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**From:** EPSD DAEnquiries  
**Sent:** Tuesday, 4 December 2018 10:25 AM  
**To:** studio@sqca.com.au  
**Subject:** DA-201629628 - S165D [SEC=UNCLASSIFIED]

Good Morning John Ramanu

This email is to advise that further information is required regarding the S165D information submitted to satisfy condition A1 in the Notice of Decision for DA-201629628 (Lyneham Section 41, Block 4).

In order to satisfy the relevant condition, we require a written statement from relevant utility service providers that confirms all utility services have been permanently disconnected from building D and the two specified demountable classrooms.

Please note, the requested further information can be provided via return email.

Kind regards,

**DA Enquiries**

Phone: **6207 1923** | [DAEnquiries@act.gov.au](mailto:DAEnquiries@act.gov.au)

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



SQC Architecture  
C/O John Ramanu  
Unit 3, Level 1, 22 Thynne Street  
Bruce ACT 2617

**BLOCK 4 SECTION 41 - LYNEHAM**  
**Application Number: 201629628**

Dear Mr Ramanu

I refer to the plans/information you submitted in response to condition A1 of the Notice of Decision with respect to the above Development Application.

The plans/information have been assessed and are not considered to satisfy condition A1.

The photos provided are not enough evidence that the existing Building-D and two demountable type classrooms are disconnected permanently from all utility services. Please provide a written statement from either utility providers or from a suitably qualified person who can undertake the disconnection that the above disconnection has been completed.

If you wish to lodge information consistent with the current notice of decision, please re-lodge a new S165 application in edevelopment.

Note that lodging an application to amend the proposal is not an automatic approval process. It will need to be considered against the relevant legislation, Territory Plan and Codes. If you would like to discuss this matter further please telephone me on 6207 6383.

Yours sincerely

A handwritten signature in black ink, appearing to be the name "Trent". The signature is stylized and somewhat abstract, with several vertical strokes and a horizontal line at the top.

Trent – Development Assessment Coordinator  
Planning Delivery – ACTPLA / EPSDD  
ACT Government  
16 Challis Street, Dickson ACT  
10 January 2019

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**From:** EPD, Customer Services  
**Sent:** Friday, 11 January 2019 3:31 PM  
**To:** studio@sqca.com.au  
**Cc:** gregz@wings-of-eagles.com  
**Subject:** ENDORSEMENT LETTER-201629628-S165D-4/41 LYNEHAM [SEC=UNOFFICIAL]  
**Attachments:** ENDORSEMENT LETTER-201629628-S165D-SIGNED.PDF

Good Afternoon,

Please see attached Endorsement Letter for Block 4 Section 41 Suburb LYNEHAM.  
Development Application No: 201629628 – S165D.

For further information please contact DA Coordinator on **6205 2888** or email **DAEnquiries@act.gov.au**.

**Jenna McAlpin | Customer Services Officer | Environment, Planning & Land Shopfront**  
Phone: 02 6207 1923 | Email: [epdcustomerservices@act.gov.au](mailto:epdcustomerservices@act.gov.au)  
**Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government**  
GPO Box 158, Canberra City ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



Planning and Development Act 2007

# Development Application

Application Number: **201629628S165E**

## Type of Application

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

## Lease/Site Details

### Site Number: 1

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

## Applicant Details

ACN or ABN			
83074611215			
Company Name		Position held / Title	
SQC Architecture		User	
Salutation	First Name	Surname	
None	John	Ramanu	
Postal Address 1		Postal Address 2	
Unit 3, Level 1, 22 Thynne Street			
Postal Address 3			
Suburb	State/Territory	Postcode	Country
BRUCE	ACT	2617	Australia
Phone Number	Fax Number	Mobile Number	
62788500			
Email			
studio@sqca.com.au			

## Lessee (Property Owners) Details

### Lessee Number: 1

Is the Lessee a

Agency

Australian Business Number (ABN)

21100229669

Company Name

Brindabella Christian Education Limited

Position held / Title

Chair

Salutation

None

First Name

Greg

Surname

Zwajgenberg

Postal Address 1

136 Brigalow Street

Postal Address 2

Postal Address 3

Suburb

Lyneham

State/Territory

ACT

Postcode

2602

Country

Australia

Phone Number

62474644

Fax Number

62487940

Mobile Number

Email

## List Amendments Being Satisfied

Response to satisfy Condition A1 of Notice of Decision.

## 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

9/04/2019

20180406 Itr ACTPLA re D Block  
6 April 2019

Planning Delivery – ACTPLA / EPSDD  
ACT Government Environment  
16 Challis Street  
DICKSON, ACT, 2601

Attention: Trent – Development Assessment Co-ordinator

Dear Trent

BLOCK 4 SECTION 41 – LYNEHAM  
DA No 201629628

It has come to my attention that we have not provided a written response to your letter of 10 January 2019. I am the Director responsible for the building covered by DA No 201629628, which we refer to as the Junior School Building. The building was completed and opened in February 2018.

You have advised that the photos we provide at the time of completion of the disconnected power are not satisfactory and have requested written statements from the utility providers. We would be more than happy to comply with your request however in the intervening time works on site have made this request no longer applicable.

Since the building was completed, the Building D has been demolished with required authority permits and the 2 Demountables adjacent removed to make way for the construction of the Sports Hall and Performing Arts Building which is nearing completion. The photograph below shows the new building from the School Canteen. The photograph was taken on 30<sup>th</sup> January 2019. The building is on the site of D Block and the 2 demountables were to the right of the image (where the excavator is in the image), at the time of the DA.







We trust that this photographic evidence of the removal of the buildings in question will meet with your requirements and allow the sign off for this condition. Should you have any questions relating to this matter please call Nicholas Goodwin or Ric Small on 6278 8500

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nicholas Goodwin'.

Nicholas Goodwin AIA  
Director \ \ Snr Architect



**ACT**  
Government

Environment and Planning

SQC Architecture  
C/O John Ramanu  
Unit 3, Level 1, 22 Thynne Street  
Bruce ACT 2617

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

Dear Mr Ramanu

I refer to the plans/information you submitted in response to conditions A1 of the Notice of Decision with respect to the above Development Application.

The plans/information now satisfy conditions A1 of the decision and have been endorsed to form part of the above Development Approval.

If you would like to discuss this matter further please telephone on 6207 6383.

Yours sincerely

Ms Fawzia Majid

23 May 2019

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**From:** EPD, Customer Services  
**Sent:** Friday, 24 May 2019 10:55 AM  
**To:** studio@sqca.com.au  
**Subject:** ENDORSEMENT LETTER- 201629628-S165E-136, 4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** ENDORSEMENT LETTER-201629628-S165E-SIGNED.PDF

Good Afternoon,

Please see attached Endorsement letter for Block 4 Section 41 Suburb LYNEHAM Development Application No: 201629628-S165E

For further information please contact: 6207 6383.

Online Form: [https://www.accesscanberra.act.gov.au/app/forms/epd\\_feedback](https://www.accesscanberra.act.gov.au/app/forms/epd_feedback)

Kind regards,

David | Customer service officer

**Access Canberra | ACT Government**

**Environment, Planning and Land Building Services**

16 Challis Street, Dickson | 8 Darling Street, Mitchell

Phone: 02 6207 1923 | Email: [EPDCustomerServices@act.gov.au](mailto:EPDCustomerServices@act.gov.au)

GPO Box 158, Canberra City ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

A purple rectangular banner with white text. On the left, it says "Access Canberra. is moving" in a bold, sans-serif font. To the right of this text is a small graphic of several white dots of varying sizes arranged in a loose, upward-curving pattern. Further to the right, in a smaller font, it says "To find all our Canberra Service Centres visit" followed by the URL "act.gov.au/accessCBR" in a bold font.

**Access Canberra.**  
**is moving**

To find all our Canberra  
Service Centres visit  
[act.gov.au/accessCBR](http://act.gov.au/accessCBR)

*Land titles and revenue services are moving to Dame Pattie Menzies House, 16 Challis Street, Dickson and will be co-located with the Access Canberra Environment, Planning and Land Shopfront. These services will be available at this new location from 1 December 2016. For more information visit [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)*

Planning and Development Act 2007

# Development Application

Application Number: **201834545**

## Before Starting

**PLEASE NOTE:** This wizard will time out if left inactive for a period of more than two hours, after which time you will lose your application and be required to complete a new wizard. It is recommended you **save** this session if it is to be left inactive for an extended period of time.

Please ensure that your screen is set to the highest resolution (e.g. 1280 by 1024 pixels) to ensure all content in the wizard is visible.

## Type of Application

The type of application you are applying for is a **New Application**

Are you applying for a:

Development Application

Has a pre-application meeting been held in relation to this proposal?

No

## Lease/Site Details

### Site Number: 1

If your rural property is identified by a Block/Section/Suburb, please select the "Urban" radio button.

Urban

Suburb

LYNEHAM

Section

41

Block Number

1

Unit Number

Street Address

LYNEHAM

## Applicant Details

What type of applicant are you:

Business

ACN or ABN

83074611215

Company Name

SQC Architecture

Position held / Title

User

Salutation

None

First Name

John

Surname

Ramanu

Postal Address 1

Unit 3, Level 1, 22 Thynne Street

Postal Address 2

Postal Address 3

Suburb

BRUCE

State/Territory

ACT

Postcode

2617

Country

Australia

Phone Number

62788500

Fax Number

Mobile Number

Email

studio@sqca.com.au

## Lessee (Property Owners) Details

### Lessee Number: 1

Is the Lessee a:

 Organisation or Government entity

Australian Business Number (ABN)

17745976530

Company Name

The Uniting Church in Australia (ACT)

Position held / Title

Property Officer

Salutation

Ms

First Name

Cheryl

Surname

Lien

Postal Address 1

PO Box A2178

Postal Address 2

Sydney South

Postal Address 3

Suburb

Sydney

State/Territory

NSW

Postcode

1235

Country

Australia

Phone Number

82674352

Fax Number

Mobile Number

Email

cheryll@nswact.uca.org.au

## Notice of Decision and Plans

Please specify the delivery method for the return of plans. Unless otherwise specified, your Notice of Decision and/or plans will be returned via email.

Email

Are you applying for an *Estate Development Plan* OR *Home Business*?

No

## Zone

Please specify which zone applies to this application (please select one zone only). Please click [here](#) to access ACTMAPi and locate the zone.

CFZ Community facility zone

If more than one zone is applicable to your application, please specify them below:

## Development/Precinct Code

Please specify which development code applies to this application.

Community Facility Zone Development Code

Please specify all relevant precinct code/s applied to your proposal

## Fully Describe Your Proposal

**Please provide a full description of your proposal (Note: This must accurately describe all aspects of your proposal and include any lease changes being applied for.)**

The application is for a variation to the Crown Lease to add "Educational Establishment" to the purpose clause. There is no development work proposed with this application. The reasons for the application are:

- St Ninian's Uniting Church wishes to implement its community involvement program and have community groups use our buildings.
- Religious groups, from overseas countries, some of whom are refugees, seek a place to worship in their own traditions and language.
- U3A (University of the Third Age) seek to use our premises for their classes.
- Play Groups of Parents and very young children who socialise and learn to play with each other while parents learn from each other's experiences seek a place to meet.
- Local Choirs need a place to learn new songs and practise together.
- One of our two neighbours is Brindabella Christian College is a growing private school. They are undergoing a major re building program to replace aging buildings. Their open space for the children to play is limited while the rebuilding is taking place. They would benefit by using some of our vacant land as a play area for their Junior School pupils. Two half-hour sessions each school day on our land would be of great benefit to them.

There is demand in our community for space for these Religious or Educational pursuits and St. Ninian's would very

much like to assist with providing facilities to fulfil this demand. Hence our request to have the lease varied to include Educational Establishment.

## Proposed Use of the Land

Describe the use of the development. **Example:** Office, childcare facility, gymnasium. (Note: Please refer to the Territory Plan definitions for land use definitions. Please also consider what is permitted under any Crown Lease for the site.)

Continued use as a place of worship, church & associated use with the additional opportunity for the activities described in the 'Proposal Description' section.

Is the proposed use consistent with the current Crown lease?

No

## Assessment Track

Please indicate which assessment track applies to this Development Application: (If you are not sure which assessment track applies, please contact Environment, Planning and Sustainable Development Directorate on (02)62071923)

Merit

Has an Environmental Significance Opinion been sought for this proposal?

No

For more information about which track your development application will be assessed in, please click [here](#). *Please note, the Environment, Planning and Sustainable Development Directorate may refuse to accept a development application made in an incorrect assessment track. If the Environment, Planning and Sustainable Development Directorate assesses an application made in the incorrect assessment track it must refuse the application (S.114 (3)).*

## Type of Development

Please indicate which type of development applies to this development application.

Lease Variation

Does this proposal involve a variation to a Units Plan?

No

Please select a [Lease Variation](#) sub type:

Clause Changes

## Community Consultation Summary

Is this proposal -

**Please Note** A development application cannot be lodged if the development proposal meets one of the triggers and the application does not include the pre-DA lodgement community consultation form.

## Heritage

### Heritage

Is the [Heritage](#) item relevant to your proposal?

No

## Location Requirements

### Location Requirements

## Subdivision, National Capital Plan, Crime Prevention, Access & Mobility, Traffic Ge

### Subdivision (other than residential zones)

### National Capital Plan

### Crime Prevention through Environmental Design

### Access and Mobility

### Traffic Generation

## Site Access, Parking, Lighting

### Site Access

### Parking (Car)

### Parking (Bicycle)

### Lighting

## Signs, Neighbourhood Plans, Water Sensitive Urban Design

### Signs

### Neighbourhood Plans

### Water Sensitive Urban Design (Mains Water Consumption)

### Water Sensitive Urban Design (Stormwater Quality)



## Water Sensitive Urban Design

### Water Sensitive Urban Design (Stormwater Quantity)

#### Driveways (For works on verge only)

**PLEASE NOTE:** For proposals that include construction or modification of a driveway this application **MUST** be signed by the land custodian (Government Land Custodian - Asset Acceptance) as the works will be undertaken on unleased land **EXCEPT FOR DUAL OCCUPANCY DEVELOPMENT PROPOSALS**. For more information on driveways, garages and carports, please click [here](#).

#### Survey Requirements - S.139(2)(l) - P & D Act 2007

If this application is for approval of a development that requires construction work to be carried out on land that has previously been developed and is not leased for rural purposes, a survey certificate for the land where the development is to be carried out (prepared and signed by a registered surveyor) must accompany this application unless exempt by Regulation 25 of the [Planning and Development Regulations 2008](#)

#### Development Undertaken Without Approval - S.205 - P & D Act 2007

*If YES - Under Section 139(2)(m) of the Planning and Development Act 2007, plans of the development signed by a registered surveyor confirming the location and dimensions of the development **must** be submitted with this application. The plans need to confirm the height, width and length dimensions of the development and the setback dimensions of the development from the block boundaries. The information may be provided on one plan or on a series of plans provided each plan is signed by a registered surveyor. Note: For all unapproved development involving construction the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features must comply with utility standards, access provisions and asset clearance zones. For more information on development exempt from approval, please click [here](#). For more information on development applications for developments undertaken without approval, please refer to S205 under the [Planning and Development Act 2007](#)*

#### Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the [Planning and Development Act 2007](#), the Environment, Planning and Sustainable Development Directorate must make the details and associated documents relevant to a development application available for public inspection.

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

Are you requesting an exclusion from *Public Inspection*?

No

## Conflict of Interest Declaration

Does the applicant or the lessee have any association with the Environment, Planning and Sustainable Development Directorate staff?

No

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

## Applicant/Lessee Declaration

I/we hereby apply for approval to carry out the development described on the land specified in this application;

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 the information submitted with this application form will undergo a documentation check prior to the payment of fees and formal lodgement of the application. Further information may be required prior to the acceptance of the development application by the Authority;

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

I/we understand that if during the assessment of this application it is found to have been submitted in the incorrect assessment track the application will be refused and I/we will not be entitled to a refund or transfer of fees;

I/we understand that the documentation provided on CD/DVD or via the electronic lodgement 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;

If the time for deciding the application (prescribed period) has ended and a decision has not been reached I/we understand that the application will be deemed refused and the Environment, Planning and Sustainable Development Directorate will not provide written advice of this decision. I/we also understand that the Environment, Planning and Sustainable Development Directorate is able to still consider the application and make a decision after the expiration of the prescribed period;

I/we hereby authorise the Environment, Planning and Sustainable Development Directorate its

servants and agents to erect sign/s on the subject property(s) as required;

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

I/we (lessee) appoint the applicant whose signature appears in the attached *letter of appointment* to act on my/our behalf in relation to this Development Application. This authorises the applicant to pay all application fees, bonds and securities, liaise with the Environment, Planning and Sustainable Development Directorate when required, alter, amend or provide further information as necessary and receive any communications relating to this Development Application;

I understand that costs associated with the relocation of any engineering services (light poles, storm water, sumps etc) will be at my expense and that I will indemnify the ACT Government, its servants and agents against any claims arising during the relocation of these services;

I understand that construction of any driveway associated with this application may not commence until the contractor has received endorsement by the relevant government entity;

I understand that a Certificate of Design Acceptance and a Road Opening Permit and Temporary Management Plan must be obtained from the relevant government agencies prior to the start of construction works;

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

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

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

I declare that I am the person shown in this eDA form as the Applicant, and by clicking the ACCEPT button below I understand that this replaces my requirement to sign a hard copy of this application.

I accept the above declarations

Accept

Acceptance date

14 Sep 2018

## Before Submitting

You have almost completed the first stage of your Development Application/Pre-Application request. **PLEASE ENSURE YOUR WIZARD SESSION IS SAVED BEFORE PROCEEDING.** This will enable you to resume your session in the event of a system outage or other interruption.

When you click on Finish below, you will be navigated to a new page which will enable you to

upload any associated plans/documents prior to submitting to EPSDD for review.

Development applications (DAs) can be delayed unnecessarily because EPSDD does not have all the information it needs to undertake an assessment and make a decision.

To avoid delays ensure all required sections of the wizard are answered correctly and all required documentation is uploaded. In particular:

1. A signed appointment letter from all lessee's must be provided if works are to be performed on the verge, a signed endorsement letter must be provided by the relevant Government Custodian;
2. Public register plans for residential applications are included;
3. You **MUST** include a statement against the criteria for development applications that will be assessed in the Merit track;
4. If the application is for a single unit on a unit titled block body corporate authorisation is required if there is works on a common property

If you are still not sure how to proceed or want to ensure you have everything you need for your application, you can visit the EPSDD Customer Service Centre, 16 Challis Street, Dickson, or call us on 6207 1923 and ask to speak with a technical officer.

## **Privacy Notice**

The personal information on this form is provided to the Environment, Planning and Sustainable Development Directorate (EPSDD) to enable the processing of your application. The collection of personal information is authorised by the Planning and Development Act 2007. If all or some of the personal information is not collected EPSDD cannot process your application. The Planning and Development Act 2007 requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet. The personal information you provide may be disclosed to Australian Bureau of Statistics, ACT Revenue Office, the Registrar General's Office, ACTEW Corporation, ActewAGL, Territory and Municipal Services Directorate and other Government agencies with a direct interest in the development assessment process. The information may also be disclosed where authorised by law or court order, or where the Directorate reasonably believes that the use or disclosure of the information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at [www.environment.act.gov.au](http://www.environment.act.gov.au)

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

The EPBC came into operation on 16 July 2000. It establishes an environmental assessment and approval system that is separate and distinct from the ACT system. It does not affect the validity of ACT development assessment and approval processes, but may affect the assessment track. The ACT cannot provide preliminary advice on whether a proposal falls within the definition of a controlled action, or requires referral to the Commonwealth. You should consult with the Commonwealth to determine if your proposal is a controlled action before seeking any approvals under the Planning and Development Act 2007. For information about the EPBC, including the referral process and when a referral should be made, contact: the Department of Sustainability, Environment, Water, Population and Communities, GPO Box 787, CANBERRA ACT 2601

Telephone: 62741111

**Contact Details:** Environment, Planning and Sustainable Development Directorate Customer Service Centre GPO Box 158, Canberra City 2601 16 Challis Street, Dickson ACT 2602  
Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays) Phone: (02) 6207 1923  
Email: [epdcustomerservices@act.gov.au](mailto:epdcustomerservices@act.gov.au) Website: [www.environment.act.gov.au](http://www.environment.act.gov.au)



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Planning and Development Act 2007, s425

**Form 4 - LETTER OF AUTHORISATION**

PRE APPLICATION MEETINGS      DEVELOPMENT APPLICATION  
APPLICATION FOR RECONSIDERATION

**LEASE/SITE DETAILS (Please Print)**

If more than two leases/sites please attach the following details for each additional lease/site on a separate sheet

Block  Section  Suburb

Unit No.  Street Address

Block  Section  Suburb

Unit No.  Street Address

Describe location where no block and section details are available (e.g. for outdoor dining area location)

**LESSEE(S) DETAILS - If more than two lessees please provide details of each additional lessee (Please Print)**

1st Lessee Name  2nd Lessee Name

**LESSEE AUTHORISATION**

This appointment is made under the *Planning and Development Act 2007* and relates to: (please tick)

- Pre - application meeting       Development Application       Application for Reconsideration

I/we the lessee(s) authorise the person/company (to be known as *the Applicant*) detailed below:

- to obtain information in relation to this site through the pre-application process  
 to act on my/our behalf in relation to a development application for the abovementioned site/s  
 to act on my/our behalf in relation to an application for a reconsideration of a development application for the abovementioned site/s  
 to pay all application fees, bonds and securities, liaise with the Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to the DA or Application for Reconsideration.

**APPLICANT DETAILS (Please Print)**

Applicant Name  Email address

OR



Company Name  Email address

**Company Nominees** – a Company can list up to three nominees. The first nominee must be authorised to sign on behalf of the Company

Nominee 1  Nominee 2  Nominee 3

**LESSEE(S) DECLARATION** if more than two lessees please provide details of each additional lessee on a separate sheet

- I/we declare that I am/we are the lessee(s) of the land described above;
- I/we have been made aware of the declaration clauses in the DA or Application for Reconsideration form; and
- I/we declare that all the information given on this form is true and complete.

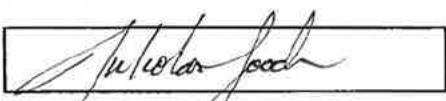
1<sup>st</sup> Lessee's Signature  Date 

2<sup>nd</sup> Lessee's Signature  Date

**APPLICANT DECLARATION**

- I declare that I am the person authorised to sign/sign on behalf of the company described in this form
- I declare that all the information given on this form and its attachments are true and complete;

Applicant Name  Company Name

Signature  Date

**LAND CUSTODIAN AUTHORISATION**

- I/we declare that I am/we are the land custodian(s) of the public land or unleased land as described above;
- I/we authorise the applicant to obtain information in relation to this site through the pre-application process and make an application for development approval.

Delegate Name  Agency Name

Signature  Date

Delegate Name  Agency Name

Signature  Date

**THIS AUTHORISATION DOES NOT CONSTITUTE AN APPROVAL IN PRINCIPLE OR OTHERWISE BY THE LAND CUSTODIAN IN RELATION TO THE PROPOSED DEVELOPMENT.**

**Privacy Notice**

The personal information on this form is provided to the Environment, Planning and Sustainable Development Directorate (EPD) to enable the processing of your application. The collection of personal information is authorised by the *Planning and Development Act 2007*. If all or some of the personal information is not collected EPSDD cannot process your application. The *Planning and Development Act 2007* requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet. The personal information you provide may be disclosed to Australian Bureau of Statistics, ACT Revenue Office, the Registrar General's Office, ACTEW Corporation, ActewAGL, Territory and Municipal Services Directorate and other Government agencies with a direct interest in the development assessment process. The information may also be disclosed where authorised by law or court order, or where the Directorate reasonably believes that the use or disclosure of the information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at [www.environment.act.gov.au](http://www.environment.act.gov.au)

**Contact Details:**

Environment, Planning and Sustainable Development Directorate  
Customer Service Centres  
GPO Box 158, Canberra City 2601  
16 Challis Street Dickson ACT 2602

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**uniting church**  
in Australia,  
Synod of NSW & ACT

The Uniting Church in Australia (Australian Capital Territory) Property Trust in accordance with *The Uniting Church in Australia Act 1977 ACT No. 15* hereby delegates to any of:

- Robert Ramsbottom (Head of Property Services for The Uniting Church in Australia, Synod of NSW & ACT);
- Michael New (Asset Manager for The Uniting Church in Australia, Synod of NSW & ACT);
- Kathryn Davenport (Asset Manager for The Uniting Church in Australia, Synod of NSW & ACT);
- Cheryl Lien, (Property Officer for The Uniting Church in Australia, Synod of NSW & ACT); or
- Sandra Yamine (Senior Legal Counsel for The Uniting Church in Australia, Synod of NSW & ACT),

the authority to sign any and all documentation in relation to Development Applications, Construction Certificates and all other Local Council and/or Government required forms in relation to the development, amendment or alterations of property owned, leased and/or managed by The Uniting Church in Australia (ACT) Property Trust.

Any earlier delegation granted to Jae Hunt (Senior Legal Counsel for The Uniting Church in Australia, Synod of NSW & ACT) is hereby revoked.

Robert Ramsbottom  
Head of Property Services  
The Uniting Church in Australia, Synod of NSW & ACT

Kathryn Davenport  
Asset Manager  
The Uniting Church in Australia, Synod of NSW & ACT

Michael New  
Asset Manager  
The Uniting Church in Australia,  
Synod of NSW & ACT

Sandra Yamine  
Senior Legal Counsel  
The Uniting Church in Australia,  
Synod of NSW & ACT

Cheryl Lien  
Property Officer  
The Uniting Church in Australia, Synod of NSW & ACT

The Common Seal of The Uniting Church in )  
Australia (Australian Capital Territory) )  
Property Trust was hereunto affixed on )

13 February of 2018  
pursuant to a resolution of the trust at a duly  
convened meeting in the presence:

.....  
Member

DAVID TURKER  
.....  
(Print) Full Name



.....  
Member

JANE FRY  
.....  
(Print) Full Name



## Statement against Relevant Criteria MERIT TRACK

### Educational Establishment

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

### CFZ: Community Facility Zone

#### Contents:

<b>1.0 - Community Facility Zone development Code</b> Effective: 20 June 2014	✓	
<b>2.0 - Access and Mobility General Code</b> Effective: 4 October 2013	✓	
<b>3.0 - Bicycle Parking General Code</b> Effective: 4 October 2013	✓	
<b>4.0 - Community and Recreational Facilities Location Guidelines General Code</b> Effective: 4 October 2013	✓	
<b>5.0 - Crime Prevention Through Environmental Design General Code</b> Effective: 16 December 2011	✓	
<b>6.0 - Parking and Vehicular Access General Code</b> Effective: 3 October 2014	✓	Parking assessment from Northrop Consulting engineers provided in response to this code.
<b>7.0 - Signs General Code</b> Effective: 31 March 2008	✗	No proposed signs are included in this development application submission.
<b>8.0 - Waterways: Water Sensitive Urban Design General Code</b> Effective: 10 July 2009	✓	WSUD assessment from Sellick Consulting engineers provided in response to this code.

## 1.0 - COMMUNITY FACILITY ZONES DEVELOPMENT CODE

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

### GENERAL DEVELOPMENT CONTROLS

#### ELEMENT 1: RESTRICTION ON USE

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

Rules	Criteria	Response
<b>1.3 Business agency, office, public agency</b>		
<p>R3 This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located within a surplus former ACT Government building. The maximum lease term is 5 years</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p>
<p>R4 This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located in other than a surplus former ACT Government building. The use is conducted only by a not for profit organisation.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p>
<p>R5 This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located in other than a surplus former ACT Government building. The total gross floor area of all such uses does not exceed 400m<sup>2</sup>.</p>	<p>C5 Business agencies, offices and public agencies are small scale.</p>	<p>N/A</p>
<b>1.4 Development proposals affected by approved lease and development conditions</b>		
<p>R6 The development proposal complies with approved and current lease and development conditions applying to the site. Where there is an inconsistency between the lease and development conditions and the provisions of this code, the former shall take precedence, but only to the extent of the inconsistency.</p>	<p>C6 The development meets the intent of any approved and current lease and development conditions applying to the site.</p>	<p>N/A</p>

## ELEMENT 2: BUILDING AND SITE CONTROLS

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

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

### ELEMENT 3: BUILT FORM

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

### ELEMENT 4: TRAFFIC IMPACT

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

## ELEMENT 5: ENVIRONMENT PROTECTION

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

Rules	Criteria	Response
<p>a) the storage of stormwater equivalent to at least 1.4kl per 100m<sup>2</sup> of impervious area, and its release over a period of 1 to 3 days</p> <p>b) runoff peak flow for the 3 month ARI storm to be no more than pre-development levels and release of captured flow over a period of 1 to 3 days.</p> <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>		<p>This assessment will include information regarding stormwater retention and detention.</p>
<p>There is no applicable rule.</p>	<p>C18 Underground piping of natural stormwater overland flow paths is minimised.</p>	<p>C18 YES</p>
<p><b>5.2 Sediment and erosion control</b></p>		
<p>R19 This rule applies to sites larger than 3000m<sup>2</sup>. Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p>Supporting document: A sediment and erosion control concept plan is prepared in accordance with Environment Protection Authority Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R19 N/A – The site for the proposed Junior School building does not exceed 3000m<sup>2</sup>. Civil engineering drawings will be provided at BA stage.</p>
<p><b>5.3 Earthworks</b></p>		
<p>There is no applicable rule.</p>	<p>C20 The extent of earthworks is minimised.</p>	<p>C20 YES – No major earthworks is needed as the site is fairly flat. And no basement levels are to be excavated.</p>
<p><b>5.4 Tree protection</b></p>		
<p>R21 This rule applies to a development that has one or</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R21 Several trees are located close to or within the proposed building line. An application for tree damaging activity</p>

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



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

**ELEMENT 6: AMENITY**

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

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

## ELEMENT 7: SERVICES AND UTILITIES

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

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

**ELEMENT 8: DEMOLITION**

Rules	Criteria	Response
<b>8.1 Utilities</b>		
<p>R28 This rule applies to demolition. The application is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the Planning and Development Act 2007 for all of the following:</p> <ol style="list-style-type: none"> <li>all network infrastructure on or immediately adjacent to the site has been identified on the plan</li> <li>all potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified</li> <li>all required network disconnections have been identified and the disconnection works comply with utility requirements</li> <li>all works associated with the demolition comply with and are in accordance with utility</li> </ol>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R28 N/A – No demolition required for the construction of the Proposed Junior School building.</p>

Rules	Criteria	Response
asset access and protection requirements.		
<b>8.2 Hazardous materials</b>		
<p>R29 Demolition of:</p> <p>a) Multi unit housing (including garages and carports) for which a certificate of occupancy was issued prior to 1985, or</p> <p>b) commercial or industrial premises for which a certificate of occupancy was issued before 2005,</p> <p>is undertaken in accordance with hazardous materials survey (including an asbestos survey) endorsed by the Environment Protection Authority.</p> <p>A hazardous materials survey includes, as a minimum, the identification of a disposal site for hazardous materials, including asbestos, that complies with one (1) of the following:</p> <ol style="list-style-type: none"> <li>i. is a licensed disposal facility in the ACT</li> <li>ii. another site outside the ACT.</li> </ol> <p>If hazardous materials, including asbestos, are to be transported for disposal interstate, approval from the Environment Protection Authority prior to removal of material from the site.</p> <p>An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</p> <p>Note: If an endorsed hazardous materials survey is required but not provided, the application will be referred to the relevant agency in accordance with the requirements of the</p>	<p>C29 If an endorsed hazardous material survey is required however evidence of an endorsed hazardous materials survey is not provided, the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p>	<p>R29 N/A C29 N/A</p>

Rules	Criteria	Response
Planning and Development Act 2007.		

## ELEMENT 9: SUBDIVISION

Rules	Criteria	Response
<b>9.1 Subdivision</b>		
R30 Subdivision is only permitted where all of the following are met: a) the subdivision is part of a) development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this code.	This is a mandatory requirement. There is no applicable criterion.	R30 N/A

## 2.0 – ACCESS AND MOBILITY GENERAL CODE

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

### Objectives:

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

### ELEMENT 1: Parking

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

### ELEMENT 2: Parking

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

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

### ELEMENT 3: Entry and doorways

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

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

#### **ELEMENT 4: Circulation**

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

##### **Response**

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

#### **ELEMENT 5: Toilets**

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

##### **Response**

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

#### **ELEMENT 6: Facilities**

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

##### **Response**

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

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



### 3.0 – BICYCLE PARKING GENERAL CODE

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

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

**TABLE 3 – TYPES OF BICYCLE PARKING FACILITIES**

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

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

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

## 4.0 – COMMUNITY AND RECREATIONAL FACILITIES LOCATION GUIDELINES GENERAL CODE

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

### ELEMENT: EDUCATION – PRIMARY SCHOOL

#### Objectives:

The objectives of the code are:

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

#### General location guidelines:

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

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

#### Detailed locations guidelines for Primary School:

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

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

## 5.0 – CRIME PREVENTION THROUGH ENVIRONMENTAL GENERAL CODE

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

### PART A – GENERAL REQUIREMENTS

#### ELEMENT 1: NEIGHBOURHOOD DESIGN

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

#### ELEMENT 2: USE

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

#### ELEMENT 3: PUBLIC REALM

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

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

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



**ELEMENT 4: BUILT FORM**

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

**ELEMENT 6: TRAVEL AND ACCESS**

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

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

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

## ELEMENT 7: SERVICES

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

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



ADDRESS: 150 BRIGALOW STREET, LYNEHAM

BLOCK: 1 SECTION: 41

DIVISION: LYNEHAM

SITE PLAN -SP001








## Statement against Relevant Criteria MERIT TRACK

### Educational Establishment

St Ninians Uniting Church Brigalow Street, Lyneham  
Proposed Lease Purpose Clause amendment  
Block 1, Section 41, Lyneham – 150 Brigalow Street

### CFZ: Community Facility Zone

#### Contents:

<b>1.0 - Community Facility Zone development Code</b> Effective: 20 June 2014		
<b>2.0 - Access and Mobility General Code</b> Effective: 4 October 2013		There is no physical work relating to this application therefore this Code does not apply
<b>3.0 - Bicycle Parking General Code</b> Effective: 4 October 2013		There is no physical work arising from this application, therefore this Code does not apply
<b>4.0 - Community and Recreational Facilities Location Guidelines General Code</b> Effective: 4 October 2013		
<b>5.0 - Crime Prevention Through Environmental Design General Code</b> Effective: 16 December 2011		
<b>6.0 - Parking and Vehicular Access General Code</b> Effective: 3 October 2014		There is no impact on traffic or parking associated with this application
<b>7.0 - Signs General Code</b> Effective: 31 March 2008		No proposed signs are included in this development application submission.

## 1.0 - COMMUNITY FACILITY ZONES DEVELOPMENT CODE

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

### GENERAL DEVELOPMENT CONTROLS

#### ELEMENT 1: RESTRICTION ON USE

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



Rules	Criteria	Response
<b>1.3 Business agency, office, public agency</b>		
<p>R3</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located within a surplus former ACT Government building. The maximum lease term is 5 years</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p>
<p>R4</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located in other than a surplus former ACT Government building. The use is conducted only by a not for profit organisation.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>N/A</p>
<p>R5</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>i. business agency</li> <li>ii. office</li> <li>iii. public agency</li> </ul> <p>located in other than a surplus former ACT Government building. The total gross floor area of all such uses does not exceed 400m<sup>2</sup>.</p>	<p>C5</p> <p>Business agencies, offices and public agencies are small scale.</p>	<p>N/A</p>
<b>1.4 Development proposals affected by approved lease and development conditions</b>		
<p>R6</p> <p>The development proposal complies with approved and current lease and development conditions applying to the site. Where there is an inconsistency between the lease and development conditions and the provisions of this code, the former shall take precedence, but only to the extent of the inconsistency.</p>	<p>C6</p> <p>The development meets the intent of any approved and current lease and development conditions applying to the site.</p>	<p>The Development Application is for the variation of the Lease Purpose Clause to add " Educational Establishment" as a permitted use.</p> <p>The current Crown Lease allows for a Church, Church Hall and Manse. (Note it does not state we can or cannot do IN the buildings or on the land.) No Manse has been built and there are no plans to do so in the future. The church was on the land</p>

		<p>before the crown lease area was designated around it.</p> <p>Request that the Crown Lease be varied <b>to add "Educational Establishment" to the purpose clause.</b></p> <p>Reasons:</p> <p><b>St Ninian's</b> Uniting Church wishes <b>to –</b></p> <ul style="list-style-type: none"> <li>a) implement its community involvement program and have community groups use our buildings.</li> <li>b) Religious groups, from overseas countries, some of whom are refugees, seek a place to worship in their own traditions and language.</li> <li>c) U3A (University of the Third Age) seek to use our premises for their classes.</li> <li>d) Play Groups of Parents and very young children who socialise and learn to play with each other while parents learn from <b>each other's experiences seek a place to meet.</b></li> <li>e) Local Choirs need a place to learn new songs and practise together.</li> <li>f) One of our two neighbours is Brindabella Christian College is a growing private school. They are undergoing a major re building program to replace aging buildings. Their open space for the children to play is limited while the rebuilding is taking place. They would benefit by using some of our vacant land as a play area for their Junior School pupils. Two half-hour sessions each school day on our land would be of great benefit to them.</li> </ul> <p>There is demand in our community for space for these Religious or Educational <b>pursuits and St. Ninian's would very much</b> like to assist with providing facilities to fulfil this demand. Hence our request to have the lease varied to include Educational Establishment.</p>
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## ELEMENT 2: BUILDING AND SITE CONTROLS

In this element:

**Desired character** means the form of development in terms of siting, building bulk and scale, and the nature of the resulting streetscape that is consistent with the relevant zone objectives

Rules	Criteria	Response
<b>2.1 Building height</b>		
<p>R7 The maximum building height is:</p> <p>a) for that part of the building within 30m of a residential block – the greater of the following:</p> <p>i. 2 storeys</p> <p>ii. the maximum number of storeys permitted on that residential block</p> <p>b) in all other cases – the lesser of the following:</p> <p>i. 4 storeys</p> <p>ii. 15m height of building.</p> <p>For this rule:</p> <p><b>Residential block</b> means a block that has at least one of the following characteristics –</p> <p>a) zoned residential</p> <p>b) affected by a lease which authorises residential use but does not include any land intended to remain as unleased Territory land or public open space.</p>	<p>C7 Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) a scale appropriate to the proposed use</p> <p>c) reasonable separation from adjoining developments</p> <p>d) reasonable privacy for dwellings on adjoining residential blocks</p> <p>e) reasonable privacy for principal private open space on adjoining residential blocks</p> <p>f) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space.</p>	<p>R7 N/A The Application does not include any building works.</p> <p>C7: N/A The Application does not include any building works</p>
<b>2.2 Setbacks</b>		
<p>R8 Minimum setback of buildings to boundaries of blocks in a residential zone is 6m.</p>	<p>C8 Buildings and other structures are sited to achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable separation from adjoining developments</p> <p>c) reasonable privacy for dwellings on adjoining residential blocks</p> <p>d) reasonable privacy for principal private open space on adjoining residential blocks</p> <p>e) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space.</p>	<p>R8 : N/A The Application does not include any building works</p> <p>C8: N/A The Application does not include any building works</p>
<b>2.3 Storage</b>		

R9 Outdoor storage areas are screened from view from any road or other public area.	C9 Where the proposed use of the site requires open areas for storage of goods and materials, adequate provision is to be included in the design layout of the site and should not encroach on car parking areas, driveways or landscaped areas and be adequately screened from public	R9 N/A – No outdoor storage areas are proposed for this development.  C9 N/A – No outdoor storage areas are proposed for this development.
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### ELEMENT 3: BUILT FORM

Rules	Criteria	Response
<b>3.1 Materials and finishes</b>		
There is no applicable rule.	C10 Where development presents a blank façade to an adjoining block or public space, a visually interesting architectural treatment is applied to that wall, through the use of one or more elements such as colour, articulation, materials and shadows.	C10: N/A The Application does not include any building works
There is no applicable rule.	C11 Buildings use high quality materials and have façade with visually interesting architectural treatments through the use of one or more elements such as colour, materials, shadows or deep framing profiles.	C11: N/A The Application does not include any building works
<b>3.2 Interface</b>		
There is no applicable rule.	C12 Where appropriate, compatible uses of any existing buildings are integrated with new development and provide physical connections and linkages between buildings, and between buildings and public spaces.	C12: N/A The Application does not include any building works
There is no applicable rule.	C13 Elements of the development that interface with a street promote an attractive streetscape.	C13 : N/A The Application does not include any building works

**ELEMENT 4: TRAFFIC IMPACT****Intent**

- a) To ensure safe and efficient access for pedestrians, cyclists and vehicles
- b) To ensure adequate parking facilities are provided

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>4.1 Traffic generation</b>		
There is no applicable rule.	C14 The existing road network can accommodate the amount of traffic likely to be generated by the development.	C14: N/A The Application does not include any building works or generate any traffic
<b>4.2 Access</b>		
There is no applicable rule.	C14A Access to and within the site achieves all of the following: <ul style="list-style-type: none"> <li>a) pedestrian and cyclist entrances and driveways are clearly visible from the front boundary</li> <li>b) reasonable pedestrian and cycle access is provided through the site to increase permeability</li> <li>c) pedestrian and cycle access paths to community facilities feed into and provide enhanced connections to appropriate off- road path networks and on-road cycle routes</li> <li>d) cyclist entry complies with the Bicycle Parking General Code.</li> </ul>	C14A : N/A The Application does not include any physical changes to site or change any existing public pedestrian and Cycleways

## ELEMENT 5: ENVIRONMENT PROTECTION

Rules	Criteria	Response
<b>5.1 Water sensitive urban design</b>		
<p>R15 This rule applies to sites 5000m<sup>2</sup> or larger. The average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> <li>a) suspended solids by at least 60 per cent</li> <li>b) total phosphorous by at least 45 per cent</li> <li>c) total nitrogen by at least 40 per cent</li> </ul> <p>Compared with an urban catchment with no water quality management controls.</p> <p><b>Note:</b> Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R15 : N/A The Application does not include any building works therefore there is no impact on stormwater</p>
<p>R16 This rule applies to sites 2000m<sup>2</sup> or larger. Stormwater management complies with one of the following:</p> <ul style="list-style-type: none"> <li>a) the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in the 1-in-100 year storm event</li> <li>b) the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels.</li> </ul> <p><b>Note:</b> Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R16: N/A The Application does not include any building works therefore there is no impact on stormwater</p>
<p>R17 This rule applies to sites 2,000m<sup>2</sup> or larger. Provision is made for one or more of the following:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R17 N/A The Application does not include any building works therefore there is no impact on stormwater</p>

Rules	Criteria	Response
<p>a) the storage of stormwater equivalent to at least 1.4kl per 100m<sup>2</sup> of impervious area, and its release over a period of 1 to 3 days</p> <p>b) runoff peak flow for the 3 month ARI storm to be no more than pre-development levels and release of captured flow over a period of 1 to 3 days.</p> <p><b>Note:</b> Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>		
There is no applicable rule.	C18 Underground piping of natural stormwater overland flow paths is minimised.	C18 N/A The Application does not include any building works therefore there is no impact on stormwater
<b>5.2 Sediment and erosion control</b>		
<p>R19 This rule applies to sites larger than 3000m<sup>2</sup>. Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p><b>Supporting document:</b> A sediment and erosion control concept plan is prepared in accordance with Environment Protection Authority Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p><b>Note:</b> A condition of development approval may be imposed to ensure compliance with this rule.</p>	This is a mandatory requirement. There is no applicable criterion.	R19 – N/A The Application does not include any building works therefore there is no impact on stormwater
<b>5.3 Earthworks</b>		
There is no applicable rule.	C20 The extent of earthworks is minimised.	C20 : N/A The Application does not include any building works therefore there is no earthworks proposed.
<b>5.4 Tree protection</b>		
R21 This rule applies to a development that has one or	This is a mandatory requirement. There is no applicable criterion.	R21 N/A The Application does not include any building works therefore there is no impact on any trees on site

Rules	Criteria	Response
<p>more of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) requires groundwork within the tree protection zone of a protected tree</li> <li>b) is likely to cause damage to or removal of any protected trees</li> </ul> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Under the Planning and Development Regulation 2008 a development application for a declared site under the Tree Protection Act 2005, must be referred to the Conservator of Flora and Fauna.</li> <li>2. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the Planning and Development Act 2007.</li> <li>3. Protected tree and declared site are defined under the Tree Protection Act 2005.</li> </ol>		
<b>5.5 Heritage</b>		
<p>R22 In accordance with section 148 of the Planning and Development Act 2007, applications for developments on land or buildings subject to provisional registration or registration under s.41 of the Heritage Act 2004 are required to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the Heritage Act 2004.</p>	<p>C22 If advice from the Heritage Council is required however not provided, the application will be referred to the Heritage Council and its advice considered before the determination of the application.</p>	<p>R22 The , block contains a place which is listed on the ACT Heritage Register, being the St Ninians Church Building. The features intrinsic to the significance of the place are:</p> <ul style="list-style-type: none"> <li>- The Original rectangular stone building with gabled roof;</li> <li>- its three arched stained glass windows on each side;</li> <li>- The later sympathetic rectangular extension to the west.</li> </ul> <p>Sympathetic and viable uses are permitted for the building and place. Our Heritage Architect from SQC Architecture has</p>



Rules	Criteria	Response
		<p>Advised that as the development application is for addition of an additional use to the site and this use does not propose to use the historic building, there would be no impact on significance. Similarly the application does not involve any physical impact on the site surrounding the historic building, so there will be no impact on significance of the place. For this reason we have not consulted the Heritage Office in preparing this Development Application</p>
<b>5.6 Contamination</b>		
<p>R23 This rule applies where an assessment by the proponent in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the ACT Environment Protection Policy 2000 identifies contamination within or adjacent to the development area, but does not apply if the Environment Protection Authority has provided written advice that there are no contaminated sites within or adjacent to the development area. Development complies with an environmental site assessment report endorsed by Environment Protection Authority.</p> <p><b>Supporting document:</b> Environmental site assessment report endorsed by Environment Protection Authority. <b>Note:</b> A condition of development approval may be imposed to ensure compliance with this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>R23 N/A</p>

**ELEMENT 6: AMENITY**

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>6.1 Noise</b>		
<p>R24 This rule applies to any of the following:</p> <ol style="list-style-type: none"> <li>i. emergency services facility</li> <li>ii. indoor recreation facility</li> <li>iii. outdoor recreation facility</li> </ol> <p>Development complies with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority.</p> <p>The noise management plan will detail the proposed design, siting and construction methods that will be employed to ensure compliance with the Noise Zone Standard as detailed in the EPA's Noise Environment Protection Policy, January 2010, based on the estimated noise levels when the facility is in use.</p> <p><b>Supporting document:</b> noise management plan endorsed by the Environment Protection Authority. <b>Note:</b> A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>	<p>C24 Development types specified in rule R24 do not unreasonably diminish the residential amenity of current or future neighbouring residents.</p>	<p>R24 N/A none of these uses apply C24 N/A - None of these uses apply</p>

## ELEMENT 7: SERVICES AND UTILITIES

Rules	Criteria	Response
<b>7.1 Waste management</b>		
<p>R25 Development complies with the waste facilities and management measures endorsed by Territory and Municipal Services Directorate.</p> <p><b>Supporting document:</b> Written confirmation by Territory and Municipal Services Directorate that with the waste facilities and management associated with the development are in accordance with the current version of the Development Control Code for Best Practice Waste Management in the ACT</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R25 N/ A - The Development Application is related for a change of use. There will be no waste generated by the change in use application.</p>
<b>7.2 Utilities</b>		
<p>R26 A statement of compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility access provisions and asset clearance zones.</p> <p><b>Note:</b> Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions.</p>	<p>C26 If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p>	<p>R26 N/ A – as there are no works generated on the site by the Development Application, there was not need to consult with any Utility provider C26 N / A</p>
<b>7.3 Waste water</b>		
<p>R27 Subject to ActewAGL approval, all under cover areas drain to the sewer.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R27 N/ A there are no building works associated with this application</p>

**ELEMENT 8: DEMOLITION**

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>8.1 Utilities</b>		
<p>R28 This rule applies to demolition. The application is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the Planning and Development Act 2007 for all of the following:</p> <ul style="list-style-type: none"> <li>a) all network infrastructure on or immediately adjacent to the site has been identified on the plan</li> <li>b) all potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified</li> <li>c) all required network disconnections have been identified and the disconnection works comply with utility requirements</li> <li>d) all works associated with the demolition comply with and are in accordance with utility asset access and</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R28 N/A – There are no demolition works involved in the application.</p>
<b>8.2 Hazardous materials</b>		

<p>R29 Demolition of:</p> <p>a) Multi unit housing (including garages and carports) for which a certificate of occupancy was issued prior to 1985, or</p> <p>b) commercial or industrial premises for which a certificate of occupancy was issued before 2005,</p> <p>is undertaken in accordance with hazardous materials survey (including an asbestos survey) endorsed by the Environment Protection Authority.</p> <p>A hazardous materials survey includes, as a minimum, the identification of a disposal site for hazardous materials, including asbestos, that complies with one (1) of the following:</p> <p>i. is a licensed disposal facility in the ACT</p> <p>ii. another site outside the ACT.</p> <p>If hazardous materials, including asbestos, are to be transported for disposal interstate, approval from the Environment Protection Authority prior to removal of material from the site.</p> <p>An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</p> <p><b>Note:</b> If an endorsed hazardous materials survey is required but not provided, the application will be referred to the relevant agency in accordance with the requirements of the</p>	<p>C29 If an endorsed hazardous material survey is required however evidence of an endorsed hazardous materials survey is not provided, the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p>	<p>R29 N/A C29 N/A</p>
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**ELEMENT 9: SUBDIVISION**

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>9.1 Subdivision</b>		
<p>R30 Subdivision is only permitted where all of the following are met: a) the subdivision is part of</p> <ul style="list-style-type: none"> <li>a) development application for another assessable development</li> <li>b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this code.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>R30 N/A – The Application does not involve Subdivision</p>

## 2.0 – ACCESS AND MOBILITY GENERAL CODE

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

### Objectives:

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

### ELEMENT 1: Parking

Rules	Criteria	Response
<b>1.1 Car parking</b>		
R1 j) Designated accessible car parking spaces meet the requirements of AS2890.1 and Parking and Vehicular Access General Code.	C1 Car parking is provided at designated locations to meet the needs of people with disabilities.	R1 N / A – The Application does not involve any construction works C1 N/A
R2 Car parking spaces provided for people with disabilities must have vertical clearance for the entire width of the space and the adjacent shared area of not less than 2.5m described in Figure 2.7 of the AS2890.6.	C2 Adequate space is provided to allow a roofmounted wheelchair to be unloaded either front – in or reverse-in position.	R2 N / A - The Application does not involve any construction works C2 N/A

### ELEMENT 2: Parking

Rules	Criteria	Response
<b>2.1 Continuous Accessible Path of Travel and Walkways</b>		
R3 A continuous accessible path of travel is provided that complies with: i. AS 1428.1 - Design For Access and Mobility; ii. AS 1428.4 – Tactile ground surface indicators for the orientation of people with vision impairment to highlight hazards or provide direction;	C3 Continuous accessible path of travel is provided for owners, occupants, employees and visitors: a) to all areas and all required facilities of the building; b) from property boundary, designated accessible parking spaces, passenger drop off points and public spaces to entrances of buildings; c) to connect buildings, facilities and spaces that are on the same block or part of the same	R3 N / A - The Application does not involve any construction works  C3 N/A

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

### ELEMENT 3: Entry and doorways

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>3.1 Doorways and doors</b>		
R8 Doorways and doors are designed to meet	This is a mandatory requirement. There is no applicable criterion.	R8 N / A - The Application does not involve any construction works



Rules	Criteria	Response
AS 1428.1- Design for Access and Mobility for: f) pedestrian entrances and exits; g) public circulation areas; and any common use areas.		
There is no applicable rule.	C9 Automatic doors for public entrances should be installed in high use commercial and public buildings.	C9 N / A - The Application does not involve any construction works

#### **ELEMENT 4: Circulation**

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

##### **Response**

N / A - The Application does not involve any construction works

#### **ELEMENT 5: Toilets**

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

##### **Response**

N / A - The Application does not involve any construction works

#### **ELEMENT 6: Facilities**

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

##### **Response**

N / A - The Application does not involve any construction works

### 3.0 – BICYCLE PARKING GENERAL CODE

#### TABLE 2 – QUANTITY AND TYPE OF BICYCLE PARKING REQUIRED

##### Response:

N / A - The Application does not involve any construction works therefore the Bicycle Parking General Code does not apply.

### 4.0 – COMMUNITY AND RECREATIONAL FACILITIES LOCATION GUIDELINES GENERAL CODE

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

#### ELEMENT: EDUCATION – PRIMARY SCHOOL – EDUCATIONAL ESTABLISHMENT

##### Objectives:

The objectives of the code are:

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

##### General location guidelines:

Item	Response
Public transport routes	N / A - The Application does not involve any construction works
Parks	N / A - The Application does not involve any construction works
Retail facilities	N / A - The Application does not involve any construction works or retail activity
Co-location/ mixed use opportunities	N / A - the Application does not involve a Mixed use Facility
Separation	N / A – The proposed use is not an inappropriate noise producing use for the zoning
Access and mobility	Refer comments above under Access and Mobility General Code
Parking	N / A - The Application does not involve any construction works

Item	Response
Pedestrian access	Pedestrian Access to and around the Church site will not be impacted by the proposed addition to the change of use
Lighting/ surveillance	There will be no change to the existing external lighting and surveillance on the Church property
Design and siting in residential areas	N / A - The Application does not involve any construction works

#### Detailed locations guidelines for Primary School – Education Establishment:

Item	Response
<b>Relationship to shops</b> 400m from retail centre where possible	Approximately 400m
<b>Relationship to other uses – Close to</b> Adjoining/ adjacent to playing fields/ ovals essential, and on cycleway; central to long-term catchment; located on distributor or local road or close to a collector road; within safe pedestrian access to dwellings in catchment.	<p>The Church is located adjacent to an existing school campus. The application relates to the potential for the School to make use of the Church grounds for playground function. They (Brindabella Christian College), are undergoing a major re building program to replace aging buildings. Their open space for the children to play is limited while the rebuilding is taking place. They would benefit by using some of our vacant land as a play area for their Junior School pupils. Two half-hour sessions each school day on our land would be of great benefit to them.</p> <p>Connection to public transport, pedestrian walkways, cycle way's are all within close vicinity of the Church.</p> <p>Located on a local road, providing ease of access to the Church by car, drop off, bicycle and pedestrian walkways.</p>
<b>Separated from</b> Noise separation from special care hostels; Social separation from clubs and other licensed premises; Separated from safety hazards (e.g. roads with high traffic volumes, stormwater channels) No direct access of arterial roads and other roads with high traffic volumes; Social separation from major shopping areas and amusement centres; Careful consideration should be given to relationship between school and residential streets to avoid disturbing residents, and to ensure safety of children.	<p>Separation from noise emitting establishments like clubs, and other licensed premises is far enough to be of no issue. No major shopping areas and amusement centres are located close by.</p> <p>There is no direct access to arterial roads and other roads with high traffic volumes.</p> <p>Only one of the boundaries is located along a road with residential blocks to the other side of the road.</p>
<b>Co-location opportunity</b> Other community facilities; Child care centre' Preschool; Church for non-government church school	The Development Application represents a co – location opportunity, where the Church land is proposed to be made available for the adjacent school to use for playground space. There is demand in our community for space for these Religious or Educational pursuits and St. Ninian's would like to assist with providing facilities to fulfil this demand. Hence our request to have the lease varied to include Educational Establishment.

<p><b>Other issues</b> Northerly aspect immediately adjoining oval or playing fields</p>	<p>The open space proposed to be used for playground function has good access to sunlight. There are presently no buildings which overshadow the site detrimentally. The plantings on the site are low scale and do not obstruct supervision</p>
<p>Substantial, uninhibited street frontage on three boundaries where possible</p> <p>Streets must be suitable for bus laybys and pick up and set down areas</p>	<p>Complies – no built development occurring. Site is open to two street boundaries</p> <p>There are Bus stops located near to the site in both adjoining streets. If required, bus pick up related to Activities at St Ninians can be on site</p>
<p><b>Item</b></p>	<p><b>Response</b></p>
<p>Substantial, uninhibited street frontage on three boundaries where possible</p> <p>Streets must be suitable for bus laybys and pick up and set down areas</p>	

## 5.0 – CRIME PREVENTION THROUGH ENVIRONMENTAL GENERAL CODE

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

### PART A – GENERAL REQUIREMENTS

#### ELEMENT 1: NEIGHBOURHOOD DESIGN

Rules	Criteria	Response
<b>1.1 Neighbourhood design</b>		
There is no rule applicable.	C1 Design is in accordance with the recommendations of a crime risk assessment as outlined in the ACT Crime Prevention and Urban Design Resource Manual.	C1 N / A - The Application does not involve any construction works

#### ELEMENT 2: USE

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

#### ELEMENT 3: PUBLIC REALM

Rules	Criteria	Response
<b>3.1 Open space and community (shared) areas</b>		
There is no rule applicable.	C3 Natural surveillance of open space and community areas is provided by: <ul style="list-style-type: none"> <li>a) locating to adjacent activity centres;</li> <li>b) encouraging pedestrian (or cyclist) movement through the space;</li> <li>c) ensuring clear site lines from, and between, buildings and open space areas: community areas; and</li> <li>d) designing out any entrapment spaces.</li> </ul>	C3 YES – full supervision and observation of the St Ninians grounds will remain possible as there is no construction associated with the change of use Clause Development Application
There is no rule applicable.	C4 Natural access is considered, providing clear entry and exit points and a legible, accessible route through the space.	C4 N / A - The Application does not involve any construction works

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
There is no rule applicable.	C5 Planting in public spaces do not obscure views along paths and streets, or to entrances and should not create secluded, hiding areas.	C5 Complies - The Application does not involve any construction works
There is no rule applicable.	C6 Selection of plant material are sturdy and in areas of high crime, to make it difficult to snap main growing stems, heavy standard (140-160mm girth) or semi-mature trees (200-270mm girth) should be used to increase their chance of survival.	C6 N / A - The Application does not involve any construction works
There is no rule applicable.	C7 Plant material, such as creepers or low hedges may be used to deter to access and limit the opportunity for graffiti on fences and walls.	C7 N / A - The Application does not involve any construction works
There is no rule applicable.	C8 Hard landscape features such as low walls, bollards are used to delineate movement areas from semi-private areas.	C8 N / A - The Application does not involve any construction works

### **3.2 Children's play area**

There is no rule applicable.	C9 Children's play areas are located and designed to comply with each of the following: a) there is natural surveillance from adjoining areas b) adjacent areas are used by compatible groups c) there are multiple entry/exits	C9 YES – the proposed playground use of part of the block would be supervisable at all times as there are not proposed structures in the area. The adjacent uses of the land being for the church are considered compatible with and educational function and childrens playgroud in the same way as if the Church were to erect there own playground for congregational use or a playgroup run out of the existing buildings.
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### **3.3 Lighting**

There is no rule applicable.	<p><b>C10</b> Provide a schedule of lighting showing that lighting complies with each of the following:</p> <ul style="list-style-type: none"> <li>a) Australian Standard AS1158 Lighting for Roads and Public Spaces Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements</li> <li>b) Australian Standard AS1158: Lighting for Roads and Public Spaces Part 2: Computer Procedures for the Calculations of Light Technical Parameters for Category V and Category P Lighting</li> <li>c) Australian Standard AS4282: The Control of Obtrusive Effects of Outdoor Lighting, in the case of security lighting</li> </ul>	<p><b>C10</b> N / A - The Application does not involve any construction works</p>
There is no rule applicable.	<p><b>C11</b> Legitimate users and activities at night are encouraged by lighting:</p> <ul style="list-style-type: none"> <li>a) spaces evenly and consistently (except where accent/feature lighting is necessary)</li> <li>b) inset spaces, entries/exits and paths</li> <li>c) to reduce the casting of shadows that could hide intruders</li> <li>d) directional signage</li> <li>e) building entries</li> <li>f) exterior to interior spaces evenly to allow for surveillance</li> </ul>	<p><b>C11</b> N / A there is currently no proposal to use the external grounds at night for educational purposes. The site contains external lighting relating to its existing building access and use at night</p>
There is no rule applicable.	<p><b>C12</b> Areas that are not intended for night time are not lit and are closed off to pedestrians.</p>	<p><b>C12</b> Complies – no additional lighting to grounds is proposed</p>
There is no rule applicable.	<p><b>C13</b> Damage to light fixtures are minimised by selecting vandal-resistant, high mounted light fixtures. All light bulbs are protected with a suitable lantern bowl.</p>	<p><b>C13</b> N / A - The Application does not involve any construction works</p>

### 3.4 Signs

<p><b>R14</b> A statement is provided that all directional signage will comply with the requirements of AS1742.10 (1991) Manual of Uniform Traffic Control Devices – Pedestrian Control and Protection</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p><b>R14</b> N/A – No traffic directional signage included in the project.</p>
--	---	---

There is no rule applicable	<p>C15</p> <p>Locate signs so that they comply with each of the following:</p> <ol style="list-style-type: none"> <li>they are clearly visible from a distance at all times</li> <li>they are not likely to be obscured by growing vegetation</li> <li>they are strategically placed at entrances and near activity centres including bus stops, taxi rank and public facilities</li> </ol>	<p>C15</p> <p>N/A - No traffic directional signage included in the project.</p>
There is no rule applicable	<p>C16</p> <p>Provide legible signs for all users:</p> <ol style="list-style-type: none"> <li>specify signs of high contrast, with light lettering on dark backgrounds with nonreflective surfaces;</li> <li>signs should be developed as a system with a consistent pattern, based on a hierarchy of most important messages.</li> </ol>	<p>C16</p> <p>N/A</p>

#### ELEMENT 4: BUILT FORM

Rules	Criteria	Response
<b>4.1 Interface between buildings and public realm</b>		
There is no rule applicable.	<p>C17</p> <p>Building entrances are easily identified, providing easy access to all users, affording visibility to and from the street and minimising the potential for hiding spots.</p>	<p>C17</p> <p>N / A - The Application does not involve any construction works</p>
There is no rule applicable.	<p>C18</p> <p>Provide clear sightlines from the building foyer so that occupants can see the nearest pedestrian area/car park before leaving the building.</p>	<p>C18</p> <p>N / A - The Application does not involve any construction works.</p>
There is no rule applicable.	<p>C19</p> <p>Recessed sections in the building elevation/façade are detailed and located so as that there is opportunity for natural surveillance, for spill lighting and the potential for hiding is minimised.</p>	<p>C19</p> <p>N / A - The Application does not involve any construction works</p>
There is no rule applicable.	<p>C20</p> <p>Buildings are detailed in a manner that deters scaling (climbing) the building to access balconies from the ground and/or access between individual balconies.</p>	<p>C20</p> <p>N / A - The Application does not involve any construction works</p>
There is no rule applicable.	<p>C21</p> <p>Where buildings are set back from the street and/or pedestrian path, the area is developed to minimise hiding and entrapment spots.</p>	<p>C21</p> <p>N / A - The Application does not involve any construction works</p>



<b>4.2 Materials and finish</b>		
There is no rule applicable.	<p>C22 Building materials and finishes are of an appropriate quality and detailed in a manner to:</p> <ul style="list-style-type: none"> <li>a) reduce opportunities for graffiti and vandalism</li> <li>b) facilitate cleaning and replacement</li> <li>c) avoid facilitating illegal access to the building and to services</li> </ul>	<p>C22 N / A - The Application does not involve any construction works</p>

## ELEMENT 6: TRAVEL AND ACCESS

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>6.1 Pedestrian routes, bicycle paths and lanes</b>		
There is no rule applicable.	<p>C23 Pedestrian Routes, Bicycle Paths and Lanes are designed to maximise opportunities for natural surveillance by:</p> <ul style="list-style-type: none"> <li>a) maintaining sightlines along paths between destination points;</li> <li>b) allowing overlooking from adjacent areas</li> </ul>	<p>C23 YES – The whole of campus landscape design takes all requirements into consideration. And provides a holistic approach to access and security.</p>
There is no rule applicable.	<p>C24 Provide direct access routes to buildings streets, car parks and public transport. Signs should be used to assist pedestrians where it is not possible to establish clear sightlines between destinations.</p>	<p>C24 N / A - The Application does not involve any construction works</p>
There is no rule applicable.	<p>C25 Security of pedestrian routes, bicycle paths and lanes are provided by:</p> <ul style="list-style-type: none"> <li>a) selecting and lighting 'safe routes' to the standard required for pedestrian areas so that these become the focus of legitimate movement after dark;</li> <li>b) ensuring that laneways have more than one entrance to avoid "dead-ends" and entrapment spots, where possible.</li> </ul>	<p>C25 N / A - The Application does not involve any construction works</p>

There is no rule applicable.	<p>C26 When planting adjacent to pedestrian /bicycle routes:</p> <ul style="list-style-type: none"> <li>a) ensuring there are open sightlines. Low planting (maximum height 600mm) and high-branching trees (two metres) should be used;</li> <li>b) avoiding tall bushes, dense shrubbery and dense clusters of trees, especially immediately adjacent to routes and at predictable stopping points such as road crossings.</li> </ul>	C26 N / A - The Application does not involve any construction works
<p>R27 A Statement is provided that pedestrian paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 13. – Pedestrians</p>	This is a mandatory requirement. There is no applicable criterion.	R27 N / A - The Application does not involve any construction works
<p>R28 A Statement is provided that Bicycle Paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 14. – Bicycles.</p>	This is a mandatory requirement. There is no applicable criterion.	R28 N/A – There are no bicycle paths included as part of this project.
<b>6.2 Pedestrian underpasses and overpasses</b>		
There is no rule applicable.	<p>C29 The use of pedestrian underpasses is to be avoided. Where there is no practical or feasible alternative underpasses are designed:</p> <ul style="list-style-type: none"> <li>a) wide enough to accommodate both pedestrian and cycle traffic</li> <li>b) straight and without recesses</li> <li>c) with mirrors so pedestrians can see around corners if there is a turn of 60 degrees or more</li> <li>d) with entrances and exits that are visible from shops, homes or other areas of frequent pedestrian traffic</li> <li>e) to ensure there is no screening of entries/exits</li> <li>f) with signs at each end indicating where it leads and an alternative route to use at night</li> </ul>	C29 N/A
There is no rule applicable.	<p>C30 Overpasses are designed to reduce opportunities to throw missiles at cars or pedestrians.</p>	C30 N/A

<b>6.3 Bus Interchange, bus stops and taxi ranks</b>		
There is no rule applicable.	<p>C31 Locate bus stops and taxi ranks so that:</p> <ul style="list-style-type: none"> <li>a) natural surveillance is possible</li> <li>b) there are no walls, landscaping, fences or other structures which block sightlines to bus stops and taxi ranks</li> <li>c) they are not located adjacent to vacant land, alleys, car parks or near possible entrapment spots</li> <li>d) there are short, safe routes to bus stops and taxi ranks from night-time venues such as cinemas, theatres etc.</li> </ul>	C31 N/A
There is no rule applicable.	<p>C32 Major bus stops and taxi ranks are well lit and protected from the weather, or adjacent to areas which are well lit or that provide protection from the weather.</p>	C32 N/A
There is no rule applicable.	<p>C33 Directional signage makes it easy to find bus stops or taxi ranks, and provides up-to-date passenger information.</p>	C33 N/A
There is no rule applicable.	<p>C34 Interchanges are located on the same level as significant activity generators to avoid entrapment, increase natural surveillance and provide direct routes of access.</p>	C34 N/A

## ELEMENT 7: SERVICES

<b>Rules</b>	<b>Criteria</b>	<b>Response</b>
<b>7.1 Automatic teller machines (ATMs)</b>		
There is no rule applicable.	<p>C35 Approaches and entrances to ATMs are highly visible and adequately lit so that people cannot loiter, or enter, without being seen.</p>	C35 N/A
There is no rule applicable.	<p>C36 Locations near licensed premises, and bus stops should be avoided to discourage loitering by potential offenders.</p>	C36 N/A
There is no rule applicable.	<p>C37 Where ATMs are enclosed in a vestibule or similar, the vestibule should be securely glazed, adequately and secure from non-legitimate users</p>	C37 N/A

There is no rule applicable.	C38 Use bollards, or other landscaping, to restrict the potential for vehicle incursions.	C38 N/A
<b>7.2 Local waste storage facilities</b>		
There is no rule applicable.	C39 Screening does not provide entrapment or hiding spots and safe access and adequate lighting is provided near the waste storage areas.	C39 N/A
<b>7.3 Local utility facilities</b>		
There is no rule applicable.	C40 Air conditioning plants, meter boxes and other service points are mounted within a secure building / enclosure for protection.	C40 YES
<b>7.4 Delivery and storage facilities</b>		
There is no rule applicable.	C41 Ensure that: a) Delivery and storage areas are not isolated from the main building b) Secure storage areas are provided for shop owners	C41 N/A
<b>7.5 Public toilets</b>		
There is no rule applicable.	C42 Ensure that: a) Public toilets are located in obvious locations, but not in isolated areas of activity centres b) Entrances are highly visible so that people cannot loiter or enter without being seen, particularly for toilets close to Children's' playgrounds c) Public seating and telephones are located away from public toilets to avoid opportunities for loitering.	C42 N / A
<b>7.6 Public telephones</b>		
There is no rule applicable.	C43 Public telephones are located in obvious locations, are well lit and well signposted, eg near bus stops or taxi ranks.	C43 N/A



20181119 Itr Re Interested Parties  
19<sup>th</sup> November 2018

Environment, Planning and Sustainable Development Directorate  
GPO Box 18  
CANBERRA CITY, ACT, 2601

Attention: DA Gateway Team

Dear Sir/Madam

Re: BLOCK 1, SECTION 41, LYNEHAM – DA ID 201834545  
STATEMENT REGARDING INTERESTED PARTIES

SQC Architecture have assisted The Uniting Church in Australia in preparing a Development Application for a Lease Purpose amendment for their property at Block 1 Section 41 Lyneham.

After submission we received a notice requesting information regarding interested parties. We have been in touch with our client and are writing today to advise that there are NO INTERESTED PARTIES associated with the abovementioned property.

Should you have any questions regarding this matter, please contact the undersigned

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nicholas Goodwin'.

Nicholas Goodwin AIA  
Director \ \ Snr Architect



16 November 2018

Environment, Planning and Sustainable  
Development Directorate - Planning

Dear Sir/Madam

**CROWN LEASE VARIATION BLOCK 1 SECTION 41 LYNEHAM**

To support the above application and in accordance with Section 277 of the Planning and Development Act 2007 the V1 and V2 values have been determined and are set out hereunder.

**BEFORE AND AFTER VALUES OF LEASE VARIATION**

After Value	(V1)	\$1,290,000
Before Value	(V2)	\$1,290,000

The contents of this letter are for the use of ACTPLA only for the purpose of assessing the current Development Application and for no other purpose. No responsibility is accepted to any other person who may use or rely on the whole or any part of this assessment. This letter may be placed on the public register.

This assessment has been prepared for and on behalf of EGAN NATIONAL VALUERS (ACT) by Carolyn Mowbray, a Fellow of the Australian Property Institute, Certified Practising Valuer.

Yours faithfully,  
**EGAN NATIONAL VALUERS (ACT)**

A handwritten signature in black ink, appearing to read "P. Mowbray".

---

CAROLYN MOWBRAY  
Certified Practising Valuer

**Egan National Valuers (ACT)**  
**Phone:** 02 6232 7555  
27 Murray Crescent, Griffith ACT 2603  
PO Box 6214, Kingston ACT 2604  
[eganvaluers.com.au](http://eganvaluers.com.au)

Liability limited by a scheme approved under Professional Standards Legislation  
Egan Australasia Pty Ltd ABN 17 102 907 906





Tax Invoice / Receipt
-----------------------

BRINDABELLA CHRISTIAN COLLEGE  
 Attn: ANDREW KENT  
 136 BRIGALOW ST  
 LYNEHAM, ACT 2602

ABN: 68 367 113 536

Receipt Reference: 344183.1035.3

Date: 18-Jan-2019 13:56

Cashier: KH

Counter: Counter 6

Location: Access Canberra EPL

Receipt Item:	Amount
ABN: 31 432 729 493 - Completeness Check Resubmission Fee BRINDABELLA CHRISTIAN COLLEGE Attn: ANDREW KENT 136 BRIGALOW ST LYNEHAM, ACT 2602 Suburb/Section/Block - LYNEHAM-41-1	\$192.00 *
ABN: 66 893 463 785 - DA Lease Variation BRINDABELLA CHRISTIAN COLLEGE Attn: ANDREW KENT 136 BRIGALOW ST LYNEHAM, ACT 2602 Suburb/Section/Block - LYNEHAM-41-1 DA No. - 201834545	\$2,194.00
ABN: 31 432 729 493 - Public Notification BRINDABELLA CHRISTIAN COLLEGE Attn: ANDREW KENT 136 BRIGALOW ST LYNEHAM, ACT 2602 Suburb/Section/Block - LYNEHAM-41-1 DA No. - 201834545	\$1,206.00
ABN: 31 432 729 493 - Lease Search BRINDABELLA CHRISTIAN COLLEGE Attn: ANDREW KENT 136 BRIGALOW ST LYNEHAM, ACT 2602 Suburb/Section/Block - LYNEHAM-41-1	\$38.00 *
<b>Total</b>	<b>*Include GST: \$20.90</b>
	<b>\$3,630.00</b>
<b>Payment Details:</b>	
EFTPOS	\$3,630.00

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**From:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** DEVAPP@ACTEWAGL.COM.AU; Building Approvals - Icon Water  
**Subject:** REFERRAL-ACTEW UTILITIES-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** APP-201834545-01.pdf; AUTHORISATION-201834545-01.pdf; INTPARTY-201834545-01.pdf; SCRITERIA-201834545-SARC-02.pdf; VALUE-201834545-VALUATION CERT-01.pdf; SITE-201834545-01.pdf

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**11/02/2019**).

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](mailto: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

Regards,  
Matthew Forman  
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](http://www.planning.act.gov.au) | [EPDcustomerservices@act.gov.au](mailto:EPDcustomerservices@act.gov.au)

*Land titles and revenue services are moving to Dame Pattie Menzies House, 16 Challis Street, Dickson and will be co-located with the Access Canberra Environment, Planning and Land Shopfront. These services will be available at this new location from 1 December 2016. For more information visit [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)*





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**From:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** Valuations  
**Subject:** REFERRAL-AVO-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** %LEASE-201834545-01.pdf; APP-201834545-01.pdf; VALUE-201834545-VALUATION CERT-01.pdf; %ASSESSMENTCUC-201834545-VALUATION-01.pdf

Dear ACT Valuation Office

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

The Environment and Planning Directorate has received the above development application. Attached for your information and comments is a copy of the development application, valuation report and Crown Lease.

Please commence the preparation of a full valuation report in accordance with the requirements of section 277 of the Planning and Development Act 2007. On determination of the development application the Notice of Decision will be sent enabling your office to adjust the final report to address any relevant conditions should the application be approved.

If you require any further information please contact DA Leasing on telephone 6207 5454 or via email [actpladaleasing@act.gov.au](mailto:actpladaleasing@act.gov.au).

Regards,

Matthew Forman  
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:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** EPSD DACoordinator  
**Subject:** REFERRAL-DA MERIT COMMERCIAL-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** plans.obr; supporting docs.obr

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**11/02/2019**).

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](mailto: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

Regards,  
Matthew Forman  
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:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** EPAPanningLiaison; ConservatorFloraFauna  
**Subject:** REFERRAL-EPA-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** plans.obr; supporting docs.obr

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

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COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

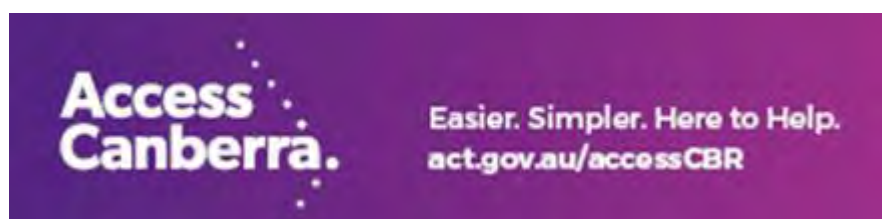
**Access Canberra | ACT Government**

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

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---

**From:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** ORSRCS  
**Subject:** REFERRAL-RGO-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** APP-201834545-01.pdf; AUTHORISATION-201834545-01.pdf; INTPARTY-201834545-01.pdf; SCRITERIA-201834545-SARC-02.pdf; VALUE-201834545-VALUATION CERT-01.pdf; SITE-201834545-01.pdf

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

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Regards,  
Matthew Forman  
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---

**From:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** TCCS\_PC DA  
**Subject:** REFERRAL-TCCS-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** plans.obr; supporting docs.obr

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

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Please forward any written advice via email to Customer Services – [EPDcustomerservices@act.gov.au](mailto: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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

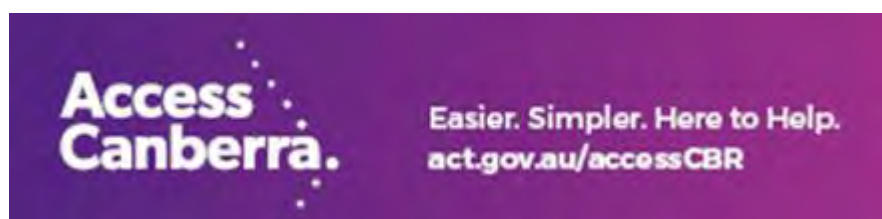
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---

**From:** EPD, Customer Services  
**Sent:** Tuesday, 22 January 2019 12:17 PM  
**To:** HeritageReferrals  
**Subject:** REFERRAL-HERITAGE-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** plans.obr; supporting docs.obr

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**13/02/2019**).

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COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

**[Access Canberra](#) | ACT Government**

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**From:** EPD, Customer Services  
**Sent:** Tuesday, 22 January 2019 12:21 PM  
**To:** DETschoolplanning@act.gov.au  
**Cc:** CECA; Sullivan, Susan; Jones, CraigW  
**Subject:** REFERRAL-EDU-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** APP-201834545-01.pdf; AUTHORISATION-201834545-01.pdf; INTPARTY-201834545-01.pdf; SCRITERIA-201834545-SARC-02.pdf; VALUE-201834545-VALUATION CERT-01.pdf; SITE-201834545-01.pdf

**DEVELOPMENT APPLICATION NO: 201834545**

**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

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**From:** EPAPanningLiaison  
**Sent:** Tuesday, 5 February 2019 8:41 AM  
**To:** EPD, Customer Services  
**Subject:** RE: REFERRAL-EPA-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

Environment Planning & Sustainable Development Directorate,

DA 201834545

BLOCK: 1	SECTION: 41	DIVISION: LYNEHAM
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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 site is currently occupied by a community complex. Community complexes, prior to the introduction of natural gas to the ACT in the 1980's, utilised boiler heating or similar systems. These systems were generally fuelled by diesel or heating oil which was mainly stored in underground fuel storage tanks.

Other potentially contaminating activities may have also been undertaken at the site associated with current and past uses.

The ANZECC 1992, Guidelines for the Assessment and Management of Contaminated Sites and the Contaminated Sites Environment Protection Policy 2017 list fuel storage as past activities associated with land contamination which may pose a risk to human health and the environment.

The Environment Protection Authority (EPA) would support the lease variation subject to the following conditions:

#### Conditions:

Prior to the site being used for other purposes an environmental assessment in accordance with EPA endorsed guidelines must be undertaken by a suitably qualified environmental consultant to determine whether past activities have impacted the site from a contamination perspective and to determine whether remediation is required to make the site is suitable for the proposed uses.

The consultant's assessment report into the site's suitability for the proposed and permitted uses from a contamination perspective must be reviewed and endorsed by the EPA prior to the site being used for other purposes.

Regards,

Robin Brown | Environment Protection Authority Planning Liaison

Phone 02 6207 5642

Environmental Quality | Construction Environment & Workplace Protection | Access Canberra | ACT Government



**From:** EPD, Customer Services

**Sent:** Monday, 21 January 2019 12:49 PM

**To:** EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>; ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>

**Subject:** REFERRAL-EPA-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201834545**

**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

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Regards,  
Matthew Forman  
Customer Services

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**From:** Chowdhury, Abu Sayem  
**Sent:** Monday, 11 February 2019 11:31 AM  
**To:** EPD, Customer Services  
**Cc:** TCCS\_PC DACOORD  
**Subject:** COMM-TCCS-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Dear App Sec,

**DEVELOPMENT APPLICATION NO: 201834545**

**Project Description:**

<b>BLOCK: 1</b>	<b>SECTION: 41</b>	<b>SUBURB: Lyneham</b>
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This DA has been assessed in regards to the following:

<b>Traffic</b>		<b>Driveways</b>	
<b>On Street / Public Parking Facility</b>		<b>LMPP/Street Trees</b>	
<b>Public Transport</b>		<b>Street Lighting</b>	
<b>Waste Management</b>		<b>Pedestrian Footpath</b>	
<b>Stormwater</b>		<b>Service / Access Easement</b>	
<b>Demolition</b>		<b>Estate Development Plan (EDP)</b>	
<b>Further Information</b>		<b>Amendments/Additions/Alterations</b>	
<b>Lease Variation</b>	<b>X</b>	<b>Capital Works</b>	

X = Areas Assessed.

And TCCS' position is:

<b>That It Is Supported</b>	<b>X</b>
<b>That It Is Supported Subject to Compliance With The Following Conditions</b>	
<b>That Further Information Is Required</b>	
<b>That It Is Not Supported</b>	

Regards

Abu Sayem Chowdhury | Senior Project Coordinator | M Engg | MIEAust  
 Phone: 02 6205 9091 | Email: [abusayem.chowdhury@act.gov.au](mailto:abusayem.chowdhury@act.gov.au)  
 Place Coordination and Planning | Transport Canberra and City Services Directorate | ACT Government  
 490 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601  
[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) |

**From:** EPD, Customer Services  
**Sent:** Monday, 21 January 2019 12:49 PM  
**To:** TCCS\_PC DA <TCCS.DA@act.gov.au>  
**Subject:** REFERRAL-TCCS-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201834545**

**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

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---

**From:** Harrison, Kate  
**Sent:** Tuesday, 12 February 2019 10:53 AM  
**To:** EPD, Customer Services  
**Subject:** COMM-HERITAGE-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** 20190212 - Advice - Block 1 Section 41 Lyneham lease variation (A18849362).pdf

Dear Customer Services

Please see attached Heritage Council comment on DA201834545

Regards

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@act.gov.au)

**ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 [www.environment.act.gov.au](http://www.environment.act.gov.au)



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[facebook.com/EnvironPlan](https://facebook.com/EnvironPlan)



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**From:** EPD, Customer Services  
**Sent:** Tuesday, 22 January 2019 12:17 PM  
**To:** HeritageReferrals <[Heritagereferrals@act.gov.au](mailto:Heritagereferrals@act.gov.au)>  
**Subject:** REFERRAL-HERITAGE-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

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COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

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

Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

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## ACT Heritage Council

# HERITAGE ADVICE

## Under Section 60 of the *Heritage Act 2004*

ACTPLA Reference: DA201834545  
 Heritage Reference: Lyneham-S41-B1  
 Contact Officer: KH  
 Received by Council: 22 January 2019  
 Due date: 13 February 2019

**TO:** ACT planning and land authority  
 Environment, Planning and Sustainable Development Directorate  
[EPDCustomer Services@act.gov.au](mailto:EPDCustomerServices@act.gov.au)

Block:	Section:	Division / District:	Heritage Place:
1	41	Lyneham	St Ninian's Church

Status of Place: Registered Heritage Place  
 Description of Works: Residential - single dwellingalts + additions  
 Council Advice provided by: Manager (Approvals and Advice)

Pursuant to Sections 148 and 149 of the *Planning and Development Act 2007* and Section 60 of the *Heritage Act 2004*, the ACT Heritage Council advises that:

The proposed development is **unlikely to diminish the heritage significance** of a place or object.

### Advice:

On 22 January 2019, the ACT Heritage Council (the Council) received referral of a development application (DA 201834545) for a lease variation at Block 1, Section 41 Lyneham. The proposed lease variation would vary the crown lease to add educational establishment as a permitted purpose.

The subject block contains St Ninian's Church, a registered heritage place on the ACT Heritage Register. The rectangular nineteenth century stone church building with gabled roof and three arched windows on either side, is intrinsic to the heritage significance of St Ninian's Church.

The proposed lease variation would have no physical impact to the nineteenth century stone building and would complement ongoing significant use of the church building as a religious institution. For this reason, the subject development application is unlikely to diminish the heritage significance of St Ninian's Church and *Heritage Act, 2004* approvals are not required.

Meaghan Russell  
**Manager (Approvals and Advice) (as delegate for),**  
**ACT Heritage Council**

12 February 2019

---

**From:** developmentapplications@iconwater.com.au  
**Sent:** Wednesday, 23 January 2019 8:25 AM  
**To:** EPD, Customer Services  
**Subject:** Icon Water Application Decision. Application - 174607. Lyneham - 1/41  
**Attachments:** Accepted174607.pdf; APP-201834545-01.pdf; AUTHORISATION-201834545-01.pdf; SITE-201834545-01.pdf; VALUE-201834545-VALUATION CERT-01.pdf

## Icon Water

### Approval ID : 174607, Lyneham 1 /41

Your application has been assessed against Icon Water's water and sewerage network access and asset protection requirements.

Please find attached an Icon Water DECISION STATEMENT together with your stamped plans.

A failure to comply with decision statement conditions will invalidate the approval and will expose the land-holder to prosecution under the Utilities Act 2000.

Non-compliant submissions must be rectified and resubmitted to Icon Water for approval prior to construction commencing. A decision to proceed with construction using unapproved drawings will expose the land-holder to prosecution under the Utilities Act 2000.

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

### Future applications

Icon Water has introduced an online planning application process for obtaining utility clearances prior to submitting a development application or seeking building approval.

This revised application process consists of an electronic form available [here](#). By using the online form applicants will no longer need to complete the respective Water/Sewerage and Electricity/Gas application forms.

When an application is submitted it will be assessed against the water, sewerage, electricity and gas networks.

Icon Water requests that organisations register their details if they regularly submit applications. Registration will reduce the time it takes to lodge an application. To register, send a return email including the organisation's name, a contact name, phone number and email address.

Regards

***Ian McDonell***

Building Approvals and Network Protection  
Icon Water

Telephone 02 6248 3111

Facsimile 02 6242 1459

Email [developmentapplications@iconwater.com.au](mailto:developmentapplications@iconwater.com.au)

GPO Box 366 Canberra ACT 2601

[www.iconwater.com.au](http://www.iconwater.com.au)

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## STATEMENT OF ACCEPTANCE

**Application No:** 174607 **Suburb:** Lyneham

**Block/Section** 1 / 41

**Applcn Type:** Non residential/Lease variation

### Attached Plans

APP-201834545-01.pdf

AUTHORISATION-201834545-01.pdf

SITE-201834545-01.pdf

VALUE-201834545-VALUATION CERT-01.pdf

The design depicted in this application has been assessed by Icon Water and complies with their water and sewerage network protection and access requirements.

#### Please Note

- ❖ Separate applications are required for ActewAGL electricity and gas networks.
- ❖ Any failure to accurately show existing or proposed structures may result in damage and costs for which the property owner will be liable. Damage to network assets must be reported to 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.

#### Comments:

**Signed**

Ian McDonell

**Date**

23 Jan 2019

*For further information please phone Icon Water 6248 3111.*

---

**From:** Network Connection Advice <Network.ConnectionAdvice@evoenergy.com.au>  
**Sent:** Wednesday, 23 January 2019 3:14 PM  
**To:** EPD, Customer Services  
**Subject:** FW: REFERRAL-ACTEW UTILITIES-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

Hi Matthew,

Evoenergy do support the lease variation – to vary the crown lease by adding educational establishment as a permitted purpose, however, would like to highlight that a substation is located on a neighbouring block. Proponent to conduct earthing assessment to attend EPR and Step and Touch Potential issues in compliance with relevant Australian Standards and establish any additional earthing to substation as required.

Proponent to contact Evoenergy for any electricity network alteration or supply upgrade, thank you

## Regards

Kedar Vedanti  
Industry Interface and Coordination Lead  
**evoenergy**  
t: 02 6248 3582 | fax : 02 6293 5762

Cnr. Of Anketell St. and Oakden St. Greenway ACT 2900  
[evoenergy.com.au](http://evoenergy.com.au)

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**From:** BASubmission\_Electricity  
**Sent:** Tuesday, 22 January 2019 7:41 AM  
**To:** Steve Donnelly <Steve.Donnelly@jemena.com.au>; Network Connection Advice <Network.ConnectionAdvice@evoenergy.com.au>  
**Cc:** BASubmission\_Electricity <BASubmission\_Electricity@evoenergy.com.au>  
**Subject:** FW: REFERRAL-ACTEW UTILITIES-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

Dear Steve and Kedar,

Please find attached a lease variation request at 1/41 Lyneham.

Comments are due directly to [EPDcustomerservices@act.gov.au](mailto:EPDcustomerservices@act.gov.au) by 11/2/2019.

Thank you,

Denise

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

**Sent:** Monday, 21 January 2019 12:49 PM

**To:** Development Applications <[DevelopmentApplications@actewagl.com.au](mailto:DevelopmentApplications@actewagl.com.au)>; Building Approvals - Icon Water <[BAsubmission\\_watersewer@iconwater.com.au](mailto:BAsubmission_watersewer@iconwater.com.au)>

**Subject:** REFERRAL-ACTEW UTILITIES-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201834545**

**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

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Regards,  
Matthew Forman  
Customer Services

**Phone 02 6207 1923**

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**From:** EPD, Customer Services  
**Sent:** Tuesday, 19 February 2019 10:20 AM  
**To:** studio@sqca.com.au  
**Cc:** cheryll@nswact.uca.org.au  
**Subject:** CLOSE OF PUBLIC NOTIFICATION- 201834545-1/41 LYNEHAM-(No Representations Received)  
[SEC=UNCLASSIFIED]

## CLOSE OF PUBLIC CONSULTATION PERIOD

### BLOCK 1 SECTION 41 SUBURB LYNEHAM

The public consultation period for DA **201834545** has now closed.

No representations were received by the Environment and Planning 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,

Emil George

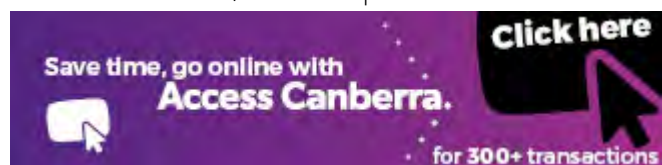
Phone 6207 1923

[EPDCustomerServices@act.gov.au](mailto:EPDCustomerServices@act.gov.au)

[www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr)

**Access Canberra | ACT Government**

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



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**From:** Gianakis, Anna  
**Sent:** Wednesday, 27 February 2019 10:24 AM  
**To:** EDU, School Planning; EDU, School Planning  
**Subject:** RE: REFERRAL-EDU-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Importance:** High

Good morning

I am the Assessment Officer for the below mentioned DA and seek Education's response to assist in finalising the notice of decision which is due 4 March 2019.

Kind regards

Anna Gianakis | DA Leasing

☎ (02) 6205 8757 | ✉ ACTPLADALEasing@act.gov.au

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

16 Challis Street, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

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**From:** EPD, Customer Services  
**Sent:** Tuesday, 22 January 2019 12:21 PM  
**To:** DETschoolplanning@act.gov.au  
**Cc:** CECA <CECA@act.gov.au>; Sullivan, Susan <Susan.Sullivan@act.gov.au>; Jones, CraigW <CraigW.Jones@act.gov.au>  
**Subject:** REFERRAL-EDU-201834545-1/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201834545**  
**BLOCK: 1 SECTION: 41 DIVISION: LYNEHAM**

**Description: LEASE VARIATION - To vary the Crown lease by adding educational establishment as a permitted purpose.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**13/02/2019**).

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](mailto: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

Regards,  
Matthew Forman

## Customer Services

**Phone 02 6207 1923**

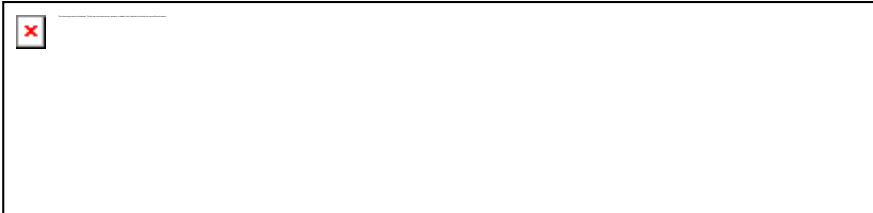
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*Land titles and revenue services are moving to Dame Pattie Menzies House, 16 Challis Street, Dickson and will be co-located with the Access Canberra Environment, Planning and Land Shopfront. These services will be available at this new location from 1 December 2016. For more information visit [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)*





# Form

## Legislated Requirements

### Merit Track

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#### ASSESSMENT REPORT

ASSESSMENT OFFICER: Anna Gianakis

APPLICATION NUMBER: 201834545

BLOCK: 1 SECTION: 41

DIVISION: LYNEHAM

**Zone: CFZ Community Facility Zone**

#### The Planning and Development Act 2007

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

#### Planning and Development Act 2007 - Section 119

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

<p>S119 (1)(a) The relevant code</p> <p><b>NB:</b> Refer to form Territory Plan Code Requirements Merit Track to complete this question</p>	The relevant code(s) for the development proposal are:	
	Precinct Code:	Lyneham Precinct Map and Code
	Development Code:	Community Facility Zone Development Code
	General Code:	Community and Recreation Facilities Location Guidelines General Code
		Parking & Vehicular Access General Code
	Lease Variation General Code	
<p>The proposal <b>is not</b> consistent with the above code(s) for reasons identified in <a href="#">Form – Territory Plan Code Requirements – Merit Track</a>.</p>		

<p>S119 (1)(b) Any land management agreement for the land (for proposed development relating to land comprised in a rural lease)</p>	<p>The proposal <b>is not</b> for a proposed development relating to land comprised in a rural lease.</p>
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<p>S119 (1)(c) the advice of the Conservator of Flora and Fauna in relation to the proposal (if the proposed development will affect a registered tree or declared site)</p> <p><b>NB:</b> In accordance with Section 119(3)(a), the application must not be approved unless the approval is consistent with the advice of the Conservator of Flora and Fauna in relation to a proposal that will affect a registered tree or declared site.</p> <p><b>NB:</b> Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</p>	<p>The proposal <b>is not</b> for a proposed development that will affect a registered tree or declared site.</p>
<p>S119 (2) Consistency with advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p> <p><b>NB:</b> Under Section 119 (2) of the Act, development approval must not be given for a development proposal in the merit track if approval would be inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 unless the person deciding the application is satisfied that –</p> <p>(a) the following have been considered:</p> <ul style="list-style-type: none"> <li>(i) any applicable guidelines;</li> <li>(ii) any realistic alternative to the proposed development, or relevant aspects of it; and</li> </ul> <p>(b) the decision is consistent with the objects of the Territory Plan</p> <p><b>NB:</b> Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</p>	<p>The decision <b>is not</b> inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p> <p>.</p>

**Planning and Development Act 2007 - Section 120**

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

S120 (a) Zone Objectives	<p>The development is proposed to take place in the CFZ Community Facility Zone. The application meets all relevant objectives of the zone:</p> <ul style="list-style-type: none"> <li>a) To facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families, and communities.</li> <li>b) To provide accessible sites for civic life and allow community organisations to meet the needs of the Territory's various forms of community.</li> <li>c) To protect these social and community uses from competition from other uses.</li> <li>d) To enable the efficient use of land through facilitating the co-location, and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use.</li> <li>e) To encourage adaptable and affordable housing for persons in need of residential support or care.</li> <li>f) To safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy.</li> <li>g) Promote active living and active travel</li> <li>h) Provide safe pedestrian and cycling access to community facilities to promote active living.</li> </ul>
S120 (b) Suitability of the Land	<p>The proposed development seeks approval to use the land or a building or structure of the land for the purpose(s) of education establishment.</p> <p>The proposed use is listed as an assessable development in the CFZ Community Facility Zone <b>development table</b>, and is therefore determined <b>to be</b> a permissible use for the land.</p> <p>The proposed development is not in accordance with the provisions of the Crown Lease, however this application is for a lease variation development.</p> <p>The land is suitable for the development proposed.</p>

S120 (c) Environmental Significance Opinion	An Environmental Significance Opinion (ESO) <b>is not</b> in force for the development proposal.
S120 (d) Representations	No Representations were received.
<p>S120 (e) advice given by an entity in accordance with section 149 of the Act</p> <p><b>NB:</b> Under Section 150 of the Act, if entity advice is not received within 15 working days, the entity is taken to have given advice in support of the application.</p>	<p>Entity advice received is addressed in the Notice of Decision.</p> <p>Comments provided by the referral entities include:</p> <ul style="list-style-type: none"> <li>• <b>Icon Water</b> – Accepted</li> <li>• <b>Evo Energy</b> –Substation located on neighbouring block. Proponent to conduct earthing assessment in compliance with relevant Australian Standards and establish any additional earthing to substation as required. Proponent to contact Evoenergy for any electricity network alteration or supply upgrade.</li> <li>• <b>EPA</b> – Contamination</li> <li>• <b>TCCS</b> – Supported</li> <li>• <b>Heritage</b> – unlikely to diminish the heritage significance</li> <li>• <b>Department of Education &amp; Training</b> – <i>I spoke with Karen about applications to request inclusion of education establishment in leases. We agreed that clarity from the Territory Plan team on these requests and the use of it for non-qualification training courses run by commercial and recreation venues. Education takes a narrow view on the use of this term.</i></li> </ul> <p><i>In this case, the application does not outline the proposed education program that the lessee is proposing to deliver.</i></p> <p>Under the Territory Plan’s definition of terms, the use of education establishment is listed as a type of development under the umbrella term of community use, meaning the use of land for the purpose of tuition, training or research directed towards the discovery or application of knowledge. The application demonstrated proposed dealings considered to appropriately fit within this use.</p>

## Legislated Requirements – Merit Track

DA No.201834545

S120 (f) the plan of management for the land (if the proposed development relates to land that is Public Land)	The proposal <b>is not</b> 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 <b>does not</b> 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)	No site inspection was required as sufficient evidence could be derived from other assessment methods.



# Form

## Territory Plan Code Requirements Merit Track

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### ASSESSMENT REPORT

#### CFZ Community Facility Zone

ASSESSMENT OFFICER: Anna Gianakis

APPLICATION NUMBER: 201834545

BLOCK: 1 SECTION: 41

DIVISION: LYNEHAM

### Territory Plan Code Requirements

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

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

with the exception of those listed in the tables below.

#### 1. Assessment of Compliance with Community Facility Zone Development Code

The Community Facility Zone Development Code is a Code 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 met.

#### GENERAL DEVELOPMENT CONTROLS

**Element 1: Restrictions on use** – Supportive housing, retirement village, business agency, office, public agency, and approved lease and development conditions are not applicable to this application.

**Element 2: Building and site controls** – Building height, setbacks, and storage are not applicable to this lease variation only application.

**Element 3: Built form** – Materials and finishes, and interface are not applicable to this application.

**Element 4: Access** – Traffic generation and access requirements are not applicable to this application.

**Element 5: Environment protection** – Water sensitive urban design, sediment and erosion control, earthworks, tree protection, heritage, and contamination are not applicable to this lease variation application.

**Element 6: Amenity** – noise surrounding the uses of emergency services facility, indoor recreation facility, or outdoor recreation facility are not relevant to this application.

**Element 7: Services and utilities** – The application was referred to TCCS, The advice received states that any off-site verge treatment proposed in response to the OEMP will need to be supported by TCCS

**Element 8: Demolition** – Demolition issues surrounding utilities and hazardous materials are not relevant to this lease variation only DA.

**Element 9: Subdivision** – Not applicable

## 2. Assessment of Compliance with Lyneham Precinct Map and Code

The Lyneham Precinct Code is not relevant as the subject block is not identified as having any additional uses, permissions, prohibitions, rules or criteria applicable to this proposal. No additional provisions apply.

## 3. Assessment of Compliance with Community & Recreation Facilities Location Guidelines General Code

The Community & Recreation Facilities Location Guidelines General Code is a Code 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 met.

### Section 4 – Detailed Location Guidelines for community and recreation facilities

#### Education Establishment:

Development	Relationship to Shops	Relationship to other uses – Close to **	Separated from	Co-location Opportunity	Other Issues
<b>Education</b> *Preschool	400 metres from retail centre where possible	Central to catchment area, linked to major pedestrian system	Noise separation from special care hostels; social separation from clubs and other licensed premises; separated from safety hazards (eg roads with high traffic volumes, stormwater channels)	Child care centre, primary school, baby health clinic	Northerly aspect Safe drop-off areas essential
<b>Primary School</b> (education and community use, includes kindergarten)	400 metres from retail centre where possible	Adjoining/adjacent to playing fields/ovals essential, and on cycleway; central to long-term catchment; located on distributor or local road or close to a collector road; within safe pedestrian access to dwellings in catchment	Noise separation from special care hostels; social separation from clubs and other licensed premises; separated from safety hazards (eg roads with high traffic volumes, stormwater channels)  No direct access off arterial roads and other roads with high traffic volumes; social separation from major shopping areas and amusement centres; careful consideration should be given to relationship between school and residential streets to avoid disturbing residents, and to ensure safety of children.	Other community facilities; child care centre; preschool; church for non-government church school	Northerly aspect immediately adjoining oval or playing fields  Substantial, uninhibited street frontage on three boundaries where possible  Streets must be suitable for bus laybys and pick up and set down areas
* <b>High School</b> (education and community use)	400 metres from retail centre where possible	Adjoining/adjacent to district playing fields essential, on cycleway; central to long-term catchment  On collector or distributor roads	Noise separation from special care hostels; social separation from clubs and other licensed premises, amusement centres; separated from safety hazards (eg roads with high traffic volumes, stormwater channels)  No direct access off arterial roads and other roads with high traffic volumes, but within easy access of arterial roads	Government and non-government high school, primary school; other community facilities	Northerly aspect immediately adjoining district playing fields with easterly aspect  Uninhibited street frontage on two boundaries  Street must be suitable for bus laybys and pick up and set down areas
<b>Secondary College</b> (education and community use)	Located on boundary of town or group centre where possible	Near open space, adjacent to district playing fields (essential), on cycleway network; safe walking distance of town centre bus passenger facilities	Noise separation from special care hostels; social separation from clubs and other licensed premises, amusement centres; separated from safety hazards (eg roads with high traffic volumes)  No direct access off arterial roads and other roads with high traffic volumes	Recreation facilities, library; theatre	Northerly aspect immediately adjoining playing fields  Uninhibited street frontage on at least one boundary

- Relationship to shops - Approximately 400m
  - Relationship to other uses – Site is located adjacent to and existing school campus (Brindabella Christian College). The application includes the potential for the School to use the Church grounds as a play area for their Junior School pupils during their upcoming major redevelopment
- Connection to public transport, pedestrian walkways, cycle ways are all within close vicinity of the site. Located on Brigalow Street, providing access by car, drop off, bicycle and pedestrian walkways.
- Separated from - Separation from noise emitting establishments like clubs, and other licensed premises is far enough to be of no issue. No major shopping areas and amusement centres are located close by. There is no direct access to arterial roads and other roads with high traffic volumes. Only one of the boundaries is located along a road with residential blocks to the other side of the road.
  - Co-location opportunity - The Development Application represents a co – location opportunity, where the Church land is proposed to be made available for the adjacent school to use for playground space.
  - Other issues - Site is open to two street boundaries
  - There are Bus stops located near the site in both adjoining streets.

#### 4. Assessment of Compliance with the Lease Variation General Code

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

##### Part A

Sub-Element: <b>1.1 Varying leases – general</b>	
Rule: Not Applicable	Applicable Criterion: C1
<p>The proposal meets the criterion because:</p> <p><i>i) the varied lease is consistent with the Territory Plan including all relevant codes</i> The addition of education establishment to the lease is not inconsistent with the relevant rules and Criteria of the Territory Plan.</p> <p><i>ii) the land to which the lease applies is suitable for the development or use authorised by the varied lease.</i> The site is located within the CFZ Community Facility Zone and the addition of the proposed use is suitable for this site.</p>	

**Element 2: Variations to increase rights – Not applicable**

<b>Sub-Element: 3.1 Adding uses generally</b>	
Rule: Not Applicable	Applicable Criterion: C3
<p>The proposal meets the criterion because:</p> <p><i>i) sufficient car parking is provided on site or is available off site in accordance with the Parking and Vehicular Access General Code</i> This proposal does not affect the existing car parking requirements under the PVAGC.</p> <p><i>ii) any increase in traffic flow is within the capacity of the surrounding road network</i> This proposal is not likely to increase the demand of the surrounding road network.</p> <p><i>iii) adequate post occupancy waste management and disposal can be provided to the relevant Territory standard</i> The application was referred to TCCDS and they did not raise any issues in regards to waste management.</p> <p><i>iv) no unreasonable increase in level of noise for the occupants of dwellings on the block or on adjoining land</i> The proposal was referred to the EPA who did not raise any issues in regards to noise management.</p> <p><i>v) no unreasonable risk to occupants of the block through any contamination of the block or on adjoining land</i> The proposal was referred to the EPA and conditions of approval have been included in the decision in regards to the assessment of potential contamination on the site.</p> <p><i>vi) no unreasonable level of odour for the occupants of dwellings on the block or on adjoining land</i> The proposal does not have any particular issues in regards to unreasonable levels of odour.</p> <p><i>vii) no unreasonable level of light emission for the occupants of dwellings on the block or on adjoining land.</i> Not relevant – there are no dwellings on adjoining land.</p>	

<b>Sub-Element: 4.1 Community and Recreational Facilities</b>	
Rule: Not Applicable	Applicable Criterion: C3
<p>The proposal to add education establishment to the uses permitted by the Crown lease is consistent with the Community and Recreational Facilities Location Guidelines General Code. – see CRFLGG Code assessment.</p>	

**Part B****Element 5: Variations to express the number of dwellings** – Not applicable**Element 6: Variations to remove, relocate or change easements** – Not applicable



## 5. Assessment of Compliance with the Parking and Vehicular Access General Code

The Parking and Vehicular Access General Code is a Code relevant to this proposal. The proposal meets all requirements of this Code that are relevant to the development, with the exception of those listed in the tables below.

### Section 3.2.5 - Minimum Parking Provision

#### Requirement of current uses:

*(place of worship under the territory plan)*

1 space/4seats

#### Requirement of proposed use of education establishment

Pre-school, primary & high schools

0.8 spaces/10 students

plus

0.4 set-down/pick-up spaces/10 students

Secondary college 1.8 spaces/10 students

plus

0.2 set-down/pick-up spaces/10 students

Tertiary institution, college Subject to individual assessment specialist

The Global Area Standards for school buildings is a percentage of tuition and tuition support areas in the school compared to a per student area allowance. The allowances are: a) 7m<sup>2</sup> per student for primary schools; b) 10m<sup>2</sup> per student for junior secondary schools; and, c) 11m<sup>2</sup> per student for senior secondary schools; **source:**

[www.bga.qld.edu.au/files/file/AreaGuidelinesforEducationalSpaces2.pdf](http://www.bga.qld.edu.au/files/file/AreaGuidelinesforEducationalSpaces2.pdf)

The above averages to a GFA of 9m<sup>2</sup> per student. The application states that no change is to occur to existing heritage listed church building, leaving the existing hall at approximately 325m<sup>2</sup> GFA for the development. Calculations based on the GFA of the existing hall indicates the potential for 36 students to occupy the proposed use at any given time. Existing onsite car parking consists of approximately 24 (dirt) + 36 (sealed) spaces equalling 60 car parking in total. (Anything more will require parking to be assessed in an associated D&S DA).

The proposal meets the requirements of this code because the existing car parking onsite is considered to be adequate for the proposed use.


**ACT**  
 Government

 Environment, Planning and  
 Sustainable Development

# Notice of decision

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

## Merit track

DA NO: 201834545		DATE LODGED: 18 January 2019
DATE OF DECISION: 4 March 2019		
BLOCK: 1	SECTION: 41	SUBURB: LYNEHAM
STREET NO AND NAME: 150 Brigalow Street		
APPLICANT: SQC Architecture		
LESSEE: The Uniting Church In Australia (Australian Capital Territory) Property Trust		

### 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, Anna Gianakis, delegate of the planning and land authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for a **variation to the Crown lease purpose clause to permit the use of educational establishment** substantially in accordance with the draft Instrument of Variation at Attachment 1.

**Please note that the changes to the Crown lease do not commence until the Instrument is registered at Land Titles, Access Canberra, before the expiry of this approval.**

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

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

**PART 3** is Public Notification and Entity Advice.

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

### DELEGATE

Anna Gianakis  
 Delegate of the planning and land authority  
 Environment, Planning and Sustainable Development Directorate  
 4 March 2019

### CONTACT OFFICER

Anna Gianakis  
 Phone: (02) 6207 5403  
 Email: actpladaleasing@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 instrument of variation. See Advisory Notes for further information about those legislative requirements.

This application is approved subject to the following conditions.

### A. CONDITIONS RELATING TO THE VARIATION OF A CROWN LEASE

#### A1. APPROVAL DOES NOT TAKE EFFECT

This approval **does not take effect** until the applicant/lessee has lodged with the planning and land authority written evidence under section 165 of the *Planning and Development Act 2007* that:

- (a) the site has been assessed for possible contamination to the satisfaction of the Environment Protection Authority (EPA) or its successors; and
- (b) applicant/lessee has obtained written advice from EPA that the site is suitable for the proposed development.

#### A2. TIMEFRAME TO COMPLY WITH CONDITION A1

- (a) The applicant/lessee shall commence assessment of possible contamination within 24 months of the date of this Decision; and
- (b) the applicant/lessee shall lodge with the planning and land authority written advice of compliance with condition A2(a) within 24 months of the date of this Decision.

#### A3. COMPLIANCE WITH CONDITION A2

- (a) This approval will end if the applicant/lessee has not lodged the written evidence in accordance with Condition A2 within 24 months of the date of this Decision; **and**
- (b) if the applicant/lessee has lodged with the planning and land authority written advice of the commencement, the applicant/lessee may apply to the planning and land authority in writing for an extension of time to the approved timeframe.

#### A4. INSTRUMENT OF VARIATION

That the lessee accepts the variation substantially in accordance with the draft Instrument of Variation at **Attachment 1** and shall do all that is necessary to ensure that the Instrument of Variation is registered at Access Canberra (Land Titles and Rental Bonds) prior to the end of the approval for the variation of the Crown lease.

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

### B. ADVISORY NOTES

*This application is approved with the following advisory notes.*

#### B1. UNIMPROVED LAND VALUE FOR RATING PURPOSES

As a consequence of this lease variation, the unimproved value of the property for rating purposes is likely to increase. Where rates assessments have been issued they will be amended to reflect the higher unimproved value from the time of the lease variation.

**B2. LEASE VARIATION CHARGE**

Prior to the registration of the Instrument of Variation, the lessee must, as is required under the *Planning and Development Act 2007*, pay any assessed Lease Variation Charge (LVC). 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 Instrument of Variation to be registered at the Access Canberra (Land Titles and Rental Bonds) prior to expiry of this approval.

**B3. POSSIBLY CONCESSIONAL LEASE**

The Crown lease over Block 1 Section 41 Lyneham is a possibly concessional lease under Schedule 5 Part 5.3 of the *Planning and Development Act 2007* (the Act). Restrictions on dealings with concessional leases are set out under section 265 of the Act. The lessee may apply to have the concessional status of the lease determined. Please contact DA Leasing at [ACTPLADALeasing@act.gov.au](mailto:ACTPLADALeasing@act.gov.au) for further information.

**B4. EXPIRY OF APPROVAL**

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

## **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 Community Facility Zone Development Code, Community and Recreation Facilities Location Guidelines General Code, Parking and Vehicular Access General Code, and the Lease Variation General Code.

The key issues identified in the assessment are the suitability of the site for the proposed development, the payment of any assessed Lease Variation Charge, and the registration of the Instrument of Variation. 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*.

Under the Territory Plan's definition of terms, the use of education establishment is listed as a type of development under the umbrella term of community use, meaning the use of land for the purpose of tuition, training or research directed towards the discovery or application of knowledge. The application demonstrated proposed dealings appropriate for this use as defined under the Territory Plan.

**EVIDENCE**

**Application No. 201834545**

**File No. 1-2018/26875**

**The Territory Plan zone – CFZ Community Facility Zone**

**The Development Codes – Community Zone Development Code**

**The Precinct Codes – Lyneham Precinct Map and Code**

**The General Codes – Community and Recreation Facilities Location Guidelines  
General Code;  
Parking and Vehicular Access General Code; and  
Lease Variation General Code**

**Current Crown Lease – Volume 164 Folio 28**

**Entity advice – Evo Energy; Icon Water; TCCS; EPA; Heritage**

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

#### **PUBLIC NOTIFICATION**

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 23 January 2019 to 14 February 2019. 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.

#### ICON WATER

On 23 January 2019 advice was received from Icon Water in relation to the proposal. The advice states that:

*The design depicted in this application has been assessed by Icon Water and complies with their water and sewerage network protection and access requirements.*

Matters raised have been incorporated here advice.

#### EVO ENERGY

On 23 January 2019 advice was received from Evo Energy in relation to the proposal. The advice states that:

*Evo Energy do support the lease variation – to vary the crown lease by adding educational establishment as a permitted purpose, however, would like to highlight that a substation is located on a neighbouring block. Proponent to conduct earthing assessment to attend EPR and Step and Touch Potential issues in compliance with relevant Australian Standards and establish any additional earthing to substation as required.*

*Proponent to contact Evoenergy for any electricity network alteration or supply upgrade*

Matters raised have been incorporated here as advice.

#### ENVIRONMENT PROTECTION AUTHORITY

On 5 February 2019 advice was received from the Environment Protection Authority (EPA) in relation to the proposal. The advice states that:

##### *Advice*

*The site is currently occupied by a community complex. Community complexes, prior to the introduction of natural gas to the ACT in the 1980's, utilised boiler heating or similar systems. These systems were generally fuelled by diesel or heating oil which was mainly stored in underground fuel storage tanks.*

*Other potentially contaminating activities may have also been undertaken at the site associated with current and past uses.*

*The ANZECC 1992, Guidelines for the Assessment and Management of Contaminated Sites and the Contaminated Sites Environment Protection Policy 2017 list fuel storage as past activities associated with land contamination which may pose a risk to human health and the environment.*

*The Environment Protection Authority (EPA) would support the lease variation subject to the following conditions:*

*Conditions:*

*Prior to the site being used for other purposes an environmental assessment in accordance with EPA endorsed guidelines must be undertaken by a suitably qualified environmental consultant to determine whether past activities have impacted the site from a contamination perspective and to determine whether remediation is required to make the site is suitable for the proposed uses.*

*The consultant's assessment report into the site's suitability for the proposed and permitted uses from a contamination perspective must be reviewed and endorsed by the EPA prior to the site being used for other purposes.*

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

#### TRANSPORT CANBERRA AND CITY SERVICES

On 11 February 2019 advice was received from Transport Canberra and City Services in relation to the proposal. The advice states that the application is supported.

#### ACT HERITAGE

On 12 February 2019 advice was received from ACT Heritage in relation to the proposal. The advice states that:

*The subject block contains St Ninian's Church, a registered heritage place on the ACT Heritage Register. The rectangular nineteenth century stone church building with gabled roof and three arched windows on either side, is intrinsic to the heritage significance of St Ninian's Church.*

*The proposed lease variation would have no physical impact to the nineteenth century stone building and would complement ongoing significant use of the church building as a religious institution. For this reason, the subject development application is unlikely to diminish the heritage significance of St Ninian's Church and Heritage Act, 2004 approvals are not required.*

Matters raised have been incorporated here as advice.

## **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 185 of the Act, this approval will expire if:

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

### 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, Planning and sustainable Development 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 [epdcustomerservices@act.gov.au](mailto:epdcustomerservices@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

<b>Health Directorate</b> - health protection	Website: <a href="http://www.health.act.gov.au">www.health.act.gov.au</a> Telephone: (02) 6205 1700
<b>Environment, Planning and Sustainable Development Directorate</b>  <i>Planning and land authority</i>  - list of certifiers for building approval - demolition information - asbestos information  <i>Environment Protection Authority</i>  - environment protection - water resources - asbestos information  <i>Conservation, Planning and Research</i>  - threatened species/wildlife management	Website: <a href="http://www.planning.act.gov.au">www.planning.act.gov.au</a> Telephone: (02) 6207 1923   Website: <a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a> Telephone: (02) 6207 6251   Website: <a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a> Telephone: (02) 6207 1911
<b>Transport Canberra and City Services</b> - tree damaging activity approval - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: <a href="http://www.tccs.act.gov.au">www.tccs.act.gov.au</a> Telephone: 132 281 Telephone for asset acceptance: (02) 6207 7480
<b>Utilities</b> - 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](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](mailto:esddcustomerservices@act.gov.au) or on the planning and land authority website at [www.actpla.act.gov.au](http://www.actpla.act.gov.au).



## 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: <a href="http://www.acat.act.gov.au">www.acat.act.gov.au</a> Email: <a href="mailto:tribunal@act.gov.au">tribunal@act.gov.au</a> 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 ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

### **TRANSLATING AND INTERPRETING SERVICE**

# **131 450**

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



## APPLICATION TO VARY A CROWN LEASE

Form 044 - AVCL

Land Titles Act 1925

### IMPORTANT INFORMATION

This form is to be used to lodge an application to vary a crown lease under the *Land Titles Act 1925* (the Act). You can access the Act at [www.legislation.act.gov.au](http://www.legislation.act.gov.au). You may also obtain further information and forms at [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr).

### PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the personal information required by this form for the purposes of issuing a registration under the Act. The Registrar-General prevents any unreasonable intrusion into a person's privacy in accordance with the *Information Privacy Act 2014*. The Registrar-General provides identifiable information to law enforcement and other Directorates that have legal authority to request information under prescribed circumstances. These agencies may also use this information to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

### INSTRUCTIONS FOR COMPLETION

- The certificate of title or production of title consenting to the registration of this document is required for lodgement.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
  - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
  - b) **Attorney** – if this document is executed by an Attorney pursuant to a registered power of attorney, it must set out the full name of the attorney and the form of execution must indicate the source of his/her authority e.g. "AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation" (This execution requires a witness).
  - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
    - i. Two directors of the company;
    - ii. A director and a secretary of the company; or
    - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).
- The following forms of execution are suggested –
  - a) **With A Common Seal**  
The common seal of ABC Pty Ltd/Ltd ACN.....  
was affixed in the presence of  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state 'director/secretary') – (This execution does not require a witness).
  - b) **Without A Common Seal**  
Signed by ABC Pty Ltd/Ltd ACN.....  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state 'director/secretary') – (This execution does not require a witness).

### CONTACT AND LODGEMENT INFORMATION

**Email:**  
[actlandtitles@act.gov.au](mailto:actlandtitles@act.gov.au)  
**General Enquiries:**  
(02) 6207 3000

**In Person:**  
Environment, Planning and Land Shopfront  
Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson  
Opening hours - Monday to Friday 8:30am to 4:30pm (excluding public holidays)



LAND TITLES  
ACCESS CANBERRA

Chief Minister, Treasury and Economic Development Directorate

## APPLICATION TO VARY A CROWN LEASE

Form 044 - AVCL

Land Titles Act 1925

The Minister or the Delegate of the Planning and Land Authority (the Authority) has agreed to vary the lease as described below, subject to the mortgages, encumbrances and other instruments affecting the land including any created by dealings lodged for registration prior to the lodging of this document. (Note – This form cannot be used to vary a Unit within a Registered Units Plan)

LODGING PARTY DETAILS			
Name	Postal Address	Contact Telephone Number	
TITLE AND LAND DETAILS			
Volume & Folio	District/Division	Section	Block
164:28	Lyneham	41	1
FULL NAME OF REGISTERED PROPRIETOR/S (Surname Last) (ACN required for all companies)		FULL POSTAL ADDRESS	
The Uniting Church in Australia (Australian Capital Territory) Property Trust A.C.N. 745 976 530		PO Box A2178 Sydney NSW 1235	
LEGISLATIVE PROVISION TO VARY CROWN LEASE			
I, <b>INSERT NAME</b> , being a delegate of the Planning and Land Authority, APPLY to you to register the variation which has been made to the Crown lease of the land described. An approval of the Variation of Lease is submitted herewith in accordance with Section 72A of the <u>Land Titles Act 1925</u> .			
DETAILS OF DELETED CLAUSES (no longer applicable after registration)			
N/A			

**DETAILS OF VARIATION**

**AUSTRALIAN CAPITAL TERRITORY  
PLANNING AND DEVELOPMENT ACT 2007  
VARIATION OF A CROWN LEASE**

Under the Planning and Development Act 2007, I, INSERT NAME , approve the variation of the Crown lease specified hereunder:

**FORMER PROVISION**

1(i) to use the said land only for the purposes of a Church Hall a Church and a Manse;

**AMENDED PROVISION**

1(i) to use the said land only for the purpose of a Church Hall a Church a Manse and education establishment;

**INSERTED PROVISIONS**

Replace the full stop (".") at the end of clause 3(h) with a semi-colon (";") and insert the following clauses:

3(i) "education 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.

**EXECUTION BY ACT PLANNING AND LAND AUTHORITY**

Signed by the person duly authorised by the Planning and Land Authority  
(Please print full name of authorised signatory)

SENIOR OFFICER GRADE:  
POSITION NUMBER:

Dated -

Print full name and address of witness

ENVIRONMENT PLANNING & SUSTAINABLE  
DEVELOPMENT DIRECTORATE  
16 CHALLIS STREET  
DICKSON ACT 2602

Signature of witness

Dated -

**OFFICE USE ONLY**

Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by		Attachments / Annexures	
Registration date		Production number	