Pty Ltd in November 2010 and supported the consultant's conclusions and recommendations that "the site is considered suitable for the uses outlined in the DA (201018461) lodged in August 2010" subject to it undergoing further assessment at the time of demolition to ascertain the presence or otherwise of underground fuel storage.

On this basis, the EPA would support the application subject to the following conditions:

Conditions

- Following demolition and prior to the commencement of new development works, an assessment must be undertaken to determine whether underground fuel storage facilities are present at the site.

- Where fuel storage facilities are identified, these facilities and related infrastructure must be decommissioned in accordance with the *Dangerous Substances Act 2004 and the Dangerous Substances (General) Regulation 2004.*

- The site and any off-site impacted areas (including groundwater, if necessary) must be assessed and remediated (if required) by a suitably qualified environmental consultant in accordance with the *ACT Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2009*, and associated guidelines.

- A copy of the environmental site assessment report into the suitability of the site for its permitted uses must be provided to the EPA for review and endorsement prior to the commencement of new development works.

- Any contaminated soil land farmed on site must be approved by EPA prior to land farming commencing.

- Any soil disposed off from the site must be assessed in accordance with the requirements of the *EPA Information Sheet No.4* available at www.environment.act.gov.au.

- No material is to be removed from site without EPA approval.

- The kitchen exhaust must have appropriate filters in place and be maintained as per manufactures specification to reduce odours from the discharge point of the exhaust fan. The exhaust must comply with the noise zone standard as per the *Environment Protection Regulation, 2005 and the Australian Standard AS2107:2000* within the complex.

- All works must be carried out in accordance with "*Environment Protection Guidelines for Construction & Land Development in the ACT, March 2011*", available at www.environment.act.gov.au or by calling 132281.

Advice

- Noise from generators and other plant which may be installed at the site, including air conditioning units, must comply with the noise standard as per the *Environment Protection Regulation 2005.*

- All rain water that enters the site and pools in excavations during a rain storm event would be considered as a sediment control pond, and must meet the following conditions.

  - No discharge from dam. All stormwater must be pumped out and disposed in at an approved location.
  - No discharge is allowed to enter the stormwater system.
  - No discharge from pond unless sediment level is less than 60mg/litre. If sediment level is greater, then prior to discharge, the dam must be dosed with either Alum or Gypsum and allowed to settle until the sediment is less than 60 mg/litre.
  - Water level must not exceed 20% capacity at all times to allow runoff storage during a rain event.
  - All underground drains must lead to a pit and not connected to the stormwater system or be connected to sewage with the approval of ICON Water.

- All external lights must comply with Australian Standards AS4282 Control of the obtrusive effects of outdoor lighting.

Comment - Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

STRATEGIC PLANNING, EPSDD

On 30 November 2016, advice was received from this entity in relation to the proposal which stated -

- It is unclear why the conference and gym facilities are located in the basement of the proposal. It could be assumed that these facilities would have far greater appeal if they were located at an upper level with access to the northern view.

- Given the existing buildings are to be demolished, it is unclear why the opportunity hasn't been taken to provide at least one or two levels of basement car parking. This could reduce the extent of podium parking required and increase hotel room numbers.

- Strategic Planning has significant concerns with the height and appearance of the proposed podium car park. When combined with the ground floor, the proposed podium car park will be approximately 23m high, which is almost half the total proposed building height. This will have a significant visual impact on the area and appears excessive and inefficient in relation to the number of parking floors provided. For example, providing car park floor to ceiling heights of up to 5470mm appears very inefficient when 3000mm is provided for the proposed hotel rooms above. Please consider measures to reduce the height of the parking structure, including reducing the floor to floor height, reconfiguring the western fire stairs to remove the cross-over corridor and providing basement car parking.

- Please consider measures to improve the screening of the proposed car park podium structure. Strategic Planning is concerned that the proposed height and extent of screening will become too dominant. The proposed metal louvers and powder coated screens are repetitive and emphasise that this is a car park, rather than being a small part of a hotel building. Note that the floor slabs indicated on the proposed elevations currently don't appear to align with the screening and that the edge of these slabs will be visible through the louvers. Consider breaking down the extent of louvers by providing some alternative treatments, such as sections of green walls / plantings, alternative materials or carrying elements of the upper levels of the building down to the car park levels. Note that the proposed colour palette is not clear. The current car park proposal is not considered a high quality outcome and is not supported.

- Note – The Draft Belconnen Town Centre Master plan indicated a height limit of 12 storeys for these sites, following an earlier pre-application meeting. Following consideration of a significant submission from the Canberra Labor Club on the draft master plan, the maximum height limit for these sites was increased to 18 storeys. It is not clear why the proposal has not taken up the additional height which was argued for.

- The planning and variety of hotel rooms is generally considered good and is supported.

Comment – The applicant was asked to address these design issues. The applicant provided a written response to the issues raised together with an alternative solution for the facade treatment which was presented to the Major Projects Review Group (MPRG) on 7 December 2016. The MPRG supported the alternative solution. A condition has been imposed to provide revised architectural drawings to reflect the facade changes as in the alternative solution.

MAJOR PROJECTS & TRANSPORT, EPSDD

On 24 November 2016, advice was received from this entity in relation to the proposal which stated that the following advice must be considered to produce a satisfactory outcome for this proposal.

- The provision of 2 accessible parking spaces on Level 1 basement parking – this would ensure that accessible parking is available on all levels of the proposed podium parking structure;
- Further explanation on proposed measures for way finding / or parking signage to indicate available parking to be located within the podium parking structure (including for short and long-stay parking, accessible parking, bicycle parking and motorcycle parking) and for the hotel drop off area;
- In addition to dot point 2 above, an indication of which bicycle parking areas will be allocated for each particular use in this mixed use development;
- The provision of bicycle parking at ground level to allow restaurant patrons and visitors to the retail shops an easy and accessible bicycle option;
- An indication of 4 motorcycle visitor parking bays on the plans. The surplus of vehicle parking being proposed by the applicant presents an opportunity to convert some of these spaces into motorcycle parking, preferably on level 1 and near one of the bicycle parking areas; and
- Recommend that a TCCS view be sought on the suitability of the proposed swept path as indicated on drawing number C501.

Comment – TCCS has supported the proposal. Matters raised have been incorporated as either conditions of approval or as advice to the applicant.

PART 4
ADMINISTRATIVE INFORMATION

DATE THAT THIS APPROVAL TAKES EFFECT

Unless a condition of approval provides for otherwise, this approval is effective from the day after the date of this notice. The effective date for development applications approved subject conditions could be adjusted if the approval is reconsidered by the planning and land authority or if an application is made to the ACT Civil and Administrative Tribunal.

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

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

Pursuant to section 185 of the Act, this approval will expire if:

- the lease variation is not completed two years after the day the approval takes effect.

Conditional Approval

This approval will expire if, in accordance with Section 165(3)(d) of the Act, a condition has deferred the effect of the development approval ***and*** imposed a time frame during which another approval must be revoked, amended or given, and the time frame has expired.

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

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

INSPECTION OF THE APPLICATION AND DECISION

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

RECONSIDERATION OF THE DECISION

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

To submit an application for reconsideration, documents must be provided electronically by email to EPSDDcustomerservices@act.gov.au or provided at the customer service centre on a CD/DVD. The delegate of the Authority reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Civil and Administrative Tribunal. Application forms and further information about reconsideration are available from the planning and land authority's website and Customer Service Centres.

REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

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

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

Health Directorate - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
Environment, Planning & Sustainable Development Directorate *Planning and land authority* - list of certifiers for building approval - demolition information - asbestos information *Environment Protection Authority* - environment protection - water resources - asbestos information *Conservation, Planning and Research* - threatened species/wildlife management	 Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 Website: www.environment.act.gov.au Telephone: (02) 6207 6251 Website: www.environment.act.gov.au Telephone: (02) 6207 1911
Transport Canberra & City Services Directorate - tree damaging activity approval - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.TCCS.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 7480
Utilities - Telstra (networks) - TransACT (networks) - Icon Water - Electricity reticulation	Telephone: (02) 8576 9799 Telephone: (02) 6229 8000 Telephone: (02) 6248 3111 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the planning and land authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made by:

- Completing an application for S165 Satisfying Conditions of Approval and submitting the documentation online using edevelopment. More information on edevelopment can be found at http://www.actpla.act.gov.au/tools_resources/e-services/edevelopment

For further information regarding the lodgement of this information please contact Customer Service Centre by Phone: (02) 6207 1923, Email: **esddcustomerservices@act.gov.au** or on the planning and land authority website at **www.actpla.act.gov.au.**

FURTHER APPROVALS FOR CONSTRUCTION

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

BUILDING APPROVAL

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

PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

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

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

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

"TREE DAMAGING ACTIVITY" APPROVAL

A Tree Management Plan under the *Tree Protection Act 2005* is required for approval where it is proposed to undertake groundwork within the tree protection zone of a protected tree or likely to cause damage to, or remove, any trees defined as protected trees by that Act. More information is available from the TCCS.

USE OF VERGES OR OTHER UNLEASED TERRITORY LAND

In accordance with the *Public Unleased Land Act of 2013,* road verges and other unleased Territory land must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. Approval can be obtained from the TCCS.

WORKS ON UNLEASED TERRITORY LAND – DESIGN AND OPERATIONAL ACCEPTANCE

In accordance with the *Public Unleased Land Act of 2013,* no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval must be obtained from the Manager Asset Acceptance, Asset Services Group, TCCSD by way of:

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

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

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

CONSTRUCTION REQUIREMENTS

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

DEMOLITION AND ASBESTOS MANAGEMENT

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

ENVIRONMENT PROTECTION

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

REPAIR OF DAMAGE TO PUBLIC ASSETS

The applicant/lessee is held responsible for all damage to ACT Government assets (including footpaths) caused by the development and they must properly repair any damage to those assets. Before work commences, they should notify the TCCS of any existing damage to public facilities.

UTILITY ASSETS RETENTION

The lessee should obtain a plant location advice from ActewAGL to avoid conflict with existing plant or electrical easements. The lessee will be responsible for the costs associated with the relocation of assets, if necessary. The lessee is to ensure that the water service and water meter are retained in position and in good condition. Icon Water's water meters are accountable items and must not be removed from the site or otherwise disposed of.

WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

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

DRAINAGE

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

REVIEW OF THE DECISION

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

CONTACT DETAILS

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

Location	Contact details
ACT Civil and Administrative Tribunal Level 4, 1 Moore Street 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

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

FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee (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;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

AWARDING OF COSTS

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

ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the 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	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

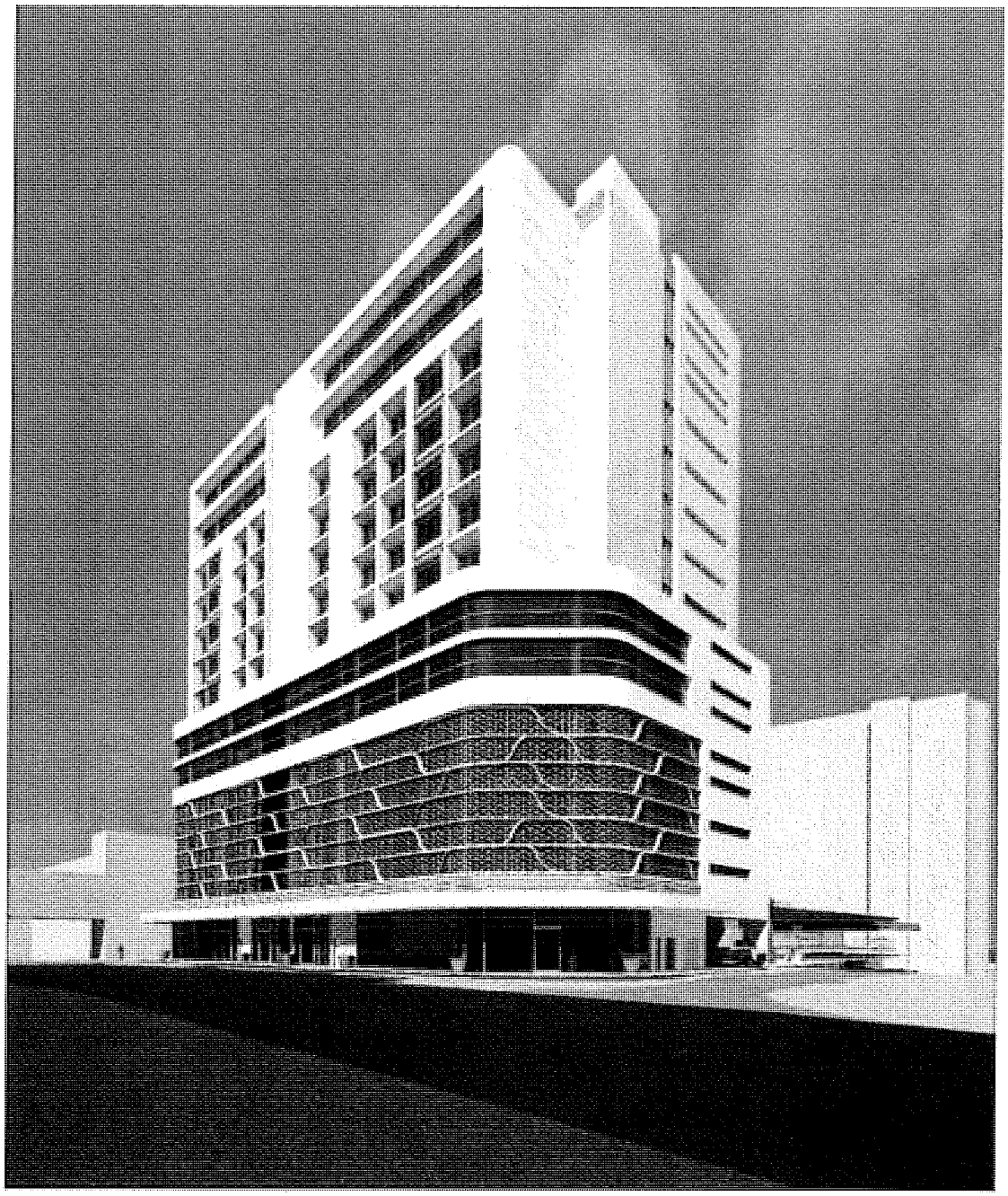
131 450

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

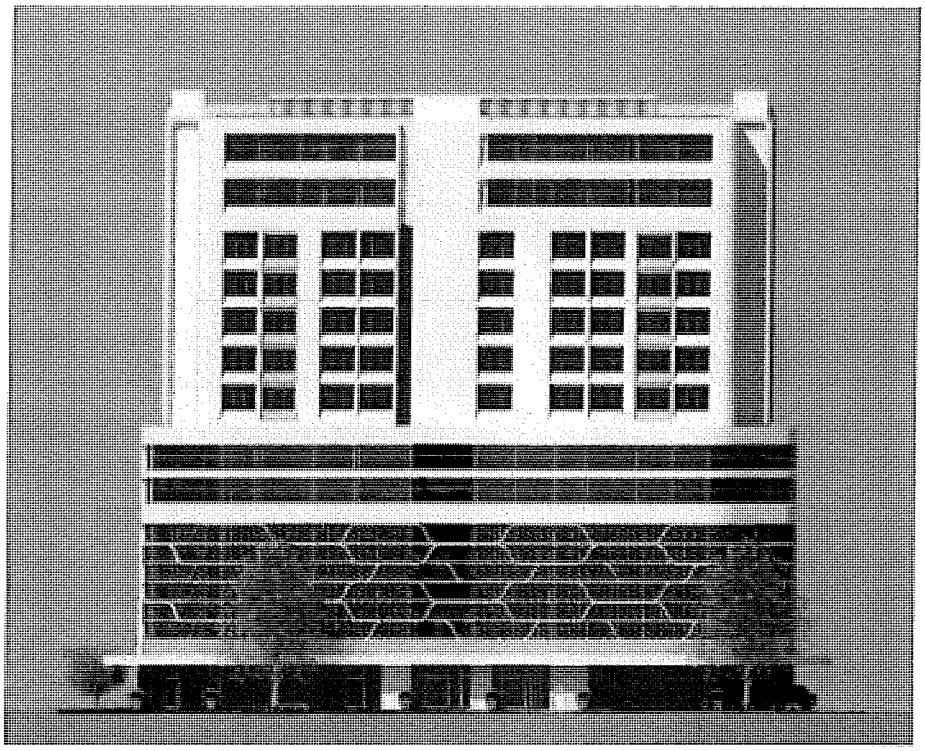
CANBERRA TOWN PLANNING

PIETER VAN DER WALT
0409 550 596
CANBERRATOWNPLANNING.COM.AU
ABN 66 131 577 261

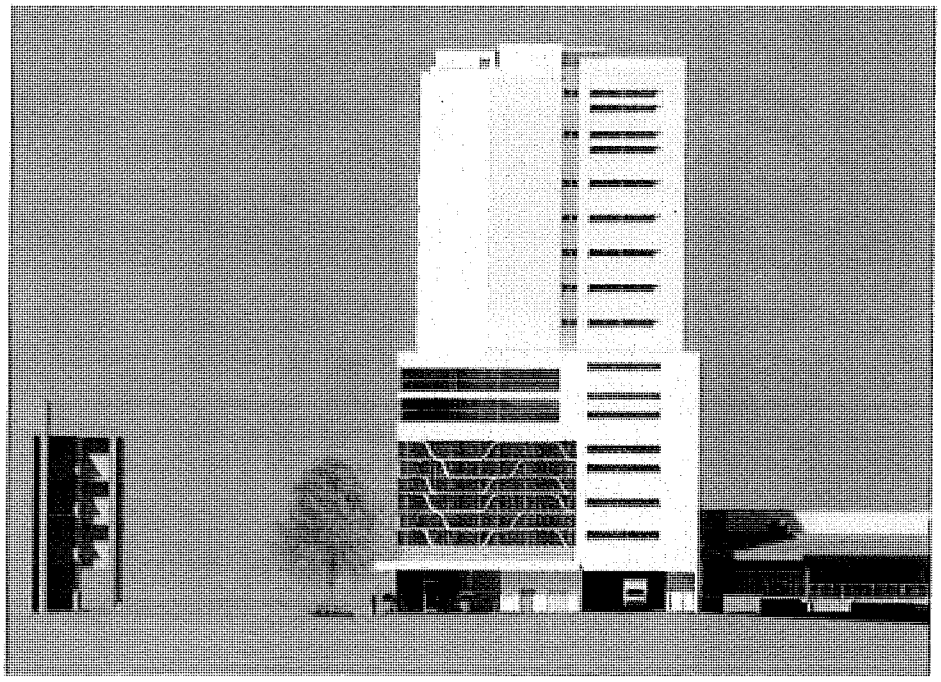
Attachment A – Alternative Façade Treatment to Hotel Podium



3D VIEW - CNR CAMERON AVE EDMONSTONE PL



SOUTH ELEVATION



EAST ELEVATION

3D VIEW - CNR CHANDLER ST CAMERON AVE

ATTACHMENT B

ActewAGL

Electricity Networks

STATEMENT OF

CONDITIONAL COMPLIANCE

Application No: 158481 **Suburb:** Belconnen **Block/Section** 8 / 48

Applcn Type: Mixed Use/New Construction with Demolition Inclusions : incl Basement

Addtnl Block/Sect 9/48

Attached Plans
DEMO-201630289-DEMOLITION_PLAN-01.pdf
ELEV-201630289-02.pdf
ELEV-201630289-03.pdf
ELEV-201630289-04.pdf
ELEV-201630289-05.pdf
ELEV-201630289-ELEVATION_PLANS-01.pdf
FLOOR-201630289-01.pdf
FLOOR-201630289-GROUND-01.pdf
FLOOR-201630289-LEVEL_1-01.pdf
FLOOR-201630289-LEVEL_2-02.pdf
FLOORREG-201630289-GROUND-01.pdf
SITE-201630289-01.pdf
SITE-201630289-02#2.pdf

This application is approved subject to compliance with the following conditions:

Conditions

A Minimum of 1.0M clearance is required for the proposed or existing Meter Box.

An area for a Substation needs to be allowed for on the block/s. This area will be determined by ActewAGL when the proponent submits the electrical load of the development. The area will be 7.0m x 5.0m for loads within 1MVA. If the load exceeds 1MVA a Chamber Substation will be required. ActewAGL may determine that twin padmount substations with an area of 9.0m x 7.0m will be installed if the load does not exceed 2MVA.

Development is to comply with minimum 1.5m clear machinery access to assets within block.

Development is to comply with minimum separation requirements to underground assets. Ref ActewAGL Drawing 3832-018

Installation of electrical conduits (on or off block) will be the responsibiltiy of the proponent.

The proponent is responsible for ensuring that ActewAGL's Design and Siting requirements for substations are met. This includes but not limited to meeting all the requirements of ActewAGL Drawing 3832-018, in particular that no underground uninsulated metal work, metal pipes, metal fencing or metal clad buildings are within 7 meters of any part of a padmount substation. Unhindered direct access to the substation will be required 24/7.

Subject to scope of work and Terms and Conditions specifeid under project 20003743 Belconnen Blocks 8 & 9 Sections 48 supply to mixed development. Disconnection of existing LV services prior to any construction activity on site.

Please Note

- WARNING ActewAGL underground assets may be in or adjacent to this block. It is your responsibility to ascertain the location of such assets.
- Development and Building Applications will need to include any proposed ActewAGL works
- If ActewAGL approval conditions are not met, a breach of the law may result.
- Separate applications are required for water & sewerage, and communication network services.
- Construction of unapproved works may result in action being taken to require the property owner to remove non-compliant structures and/or the property owner to fund rectification works on ActewAGL's electricity network.
- Any attached reticulation or servicing plan is preliminary only. Contact ActewAGL for final plans prior to the commencement of any construction activity.
- A failure of this application to show accurately located electricity assets may result in damage and costs for which the proponent will be liable. Damage to network assets must be reported to ActewAGL.

Comments:

Signed Kedar Vedanti **Date** 16 Nov 2016

ATTACHMENT C

icon
WATER

STATEMENT OF CONDITIONAL ACCEPTANCE

Application No: 158465 **Suburb:** Belconnen **Block/Section** 8 / 48

Applcn Type: Non residential/Addition Inclusions : Internal Changes, with Alteration/Addition, with Car Park

Attached Plans

ACCESS-201630289-01.pdf
APP-201630289-03.pdf
DEMO-201630289-DEMOLITION PLAN-01.pdf
ELEVATION.pdf
FLOOR_Part1.pdf
FLOOR_Part2.pdf
HYDRAULICS-201630289-01.pdf
ICON DESIGN ACCEPT.pdf
ICON WATER COMMENTS BELCONNEN 48- 8,9 PRE APP 23 6 2016.pdf
LANDSCAPE.pdf
PERSP PLANS.pdf
PRE APPLICATION MEETING- 8,9-48 BELCONNEN.pdf
SCRITERIA.pdf
SECTION.pdf
SITE.pdf
SITE-201630289-02#2.pdf
SUPP-201630289-LEASE VARIATION REPORT-01.pdf
SUPP-201630289-NOTES-01.pdf
SURVEY-201630289-01.pdf

Conditions of Acceptance

Icon Water assets shall be protected for the duration of the construction works from short term load shedding from construction machinery or vibration and groundwater ingress or infiltration. Any damage to Icon assets resulting from the construction works shall be repaired by Icon Water at the contractors expense. Access to Icon's assets including sewer structures, manholes, hydrants and valves is to be maintained for the duration of the construction works.

Location of the water meter is to be clear of driveways and footpaths with a 1m radius unhindered access maintained. If required, relocation of the water service is to be undertaken by Icon Water at the lessee's cost. Relocations further than 1.5m laterally require a Hydraulic plan to be approved by Icon prior to applying for the relocation. Evidence of this being performed and constructed is to be forwarded to Icon Water before the certificate of occupation is issued.

Protection of water and sewer networks to be in accordance with the attached checklist

Servicing of water and sewerage must be in accordance with Icon Water requirements. Design of External Services plans and Off Site Works must be approved by Icon Water Hydraulic Assets Acceptance section. Icon Water assets shall be protected for the duration of the construction works at all times from machinery, vibration and groundwater ingress or infiltration. All costs associated with repairing damage to Icon assets resulting from the construction works must be paid by the developer.

Please Note:

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

WARNING
Failure to comply with these conditions is likely to result in interference with an Icon Water sewer or water asset. Part 5 of the Utilities (Technical Regulation) Act 2014 applies, which indicates a person who interferes with a utility asset may be subject to prosecution. The current maximum penalty is 200 penalty units, imprisonment for two years, or both. In addition the land-holder can be ordered at their expense to stop the interference, which may involve removal of the building work or that part of the building work that is causing, or is likely to cause interference.

Comments:

Signed Eddie Gonzalez **Date** 03 Nov 2016

For further information please phone Icon Water 6248 3111.

ATTACHMENT D

ActewAGL

Gas Networks

STATEMENT OF

CONDITIONAL COMPLIANCE

For Non-residential and High Rise Residential

Application N°: 201630289 **Drawings in set** 13

Block: 8 & 9 **Section:** 48

Suburb: BELCONNEN

This application has been assessed against legislation protecting ActewAGL's gas infrastructure and access to it.

This application is approved subject to compliance with the following conditions:

- [x] The location and area allocated for gas regulating and metering equipment is to comply with ActewAGL Gas Service and Installation Rules. The latest version of these rules can be downloaded from:
  http://www.actewagl.com.au/About-us/The-ActewAGL-network/Natural-gas-network.aspx
- [x] Development is to comply with minimum separation requirements to underground assets
  - 300mm minimum clearance from major plastic and steel gas mains and steel gas services
  - 150mm minimum clearance from other plastic gas mains and services
- [ ] A metering equipment upgrade may be required. A licensed gas fitter should verify loads and metering equipment capacities.
- [ ] If a meter relocation or service pipe relocation is required in order to comply with ActewAGL standards, please contact your gas retailer and book a meter relocation. Only people accredited by ActewAGL can carry out this work.
- [ ] Other:

Please note:

- WARNING: ActewAGL underground gas pipes may be in or adjacent to this block. ActewAGL Asset Location Advice may be required. Call 1100.
- Development and Building Applications will need to include any proposed ActewAGL works
- If ActewAGL approval conditions are not met, a breach of the law may result.
- Separate applications are required for water & sewerage, electricity and communication network services.
- Construction of unapproved works may result in action being taken to require the property owner to remove non-compliant structures and/or the property owner to fund rectification works on ActewAGL's gas network
- Any attached reticulation or servicing plan is preliminary only. Contact ActewAGL for final plans prior to the commencement of any construction activity

Signed, SD Date 2 / 11 / 16

For further information please phone Steve Donnelly – Jemena 6192 6270

ATTACHMENT E

ACT Government

Working in partnership to protect and preserve life, property and the environment in the ACT

EPD Customer Services
Environment & Planning Directorate
16 Challis Street
DICKSON ACT 2602

Comments on: Belconnen, Blocks 8 & 9, Section 48

Development Application No: 201630289

ESA Reference: 2016155

DATE: 10 November 2016

Please find attached responses provided by ESA

	Reviewed by	Attachments
ESA Risk and Planning	☒	☐
ACT Fire & Rescue	☐	☒
ACT Rural Fire Service	☐	☐
ACT State Emergency Service	☐	☐
ACT Ambulance Service	☐	☐

Supported: Nick Lhuede

Signature: N Lhuede

ACT Emergency Services Agency
GPO Box 158 Canberra City 2601
9 Amberley Avenue Fairbairn 2609
Ph: (02) 6205 0400
www.esa.act.gov.au

ACT FIRE & RESCUE
DEVELOPMENT APPLICATION REVIEW

Risk and Planning Section | 9 Amberley Avenue | Fairbairn Business Park | Majura ACT 2609

EPD Customer Services
Environment & Planning Directorate
16 Challis Street
DICKSON ACT 2602

DEVELOPMENT APPLICATION NO: 201630289
ESA REFERENCE: 2016155 **DATE: 10 November 2016**

DESCRIPTION OF THE PROPOSAL:
PROPOSAL FOR 12 STOREY COMMERCIAL DEVELOPMENT - CONSOLIDATION - LEASE VARIATION - construction of restaurant and commercial/retail space on ground floor, four levels of car parking, five levels of commercial accommodation comprising of ninety units, landscaping and associated works-Variation of the Crown lease for block 8 to remove area limits and consolidation of two Crown leases.

BLOCK: 8 & 9	SECTION: 48	DIVISION: BELCONNEN

ACT Fire & Rescue have assessed the proposal in regards to the following:

Criteria	Assessed	Not Applicable
Fire Station Response Area	Inside Built Up Area	
Water Supply	X	
Fire Brigade Access	X	
Bushfire Prone Land Requirements		X
Hazardous Materials		X
Street Furniture, Landscaping and Tree Planting	X	
Building Fire Safety Systems	X	

ACT Fire & Rescue's position is:	
That the proposal is supported	X
That the proposal is supported with conditions	
That the proposal is not supported	
That further information is required for assessment	

Standard Advice

Fire Station Response Area

The location of the proposed development indicates that ACTF&R will be able to maintain operational response to the area and its surrounds.

Water Supplies

Buildings greater than 3 stories are considered to be higher risk residential areas and classified fire risk type **F4** for water supply. The proponents are to seek clarification from ICON Water to determine the adequacy of existing infrastructure, including hydrant spacing, for the proposed development.

Fire Brigade Access

Pumper only:

Roads and Driveways are to be suitably constructed to allow the access and egress of fire fighting vehicles, crews and equipment. ACTF&R pumpers require a minimum turning circle of 18 metres and weigh 14 tonne.

Paths of travel that traverse over or are in close proximity to basement surfaces require pavement loading suitable for ACTF&R emergency vehicle access/egress.

ACTF&R Access requirements for building greater than 3 storeys

Where buildings are greater than 3 stories high, the "Bronto Skylift" aerial appliance may be required to access the upper levels in an emergency. The Bronto Skylift has the following dimensions:

- Length: 11.7m
- Minimum height clearance: 4.5m
- Weight: 30t, with point loads up to 21t
- Minimum turning radius: 12m
- Working footprint: 12 x 6.5m

Appropriate access and a working footprint is required to at least one corner to give the Bronto Skylift access to two sides of the building. When set up, the Bronto Skylift requires a working footprint of 12m x 6.5m with a maximum gradient of 6 degrees. Potential point loads up to 21 tonnes (within surface area of 0.7 m^2) may be applied by the ground pads, and must be taken into account for pavement loadings and particular care taken when in close proximity to basement or podium surfaces.

ACTF&R Fire Safety Section

Compliance to the BCA and inbuilt fire safety systems are outside the scope of this document and will be assessed separately by ACTF&R Fire Safety Section at the building approval stage, further information regarding fire safety reviews, please contact ACTF&R Fire Safety Section on 62078370.

Street Furniture, Landscaping and Tree Planting

ACTF&R has the following requirements in relation to street furniture, future landscaping, existing trees and tree planting that should be adhered to:

- Access to hydrants, other water supplies and services must not be impeded by trees, street furniture or landscaping.
- Street trees species to be selected for low bark flammability characteristics.
- Street furniture and future landscaping must not impede the progress of emergency service vehicles attending the facility. The minimum height clearance for ACTF&R vehicles is 4.5 metres.

Mark Brown
Chief Officer,
ACT Fire & Rescue
10 November 2016

Entered in Register Book Vol Folio

This is a market value lease - s238(2)(a)(ii) Planning and Development Act 2007

AUSTRALIAN CAPITAL TERRITORY

PLANNING AND DEVELOPMENT ACT 2007

Australian Capital Territory (Planning and Land Management) Act 1988 (C'th) (ss 29, 30 & 31)

LEASE GRANTED pursuant to the Planning and Development Act 2007 and the Regulations made under that Act on the day of Two thousand and WHEREBY THE PLANNING AND LAND AUTHORITY ("the Authority") ON BEHALF OF THE COMMONWEALTH OF AUSTRALIA ("the Commonwealth") in exercising its functions grants to

LESSEE **CANBERRA LABOR CLUB LIMITED A.C.N. 008 546 030** a company having its registered office at 55 Chandler Street Belconnen in the Australian Capital Territory ("the Lessee") ALL THAT piece or parcel of land situate in

LAND the Australian Capital Territory containing **an area of TBA square metres** or thereabouts and being **Block X Section 48 Division of Belconnen** as delineated on **Deposited Plan Number** in the Registrar-General's Office at Canberra in the said Territory ("the land") RESERVING unto the Territory all minerals and the right to the use, flow and control of ground water under the surface of the land TO HOLD unto the Lessee for the term commencing on the

TERM day of **Two thousand and** ("the date of the commencement of the lease") and terminating on the **Thirteenth** day of **September Two thousand one hundred** to be used by the Lessee for the purpose set out in Clause 3(a) of this lease only YIELDING AND PAYING THEREFOR rent in the amount and in the manner and at the times provided for in this lease and UPON AND SUBJECT TO the covenants conditions and agreements contained in this lease.

INTERPRETATION

1. IN THIS LEASE unless the contrary intention appears:

(a) "Authority" means the Planning and Land Authority established by section 10 of the Planning and Development Act 2007;

(b) "building" means any building or structure, constructed or partially constructed or to be constructed, as the context permits or requires, on or under the land;

(c) "bulky goods retailing" means a shop which includes a loading dock within the building, and where the goods or materials sold or displayed are of such a size, shape or weight as to require:

a) a large area for handling, storage or display; and/or

b) direct vehicular access to the site by members of the public, for the purpose of loading goods or materials into their vehicles after purchase, but does not include any shop used primarily for the sale of food or clothing;

(d) "business agency" means the use of land for the purpose of providing a commercial service directly and regularly to the public;

(e) "child care centre" means the use of land for the purpose of educating, supervising or caring for children of any age throughout a specified period of time in any one day, which is registered under the Children and Young People Act 2008 or authorised pursuant to the Education and Care Services National Law (ACT) Act 2011 and which does not include residential care;

(f) "class" for a building or structure, means the class of building or structure under the building code as defined in the Building Act 2004;

(g) "club" means the use of land as a meeting place for persons associated, or for a body incorporated, for a social, sporting, athletic, literary, political or other like purpose, and which is a licensed premise under the Liquor Act 2010;

(h) "commercial accommodation use" means commercial accommodation unit, guest house, hotel, motel, serviced apartment, tourist resort. It does not include a caravan park/camping ground or a group or organised camp;

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(i) "commercial accommodation unit" means a room or suite of rooms that is made available on a commercial basis for short-term accommodation. A commercial accommodation unit may comprise a dwelling but not a room or suite of rooms within a dwelling. It does not include any associated facility such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which is also available for use by non occupant members of the public;

(j) "community activity centre" means the use of land by a public authority or a body of persons associated for the purpose of providing for the social well being of the community;

(k) "community theatre" means the use of land for a theatre, cinema, concert hall, auditorium or theatrette run by non-profit organisations;

(l) "community use" means child care centre, community activity centre, community theatre, cultural facility, educational establishment, health facility, hospital, place of worship, religious associated use;

(m) "cultural facility" means the use of land for the purpose of cultural activities to which the public normally has access, but does not include a shop for art, craft or sculpture dealer;

(n) "department store" means a shop in which goods are sold by separate departments within the shop and from which a significant amount or proportion of retail sales occur from at least four of the following types of goods: furniture and floor coverings; fabrics and household textiles; clothing; footwear; household appliances; china, glassware and domestic hardware;

(o) "drink establishment" means the use of land for the sale of alcoholic beverages and spirits to members of the public primarily for consumption on the premises, and which is a licensed premise under the Liquor Act 2010;

(p) "dual occupancy housing" means the use of land that was originally used or leased for the purposes of single dwelling housing for two dwellings;

(q) "dwelling"
(i) means a class 1 building, or a self-contained part of a class 2 building, that:

(A) includes the following that are accessible from within the building, or the self-contained part of the building:

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(1) not more than 2 kitchens;

(2) at least 1 bath or shower;

(3) at least 1 toilet pan; and

(B) does not have access from another building that is either a class 1 building or the self-contained part of a class 2 building; and

(ii) includes any ancillary parts of the building and any class 10a buildings associated with the building;

(r) "educational establishment" means the use of land for the purpose of tuition, training or research directed towards the discovery or application of knowledge, whether or not for the purposes of gain, and may include associated residential accommodation;

(s) "financial establishment" means the use of land for the primary purpose of providing finance, investing money, and providing services to lenders, borrowers and investors on a direct and regular basis;

(t) "gross floor area" means the sum of the area of all floors of the building measured from the external faces of the exterior walls or from the centre lines of walls separating the building from any other building excluding any area used solely for rooftop fixed mechanical plant and/or basement carparking;

(u) "guest house" means the use of land for one or more commercial accommodation units and where common or shared facilities are provided for the provision of services such as meals and laundry to occupants of the premises but not to non occupant members of the public;

(v) "health facility" means the use of land for providing health care services (including diagnosis, preventative care or counselling) or medical or surgical treatment to out-patients only;

(w) "hospital" means the use of land for the medical care (including diagnosis, preventative care and counselling) of in-patients, whether or not out-patients are also provided with care or treatment, and may include associated residential accommodation;

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(x) "hotel" means the use of land for one or more commercial accommodation units and where the premise is licensed under the Liquor Act 2010. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public;

(y) "indoor recreation facility" means the use of land for sporting activities where such use is primarily indoors;

(z) "Lessee" shall:

(i) where the Lessee consists of one person be deemed to include the Lessee and the executors administrators and assigns of the Lessee;

(ii) where the Lessee consists of two or more persons be deemed to include in the case of a tenancy in common the persons and each of them and their and each of their executors administrators and assigns and in the case of a joint tenancy be deemed to include the said persons and each of them and their and each of their assigns and the executors administrators and assigns of the survivor of them; and

(iii) where the Lessee is a corporation be deemed to include such corporation its successors and assigns;

(aa) "motel" means the use of land for one or more commercial accommodation units and where the units are provided with convenient space for parking of motor vehicles. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public. A motel may be licensed under the Liquor Act 2010;

(bb) "multi unit housing" means the use of land for more than one dwelling and includes but is not limited to dual occupancy housing;

(cc) "non retail commercial use" means business agency, financial establishment, office, public agency;

(dd) "office" means the use of land for the purpose of administration, clerical, technical, professional or like business activities, including a government office, which does not include dealing with members of the public on a direct and regular basis except where this is ancillary to the main purpose of the office;

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(ee) "personal service" means a shop used primarily for selling services and in which the sale of goods is ancillary to the service provided;

(ff) "place of worship" means the use of land for the primary purposes of religious worship and associated activities by a congregation, religious group or members of the public whether or not the premises are also used for religious instruction, tuition, meetings, training and other community activities;

(gg) "premises" means the land and any building or other improvements on the land;

(hh) "public agency" means the use of land for the purpose of providing a public service directly and regularly to the public and includes a government agency, which provides a commercial service to the public;

(ii) "religious associated use" means the use of land for the activities conducted by religious organisations other than for worship or for offices and may include residential accommodation by ministers of religion;

(jj) "residential use" means caretaker's residence, multi-unit housing, residential care accommodation, retirement village, retirement village scheme, secondary residence, single dweling housing, supportive housing;

(kk) "restaurant" means the use of land for the primary purpose of providing food for consumption on the premises whether or not the premises are licensed premises under the Liquor Act 2010 and whether or not entertainment is provided;

(ll) "retail plant nursery" means a shop used for the propagation and sale of plants, shrubs, trees and garden supplies;

(mm) "serviced apartment" means an apartment that is used as a commercial accommodation unit;

(nn) "shop" means the use of land for the purpose of selling, exposing or offering the sale by retail or hire, goods and personal services. It includes but is not limited to bulky goods retailing, department store, personal service, retail plant nursery, supermarket, take-away food shop;

(oo) "supermarket" means a large shop selling food and other household items where the selection of goods is organised on a selfservice basis;

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(pp) "take-away food shop" means a shop, which is predominantly for the preparation of food and refreshments for consumption elsewhere;

(qq) "Territory" means:

(i) when used in a geographical sense the Australian Capital Territory; and

(ii) when used in any other sense the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (C'th);

(rr) "tourist resort" means the use of land for one or more commercial accommodation units together with a wide range of recreational and/or cultural facilities in a resort style setting. It may also include associated facilities such as a restaurant, bar or functions room, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public. A tourist resort may be licensed under the Liquor Act 2010;

(ss) words in the singular include the plural and vice versa;

(tt) words importing one gender include the other genders;

(uu) a reference in this lease to any statute or statutory provision shall include a reference to any statute or statutory provision that amends, extends, consolidates or replaces the statute or statutory provision and to any other regulation, instrument or other subordinate legislation made under the statute.

2. THE LESSEE COVENANTS WITH THE COMMONWEALTH as follows:

RENT

(a) That the Lessee shall pay to the Authority rent at the rate of five cents per annum if and when demanded payable within one month of the date of any demand made by the Authority relating thereto and served on the Lessee;

MANNER OF PAYMENT OF RENT

(b) That any rent or other moneys payable by the Lessee to the Authority under this lease shall be paid to such person as may be authorised by the Authority for that purpose at Canberra in the said Territory without any deduction whatsoever.

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3. THE LESSEE FURTHER COVENANTS WITH THE COMMONWEALTH as follows:

PURPOSE

(a) To use the premises only for one or more of the following purposes:

(i) club;
(ii) commercial accommodation use EXCLUDING tourist resort;
(iii) community use EXCLUDING child care centre and hospital;
(iv) drink establishment;
(v) indoor recreation facility;
(vi) non retail commercial use;
(vii) residential use LIMITED TO multi unit housing;
(viii) restaurant;
(ix) shop;

PROVIDED ALWAYS THAT:

A. the maximum gross floor area per shop is 200 square metres;

B. any building on the premises fronting a main pedestrian area will incorporate uses on the ground floor that generate activity in the public space;

NOISE MANAGEMENT PLAN

(c) That the Lessee must, prior to the use of the premises for club, drink establishment, hotel, multi unit housing, and/or restaurant implement noise attenuation measures in accordance with a Noise Management Plan prepared specifically for the proposed use and that has previously been submitted to and endorsed by the Environment Protection Authority, or its successor;

PROVISION OF HYDRAULIC MAINS STORMWATER DRAINS AND SEWER LINES

(d) That the Lessee shall provide and thereafter maintain hydraulic mains stormwater drains sewer lines hydraulic fire mains and hydrants on the land in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;

PROVISION OF STORAGE AREAS CARPARKING AND ILLUMINATION

(e) That the Lessee shall provide and thereafter maintain storage areas covered carparking hardstanding carparking adequately illuminated vehicle access roads pedestrian pathways and vehicle access drives on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;

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PROVISION OF FACILITIES FOR ELECTRICAL AND TELEPHONE CABLES	(f)	That the Lessee shall provide facilities on the land to a standard acceptable to the Authority to enable electrical and telephone cables and wires to be installed underground;
LANDSCAPING	(g)	That the Lessee shall provide and maintain landscaping on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
LIGHTING	(h)	That the Lessee shall illuminate and keep illuminated all public access areas on the land at the Lessee's cost during the evening hours of operation to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
LOADING AND UNLOADING OF VEHICLES	(i)	That the Lessee shall provide and maintain an area for the loading and unloading of vehicles on the land to a standard acceptable to the Authority in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
PRESERVATION OF TREES	(j)	That the Lessee shall not, without the previous consent in writing of the Territory, remove any tree: (i) that has been identified in a development approval for retention during the period allowed for construction of the building; or (ii) to which the Tree Protection Act 2005, applies;
FACILITIES AND ACCESS FOR PERSONS WITH A DISABILITY	(k)	That the Lessee shall provide and maintain facilities and access on the land for persons with a disability in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the Authority;
SERVICE AREAS	(l)	That the Lessee shall screen and keep screened all service areas to the satisfaction of the Authority and shall ensure that all plant and machinery contained within the premises is suitably screened from public view;
BUILDING SUBJECT TO APPROVAL	(m)	That the Lessee shall not without the previous approval in writing of the Authority, except where exempt by law, erect any building, or make any structural alterations to any building, on the land;

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REPAIR

(n) That the Lessee shall at all times during the said term maintain repair and keep in repair the premises to the satisfaction of the Authority;

FAILURE TO REPAIR

(o) If and whenever the Lessee is in breach of the Lessee's obligations to maintain repair and keep in repair the premises the Authority may by notice in writing to the Lessee specifying the repairs and maintenance needed require the Lessee to effect the necessary work in accordance with the notice. If the Authority is of the opinion that a building or some other improvement on the land is beyond reasonable repair the Authority may by notice in writing to the Lessee require the Lessee to remove the building or improvement and may require the Lessee to construct a new building or improvement in place of that removed within the time specified in the notice. If the Lessee does not carry out the required work within the time specified by the Authority any person or persons duly authorised by the Authority with such equipment as is necessary may enter the premises and carry out the necessary work and all costs and expenses incurred by the Authority in carrying out the work shall be paid by the Lessee to the Authority on demand and from the date of such demand until paid shall for all purposes of this lease be a debt due and payable to the Authority by the Lessee;

RIGHT OF INSPECTION

(p) Subject to the provisions of the Planning and Development Act 2007 to permit any person or persons authorised by the Authority to enter and inspect the premises at all reasonable times and in any reasonable manner;

RATES AND CHARGES

(q) To pay all rates charges and other statutory outgoings assessed levied or payable in respect of the premises as and when they are due for payment.

4. THE COMMONWEALTH COVENANTS WITH THE LESSEE as follows:

QUIET ENJOYMENT

That the Lessee paying the rent and all other money due and observing and performing the covenants and stipulations on the part of the Lessee to be observed and performed shall quietly enjoy the premises without interruption by the Authority or any person lawfully claiming from or under or in trust for the Authority.

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5. IT IS MUTUALLY COVENANTED AND AGREED as follows:

TERMINATION

(a) That if:

(i) any rent or other moneys payable under this lease shall remain unpaid for three months next after the date appointed for payment thereof (whether such rent or other moneys shall have been formally demanded or not); or

(ii) the said land is at any time not used for a period of one year for the purpose for which this lease is granted; or

(iii) the Lessee shall fail to observe or perform any other of the covenants herein contained in this lease on the part of the Lessee to be observed or performed and shall have failed to remedy such breach within a period of six months from the date of service on the Lessee of a notice in writing from the Authority specifying the nature of such breach

the Authority on behalf of the Commonwealth may terminate this lease but without prejudice to any claim which the Authority or the Commonwealth may have against the Lessee in respect of any breach of the covenants on the part of the Lessee to be observed or performed;

ACCEPTANCE OF RENT

(b) That acceptance of rent or other moneys by the Authority during or after any period referred to in Clauses 5(a) (i), (ii), or (iii) of this lease shall not prevent or impede the exercise by the Authority of the powers conferred upon it by the said Clauses;

FURTHER LEASE

(c) Subject to the Lessee paying all money required to be paid under the provisions of the Planning and Development Act 2007 the Lessee shall be entitled to a further lease of the land for such further term and at such rent and subject to such conditions as may then be provided or permitted by Statute Ordinance or Regulation;

NOTICES

(d) That any notice requirement demand consent or other communication to be given to or served upon the Lessee under this lease shall be deemed to have been duly given or served if signed by or on behalf of the Authority and delivered to or sent in a prepaid letter addressed to the Lessee at the registered office of the Lessee in the said Territory BUT if for any reason the Lessee does not have a registered office in the said Territory then at the usual or last-known address of the Lessee or affixed in a conspicuous position on the premises;

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EXERCISE OF POWERS

(e) Any and every right, power or remedy conferred on the Commonwealth or Territory in this lease, by law or implied by law may be exercised on behalf of the Commonwealth or the Territory or as the case may be by:

(i) the Authority;

(ii) an authority or person for the time being authorised by the Authority or by law to exercise those powers or functions of the Commonwealth or Territory; or

(iii) an authority or person to whom the Authority has delegated all its powers or functions under the Planning and Development Act 2007.

IN WITNESS whereof the Authority on behalf of the Commonwealth and the Lessee have executed this lease.

Signed by [name of signatory])
a delegate authorised to execute this lease) ……
on behalf of the Commonwealth in the) Delegate
presence of [name of witness])

……
Witness

Signed by **CANBERRA LABOR CLUB LIMITED A.C.N. 008 546 030** by:)

……	……
Signature	Signature
……	……
Name in full	Name in full
……	……
Sole Director/Director/Secretary	Director/Secretary

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ACT Government

Environment, Planning and Sustainable Development

ATTACHMENT 2

APPLICATION FOR THE GRANT OF A LICENCE

(2 Party - Minor Encroachment Only)

PART 1 – LICENSEE and APPLICANT DETAILS

LICENSEE (*as is to appear on licence*)

NAME	
A.C.N. or A.B.N.	
POSTAL ADDRESS	
PHONE NUMBER	

APPLICANT (*if different from Licensee*)

NAME	
POSTAL ADDRESS	
PHONE NUMBER	

BRIEF DESCRIPTION OF ORGANISATIONS ACTIVITIES/SERVICES

_____

_____

_____

PART 2 - THE PROPOSAL

PROPOSED USE OF LAND

_____

_____

_____

PART 3 – BLOCK DETAILS

LAND ADJACENT TO:

BLOCK _____

SECTION _____

DIVISION/DISTRICT _____

STREET ADDRESS _____

DEVELOPMENT APPLICATION NUMBER (If applicable) **DA -** _____

PART 4 - THE DEVELOPMENT

TYPE OF ENCROACHMENT

(eg. Awning, signage, facade):

_____

_____

ENCROACHMENT LOCATION PLAN

Plan should show area of unleased land for proposed encroachment and include the following;

- **All elevations and dimensions including area;**
- **Block boundaries and location of encroachment/s in relation to the building, adjacent Territory land and/or public roads.**

INSURANCE DOCUMENTS:

From 1 October 2005, the level of public liability insurance required by a proposed licensee of unleased Territory land is now determined by a legislated process. Your insurance Policy must be approved by the ACT Insurance Agency (ACTIA).

Under this legislation in general terms, the licensee will be required to:

1. **Submit a Certificate of Currency of insurance to the department;**
   ** For a 2 party encroachment Licence, EPD will seek ACTIA's approval**

2. **Nominate each and all of the proposed activities on Territory land or premises;**
   EPD will incorporate those activities in a schedule to the licence (Activity Schedule)

3. **If the Public Liability Activities rating is higher than 7, a risk management plan may be required:** **EPD will let you know about this after submission of the application**

AN APPLICATION FEE IS APPLICABLE

SIGNED:

DATE:

REQUIREMENTS & CHECKLIST

A plan showing encroachment/s and surrounding area as per application	☐ **Yes**
A copy of the Companies/Associations Certificate of Incorporation or Registered Trading Name including A.B.N./A.C.N.	☐ **Yes**
Public Liability Insurance documentation (Certificate of Currency)	☐ **Yes**
Application fee paid	☐ **Yes**

Relevant Logo ATTACHMENT 3

Tree removal and replanting

This street tree has been approved for removal under DAxxxxxxxxxx. Their removal was approved to allow for xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx. The tree removal and planting of replacement trees nearby will be undertaken as part of the Project works.

Removal has been scheduled for (xxx date). The new tree/s will be planted at the end of the development project works.

For further information, contact xxxxxxxxx on xxxxxxx within 14 days of the date of this notice.

Date .....

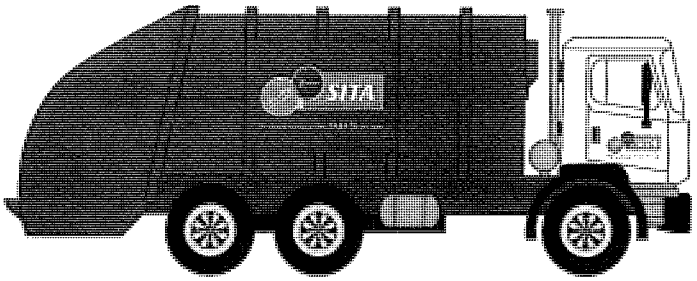
ATTACHMENT 4

REAR LIFT COLLECTION

VEHICLE SPECIFICATIONS

Overall length	8.0m
Overall width	2.5m
Height (travel)	3.4m
Height (in operation)	3.4m
Weight (vehicle only)	13.0t
Weight (payload)	9.5t
Turning circle	25.0m

*** Vehicle specifications are approximate and may vary by location.*



SITA's full range of collection services include:

- General waste
- Paper and cardboard
- Co-mingled recyclables (containers)
- Food and garden organics
- Electronic waste
- Batteries, globes and fluorescent tubes
- Metals
- Plastics
- Document destruction (confidential)
- Product destruction
- Untreated timber
- Construction waste
- Sanitary
- Quarantine waste
- Liquids
- Hazardous waste
- Medical/clinical waste

FOR MORE DETAILS CONTACT YOUR LOCAL SITA CUSTOMER SERVICE CENTRE ON 13 13 35

13 13 35 SITA.COM.AU

REAR LIFT COLLECTION

THE REAR LIFT COLLECTION SYSTEM IS BEST SUITED TO SITES WITH **LIMITED ACCESS AND SPACE**.

SUPPORTED BY OUR NATIONAL NETWORK OF **SUSTAINABLE RESOURCE RECOVERY FACILITIES**, SITA AUSTRALIA'S COLLECTION SYSTEMS WILL HELP YOU SAVE ON DISPOSAL COSTS THROUGH **SERVICE EXCELLENCE AND REDUCING EXPOSURE TO LANDFILL LEVIES**.

BY ADOPTING SIMPLE AND RELIABLE COLLECTION SYSTEMS TAILORED TO THE WASTE GENERATION PROFILE OF YOUR BUSINESS, YOU CAN **IMPROVE CORPORATE RESPONSIBILITY** AND BUILD **ENVIRONMENTALLY SUSTAINABLE** PERFORMANCE.

OVERVIEW

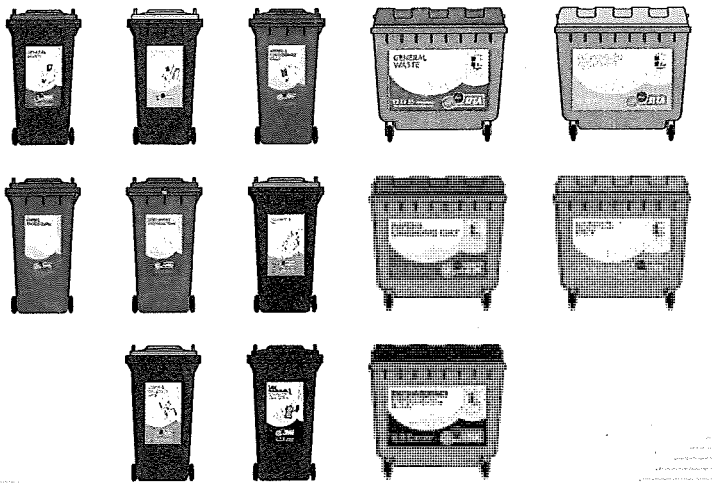
- Best suited for lightweight and small to midsized waste volumes.
- Ideal for workshops, offices, restaurants and retail outlets.
- Suits businesses that generate odorous food wastes as the waste can be bagged and cleared daily.
- Perfect secondary partner for a primary Front Lift or Roll-on/Roll-off (RORO) system.
- Convenient range of standard containers from 120L to 1100L capacities.
- Bins are colour-coded to Australian Standards for easy identification of waste streams.
- Reduced labour costs when bin is located close to waste generation source.
- Easily manoeuvrable due to solid rubber wheels.
- Equally suitable for indoor or outdoor use.
- Carts can be supplied in a range of sizes ensuring flexibility and total compatibility with the customer's site.

CONTAINER SPECIFICATIONS

Plastic (polyethelene)

Capacity	120L	240L	660L	1100L
Height	0.92m	1.075m	1.235m	1.485m
Width	0.54m	0.58m	1.36m	1.36m
Length	0.62m	0.715m	0.765m	1.07m
Weight	9.5kg	13.5kg	45kg	65kg

**Availability of the complete suite of bin sizes varies across states. Sizes are approximate measurements and may vary by location.*



CONTAINER OPTIONS AND ACCESSORIES

- Foot pedal operated lid
- Wheel locking device
- Range of bin sizes
- Tow hitches
- Flip top and roll top lids
- Wheel brakes
- Liners
- Security posts
- Cart cradle
- Waste ID labels
- Bin lifters
- Padlocks and chains

THE LEADER IN RESOURCE RECOVERY

suez environnement · sembcorp · SITA

ACT Government
Environment, Planning and Sustainable Development

TALKING POINTS
(DA for Belconnen Hotel)

MINISTER FOR PLANNING

TALKING POINTS FOR Canberra Labor Club Belconnen Hotel

- DA201630289 for Blocks 8 and 9 Section 48 Belconnen was lodged on 27 October 2016 for demolition of existing buildings, construction of a new mixed use development, consolidation of subject blocks and a lease variation to permit the development.

- The development comprises a twelve (12) storey building with one level of basement which includes restaurants and retail space at the ground floor level; podium car parking; hotel comprising 90 commercial accommodation units with ancillary uses in the basement and 2,037sqm of commercial/office space.

- No representations were received.

- The development application was approved subject to conditions on 13 December 2016 by the planning and land authority. The decision takes into account the design issues.

- The development is consistent with the objectives of the Belconnen Town Centre Master Plan endorsed by the ACT Government in September 2016 following consultation with the Belconnen community. The Master Plan reflects key ACT Government priorities including urban renewal to support Canberra's growing economy.

- I support the decision of the planning and land authority.

BACKGROUND/SENSITIVITIES:

- There has been media interest in this development when the development application was submitted.

Approved by:

Insert Date

From: Hurst, Jackie
Sent: Tuesday, 17 January 2017 3:06 PM
To: Valuations
Subject: ACTVO REFERRAL - INITIAL & NOD - 8 & 9/48 BELCONNEN - 201630289 [SEC=UNCLASSIFIED]

Dear ACTVO,

Blocks 8 & 9 Section 48 Suburb of BELCONNEN
DA Number: 201630289

The Environment, Planning, Sustainable Development Directorate has received the above development application. Attached for your information and comments is a copy of the development application, valuation report and certificate, Crown leases, AVCL, and Notice of Decision.

Please commence the preparation of a full valuation report in accordance with the requirements of the Planning and Development Act 2007.

Residential:
Please provide a comprehensive valuation report as per the Chief Planning Executive of ACT Planning and Land Authorities letter of 3 June 2010.

Non-residential:
Please provide your report as previously requested. If you do not agree with the valuation report provided by the applicant, would you please provide information on your recommended values and your calculation methodology. Please also provide sales evidence supporting your before and after values.

If you require any further information please contact Development Assessment Leasing on telephone 6207 5963 or via email actpladaleasing@act.gov.au.

Kind Regards,

Jackie Hurst | DA Leasing |
Phone 02 6207 5963 | jackie.hurst@act.gov.au |
Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government** |
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au |

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Please Cc all emails/replies through actpladaleasing@act.gov.au. This will ensure that matters are dealt with promptly in the event of any particular officer's absence.

ACT Government | ACT Valuation Office

Our File No:
Your File No: DA 201630289

VALUATION
QUALITY ASSURANCE REPORT

BLOCK 8 SECTION 48 BELCONNEN

PREPARED FOR: Environment and Planning Directorate (EPD)

VALUATION REVIEW DATE: 18/01/2017

DEVELOPMENT APPLICATION NO: DA 201630289

The ACT Valuation Office on behalf of EPD has been requested to complete the following report to advise EPD if the valuation submitted with the Development Application has been completed to API Professional Standards.

The following check points indicate whether the report is considered to have an adequate or inadequate amount of information. In the case that ACT Valuation Office have advised EPD that there is inadequate information, EPD will request that the valuation is adjusted to API Professional Practice Standards.

INFORMATION REQUIRED

	ADEQUATE	INADEQUATE	COMMENTS
INSTRUCTIONS:			ACTVO received the Colliers valuation report on 17 January 2017 which is after the Notice of Decision date being 13 December 2016. The DA was submitted over Blocks 8 and 9 Section 48 Belconnen. Also the NOD relates to both Blocks 8 and 9, ACTVO query whether the Colliers report which relates to Block 8 ONLY is an appropriate assessment?
PROPOSED CHANGE OF USE:			
DATE OF INSPECTION:			
DATE OF VALUATION:			
CROWN LEASE DETAILS:			Clause 3 (b) previously deleted
SALES EVIDENCE V^2 BEFORE VALUE:			The Colliers valuer on pages 13 to 15 of his report mentioned sales in inferior locations outside the Belconnen Town

			Centre area. Those sales also have more stringent building height restrictions. ACTVO requests Colliers consider more appropriate recent Belconnen Town Centre vacant land sales such as the adjoining Block 2 Section 200 which sold for $22,100,000 (+ offsite costs of $2,669,802) in June 2015 on a 16,314 m² site ($1,518/m² of site area). Also Blocks 34 and 37 Section 52 Belconnen which sold for $13,150,000 in June 2015 on a 4,800 m² site ($2,739/m² of site area.
SALES EVIDENCE V[1] AFTER VALUE:			
:			
RATIONALE OF SALES EVIDENCE:			
VALUATION APPROACH AND RATIONALE:			The Colliers valuation report dated 13 October 2016 on page 16 has assessed the 'Before Value' assuming that a "Laneway of 88 m²" exists on the subject property. A prior DA 201120993 approved the deletion of Clause 3 (b) –Access Easement" which occupies approximately 168 m². The Colliers valuer [redacted] also undertook the assessment relating to the prior DA. Colliers are requested to re-assess the basis of their valuation. As stated in the Scriteria document submitted with the current DA over the subject property the Belconnen Master Plan was adopted by the ACT government in September 2016which may now allow development of up to 18 storeys over Blocks 8 and 9 Section 48 Belconnen. Prior town planning advice on earlier DA's indicated that the height limit was previously restricted to 5 storeys in line with surrounding existing development. The current DA has supplied plans showing a 12 storey development with

			9,242 m² GFA for 90 room hotel (6,968 m²GFA) and other commercial uses 2,274 m² GFA.
V^1 ASSESSMENT:			
V^2 ASSESSMENT:			The Colliers 'Before Value' is considered to be well below market levels after consideration of the recent Belconnen Town Centre Master Plan which enables higher building heights and associated development capability. The Colliers value of $530,000 if in consideration of the 90 hotel rooms only(actual rooms on Levels 5-9 occupy 5,445 m² at approximately 60 m² average size)equates to only $5,888/room (less if other commercial use areas are considered)

ADDITIONAL COMMENTS:

PROVISO:

This ACT Valuation Office **QUALITY ASSURANCE** review has been completed with reference to International Valuation Standards. These standards also form the Australian Property Institute Professional Practice Standards.

If any circumstances warrant departure from these standards or create non-compliance, a members report must be accompanied by a statement that outlines the reason for departure or non-compliance and any impact on the content of the report.

DISCLAIMER:

This valuation quality assurance report is for the exclusive use of EPD and is not to be used by any other party for any purpose.

Neither the whole nor any part of this valuation quality assurance report nor any reference thereto may be included in any published document, circular or statement, not published in part nor in full in any way without the written approval of the ACT Valuation Office of the form and context in which it will appear.

Notwithstanding the foregoing, EPD agrees that in the event that it does communicate to a third party the whole or any part of this valuation quality assurance report, it shall also communicate to the third party the full terms as stated under this disclaimer and further agrees to indemnify the ACT Valuation Office in the event of any failure to do so.

G McInerney, AAPI CPV
Senior Valuer
ACT Valuation Office

18 January 2017

From: Hurst, Jackie
Sent: Thursday, 19 January 2017 3:49 PM
To: 'admin@canberratownplanning.com.au'
Subject: Quality Assurance report - 8 & 9/48 BELCONNEN - 201630289 [SEC=UNCLASSIFIED]

Dear Ms Slapp,

Please find attached Quality Assurance review of the LVC assessment submitted by Colliers in relation to Block 8 & 9 Section 48 BELCONNEN

Please provide the further information they have requested to enable them to finalise the LVC assessment.

If I can be of any further assistance, please call at 6207 5963.

Kind Regards,

Jackie Hurst | DA Leasing |
Phone 02 6207 5963 | jackie.hurst@act.gov.au |
Planning Delivery Division|Environment, Planning and Sustainable Development Directorate| **ACT Government** |
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au |

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From: McInerney, Geoff
Sent: Wednesday, 18 January 2017 10:55 AM
To: ACTPLA DA Leasing
Cc: Hurst, Jackie; Valuations
Subject: Quality Assurance report DA 201630289

Please find attached our Quality Assurance review of the LVC assessment report submitted by Colliers International in relation to DA 201630289 for Block 8 Section 48 Belconnen

Regards

Geoff McInerney AAPI CPV
Senior Valuer
ACT Valuation Office|Chief Minister, Treasury and Economic Development Directorate|**ACT Government**
wk: 02 620 54839

From: Ramesh, Meena
Sent: Tuesday, 21 February 2017 11:36 AM
To: 'Elizabeth Slapp'
Subject: RE: Request for Extension of Time - DA201630289 [SEC=UNCLASSIFIED]

Hi Elizabeth

I refer to your message below regarding a request for an extension of time to submit the further information required by Condition A11 of the Notice of Decision.

Your request for a further one month extension is hereby granted and the further information now needs to be submitted by COB 3 April 2017.

Further information should only address the matters raised in Condition A11. If any new amendments are proposed to the approved DA, they will need to be lodged under s197 of the *Planning & Development Act 2007*.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

---

From: Elizabeth Slapp [redacted]
Sent: Tuesday, 21 February 2017 10:56 AM
To: Ramesh, Meena
Subject: FW: Request for Extension of Time - DA201630289 [SEC=UNCLASSIFIED]

Hi Meena,

I refer to your email below, which granted a two month extension of time for the further information for DA201630289.
The Project Design Team is currently in the process of preparing the required documentation, however they will be unable to complete it prior to COB 3 March 2017.
In this regard, we wish to apply for a further one month extension of time.

Can you please confirm that this will be acceptable to you.

Thanks again,

-E

Elizabeth Slapp
Town Planner

Mobile 0457 786 776

This message may be confidential. If you are not the intended recipient please contact the sender and permanently delete the message.

From: Elizabeth Slapp
Sent: Monday, 23 January 2017 2:32 PM
To: 'Ramesh, Meena' <Meena.Ramesh@act.gov.au>
Subject: RE: Request for Extension of Time - DA201630289 [SEC=UNCLASSIFIED]

Thanks for this Meena. Much appreciated.

Elizabeth Slapp
Town Planner

Mobile 0457 786 776

This message may be confidential. If you are not the intended recipient please contact the sender and permanently delete the message.

From: Ramesh, Meena [mailto:Meena.Ramesh@act.gov.au]
Sent: Monday, 23 January 2017 12:05 PM
To: Elizabeth Slapp
Subject: RE: Request for Extension of Time - DA201630289 [SEC=UNCLASSIFIED]

Hi Elizabeth

I refer to your message below regarding the request for an extension of time to submit the further information required by Condition A11 of the Notice of Decision.

Your request for a two month extension is hereby granted and the further information now needs to be submitted by COB 3 March 2017.

Please note that the further information should only address the matters raised in Condition A11. If any new amendments are proposed to the approved DA, they will need to be lodged under s197 of the *Planning & Development Act 2007*.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

From: Elizabeth Slapp
Sent: Thursday, 19 January 2017 8:49 AM
To: Ramesh, Meena
Subject: Request for Extension of Time - DA201630289

Hi Meena,

In relation to DA201630289, which was approved on 13 December 2016, we wish to apply for a two-month extension of time so as to enable the Project Design Team to finalise the further information required as per A11 of the NOD.

If further information is required please contact me ASAP.

Kind regards

-E

Elizabeth Slapp
Town Planner

Mobile 0457 786 776

canberratownplanning.com.au

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From: Johnson, Lisa
Sent: Monday, 6 March 2017 12:33 PM
To: Hurst, Jackie
Subject: FW: Front Page Canberra Times: Labour Club Redevelopment Blocks 8/9 Section 48 Belconnen [DLM=For-Official-Use-Only]

Importance: High

Hi Jackie

I can't find any LVC history on this one – it looks like it is a 276E and 277?

Thanks

Lisa

From: King, Carlo
Sent: Friday, 13 January 2017 10:19 AM
To: Johnson, Lisa
Cc: Goth, Kathy; McInerney, Geoff
Subject: Front Page Canberra Times: Labour Club Redevelopment Blocks 8/9 Section 48 Belconnen [DLM=For-Official-Use-Only]
Importance: High

Hi Lisa,

Please review the article.

Based on a 90 room hotel, the Colliers valuation equates to about $6,000/room which is significantly less than any hotel evidence that we have been able to source over the past 6-7 years in the ACT.

Town centre hotel room rates generally range in the order of $25,000 to $60,000/room.

Further the Colliers assessment is significantly LESS than the combined rating assessments for the two sites.

[redacted]

[redacted]

I assume that the variation must have been a codified as ACTVO were not asked to review the assessment.

Please advise.

Regards,

Carlo King|Managing Valuer
☎ +61 2 620 54863 🖷 +61 2 620 50650

ACT Valuation Office
Chief Minister, Treasury and Economic Development Directorate|ACT Government
Level 4, 220 Northbourne Avenue, Braddon ACT 2612|GPO Box 293 Civic Square ACT 2608|www.act.gov.au
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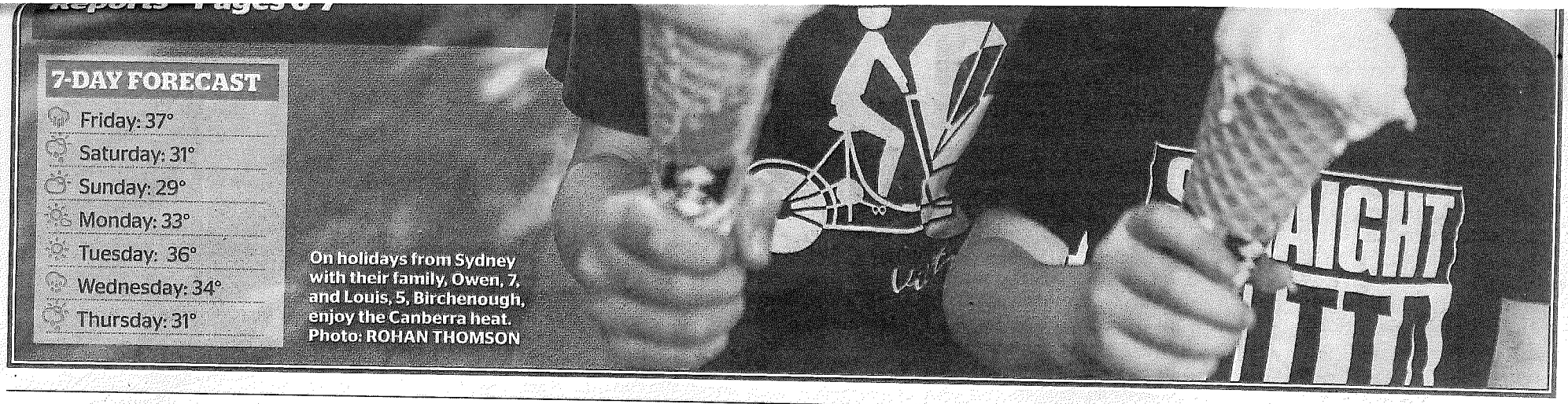
Reports Pages 6-7

7-DAY FORECAST

- Friday: 37°
- Saturday: 31°
- Sunday: 29°
- Monday: 33°
- Tuesday: 36°
- Wednesday: 34°
- Thursday: 31°



On holidays from Sydney with their family, Owen, 7, and Louis, 5, Birchenough, enjoy the Canberra heat. Photo: ROHAN THOMSON

Development Planning approval for Belconnen project

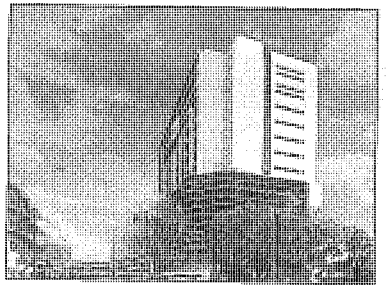
Labor Club gets hotel nod

Kirsten Lawson
Chief Assembly Reporter

The ACT Labor Club has been given the green light for its hotel development next to the club in Belconnen.

The club plans to demolish two buildings on the corner of Cameron Avenue and Chandler Street in Belconnen and replace them with a 12-storey building.

It is unclear what lease variation tax the club will have to pay. The tax is calculated on the difference between the value of land before a development and after a development, but a valuation from Colliers says the land will be worth just $5000 more after the hotel is built, at $535,000. That would attract a minimal tax of less than $4000.



How the Belconnen hotel will look.

The Labor Club, which is controlled by the ACT Labor Party, plans restaurant and shopping space on the ground floor, with four levels of carparking above that, and five levels of hotel space above the carparks, with 90 units. The top two levels will be office space and in the basement, the club plans a gym and conference room.

The government's strategic planning section raised concerns about the design, saying it was unclear why the gym and conference facilities were in the basement, when they would have far greater appeal at an upper level. It was also unclear why parking occupied the four levels above the ground floor instead of the basement levels.

Strategic planning also raised "significant concerns" with the height and appearance of the carparking floors. Including the ground floor, the carparking took up 23 metres, which was almost half the building height. That would have a significant visual impact on the area and looked excessive and inefficient, the section said. The heights of the carpark floors, at 5.47 metres, appeared "very inefficient", with just 3 metres for the hotel rooms above.

The section suggested reduced heights for the carpark floors, and the inclusion of basement carparking.

It also asked for better screening of the carparking floors, saying it was concerned the current plan was too dominant. The proposed metal louvres and powder-coated screens were repetitive and emphasised the building as a car park instead of a hotel. "The current carpark proposal is not considered a high quality outcome and is not supported," Strategic Planning said.

In response, the Labor Club has agreed to redesign the facade of the carpark to minimise its impact, and will provide new architects' drawings. Concerns about the basement gym and conference room, and the height of the carpark floors, though, do not appear to have been addressed.

The planning directorate has approved the development, subject to the changed facade, an investigation of whether the site has any old underground fuel storage and some other more minor conditions.

From: Ramesh, Meena
Sent: Monday, 6 March 2017 1:47 PM
To: 'Elizabeth Slapp'
Subject: RE: Condition A11 DA201630289 [SEC=UNCLASSIFIED]

Hi Elizabeth

I refer to your email below regarding changing the approved MC1 & MC2 Aluminium composite cladding to precast concrete panels of the same colour.

I have checked this with my Manager and wish to advise you that we have no issues with the proposed change in materials.

Regards

Meena Ramesh
(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
Phone 02 62076174 | Fax 02 62071856 |
Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

---

From: Elizabeth Slapp [redacted]
Sent: Monday, 6 March 2017 1:13 PM
To: Ramesh, Meena
Subject: Condition A11 DA201630289

Hi Meena,

As per our discussion last week, could you please confirm if we can change the MC1 and MC2 Aluminium composite cladding (as approved on the Colour Sample Schedule) to precast concrete panels of the same colour? We have received advice that the use of the aluminium composite cladding will not be suitable from a 'structural' point view. The elevations as approved (i.e. Appendix A of the NOD) are not intended to change as the colour will remain the same.

If you agree, we would like to proceed with this change as per Condition A11 (a)(i) of the NOD.

Please do not hesitate to contact me should you need to discuss this further.

Ta.

-E

Elizabeth Slapp
Town Planner

2/20 Challis Street, Dickson 2602
Mobile 0457 786 776
[redacted]
canberratownplanning.com.au

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Planning and Development Act 2007

Development Application

Application Number: **201630289S165A**

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
BELCONNEN	48	9	

Street Address

1 EDMONDSTONE PLACE, BELCONNEN

Site Number: 2

Suburb	Section	Block Number	Unit Number
BELCONNEN	48	8	

Street Address

55 CHANDLER STREET, BELCONNEN

Applicant Details

ACN or ABN

66131577261

Company Name	Position held / Title
Canberra Town Planning Pty Ltd	Town Planner

Salutation	First Name	Surname
Ms	Elizabeth	Slapp

Postal Address 1	Postal Address 2
2/20 Challis Street	

Postal Address 3

Suburb	State/Territory	Postcode	Country
Dickson	ACT	2602	Australia

Phone Number	Fax Number	Mobile Number
0409550596		

Email

admin@canplan.com.au

Lessee (Property Owners) Details

Lessee Number: 1

Is the Lessee a

◉ Company

Australian Company Number (ACN)
92008546030

Company Name
Canberra Labor Club Limited

Position held / Title
Director

Salutation
None

First Name
Arthur

Surname
Roufagalis

Postal Address 1
PO Box 167

Postal Address 2

Postal Address 3

Suburb
Belconnen

State/Territory
ACT

Postcode
2616

Country
Australia

Phone Number
62515522

Fax Number
62531059

Mobile Number
0413777306

Email

List Amendments Being Satisfied

Condition of Approval A11 - Further Information

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

23/03/2017

CANBERRA TOWN PLANNING
2/20 CHALLIS STREET DICKSON
CANBERRATOWNPLANNING.COM.AU
ABN 66 131 577 261

23 March 2017

Meena Ramesh
Delegate of the Planning and Land Authority
Environment, Planning and Sustainable Development Directorate
GPO Box 1908
Canberra ACT 2601

By E-mail: meena.ramesh@act.gov.au

Notice of Decision DA No. 201630707 – Condition of Approval A11. Further Information

Dear Meena,

I refer to the Notice of Decision (**NOD**) dated 13 December 2016.

In accordance with Section 165 of the *Planning and Development Act 2007*, the following details are provided in response to Condition of Approval A11 and should be read in conjunction with the revised plans as attached to this correspondence.

> ***A11. FURTHER INFORMATION***
>
> ***Within 28 days from the date of this decision, or within such time as may be approved in writing by the planning and land authority, the applicant shall lodge with the planning and land authority for approval:***

As confirmed in your emails dated 23 January 2017 and 21 February 2017, an extension of time beyond the 28 days from the date of the NOD, has been granted. As per your latest email, the extension is to Monday 3 April 2017. In this regard, the documentation submitted with this correspondence is considered to be admissible in satisfying the Condition of Approval.

> ***a) Revised architectural drawings, based on the relevant drawings submitted as part of the application, showing:***
>
> ***i. Revised façade treatment as per drawings appearing at Attachment A to this decision and an appropriate treatment (articulation by material and colour) to the proposed northern façade of the car park structure to minimise its visual impact.***

A revised set of architectural drawings has been prepared in accordance with the drawings presented at Attachment A of the NOD. As required, the revised drawings present the alternative solution to the façade treatment and include all other changes required in response to Condition of Approval A11 (refer to *ii – viii* below). The revised set of architectural drawings is attached to this correspondence for your consideration.

As requested, a more appropriate treatment has been applied to the northern façade of the car park structure so as to reduce its visual impact. The treatment includes the following:

- The metal privacy screen has been indented circa 1.5 metres into the building so as to align with the structural columns, which support the upper levels. This treatment provides for an appropriate level of articulation along this façade.
- Additional metal privacy screens have been included on the façade to provide further articulation and to improve the natural ventilation of the car park structure.

- The upper slab levels of the car park have been highlighted so as to provide vertical relief in the overall expanse of metal screening and to further articulate the façade.

As confirmed in your email dated 6 March 2017, the revised architectural drawings document a proposed change to the approved material MC1 and MC2 Aluminium Composite Cladding. The rationale for changing this material is based on recent advice that it will not be structurally suitable for its intended use. As such, it has been changed to precast concrete panels of similar colours to those approved with the revised façade treatment as per Attachment A of the NOD.

The revised set of architectural drawings also include a number of minor changes required to satisfy Condition A12 of the NOD. These changes, which are summarised below, have been incorporated so as to ensure consistency in the documentation and will form part of a separate application for a Certificate of Design Acceptance from the Senior Manager, Asset Acceptance, TCCS.

- Additional headroom to the loading area so as to ensure compliance with the minimum 4.5 metre requirement.
- Revised landscaping arrangements in accordance with the TCCS requirements.
- Reduction to the width of the awning so as to cater for existing and proposed street trees and existing infrastructure assets, such as street lighting.
- Reduction to the length of the awning along Edmondstone Place. Specifically, the awning will no longer extend over the Sprinkler Valve Room, FBBV and Gas Meter Room as the relevant service authorities will not authorise it above their infrastructure.
- Re-configuration of the proposed hotel drop-off area to comply with TCCS requirements.

ii. External dimensions of the basement;

All external dimensions of the basement are presented on Drawing No. DA100/2 Basement – Hotel dated 20 January 2017.

iii. The removal of Tree 1;

Note: All plans to be consistent including Demolition Plan

All of the revised architectural drawings, including the Demolition Plan, demonstrate the removal of Tree 1.

iv. The accurate total number of car parking spaces on Levels 1 – 4;

Note: It is also highly recommended that 2 accessible parking spaces be provided on Level 1 to ensure accessible parking is available on all levels of the proposed podium parking structure.

As detailed on the Levels 1 – 4 Carpark Plans (Drawing Nos. DA103/4, DA104/3, DA105/3 and DA106/4 dated 7 and 13 March 2017), the accurate number of car parking spaces are noted as follows:

Level	No. Parking Spaces	No. Disabled Spaces	Total Spaces
Level 1 – Carpark	31	2	33
Level 2 – Carpark	32	2	34
Level 3 – Carpark	32	2	34
Level 4 – Carpark	29	2	31
TOTAL	**124**	**8**	**132**

v. The configuration of the proposed hotel drop-off area to the satisfaction of Transport Canberra City Services (TCCS)

Note: All plans including landscape plans to be consistent.

Email correspondence from TCCS DA Coordinator Development Review and Coordination has been received providing in-principle endorsement for the Civil General Arrangement Plan (Drawing No. C301 Rev. B), which has been revised to satisfy Conditions All and A12 of the NOD. A copy of Drawing No. C301 Rev. B and the TCCS email correspondence is attached for your consideration.

The revised architectural and landscaping plans attached to this correspondence have been updated to reflect the configuration of the proposed hotel drop-off area as detailed in the revised Civil General Arrangement Plan. Please note that the plans include a number of minor changes to satisfy Condition A12 of the NOD. These changes will form part of a separate application for a Certificate of Design Acceptance from TCCS

vi. Bicycle parking within the verge adjacent to the subject site;

Note: Such parking must meet all relevant requirements of TCCS including appropriate clearances from surrounding infrastructure (such as street trees, kerb, stormwater sumps, signage, buildings etc.). Details of this bicycle parking should be submitted to the Senior Manager, Asset Acceptance, TCCS at the Design Acceptance Stage.

The revised architectural and landscaping plans attached to this correspondence include the required bicycle parking (total of 4 bicycle racks, which will cater for 8 bicycles) within the verge adjacent to the site. Sellick Consultants have reviewed the location of the proposed bicycle parking and confirm that it will achieve the appropriate clearances from surrounding infrastructure.

Details of the bicycle parking will be submitted to the Senior Manager, Asset Acceptance, TCCS at the Design Acceptance Stage.

vii. Four (4) motorcycle visitor parking bays on the plans; and

Note: The surplus of vehicle parking presents an opportunity to convert some of these spaces into motorcycle parking, preferably on Level 1 and near one of the bicycle parking areas.

Four (4) motorcycle parking bays are shown adjacent to the bicycle parking area situated at the southeast corner of the Level 1 Carpark. Refer to Drawing No. DA103/4 Level 1 – Carpark, dated 13 March 2017.

viii. The proposed building (except for the proposed awning encroachment) wholly contained within the subject site boundaries.

All of the revised architectural drawings demonstrate the proposed building (except for the proposed awning) as being located entirely within the subject site boundaries.

We trust that the above and attached documentation satisfies the requirements of Condition A11 of the NOD. However, should you require anything further, please do not hesitate to contact me on 0409 550 596, or Elizabeth Slapp on 0457 786 776.

Yours Sincerely,

PER:

Pieter Van Der Walt
Director – Senior Planner

Attachments

1. Revised Architectural Plans
2. Revised Landscaping Plans
3. Drawing No. C301 Rev. B
4. Email correspondence from TCCS

DEVELOPMENT APPLICATION - BELCONNEN HOTEL

BLOCKS 8 & 9, SECTION 48, BELCONNEN

DA Sheet List		
Sheet No.	Sheet Name	Revision Date
DA000/4	COVER SHEET	13/03/17
DA001/1	SITE ANALYSIS PLAN	14/09/16
DA002/1	DRAFT CONSOLIDATION PLAN	14/09/16
DA003/1	DEMOLITION PLAN	31/01/17
DA100/2	BASEMENT - HOTEL	20/01/17
DA102/4	GROUND LEVEL - HOTEL	13/03/17
DA103/4	LEVEL 1 - CARPARK	13/03/17
DA104/3	LEVEL 2 - CARPARK	07/03/17
DA105/3	LEVEL 3 - CARPARK	07/03/17
DA106/4	LEVEL 4 - CARPARK	13/03/17
DA107/2	LEVEL 5 - HOTEL	20/01/17
DA108/2	LEVEL 6 - HOTEL	20/01/17
DA109/2	LEVEL 7 - HOTEL	20/01/17
DA110/2	LEVEL 8 - HOTEL	20/01/17
DA111/2	LEVEL 9 - HOTEL	20/01/17
DA112/2	LEVEL 10 - COMMERCIAL	20/01/17
DA113/2	LEVEL 11 - COMMERCIAL	20/01/17
DA114/3	ROOF PLAN	13/03/17
DA115/4	SITE PLAN	13/03/17
DA116/1	SOLAR DIAGRAMS - JUNE 21	14/09/16
DA117/2	AREA PLANS	20/01/17
DA204/4	SOUTH ELEVATION	07/03/17
DA205/4	EAST ELEVATION	07/03/17
DA206/5	WEST ELEVATION	13/03/17
DA207/4	NORTH ELEVATION	07/03/17
DA208/3	STREET ELEVATIONS	20/01/17
DA300/4	TYPICAL SECTION N-S	13/03/17
DA301/3	TYPICAL SECTION E-W	13/03/17
DA302/3	SECTION through CARPARK	13/03/17
DA303/3	SECTION through FIRE STAIR	13/03/17
DA900/4	PERSPECTIVES 1	13/03/17
DA901/4	PERSPECTIVES 2	13/03/17
DA902/4	PERSPECTIVES 3	13/03/17
DA903/4	PERSPECTIVES 4	13/03/17
DA904/2	CONTEXTUAL PERSPECTIVE	20/01/17
DA905/2	MATERIALS & FINISHES BOARD	07/03/17

DRAWING TITLE

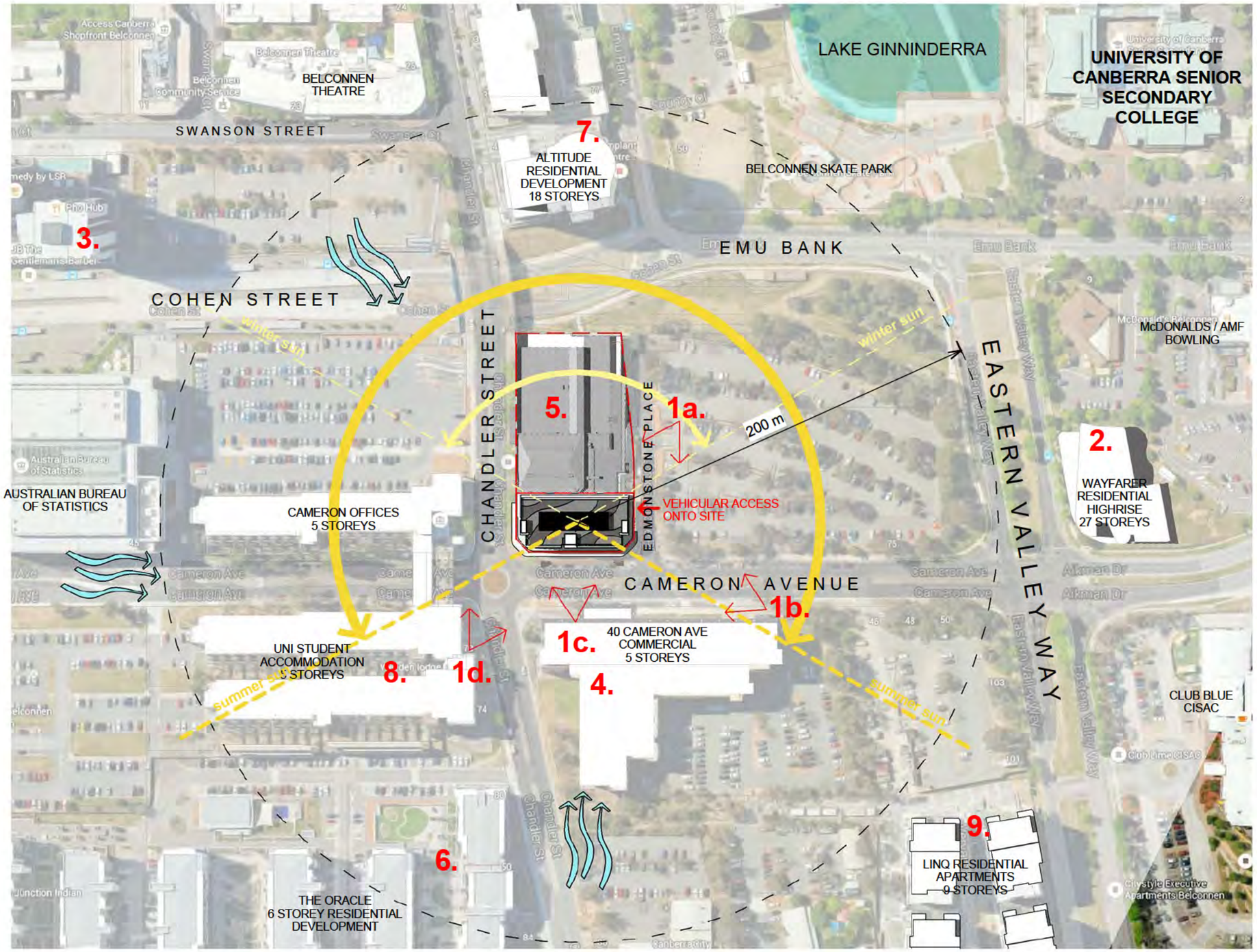
COVER SHEET

SCALE : @A3
DATE : 13/03/17

Drawing Number
DA000/4

DA SUBMISSION

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



NORTH

DRAWING TITLE

SITE ANALYSIS PLAN

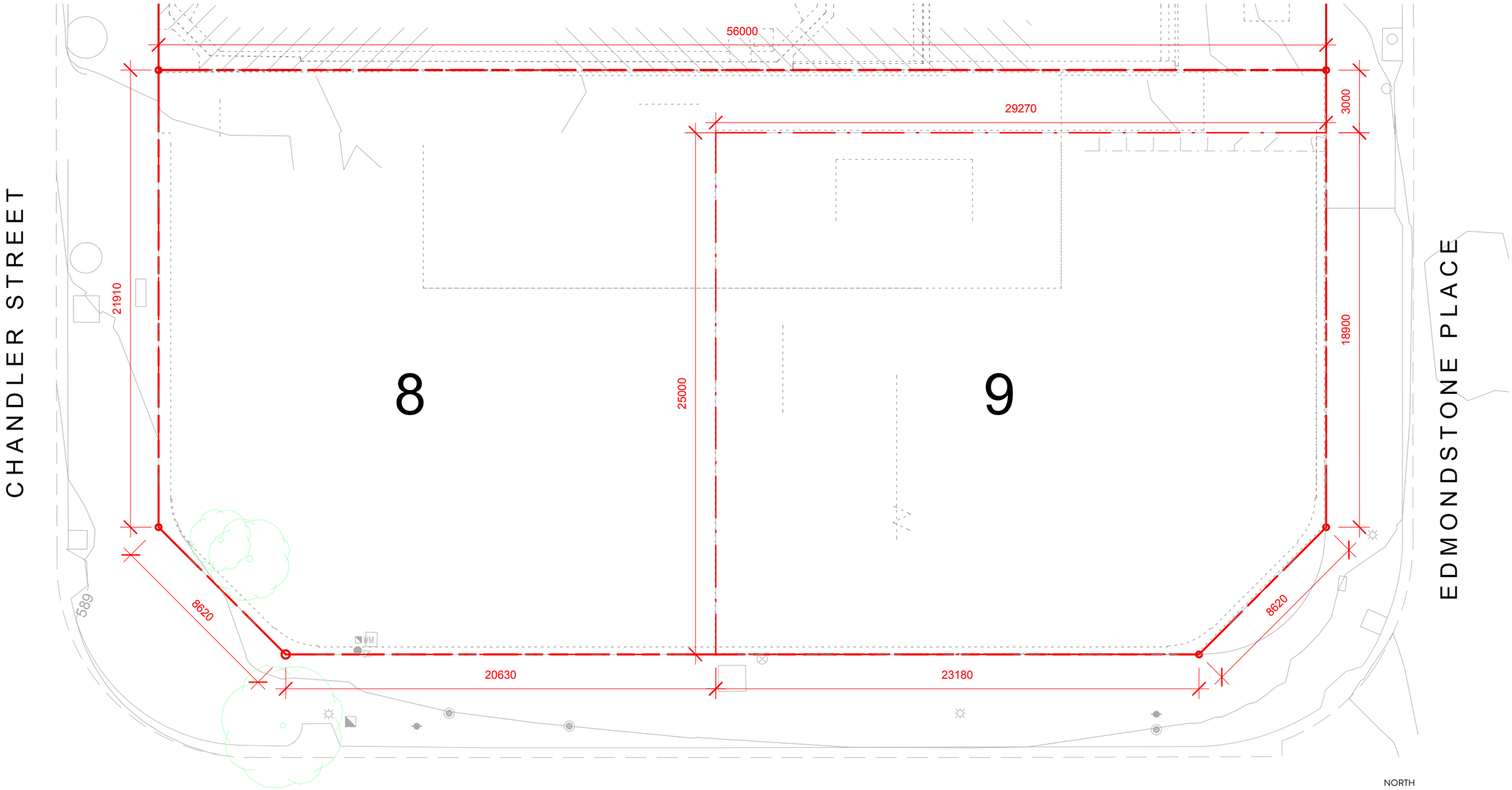
SCALE : 1 : 2000 @A3
DATE : 14/09/16

Drawing Number
DA001/1

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 DRAFT CONSOLIDATION PLAN

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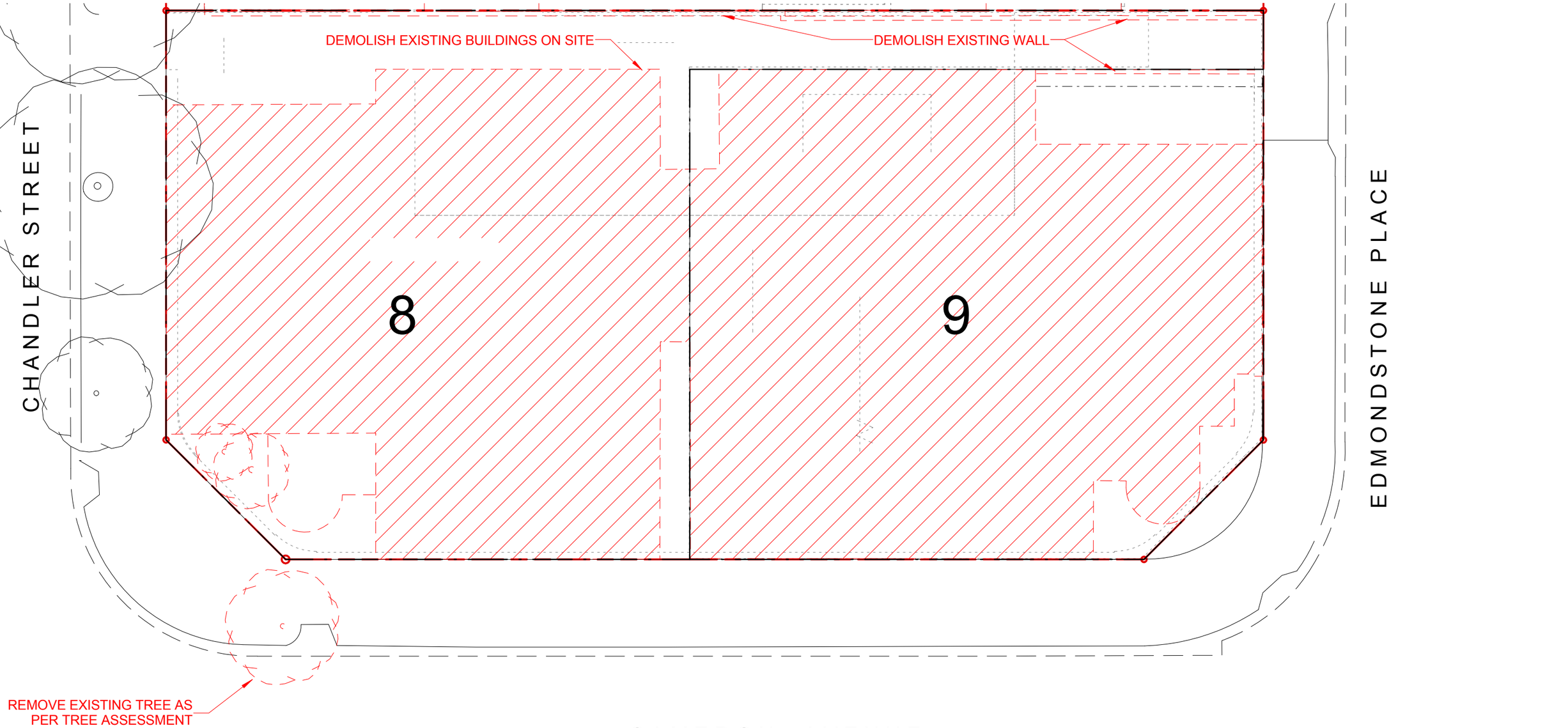
DRAWING TITLE
DRAFT CONSOLIDATION PLAN
SCALE : 1 : 200 @A3
DATE : 14/09/16

Drawing Number
DA002/1

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 DEMOLITION PLAN

1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE

DEMOLITION PLAN

SCALE : 1 : 200 @A3
DATE : 31/01/17

Drawing Number
DA003/1

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 BASEMENT - HOTEL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
BASEMENT - HOTEL

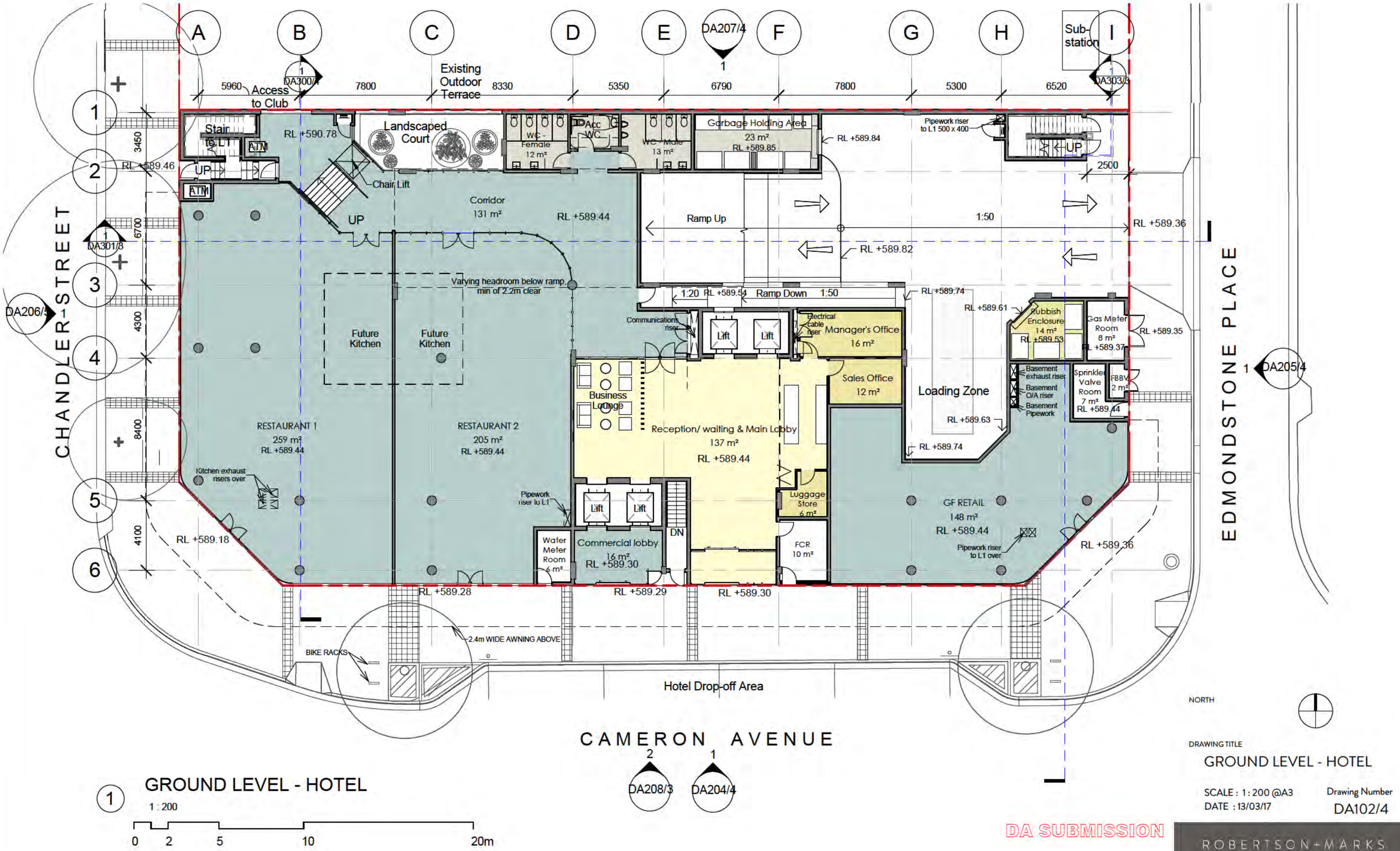
SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA100/2

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



NORTH

DRAWING TITLE

GROUND LEVEL - HOTEL

1 GROUND LEVEL - HOTEL
1 : 200
0 2 5 10 20m

SCALE : 1 : 200 @A3
DATE : 13/03/17

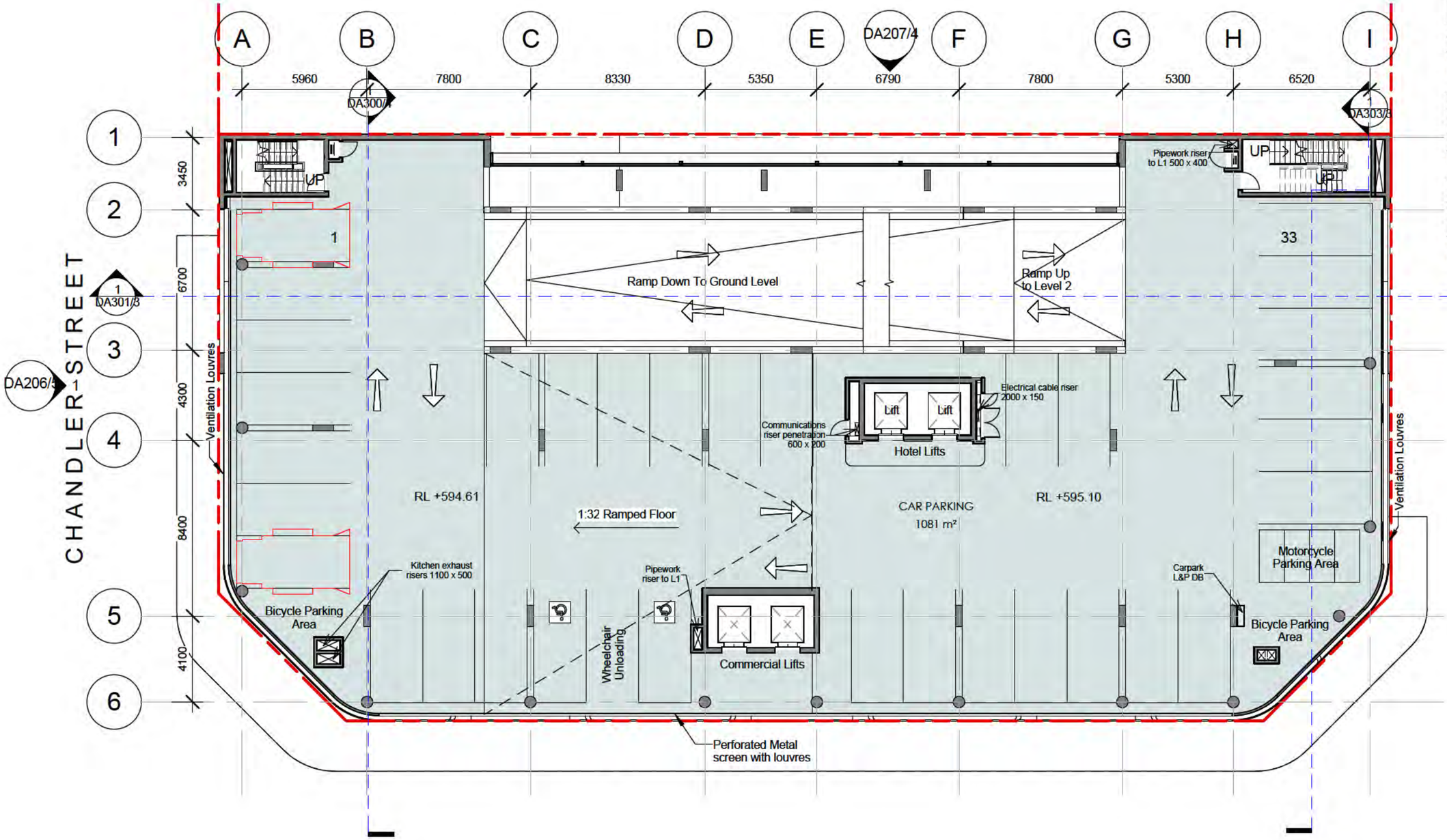
Drawing Number
DA102/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

Hotel & Commercial Parking Schedule		
Level	PARKING SPACE	No. of Parking Spaces
LEVEL 1 - CARPARK	Motorcycle	4
Motorcycle		4
Motorcycle space: 4		4
LEVEL 1 - CARPARK	Car space	31
LEVEL 2 - CARPARK	Car space	32
LEVEL 3 - CARPARK	Car space	32
LEVEL 4 - CARPARK	Car space	29
Car space		124
LEVEL 1 - CARPARK	Disabled car space	2
LEVEL 2 - CARPARK	Disabled car space	2
LEVEL 3 - CARPARK	Disabled car space	2
LEVEL 4 - CARPARK	Disabled car space	2
Disabled car space		8
Parking Space: 132		132



1 LEVEL 1 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 1 - CARPARK

SCALE : 1 : 200 @A3
DATE : 13/03/17

Drawing Number
DA103/4

DA SUBMISSION

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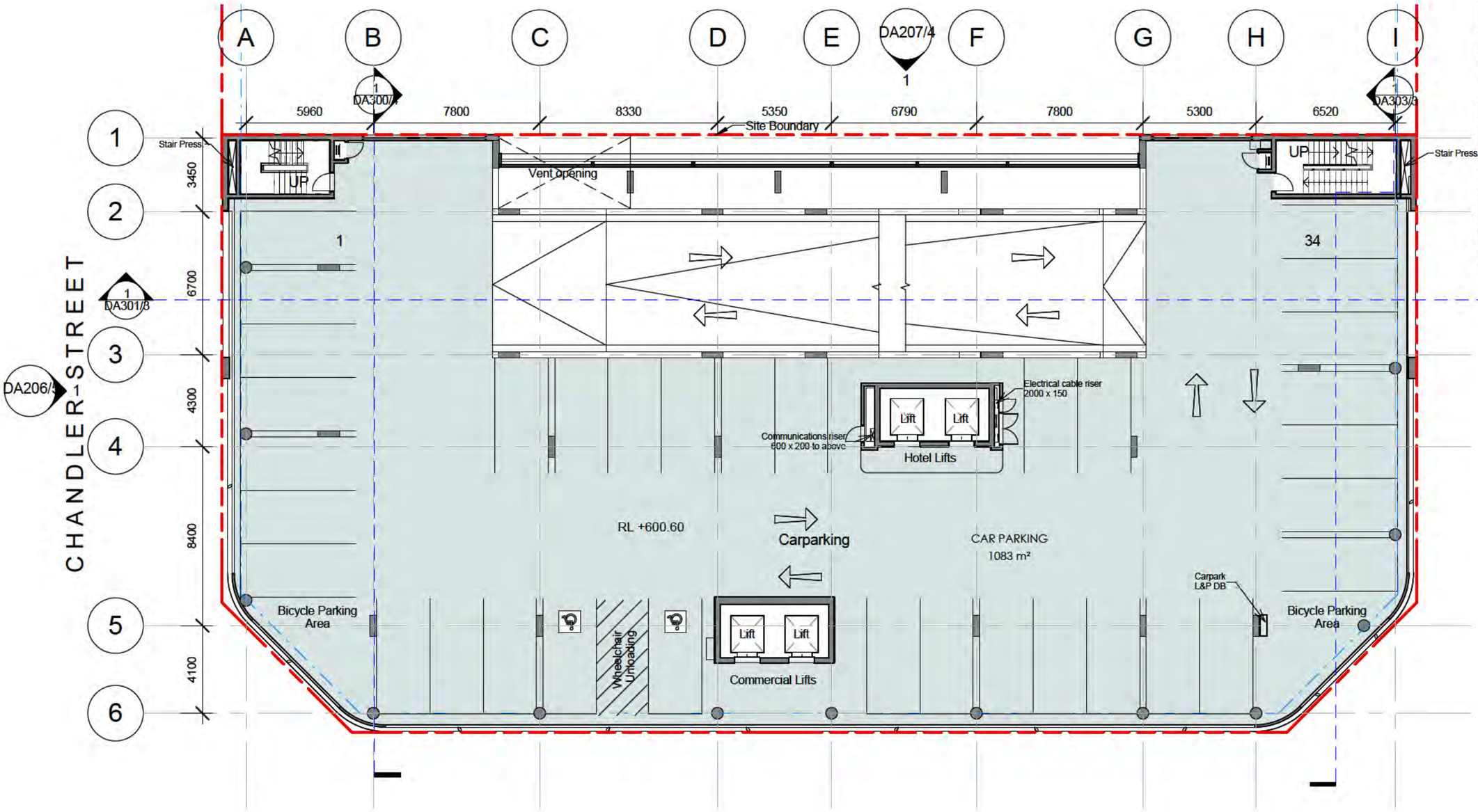
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

Hotel & Commercial Parking Schedule		
Level	PARKING SPACE	No. of Parking Spaces
LEVEL 1 - CARPARK	Motorcycle	4
Motorcycle		4
Motorcycle space: 4		4
LEVEL 1 - CARPARK	Car space	31
LEVEL 2 - CARPARK	Car space	32
LEVEL 3 - CARPARK	Car space	32
LEVEL 4 - CARPARK	Car space	29
Car space		124
LEVEL 1 - CARPARK	Disabled car space	2
LEVEL 2 - CARPARK	Disabled car space	2
LEVEL 3 - CARPARK	Disabled car space	2
LEVEL 4 - CARPARK	Disabled car space	2
Disabled car space		8
Parking Space: 132		132



1 LEVEL 2 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 2 - CARPARK

SCALE : 1 : 200 @A3
DATE : 07/03/17

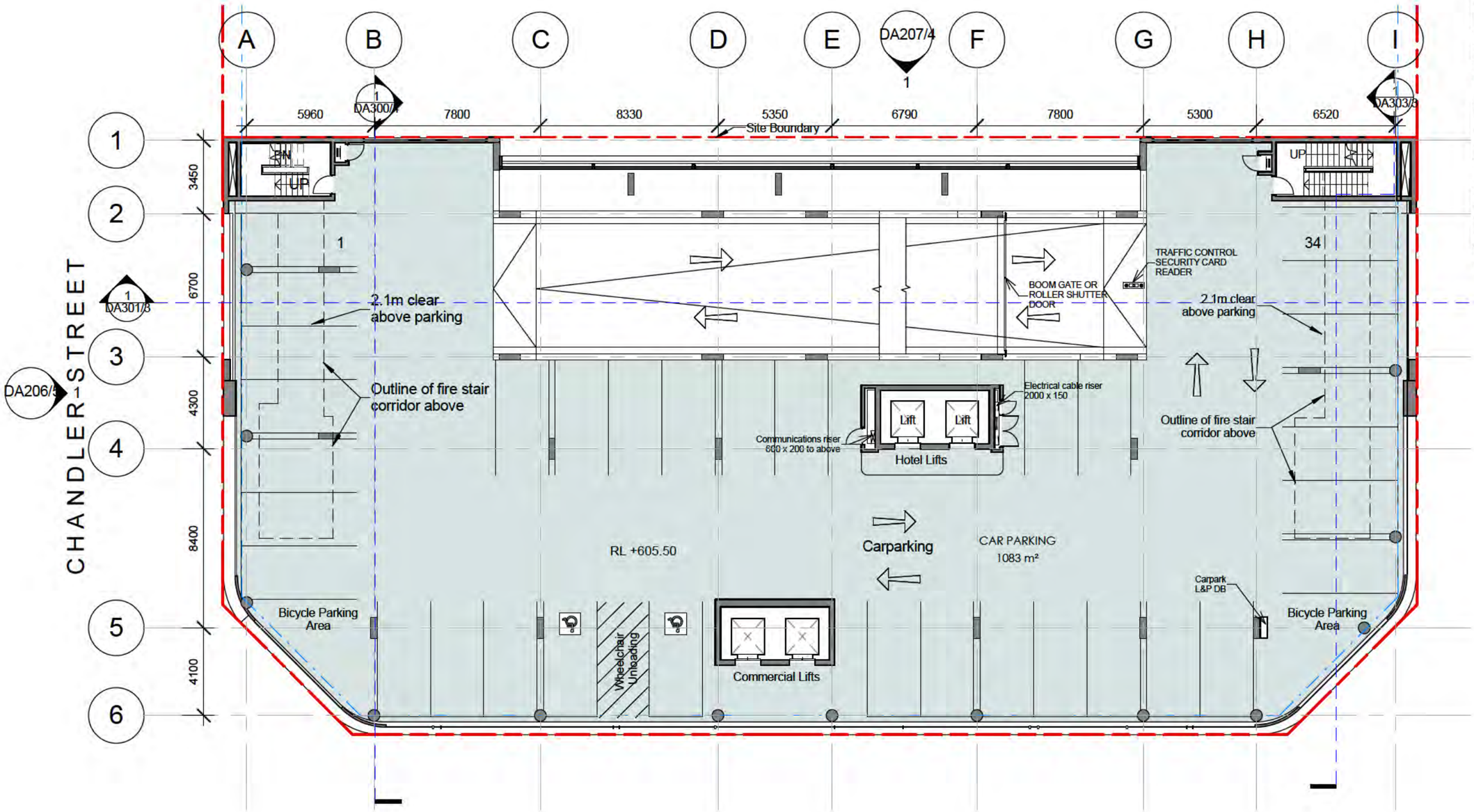
Drawing Number
DA104/3

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

Hotel & Commercial Parking Schedule		
Level	PARKING SPACE	No. of Parking Spaces
LEVEL 1 - CARPARK	Motorcycle	4
Motorcycle		4
Motorcycle space: 4		4
LEVEL 1 - CARPARK	Car space	31
LEVEL 2 - CARPARK	Car space	32
LEVEL 3 - CARPARK	Car space	32
LEVEL 4 - CARPARK	Car space	29
Car space		124
LEVEL 1 - CARPARK	Disabled car space	2
LEVEL 2 - CARPARK	Disabled car space	2
LEVEL 3 - CARPARK	Disabled car space	2
LEVEL 4 - CARPARK	Disabled car space	2
Disabled car space		8
Parking Space: 132		132



1 LEVEL 3 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 3 - CARPARK

SCALE : 1 : 200 @A3
DATE : 07/03/17

Drawing Number
DA105/3

DA SUBMISSION

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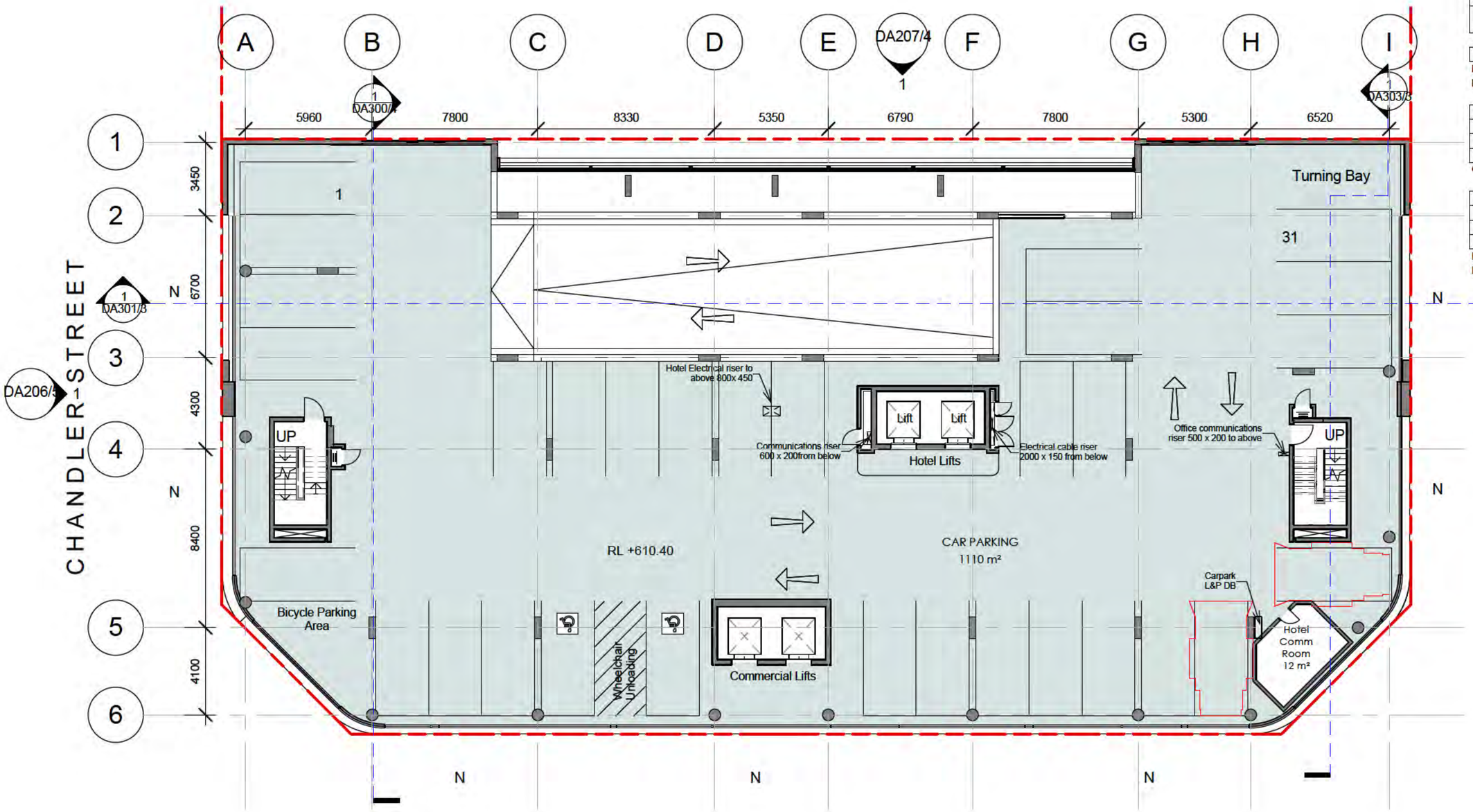
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

Hotel & Commercial Parking Schedule		
Level	PARKING SPACE	No. of Parking Spaces
LEVEL 1 - CARPARK	Motorcycle	4
Motorcycle		4
Motorcycle space: 4		4
LEVEL 1 - CARPARK	Car space	31
LEVEL 2 - CARPARK	Car space	32
LEVEL 3 - CARPARK	Car space	32
LEVEL 4 - CARPARK	Car space	29
Car space		124
LEVEL 1 - CARPARK	Disabled car space	2
LEVEL 2 - CARPARK	Disabled car space	2
LEVEL 3 - CARPARK	Disabled car space	2
LEVEL 4 - CARPARK	Disabled car space	2
Disabled car space		8
Parking Space: 132		132



1 LEVEL 4 - CARPARK
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 4 - CARPARK

SCALE : 1 : 200 @A3
DATE : 13/03/17

Drawing Number
DA106/4

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

No. OF UNITS
UNIT TYPE
1B
1
1B-Acc
4
2B
14
2B - Acc
1
2B TK
30
3B TK
5
Studio
35
Grand total: 90

CAMERON AVENUE

1 LEVEL 5 - HOTEL
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 5 - HOTEL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA107/2

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

CAMERON AVENUE

1 LEVEL 6 - HOTEL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 6 - HOTEL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA108/2

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

CAMERON AVENUE

2 DA208/3
1 DA204/4

1 LEVEL 7 - HOTEL
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 7 - HOTEL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA109/2

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

CAMERON AVENUE

1 LEVEL 8 - HOTEL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 8 - HOTEL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA110/2

DA SUBMISSION

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CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 LEVEL 9 - HOTEL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 9 - HOTEL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA111/2

DA SUBMISSION

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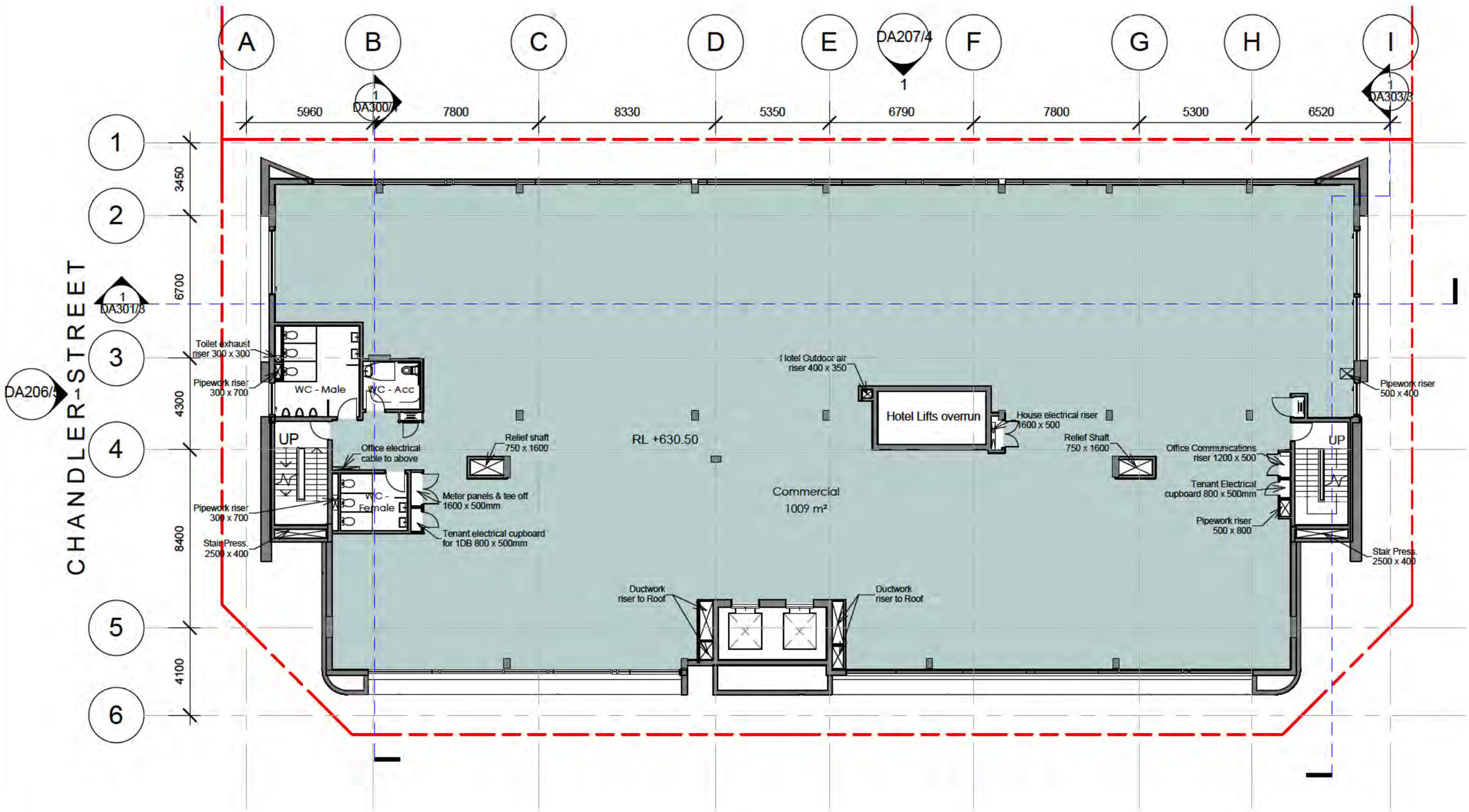
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



CAMERON AVENUE

2 DA208/3
1 DA204/4

1 LEVEL 10 - COMMERCIAL
1 : 200

0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 10 - COMMERCIAL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA112/2

DA SUBMISSION

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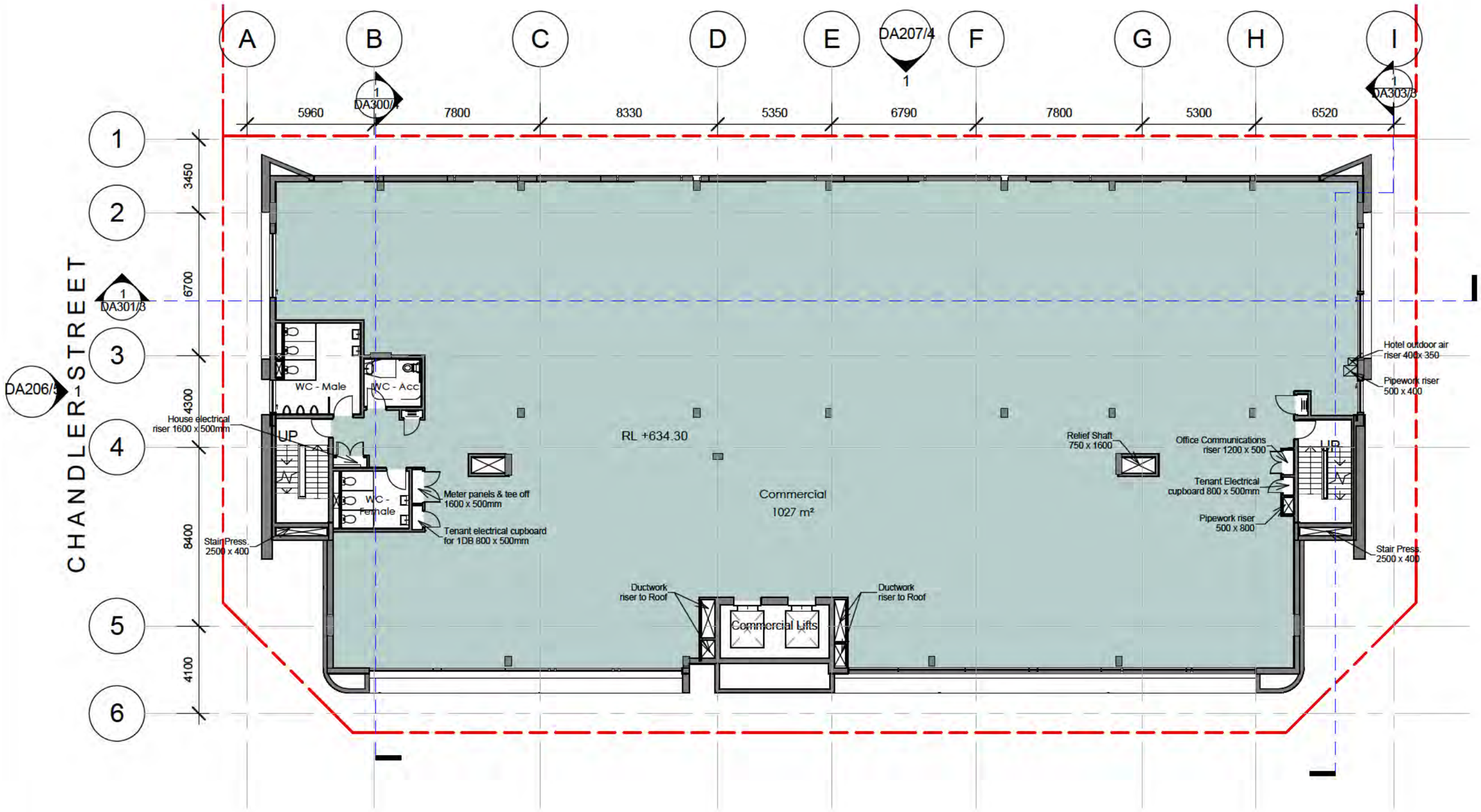
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



CAMERON AVENUE

2 DA208/3
1 DA204/4

1 LEVEL 11 - COMMERCIAL
1 : 200
0 2 5 10 20m

NORTH

DRAWING TITLE
LEVEL 11 - COMMERCIAL

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA113/2

DA SUBMISSION

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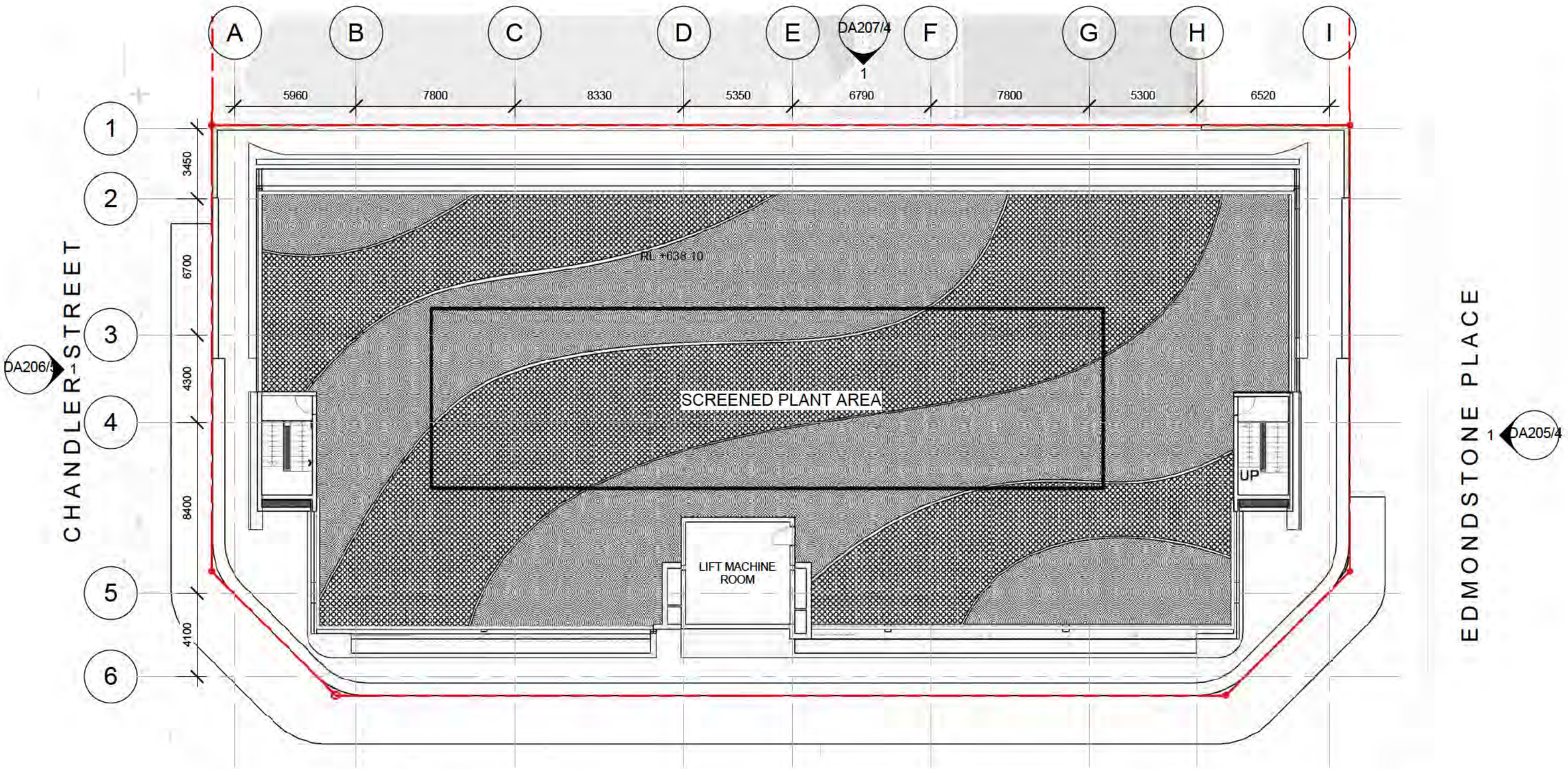
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 LEVEL 12 - ROOF
1 : 200
0 2 5 10 20m

NORTH

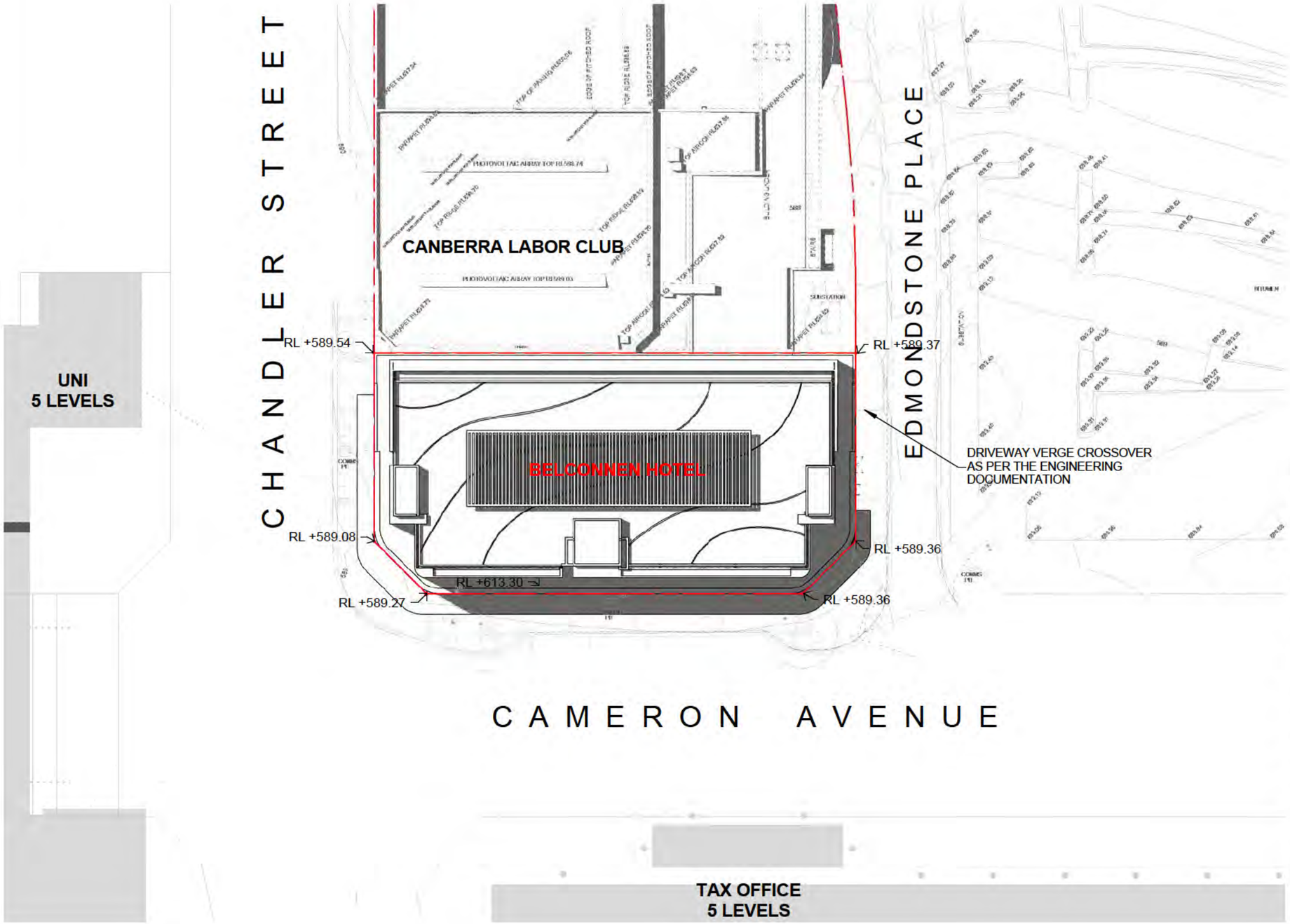
DRAWING TITLE
ROOF PLAN

SCALE : 1 : 200 @A3
DATE : 13/03/17

Drawing Number
DA114/3

DA SUBMISSION

ROBERTSON+MARKS



Belconnen Hotel - Gross Floor Area	
Level	Area
BASEMENT - HOTEL	687 m²
GROUND LEVEL - HOTEL	1523 m²
LEVEL 1 - CARPARK	1418 m²
LEVEL 2 - CARPARK	1345 m²
LEVEL 3 - CARPARK	1347 m²
LEVEL 4 - CARPARK	1348 m²
LEVEL 5 - HOTEL	1087 m²
LEVEL 6 - HOTEL	1087 m²
LEVEL 7 - HOTEL	1087 m²
LEVEL 8 - HOTEL	1087 m²
LEVEL 9 - HOTEL	1087 m²
LEVEL 10 - COMMERCIAL	1134 m²
LEVEL 11 - COMMERCIAL	1132 m²
	15370 m²

NORTH

DRAWING TITLE

SITE PLAN

1 SITE PLAN

1 : 500

0 2 5 10 20 30 40m

SCALE : 1 : 500 @A3
DATE : 13/03/17

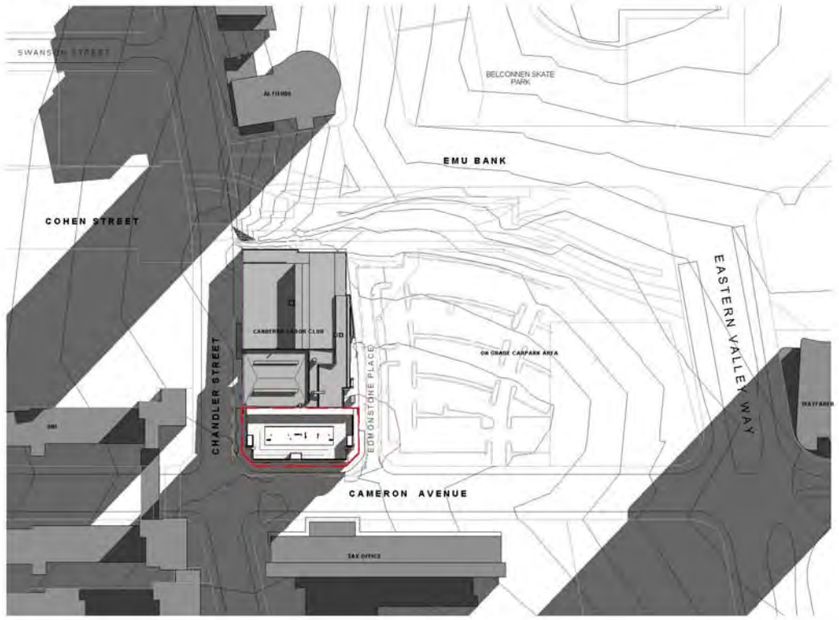
Drawing Number
DA115/4

DA SUBMISSION

ROBERTSON+MARKS

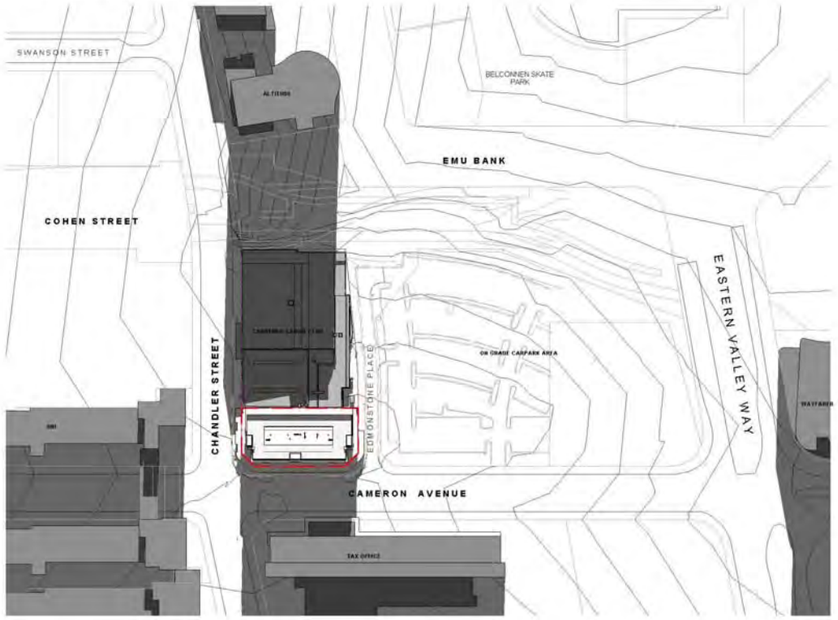
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

[1 of 7] [June 21, 2010 - 09:00]



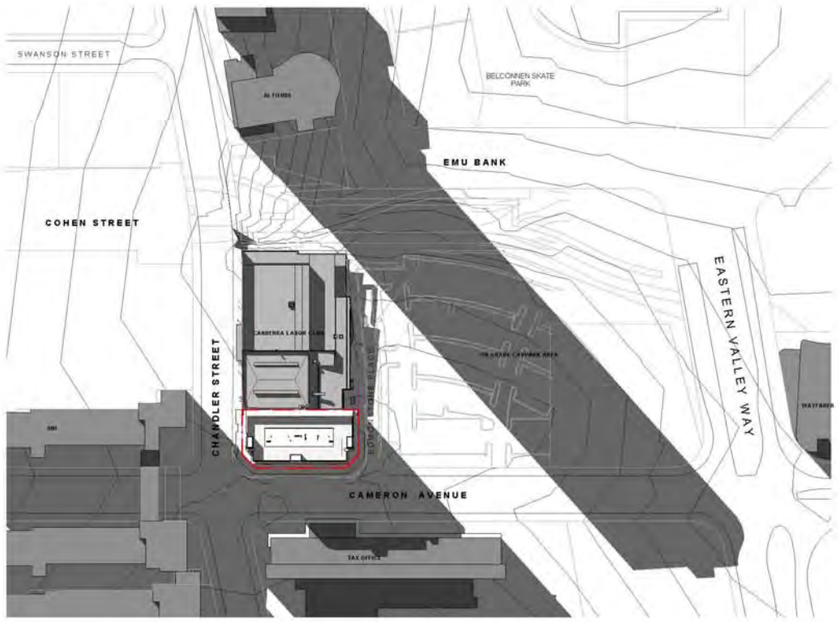
JUNE 21 - 9AM:

[4 of 7] [June 21, 2010 - 12:00]



JUNE 21 - 12PM:

[7 of 7] [June 21, 2010 - 15:00]



JUNE 21 - 3PM:

NORTH

DRAWING TITLE

SOLAR DIAGRAMS - JUNE 21

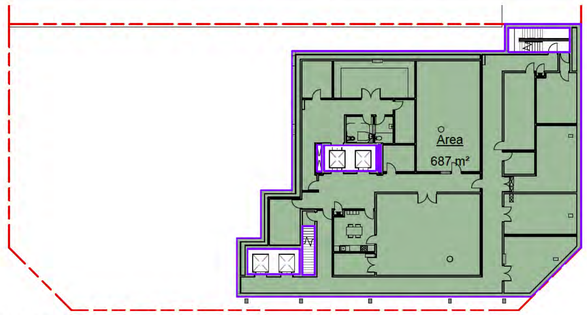
SCALE : @A3
DATE : 14/09/16

Drawing Number
DA116/1

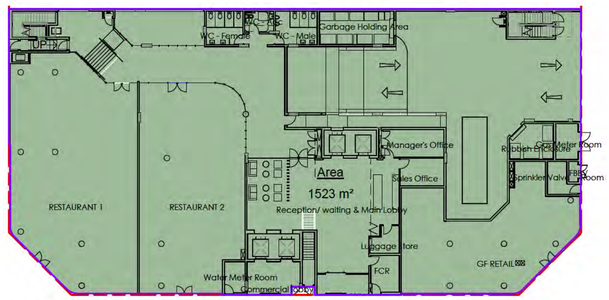
DA SUBMISSION

ROBERTSON+MARKS

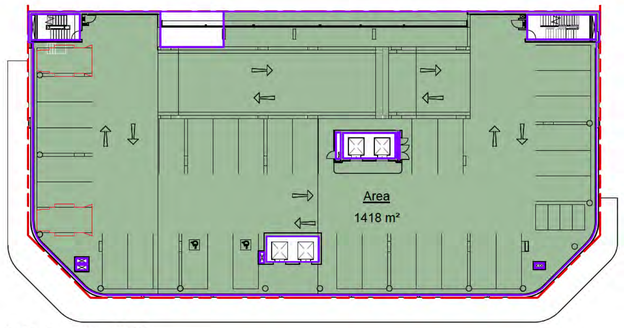
CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48 BELCONNEN



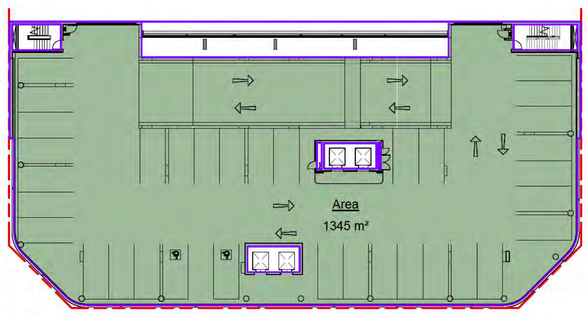
1 BASEMENT - HOTEL
1 : 300



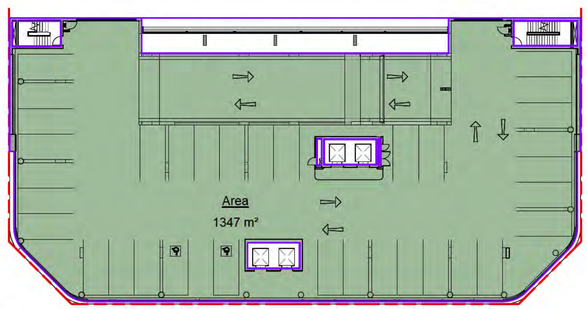
2 GROUND LEVEL - HOTEL
1 : 300



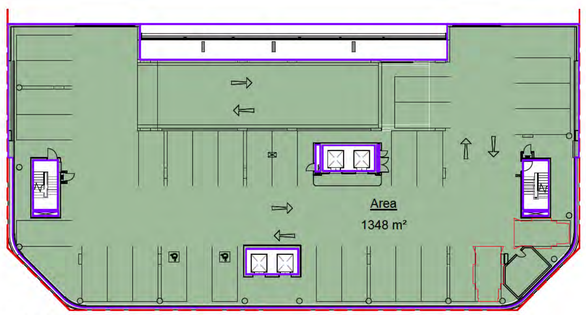
3 LEVEL 1 - CARPARK
1 : 300



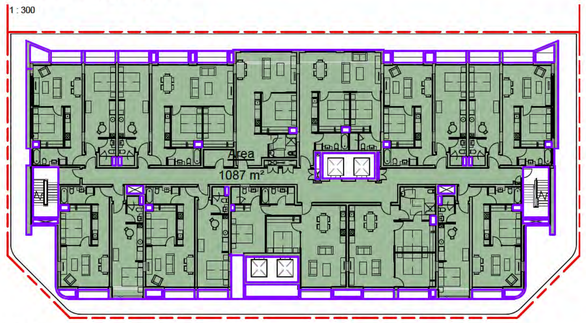
4 LEVEL 2 - CARPARK
1 : 300



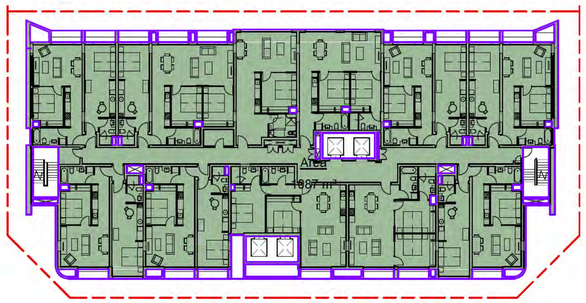
5 LEVEL 3 - CARPARK
1 : 300



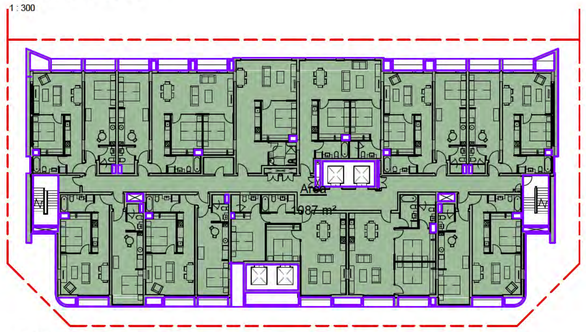
6 LEVEL 4 - CARPARK
1 : 300



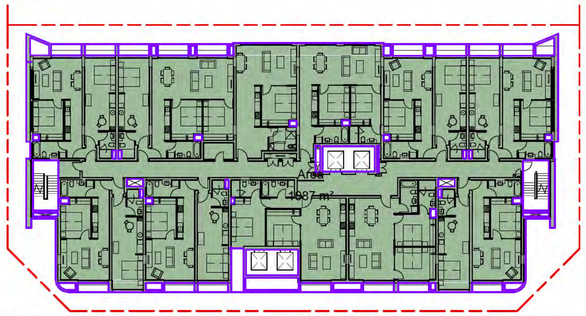
7 LEVEL 5 - HOTEL
1 : 300



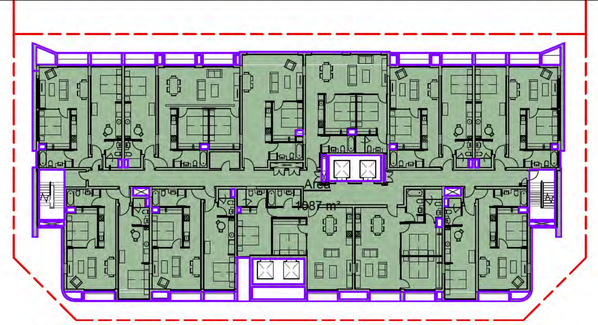
8 LEVEL 6 - HOTEL
1 : 300



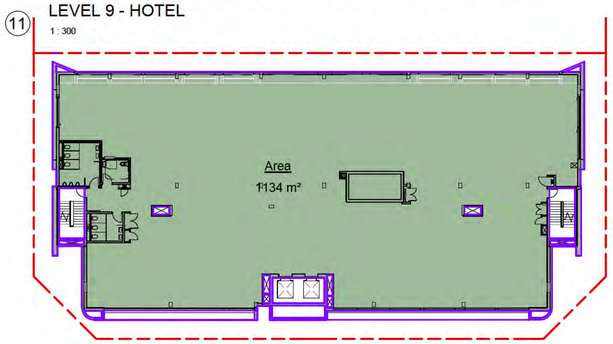
9 LEVEL 7 - HOTEL
1 : 300



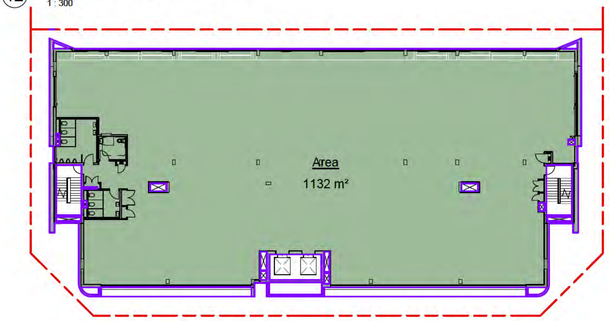
10 LEVEL 8 - HOTEL
1 : 300



11 LEVEL 9 - HOTEL
1 : 300



12 LEVEL 10 - COMMERCIAL
1 : 300



13 LEVEL 11 - COMMERCIAL
1 : 300

Belconnen Hotel - Gross Floor Area	
Level	Area
BASEMENT - HOTEL	687 m²
GROUND LEVEL - HOTEL	1523 m²
LEVEL 1 - CARPARK	1418 m²
LEVEL 2 - CARPARK	1345 m²
LEVEL 3 - CARPARK	1347 m²
LEVEL 4 - CARPARK	1348 m²
LEVEL 5 - HOTEL	1087 m²
LEVEL 6 - HOTEL	1087 m²
LEVEL 7 - HOTEL	1087 m²
LEVEL 8 - HOTEL	1087 m²
LEVEL 9 - HOTEL	1087 m²
LEVEL 10 - COMMERCIAL	1134 m²
LEVEL 11 - COMMERCIAL	1132 m²
	15370 m²

TRUE NORTH

DRAWING TITLE

AREA PLANS

SCALE : 1 : 300 @A1
DATE : 20/01/17

Drawing Number
DA117/2

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 CAMERON AVENUE ELEVATION

1 : 250

0 2 5 10 20m

DRAWING TITLE
SOUTH ELEVATION

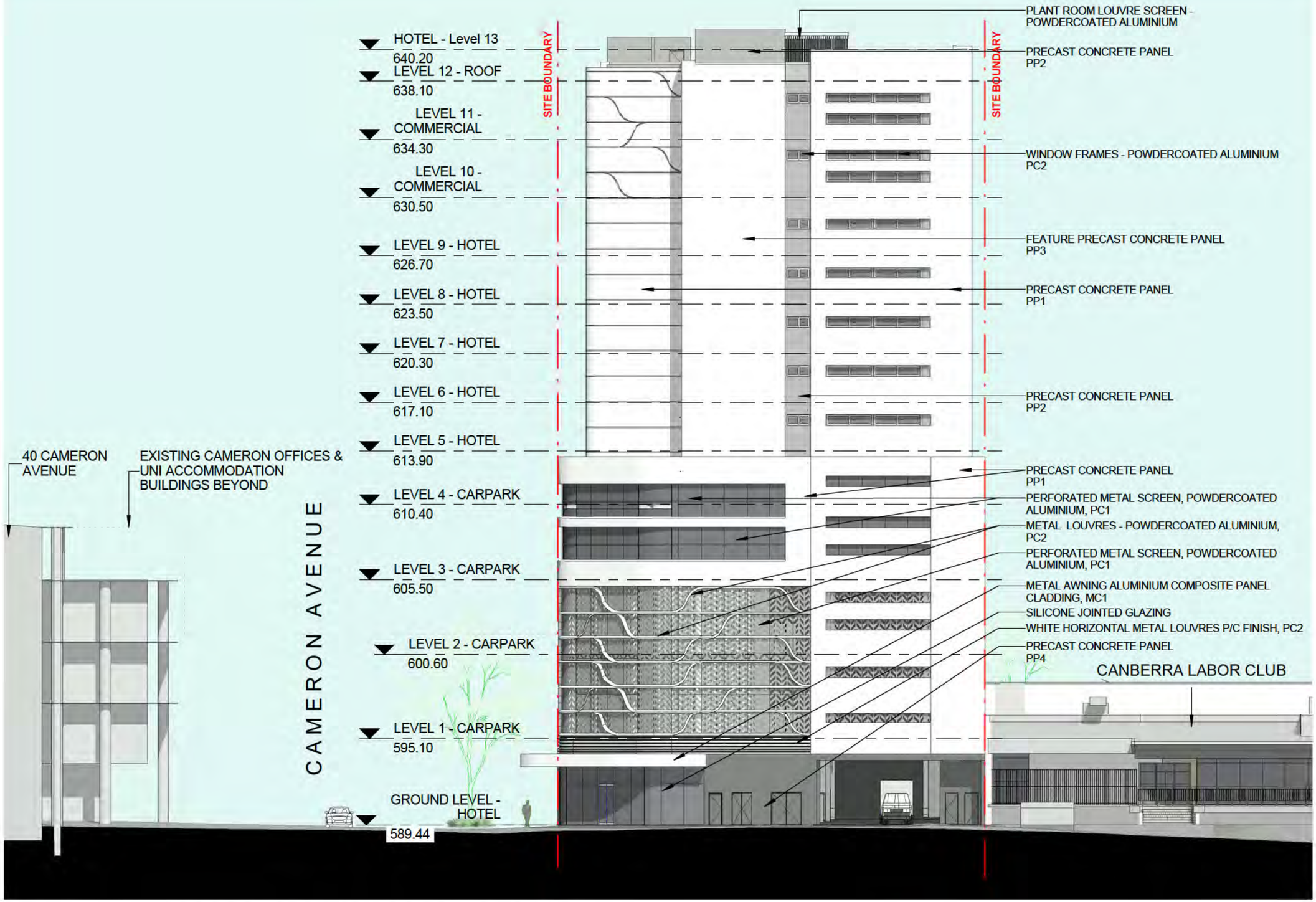
SCALE : 1 : 250 @A3
DATE : 07/03/17

Drawing Number
DA204/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 EDMONDSTONE PLACE ELEVATION

1 : 250

0 2 5 10 20m

DRAWING TITLE
EAST ELEVATION

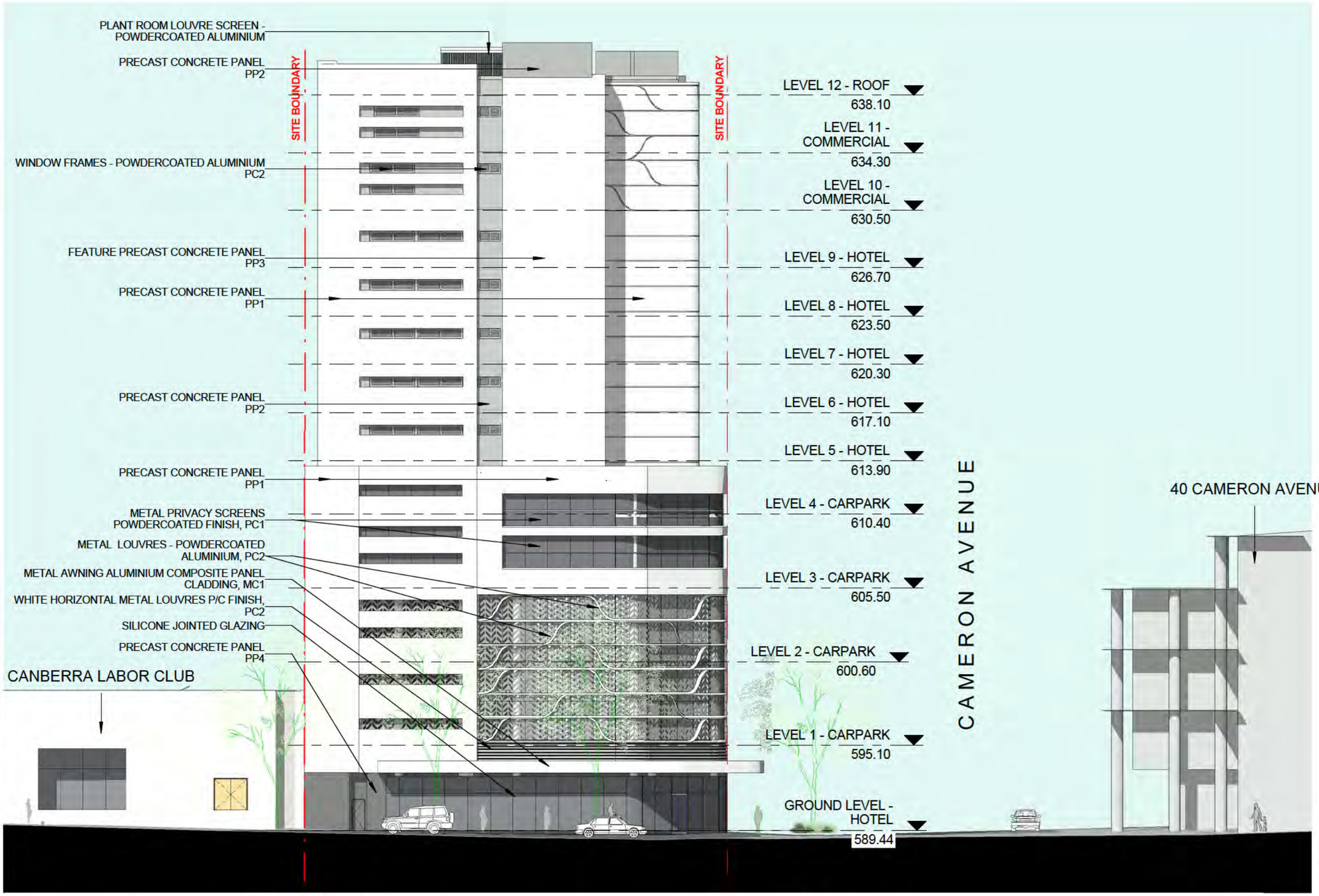
SCALE : 1 : 250 @A3
DATE : 07/03/17

Drawing Number
DA205/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 CHANDLER STREET ELEVATION

1 : 250

0 2 5 10 20m

DRAWING TITLE
WEST ELEVATION

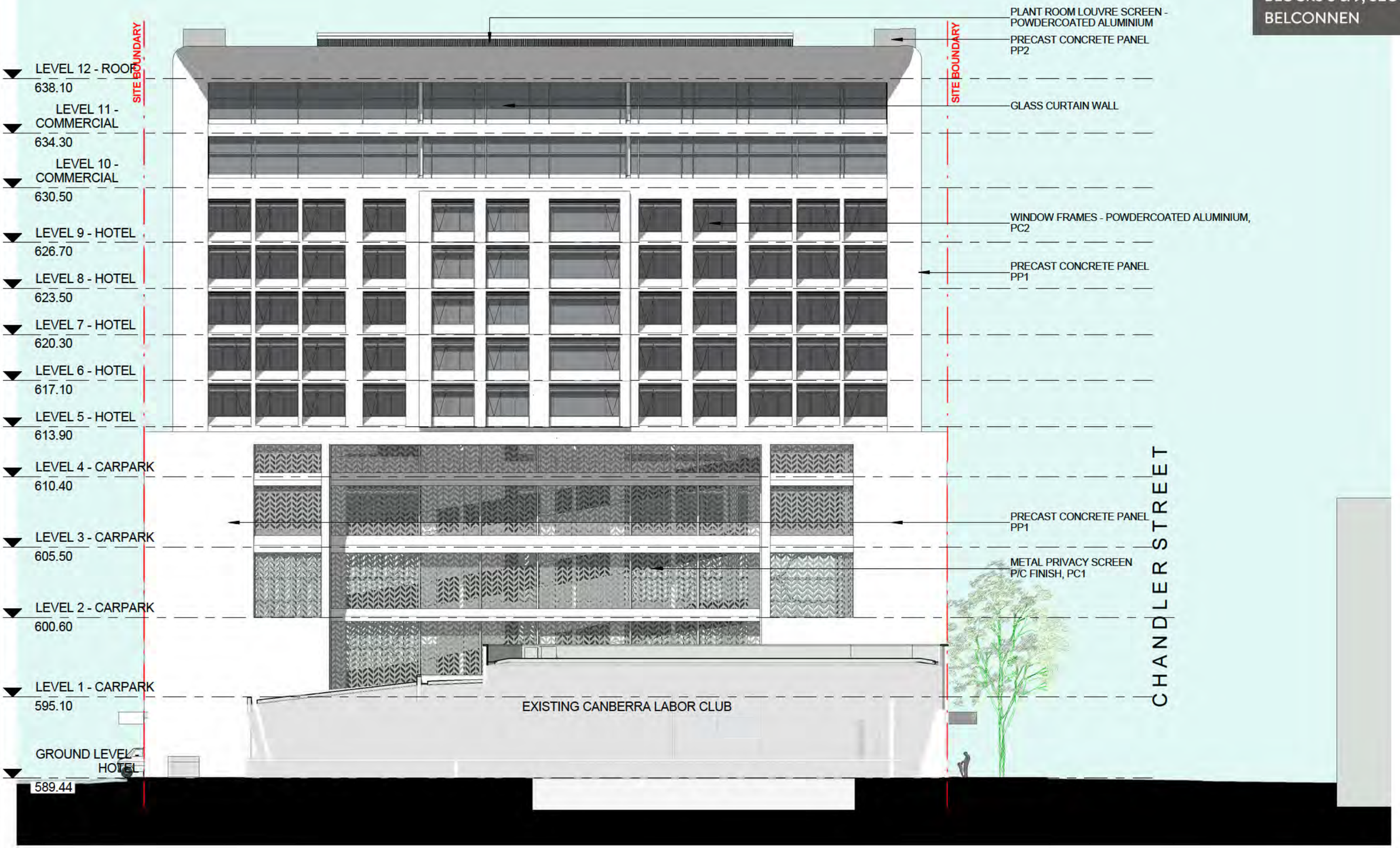
SCALE : 1 : 250 @A3
DATE : 13/03/17

Drawing Number
DA206/5

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 NORTH ELEVATION
1 : 250

0 2 5 10 20m

DRAWING TITLE
NORTH ELEVATION

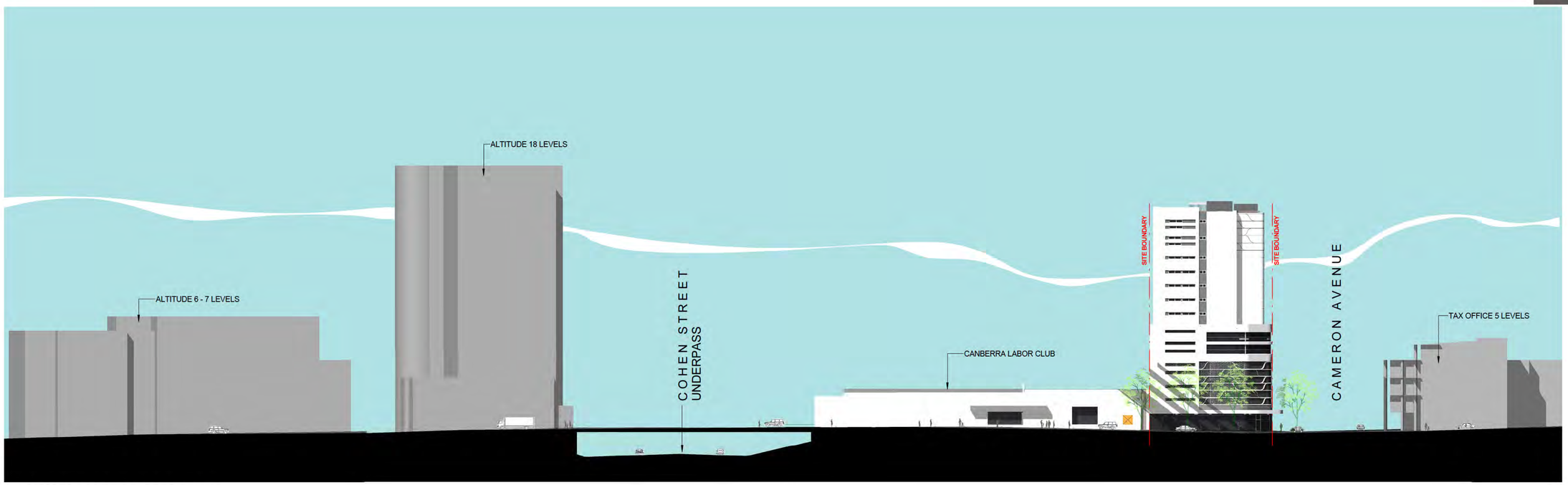
SCALE : 1 : 250 @A3
DATE : 07/03/17

Drawing Number
DA207/4

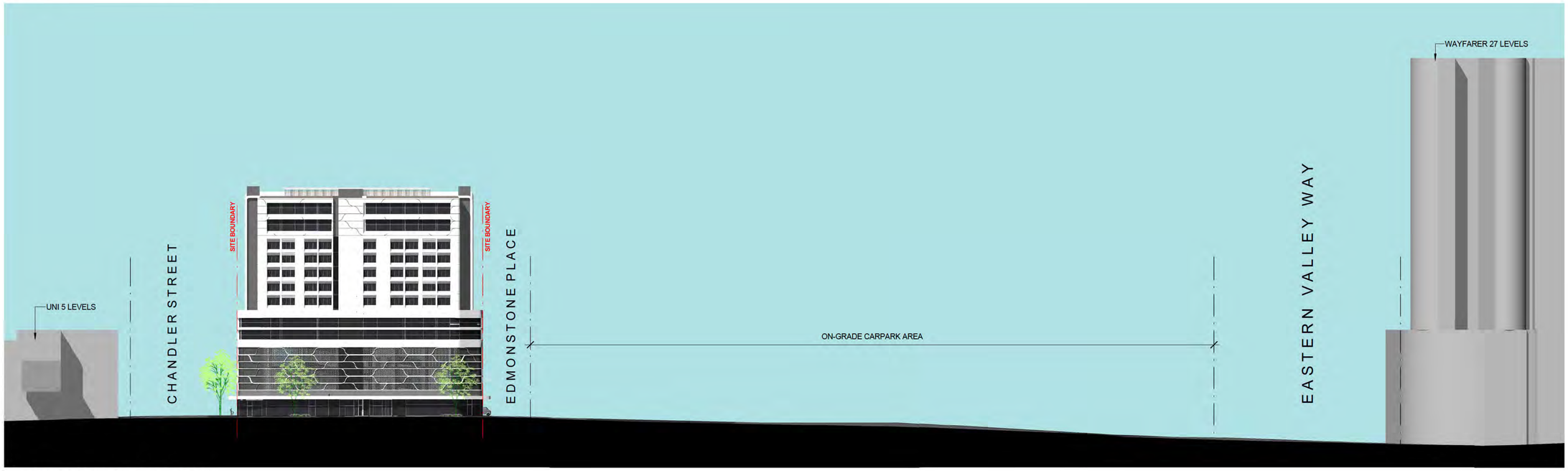
DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48 BELCONNEN



1 CHANDLER STREET ELEVATION
1 : 500



2 CAMERON AVENUE ELEVATION
1 : 500

DRAWING TITLE

STREET ELEVATIONS

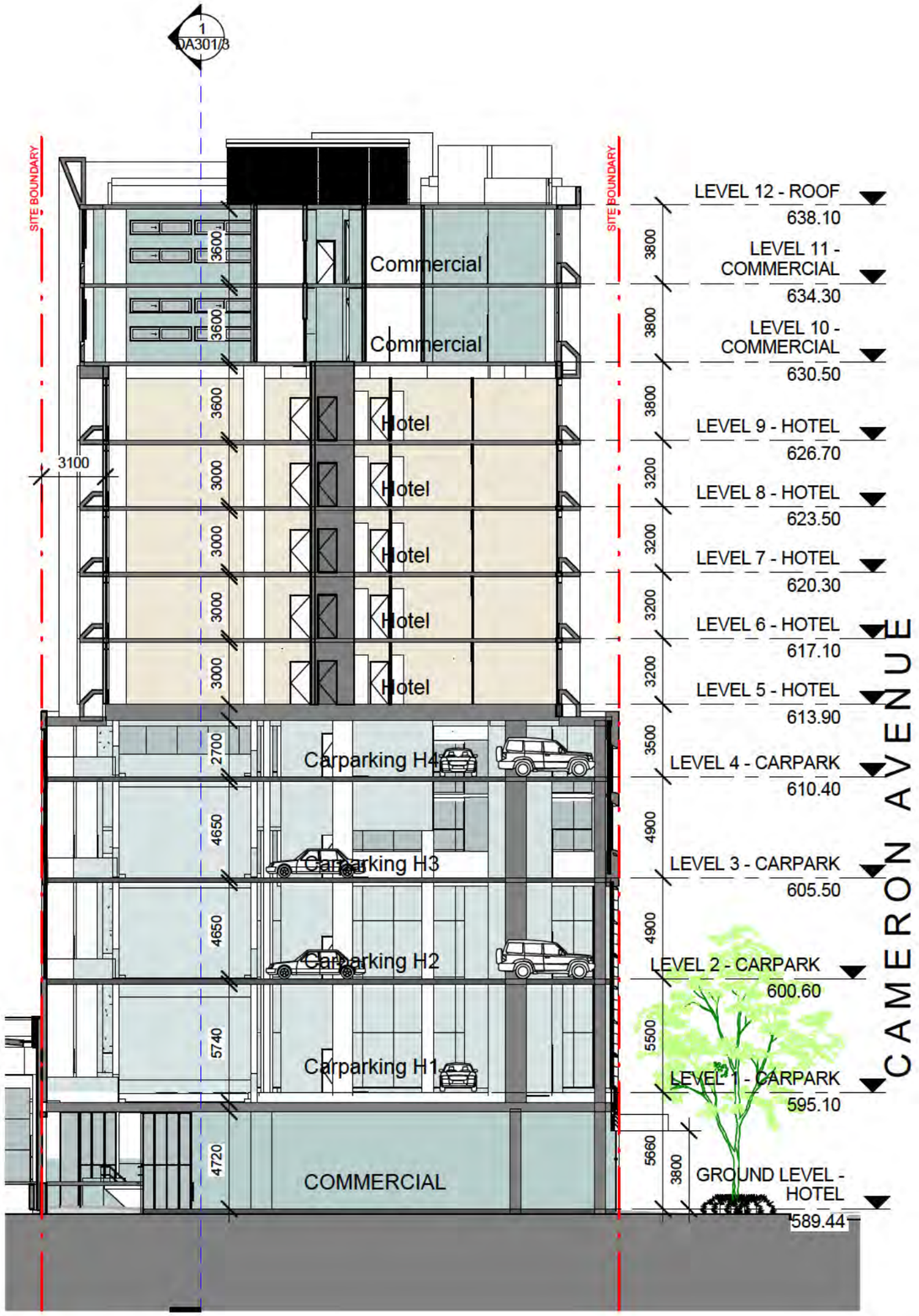
SCALE : 1 : 500 @A1
DATE : 20/01/17

Drawing Number
DA208/3

0 2 5 10 20 30 40m

DA SUBMISSION

ROBERTSON+MARKS



1 TYPICAL SECTION N-S

1 : 250

0 2 5 10 20m

DRAWING TITLE

TYPICAL SECTION N-S

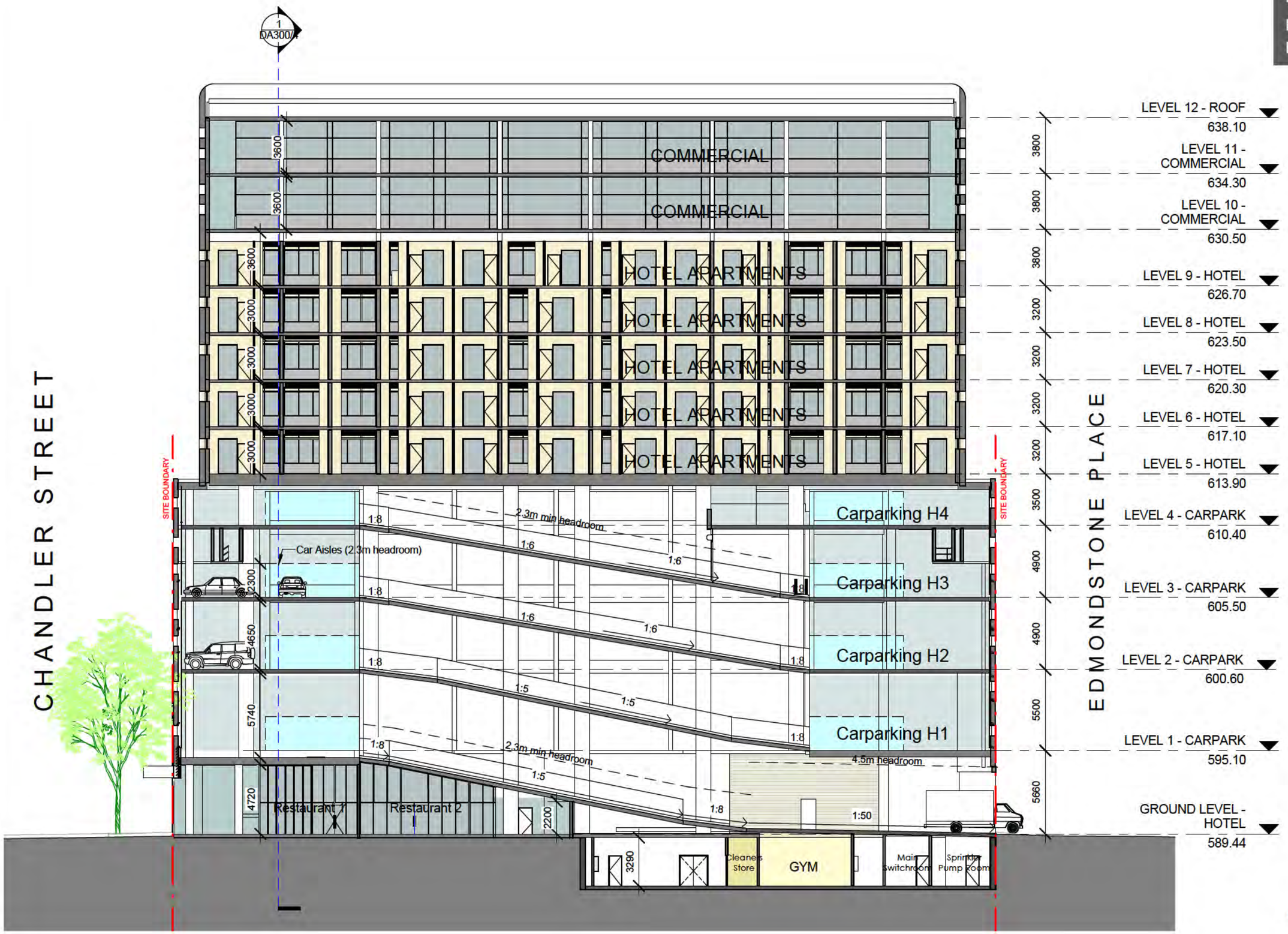
SCALE : 1 : 250 @A3
DATE : 13/03/17

Drawing Number
DA300/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 TYPICAL SECTION E-W
1 : 250

0 2 5 10 20m

DRAWING TITLE
TYPICAL SECTION E-W

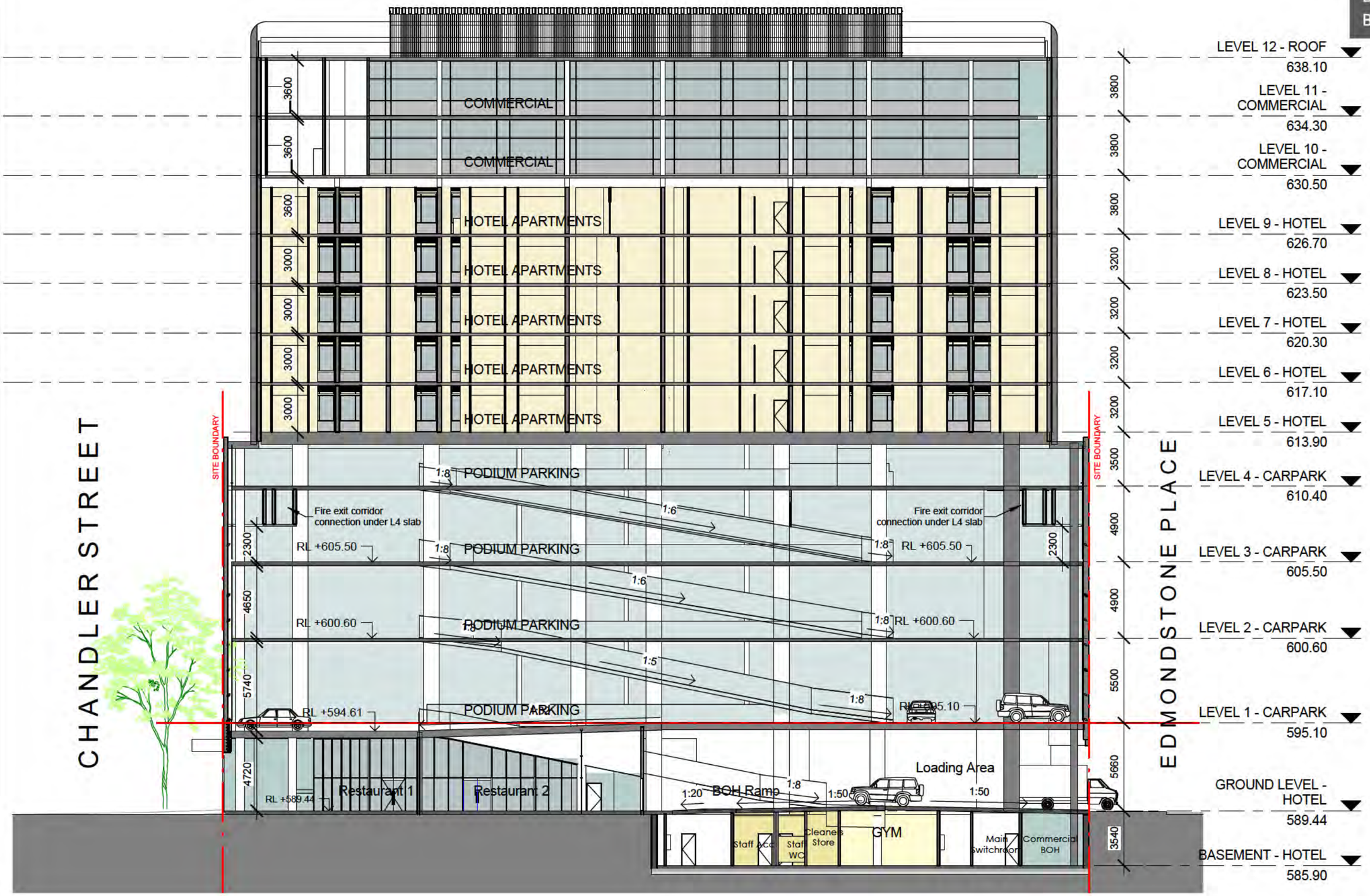
SCALE : 1 : 250 @A3
DATE : 13/03/17

Drawing Number
DA301/3

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN



1 E-W SECTION THROUGH GF COMMERCIAL & CARPARK

1 : 250

0 2 5 10 20m

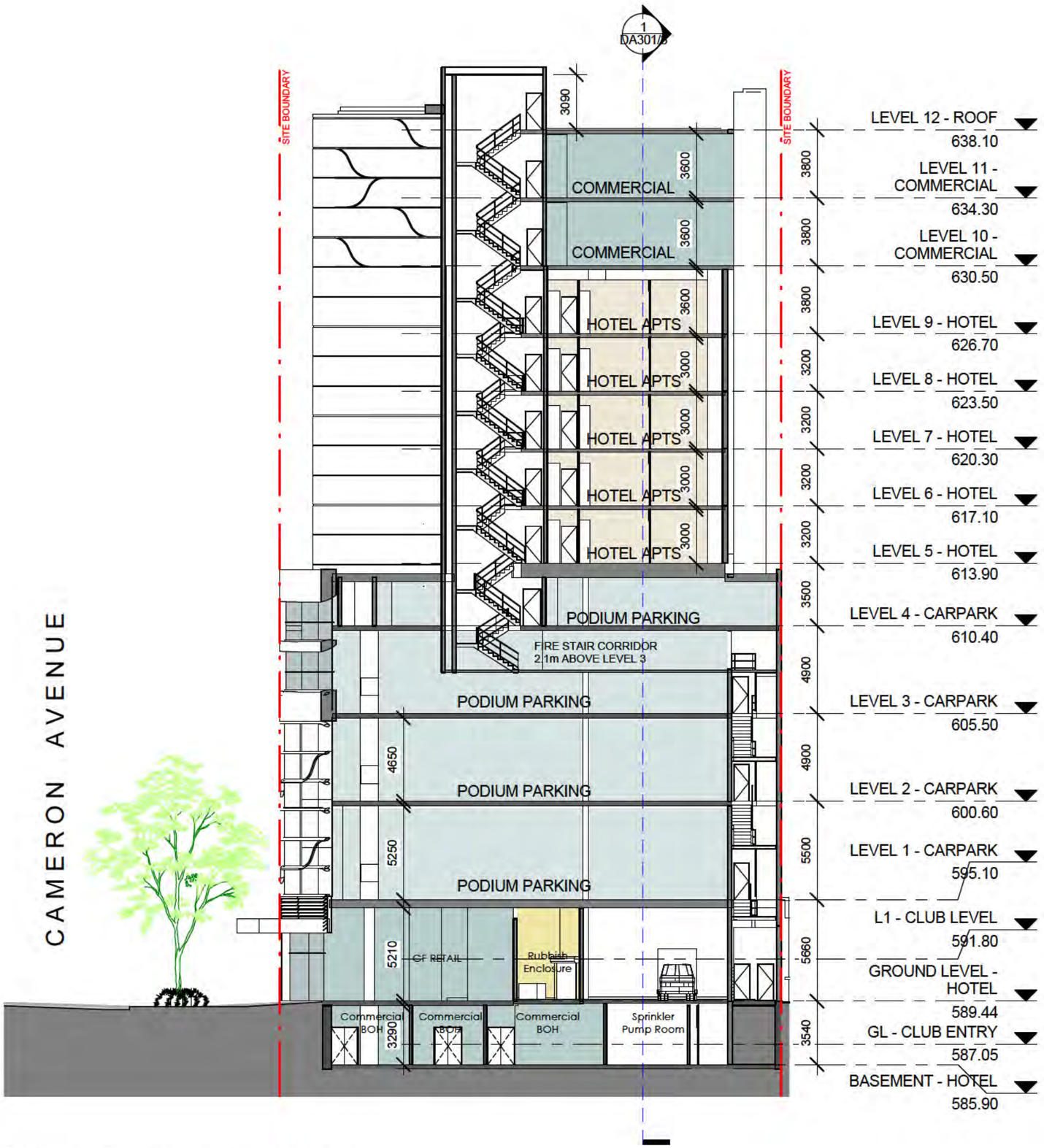
DRAWING TITLE
SECTION through CARPARK

SCALE : 1 : 250 @A3
DATE : 13/03/17

Drawing Number
DA302/3

DA SUBMISSION

ROBERTSON+MARKS



1 SECTION THROUGH RIGHT FIRE STAIR

1 : 250

0 2 5 10 20m

DRAWING TITLE
SECTION through FIRE STAIR

SCALE : 1 : 250 @A3
DATE : 13/03/17

Drawing Number
DA303/3

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 P1 - Elevated View - Cnr of Cameron Ave & Edmondstone Place
1 : 1

2 P1 - Elevated View - From Cameron Avenue
1 : 1

DRAWING TITLE
PERSPECTIVES 1

SCALE : 1 : 1 @A3
DATE : 13/03/17

Drawing Number
DA900/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 P2 - Elevated View - Cnr of Chandler St & Cameron Ave
1 : 1

2 P2 - Elevated View - Chandler St
1 : 1

DRAWING TITLE
PERSPECTIVES 2

SCALE : 1 : 1 @A3
DATE : 13/03/17

Drawing Number
DA901/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 P3 - Elevated View - Edmondstone Place
1 : 1

2 P3 - Pedestrian View - Cnr of Cameron Ave & Edmondstone Pl
1 : 1

DRAWING TITLE
PERSPECTIVES 3

SCALE : 1 : 1 @A3
DATE : 13/03/17

Drawing Number
DA902/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

1 P4 - Pedestrian View - Cnr Cameron Ave & Chandler St
1 : 1

2 P4 - Pedestrian View - Chandler St looking south
1 : 1

DRAWING TITLE
PERSPECTIVES 4

SCALE : 1 : 1 @A3
DATE : 13/03/17

Drawing Number
DA903/4

DA SUBMISSION

ROBERTSON+MARKS

CANBERRA LABOR CLUB
BELCONNEN HOTEL
BLOCKS 8 & 9, SECTION 48
BELCONNEN

	LEVELS
40 Cameron Ave	5
UNI	5
ORACLE	7
ABS	7/8
ALTITUDE	18
SENTINEL	20
WAYFARER	27

Aerial view from South West:

DRAWING TITLE
CONTEXTUAL PERSPECTIVE

SCALE : 1 : 200 @A3
DATE : 20/01/17

Drawing Number
DA904/2

DA SUBMISSION

ROBERTSON+MARKS