

From: [Rob Valk](#)

To:

Cc:

Subject: 1-17 Coombs

Date: Sunday, 4 March 2018 12:08:22 PM

Attachments: [image001.jpg](#)
[Coombs opening.pdf](#)

Wally and Stephanie would like to invite you and your staff to aTHANKYOU LUNCHon the 10th of March

Dress, Casual

Invite attached

Regards

Rob

cid:00135CB3-863A-48CB-B99A-3587907BEDA0



*Thank you
party*

WALLY AND STEPHANIE INVITE YOU

MARCH 10TH

12 PM - 4 PM

110 WOODBERRY AVE COOMBS

From: [Watkins, Susan](#)
To: [Pham, Minh](#)
Subject: 1/17 Coombs [SEC=UNCLASSIFIED]
Date: Tuesday, 27 February 2018 12:58:18 PM
Attachments: [image001.jpg](#)

Hi Minh

Could you please call Robert Valk from VRD on 61015917 regarding DA 201628852 S197 for 1/17 Coombs?

Thank you

Regards

Sue

Sue Watkins | Customer Service Officer

Phone: 02 62071923 | Email: susan.watkins@act.gov.au

Access Canberra | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR

cid:image009.jpg@01D31C1B.E0820B30



From: [Gell, Chris](#)
To: [Pham, Minh](#)
Subject: allocations [SEC=UNCLASSIFIED]
Date: Friday, 9 February 2018 1:31:31 PM

Hi Minh

As discussed, I've got a couple of DAs I've allocated to you if that's OK:


[REDACTED]

[REDACTED]

- 201628852 S197E – 1/17 Coombs – this is a completeness check for amendments to a DA Ajith approved.

Thanks

Chris

From: 
To: [Teasdale, Jonathan](mailto:Jonathan.Teasdale@...)
Subject: Block 1 Section 17 Coombs
Date: Monday, 14 May 2018 8:18:06 PM
Attachments: [CrownLeaseTheDeed.pdf](#)
[TP and PC.c.pdf](#)
[TP section13 Definitions.pdf](#)
[The Precinct Code.pdf](#)
[ancillary.pdf](#)

Dear Mr Teasdale,

I am writing my second complaint about the unlawful development of an ancillary chemist to the medical centre at block 1 section 17 Coombs.

The DA application number 201628852S197D for a medical centre and ancillary chemist that was approved on 16/05/2017 did not comply with the Territory Plan, breached the Planning and Development Act 2007 and violated the Crown Lease.

According to the Territory Plan , Ancillary use means the use of land for a purpose that is ancillary to the primary use of land . Reference : Territory Plan section 13 : Definitions page 1.

The Primary use of Block 1 Section 17 Coombs :

The sole reference for the primary land use of any block of land is the Concept Plan which is the Precinct Code for Section 93 of the Planning and Development Act 2007.

Therefore , Coombs and Wright Concept Plan is the Precinct Code in our Case. Block1 section 17 Coombs located in Precinct F : Community Facility zone Reference : Coombs and Wright Concept Code figure 1 page 26.

Primary Land use of Block 1 Section 17 Coombs is Community Hall and Child care and not a health centre Reference : Coombs and Wright Concept Code (The Precinct Code) , the land use plan page 6 and figure 4 page 28.

The medical centre is an additional or optional use and not the primary use as per the Crown lease of the same block, thus the ancillary chemist should not have been approved as ancillary use to the optional /additional /not-a-primary use of the land.

All supporting documents are attached.

Kind regards,



From: [Teasdale, Jonathan](#)
To: [Sare, Irma](#)
Subject: FW: Primary use Vs Optional use of the land [SEC=UNCLASSIFIED]
Date: Tuesday, 17 April 2018 9:26:00 AM
Attachments: [PrecinctCode.pdf](#)
[CrownLeaseTheDeed.pdf](#)

Fyi.

█ doesn't ask any further questions, so at this stage nfa required.

From: █
Sent: Tuesday, 17 April 2018 12:47 AM
To: Teasdale, Jonathan <Jonathan.Teasdale@act.gov.au>
Subject: Primary use Vs Optional use of the land

Dear Mr Teasdale ,

Thank you for your email, the valuable information in your email confirms that the DA for ancillary pharmacy should not have been approved.

Under the TP, **Ancillary use** means the use of land for a purpose that is ancillary to the primary use of the land, however "Health facility" is not the primary use of the land according to the Coombs and Wright Concept plan (The Precinct Code) and according to the Deed between the Authority and the Developer.

The Deed between the Planning and Land Authority " The Authority " and WSL Investment PTY :

Clause: A2.1.3 Specific Planning Requirements

1- The planning requirements are articulated in the Coombs and Wright Concept Plan (Precinct Code). The Precinct Code may be subject to change from time to time and the Developer **must** comply with the requirements of the Precinct Code at all times.

2-The primary use of Block 1 Section 17 Coombs in Precinct F is: Hall and Child Care and not a health facility according to *Coombs and Wright Concept Plan (Precinct Code) Figure 4.*

3-The Deed was drafted to ensure the consistency with the Precinct Code, the Specific Planning requirements that must be included in the Development Plan are indicated on the Specific Planning Requirements Plan in Annexure 2 of the Deed and include the following:

a) Community Activity Centre/Hall (Site A): (Primary use)

A serviced block to accommodate a Community Activity Centre of at least 300 square metres gross floor area (not including basement car parking).

b) Child Care Centre (Site B):(Primary use)

A serviced block to accommodate a Child Care Centre with a minimum of one hundred and twenty (120) child care places; and

For option 2 below (subdivision), provide access for all three Sites by a right of way easement that is wholly located within Site B.

c) Other Uses (Site C): Health Facility as an additional/optional use of the land.

4-Code hierarchy

This concept plan is deemed to be a **precinct code** under the *Planning and Development Act 2007*.

More than one type of code may apply to a particular development proposal. Occasionally inconsistencies between the provisions arise, particularly where a precinct code seeks to apply special provisions in response to particular local circumstances or planning issues.

Where this occurs, a **precinct code** prevails over a **development code** and a **general code**, but only to the extent of the inconsistency.

If the ancillary chemist was approved under the development code, that approval conflicts with the precinct code which has to be actioned in the case of inconsistency.

5- The medical centre is not the main use of Block 1 Section 17 Coombs as per Wright and Coombs Concept Plan (The Precinct Code) and The Deed between the Authority and the developer, it is an optional/additional use according the Deed, therefore the pharmacy which is ancillary to the optional use should be assessed in the impact track rather than the merit track because shops are prohibited in the community facility zone and the application for the ancillary chemist should have been rejected.

6- Also, the total area of Block 1 Section 17 Coombs is 8844 sqm and the area of the medical centre is 600 sqm which is only 7% of total area, thus the medical centre cannot be considered as the primary use of the land.

Mistakes happen and in my opinion the developer did not comply with the primary land uses shown in figure 4 of the Precinct Code and gave the Authority misleading information when he submitted the electronic DA for ancillary chemist to one of the optional/additional uses.

The ACT Government will approve operation of pharmacy business at the ancillary pharmacy and The Minister of Health Greg Hunt will exercise his discretionary power to approve the Pharmaceutical Benefits (PBS) supply under section 90 of The National Health Act 1953 only because the Authority approved the chemist by mistake as an ancillary use to the medical centre which is not the primary use of the land according Wright and Coombs Concept Plan and according to the Deed between the Authority and the developer. Therefore, another revision of the approved DA and the Deed may be required.

Kind regards

[Redacted signature]

On 16 April 2018 at 11:46, Teasdale, Jonathan <Jonathan.Teasdale@act.gov.au> wrote:

Dear [Redacted]

Thank you for your email of 9 April 2018.

The planning and land authority has considered your concerns and reviewed the development application for Block 1 Section 17 Coombs (the DA).

I note your concern that while 'ancillary use' is listed in the Community Facilities Zone development table of the Territory Plan (the TP), it is not specified in the Crown lease.

Under the TP 'ancillary' means 'associated with and directly related to, but incidental and subordinate to the predominant use'. Uses that are ancillary to the primary purpose of a lease are not required to be specified in the purpose clause. Ancillary is a standalone use and as such it allows only activities that are incidental to the primary use of the land. Once a primary use is no longer being operated, the ancillary use must also cease. Ancillary uses are not included in a lease because there are many uses that could fall into this category, depending on the primary use permitted by the lease. Ancillary uses are considered on a case by case basis.

The approved DA shows that the pharmacy is associated directly with the main use of 'Health Facility' and that the only access for the ancillary pharmacy is through the medical centre with no other external access indicated. This is consistent with the lease.

Ancillary use in the development table for Community Facility Zone is an assessable development under the TP. This means that a lessee can apply for an ancillary use through a DA which is only for development of the site. In other words there would be no need to seek a variation to the lease.

Thank you for your enquiry and I trust this information assists.

Kind regards

Jonathan Teasdale

Planning Support and ACAT Coordination
Environment, Planning and Sustainable Development Directorate
ACT Government | GPO Box 158 Canberra ACT 2601
Phone 02 6207 0316
www.environment.act.gov.au

From: [REDACTED]
Sent: Monday, 9 April 2018 2:11 PM
To: EPD, Customer Services <EPDCustomerServices@act.gov.au>
Subject: Attention: Brett Phillips or Second In Charge/ Violation of Crown Lease B1 S17 Coombs

Dear Mr Phillips,

My name is [REDACTED], I went to the EPD branch at Dickson today to report a violation of Crown Lease of Block 1 Section 17 Coombs ACT 2611 that was caused by the approval of ancillary pharmacy to medical centre at the mentioned block of land .

1-The approval of an ancillary pharmacy on Block 1 Section 17 breaches the Crown Lease as the ancillary use is not permitted in Annexure 3 of the Crown Lease of that particular block of land.

2-I spoke to a very friendly staff member from the directorate of Environment, Planning and Sustainable Development to report the unlawful approval of the ancillary chemist ,

the ancillary use may be permitted in Community facility Zone in general however the Crown Lease of Block 1 Section 17 permits the use of a health facility only without any ancillary use it.

In The Territory Plan, Health facility use and Ancillary use are 2 different terms ,have 2 different definitions and cannot be mixed or merged in a single term "A Health Facility with an ancillary development." As the managers of EPD assume.

3- The staff member advised that the chemist has been approved as ancillary use to the medical centre, the ancillary use is permitted on all community facility zone, does not have to be listed on The Crown Lease and it does not need an application of Lease variation to be added to the Crown Lease.

4- When I asked him which Act or Legislations back up the assumption that the ancillary is permitted in all community zones by default , does not need to be listed in the crown lease and no application of lease variation is required , he replied " That is how the Department interprets the definition of ancillary use and that is how everyone in the Department was trained.

5- I agree that the approved plan complies with the definition of the ancillary use however I am confident that ancillary use and health facility are completely different uses, ancillary use is not permitted on Block 1 Section 17 Coombs and it does need an application for Lease variation prior the approval of an ancillary pharmacy to a health facility if it is not listed in the lease.

6- There is an application has been made to the Minister of Health Greg Hunt to use his discretionary power under subsection 90A(2) of the *National Health Act 1953* to approve the supply of pharmaceutical benefits (PBS)at the ancillary pharmacy at Bloack1 Section 17 Coombs , if the minister approved the application, the pharmaceutical benefits supply at the ancillary pharmacy that breaches the Crown Lease would be unlawful .

Application Number: DP 187

7- Another application has been made to Health Protection Services to approve the operation of a pharmacy business at the ancillary chemist.

8-Urgent investigation is required before the Minister of Health and The Health protection services approve a pharmacy that violates the Crown Lease.

9- The managers of the Directorate of Environment, Planning and Sustainable Development rely on their assumptions and personal opinions rather than the Acts and the Territory Plan.

10- I do not need to prove that the ancillary use is not permitted on the crown lease of block 1 section 17 coombs because it is clear in Annexure 3 but the managers need to prove the opposite.

In summary ,

1- I completely understand that This approval was based on the drawings provided, where access to the pharmacy was indicated as being only possible by passing through the Medical Centre and it does comply with the definition of ancillary in the ACT

Planning and Land Authority but the ancillary use is not permitted on Block 1 Section 17 Coombs as per Annexure 3 of the Crown Lease.

2- The Department staffs need to be vigilant and use the Crown Lease of the Block of land , Territory Plan , The Planning and Development Act 2007 and the relevant legislations, rather than their personal opinions/assumptions before they approve any Development Application in the ACT.

Attachment: Approved plan of the ancillary chemist , Annexure 3 of the lease of 1/17 Coombs and Community Facility Zone uses.

Kind Regards

[Redacted]

[Redacted]

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

Coombs and Wright Concept Plan

Amendment History:

Version No. 1 - Commenced on 19 December 2008 following a variation to the *Territory Plan*.

Version No. 2 - Commenced on 22 January 2010 following a technical amendment to the *Territory Plan*.

Contents

Introduction	1
Part A – Land use.....	5
Element 1: Land use plan	5
Element 2: Precincts	12
Element 3: Identification of key roads.....	14
Part B – Subdivision	17
Element 4: Block sizes.....	17
Element 5: Multi-unit housing	17
Element 6: Open space	17
Element 7: Shared paths	19
Element 8: Road network.....	20
Element 9: Stormwater	21
Part C – Buildings and structures	22
Element 10: Residential density	22
Element 11: Residential buildings – RZ5.....	22
Element 12: Local centre/mixed use node – CZ5/CZ4	22
Element 13: Community facilities.....	23
Element 14: Access to and from Uriarra Road	23
Element 15: Multi-unit sites.....	23
Element 16: Building envelopes – all zones	24
Part D – Environment.....	26
Element 17: Matters of national environmental significance	26

Introduction

Coombs and Wright are located in the south-western corner of Molonglo. **Coombs** is located on the eastern side of the north-south arterial road, between the road and Molonglo River. **Wright** is located on the western side of the north-south arterial, between the road and Stromlo Forest Park and north of Cotter Road. The majority of the suburbs are proposed to be developed for residential uses with connections to surrounding suburbs and key features such as Stromlo Forest Park and Molonglo River corridor.

Application

This plan applies to land at **Coombs and Wright** in Molonglo Valley, as shown on figure 1.

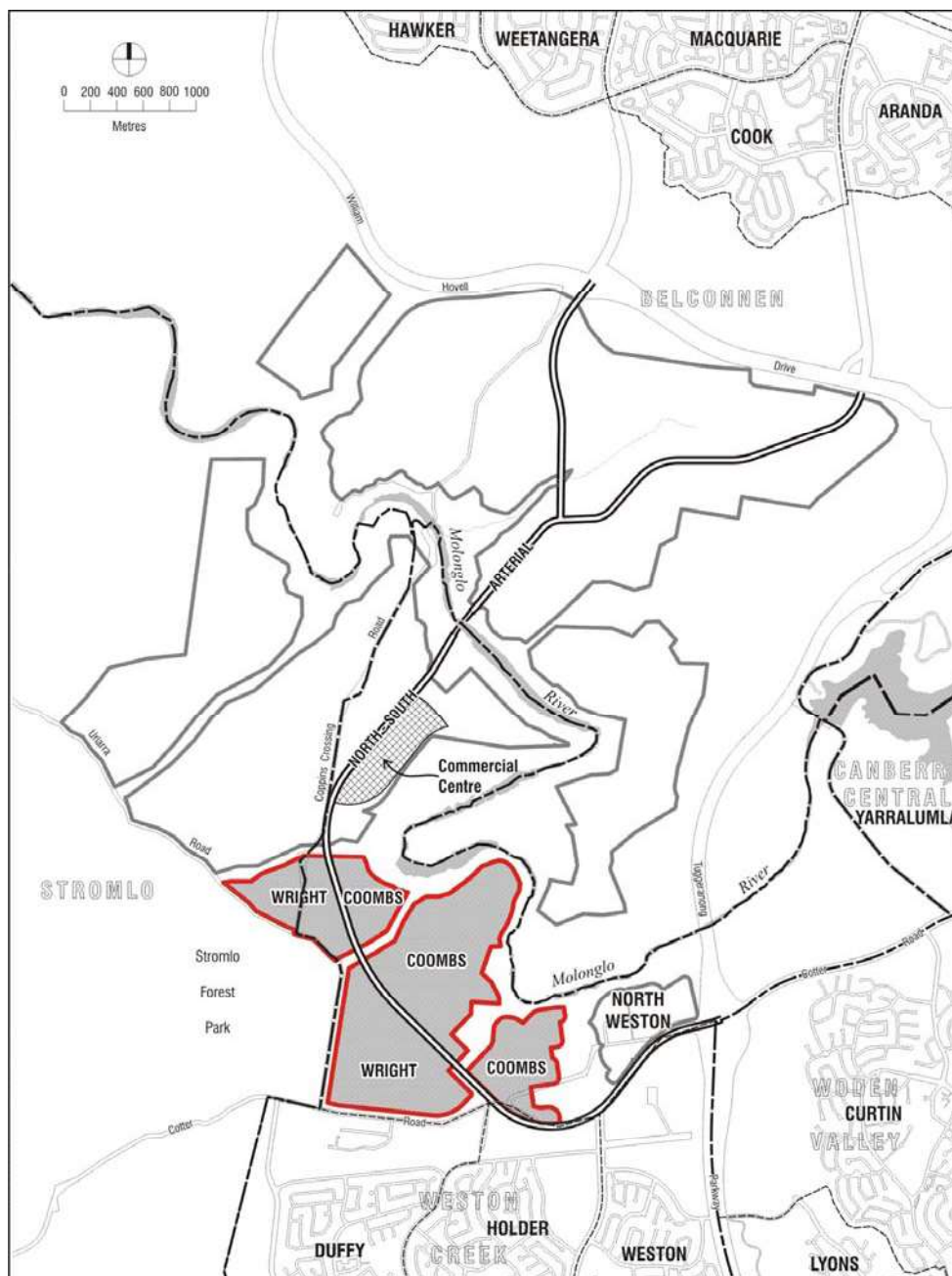


Figure 1: Location of Coombs and Wright in Molonglo Valley

Parts A and B of this plan apply only to the future urban area (FUA) in **Coombs and Wright**. The FUA will diminish in size as estate development plans are approved, and final land use zones established under part 5.5 of the *Planning and Development Act 2007*.

Part C of this plan applies to the whole of **Coombs and Wright**, as defined by figure 1.

Part D of this code applies to the area defined by figure 6.

This plan contains **rules**, which provide the quantitative or definitive controls for development, and **criteria**, which provide qualitative controls for development. In some instances rules are mandatory. Mandatory rules are marked by the words “This is a mandatory requirement. There is no applicable criterion”, in the adjacent criteria column. Non-compliance with a mandatory rule will result in the refusal of a development application. In other instances the words “There is no applicable rule” are used. In this case the proposal is assessed against the relevant criterion. Where both rule and criterion apply, compliance with the rule is deemed to satisfy the particular requirement. Provided the relevant criterion can be met, strict compliance with the rule is not required.

Purpose

The purpose of this plan is to:

- a. guide the design and assessment of estate development plans (subdivision proposals) in **Coombs and Wright**
- b. inform the allocation of final zones at the time when a parcel of land ceases to be part of the future urban area following subdivision
- c. guide the development of individual blocks in concert with other relevant codes under the *Territory Plan*
- d. guide the development and management of the public realm.

This plan is based on the principles and policies set out in the *Structure Plan - Molonglo and North Weston* of the *Territory Plan*.

Desired planning outcomes

The intent of the development controls (i.e. rules and criteria) is to:

- (a) provide diverse housing types, block sizes, densities and affordability to meet the changing needs of households and to encourage the formation of a diverse community
- (b) allow for zoning to accommodate higher residential densities and building heights, community facilities and mixed use retail/commercial activity centres supported by residential development close to areas of higher amenity and the north-south arterial road which includes a major public transport route
- (c) provide safe, compact, walkable residential precincts with convenient vehicular, pedestrian, cycle and public transport access to recreational, retail/commercial and community facilities
- (d) provide a legible and permeable road network that integrates safe and adequate pedestrian and cycle access to the precinct and connectivity to surrounding suburbs, facilities and features such as Stromlo Forest Park, Molonglo River corridor and Duffy Primary School and the urban open space network
- (e) adhere generally to the principles of a child friendly city promoted by UNICEF
- (f) encourage walking, cycling and the use of public transport
- (g) incorporate principles of contemporary best practice for energy efficiency, water conservation, solar access and ecological sustainability
- (h) retain the landscape setting and significant natural elements of the site as part of an urban open space network that responds to the topography of the area, contributes to ‘place-making’ character,

and where possible connects to adjacent suburbs with high levels of public access, amenity and safety

- (i) minimise the impact of the arterial road traffic noise on residential development
- (j) provide for effective buffers between development and potential areas of Pink-tailed worm lizard habitat with a moderate or high quality habitat ranking
- (k) ensure protection of areas or items of heritage significance
- (l) maximise features of the area including views of Black Mountain and the Brindabella Range, and access to Molonglo River and the proposed Weston Creek pond
- (m) reduce bushfire risk and provide appropriate bushfire protection
- (n) provide for a street and pedestrian movement network with a legible hierarchy and function that integrates safe and adequate pedestrian and cycle access and connectivity
- (o) make provision for community facilities and retail/commercial uses with a high level of access and amenity
- (p) employ stormwater management measures and encourage efficient use of water through water sensitive urban design measures
- (q) encourage the efficient use of energy through block energy ratings, the integration of public transport, and a neighbourhood layout that promotes walking and cycling.

Code hierarchy

This concept plan is deemed to be a **precinct code** under the *Planning and Development Act 2007*. More than one type of code may apply to a particular development proposal. Occasionally inconsistencies between the provisions arise, particularly where a precinct code seeks to apply special provisions in response to particular local circumstances or planning issues. Where this occurs, a **precinct code** prevails over a **development code** and a **general code**, but only to the extent of the inconsistency.

Glossary

Zones referred to in this plan:

- CFZ** – community facility zone
- CZ4** – commercial local centre zone
- CZ5** – commercial mixed use zone
- CZ6** – leisure and accommodation zone
- NUZ4** – river corridor zone
- PRZ1** – urban open space zone.
- RZ1** – residential suburban zone
- RZ4** – medium density residential zone
- RZ5** – high density residential zone

Definitions of terms

In this plan:

Block means a parcel of land, whether or not the subject of a *lease*.

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.

Dwelling means a building or part of a building used as a self contained residence which must include:

- food preparation facilities;
- a bath or shower; and

- a closet pan and wash basin.

It includes *outbuildings* and works normal to a dwelling.

Net residential density is the ratio of the number of dwellings to the area of land they occupy including internal public streets plus half the width of adjoining roads that provide vehicular access to dwellings.

(AMCORD, PNP 6, p.2)

Northern boundary means a boundary of a *block* where a line drawn perpendicular to the boundary is oriented between 45° west of north and 45° east of north.

Private open space means an outdoor area within a *block* useable for outdoor living activities, and may include balconies, terraces or decks but does not include any area required to be provided for the parking of motor vehicles and any common driveways and common vehicle manoeuvring areas.

Single dwelling housing means the use of land for residential purposes for a single *dwelling* only.

Single dwelling block means a *block* with one of the following characteristics

- a) originally leased or used for the purpose of *single dwelling housing*
- b) created by a consolidation of *blocks*, at least one of which was originally leased or used for the purpose of *single dwelling housing*

Part A – Land use

Notes:

1. Precincts referred to in this part are shown on figure 2, subject to element 2.
2. Roads referred to in this part are shown on figure 3, subject to element 3.
3. Signalised intersections on the north-south arterial road are shown on figure 3, subject to element 3.
4. Sections referred to in this part are shown on figure 4, and they are located by cross sections lines.

Element 1: Land use plan

Rules

Criteria

Note: Desired planning outcomes relevant to this element are: (a), (b), (c), (e), (f), (g), (h), (j), (k), (o), (p) and (q).

R1

The land use plan submitted with an estate development plan (EDP) is in accordance with figure 4.

C1

Precinct A

Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct A,

- a) RZ1, consistent with desired planning outcome (a)
- b) PRZ1, consistent with desired planning outcome (h).

R2

The land use plan submitted with an EDP is in accordance with figure 4.

C2

Precinct B

Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct B,

- a) RZ5, not less than 6.5ha, consistent with desired planning outcome (b)
- b) RZ4, not less than 2ha, consistent with desired planning outcome (b)
- c) PRZ1, following the watercourse, consistent with desired planning outcome (h).
- d) RZ1, consistent with desired planning outcome (a) over the balance.

<p>R3</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C3</p> <p>Precinct C</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct C, CZ5, not less than 0.4ha, consistent with desired planning outcome (b).</p>
<p>R4</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C4</p> <p>Precinct D</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct D, consistent with desired planning outcome (b),</p> <p>a) CZ4 on the south eastern side of road 3, not less than 1.4ha</p> <p>b) CZ5, not less than 0.9ha.</p>
<p>R5</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C5</p> <p>Precinct E</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct E, RZ5, not less than 1ha, consistent with desired planning outcome (b).</p>
<p>R6</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C6</p> <p>Precinct F</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct F a minimum overall area of 17ha comprising,</p> <p>a) CFZ, not less than 6ha, to accommodate, at a minimum, an educational establishment (primary school), community activity centre and child care centre, consistent with desired planning outcome (b)</p> <p>b) PRZ1, not less than 0.3ha at the junction of</p>

	<p>roads 3, 7 and 8 consistent with desired planning outcome (h)</p> <p>c) PRZ1 and NUZ4, in the balance to accommodate Coombs urban open space corridor specified in R23) and C23).</p>
<p>R7</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C7</p> <p>Precinct G</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct G,</p> <p>a) RZ5, not less than 2.7ha, consistent with desired planning outcome (b)</p> <p>b) PRZ1, following the watercourse, consistent with desired planning outcome (h).</p>
<p>R8</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C8</p> <p>Precinct H</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct H, RZ1, consistent with desired planning outcome (a).</p>
<p>R9</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C9</p> <p>Precinct I</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct I, RZ5, not less than 5.9ha, consistent with desired planning outcome (b).</p>
<p>R10</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C10</p> <p>Precinct J</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct J, CZ5, not less than 2ha, consistent with desired planning outcome (b).</p>

<p>R11</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C11</p> <p>Precinct K</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct K, CZ5, not less than 1.7ha, consistent with desired planning outcome (b).</p>
<p>R12</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C12</p> <p>Precinct L</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct L, RZ1, consistent with desired planning outcome (a).</p>
<p>R13</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C13</p> <p>Precinct M</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct M,</p> <ul style="list-style-type: none"> a) RZ5, not less than 4.2ha, consistent with desired planning outcome (b) b) PRZ1 and NUZ4, following the watercourse, consistent with desired planning outcome (h).
<p>R14</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C14</p> <p>Precinct N</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct N,</p> <ul style="list-style-type: none"> a) RZ5, not less than 5ha, consistent with desired planning outcome (b) b) PRZ1, following the watercourse, not less than 60 metres at widest point, consistent with desired planning outcome (h).

<p>R15</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C15</p> <p>Precinct O</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct O, CZ5, not less than 1.7ha, consistent with desired planning outcome (b).</p>
<p>R16</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C16</p> <p>Precinct P</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct P, RZ5, not less than 1.75ha, consistent with desired planning outcome (b).</p>
<p>R17</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C17</p> <p>Precinct Q</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct Q,</p> <ul style="list-style-type: none"> a) RZ5, not less than 2.1ha, consistent with desired planning outcome (b) b) PRZ1, following the watercourse, not less than 75 metres wide, consistent with desired planning outcome (h).
<p>R18</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C18</p> <p>Precinct R</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct R,</p> <ul style="list-style-type: none"> a) predominantly RZ1, consistent with desired planning outcome (a) b) CFZ, not less than 0.85ha, located adjacent to CZ5 in precinct O, with frontage to a collector road c) PRZ1, not less than 1ha, located adjacent to CFZ in precinct R, with frontage to a

	<p>collector road and accessible from the primary shared path network, incorporating not less than 0.5ha that is less than 2% (finish grade) for active recreation, consistent with desired planning outcome (c).</p>
<p>R19</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C19</p> <p>Precinct S</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct S,</p> <p>a) CFZ, to accommodate, at a minimum, an educational establishment (not less than 6ha) and other community uses (not less than 2ha), consistent with desired planning outcome (b)</p> <p>b) PRZ1, over the balance.</p>
<p>R20</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C20</p> <p>Precinct T</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct T, RZ5, not less than 1.6ha, consistent with desired planning outcome (b).</p>
<p>R21</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C21</p> <p>Precinct U</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct U,</p> <p>a) CZ6, not less than 5.5ha, consistent with desired planning outcome (b)</p> <p>b) PRZ1, with sufficient area and width to protect the associated water course, consistent with desired planning outcome (h).</p>

<p>R22</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C22</p> <p>Precinct V</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct V,</p> <ul style="list-style-type: none"> a) RZ1, consistent with desired planning outcome (a) b) PRZ1, consistent with desired planning outcome (h).
<p>R23</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C23</p> <p>Coombs urban open space corridor</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows Coombs urban open space corridor, PRZ1 and NUZ4, consistent with desired planning outcome (h) that,</p> <ul style="list-style-type: none"> a) follows the unnamed water course from Wright to its confluence with Molonglo River b) includes a neighbourhood park, oval, cycleway and stormwater measures.
<p>R24</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C24</p> <p>Weston Creek urban open space corridor</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows Weston Creek urban open space corridor, PRZ1, consistent with desired planning outcome (h).</p>
<p>R25</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C25</p> <p>Holdens Creek urban open space corridor</p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows Holdens Creek urban open space corridor, PRZ1 and NUZ4, consistent with desired planning outcome (h).</p>

<p>R26</p> <p>The land use plan submitted with an EDP includes PRZ1 to incorporate a buffer not less than 20 metres wide (where measured wholly outside the habitat areas) around areas of moderate and high quality Pink-tailed worm lizard (<i>Aprasia parapulchella</i>) habitat, as shown on figure 5 and section viii.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>Element 2: Precincts</p>	
<p>Note: Desired planning outcomes relevant to this element are: (b) and (c).</p>	
<p>Rules</p>	<p>Criteria</p>
<p>R27</p> <p>The land use plan submitted with an EDP complies with precincts shown on figure 2.</p>	<p>C27</p> <p>Subject to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP identifies precincts with the following characteristics:</p> <ul style="list-style-type: none"> a) precinct A is bounded by Holdens Creek urban open space corridor, Molonglo River corridor, road 8 and precinct B b) precinct B is bounded by precinct C, Holdens Creek urban open space corridor, precinct A, road 3, precinct D and the north-south arterial road c) precinct C is bounded by Holdens Creek urban open space corridor and precinct B, and may adjoin precinct A d) precinct D is part of the Coombs/Wright local centre. It is bounded by precinct B, road 7, precinct E and the north-south arterial road. It is transected by road 3 e) precinct E is bounded by precinct D, road 7, the urban open space corridor draining to Coombs pond and the north-south arterial road f) precinct F is the Coombs community facilities precinct. It is bounded by road 3, road 8, Molonglo River corridor, Coombs urban open space corridor and road 7 g) precinct G is bounded by the urban open space corridor draining to Coombs pond, road 7, road 4 and the north-south arterial road h) precinct H is bounded by Coombs urban open space corridor, Molonglo River

	<p>corridor, the urban open space surrounding the proposed Weston Creek pond, precinct I and road 7</p> <p>i) precinct I is bounded by precinct H, Weston Creek urban open space corridor and road 7</p> <p>j) precinct J is bounded by road 4, road 7, Weston Creek urban open space corridor and the north-south arterial road</p> <p>k) precinct K is the site of the ACT Forestry Depot. It is bounded by Weston Creek urban open space corridor and the north-south arterial road</p> <p>l) precinct L is bounded by Molonglo River corridor, Holdens Creek urban open space corridor, precinct M and the existing water supply easement</p> <p>m) precinct M is bounded by the north western boundary of Coombs, precinct L, Holdens Creek urban open space corridor and the north-south arterial road. It is transected by the existing water supply easement</p> <p>n) precinct N is bounded by Holdens Creek urban open space corridor, the north-south arterial road, precinct O, precinct R and Uriarra Road</p> <p>o) precinct O is part of the Coombs/Wright local centre. It is bounded by precinct N, the north-south arterial road, precinct P and road 6. It is transected by road 5</p> <p>p) precinct P is bounded by precinct O, the north-south arterial road, Coombs urban open space overland flow corridor and road 6</p> <p>q) precinct Q is bounded by Coombs urban open space overland flow corridor, the north-south arterial road, Cotter Road and road 6</p> <p>r) precinct R is the balance of Wright south of Holdens Creek. It is bounded by precinct N, road 6, the north-south arterial road, Cotter Road and Uriarra Road</p> <p>s) precinct S is bounded by the northern boundary of Wright, the north-south arterial road, precinct T, the existing water supply</p>
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	<p>easement, precinct V and Uriarra Road</p> <p>t) precinct T is bounded by the north-south arterial road, the existing water supply easement and precinct S</p> <p>u) precinct U is bounded by the existing water supply easement, the north-south arterial road, Holdens Creek urban open space corridor and Uriarra Road. It is transected by road 1</p> <p>v) precinct V is bounded by Uriarra Road, precinct S and precinct U</p> <p>w) Coombs urban open space corridor,</p> <p>i. follows the unnamed water course from Wright to its confluence with Molonglo River</p> <p>ii. includes a neighbourhood park, oval, shared paths and stormwater measures</p> <p>x) Weston Creek urban open space corridor contains the proposed Weston Creek pond and surrounding urban open space and stormwater measures</p> <p>y) Holdens Creek urban open space corridor follows Holdens Creek from Uriarra Road to its confluence with Molonglo River and includes a pond, shared path and a section of the Bicentennial National Trail.</p>
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Element 3: Identification of key roads

Note: Desired planning outcomes relevant to this element are: (d), (f) and (n).

Rules	Criteria
<p>R28</p> <p>The land use plan submitted with an EDP complies with the location and configuration of the north-south arterial road, including lanes, underpasses, entry points, junctions and signals as shown on figure 3.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R29</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C29</p> <p>Road 1</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 1, that is the realignment of the eastern end of Uriarra Road to form a new junction at signalised intersection 3.</p>

<p>R30</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C30</p> <p>Road 2</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 2. Its key function is to provide convenient access to the northern part of Coombs (precincts L and M) from signalised intersection 3.</p>
<p>R31</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C31</p> <p>Road 3</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 3, the principal collector road to the Coombs low density residential area (precinct A) from signalised intersection 2.</p>
<p>R32</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C32</p> <p>Road 4</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 4, which links signalised intersection 1 with north Weston via a proposed bridge and embankment at the northern extremity of the proposed Weston Creek pond.</p>
<p>R33</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C33</p> <p>Road 5</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 5, which links signalised intersection 2 to Uriarra Road.</p>

<p>R34</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C34</p> <p>Road 6</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 6, which forms the boundary between the medium and high density residential and mixed use zones abutting the north south arterial and the lower density residential zones in Wright. Its key function is to provide a convenient link between abutting land uses and the signalised intersections on the north-south arterial road, and links road 5 and Cotter Road.</p>
<p>R35</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C35</p> <p>Road 7</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 7, which links roads 3 and 4, and forms the boundary between the medium and high density residential and mixed use zones abutting the north south arterial and the balance of Coombs. Its key function is to provide a convenient link between abutting land uses and the signalised intersections on the north-south arterial road.</p>
<p>R36</p> <p>The land use plan submitted with an EDP identifies key roads 1-8 in accordance with figure 3.</p>	<p>C36</p> <p>Road 8</p> <p>Subject to the zoning of land that is not in a future urban area, and to previously approved EDPs, the land use plan submitted with an EDP shows and identifies road 8, which links road 3 with the edge road to Molonglo River corridor, and forms the boundary between Coombs CFZ (precinct F) and Coombs RZ1 (precinct A).</p>

Part B – Subdivision

Notes:

1. This part is applicable to the preparation and assessment of estate development plans (EDP). It should be read in conjunction with other relevant codes.
2. Precincts referred to in this part are as defined in Part A and shown on the relevant land use plan submitted for a development application where an EDP is required.
3. Sections referred to in this part are shown on figure 4, and they are located by cross sections lines.

Element 4: Block sizes

Note: Desired planning outcomes relevant to this element are: (a) and (b).

Rules	Criteria
<p>R37</p> <p>RZ1 in each precinct,</p> <p>a) has a maximum of 50% of blocks less than 500m², and</p> <p>b) a maximum of 20% of blocks are less than 250m².</p> <p>Note: The 20% in b) is a subset of the 50% in a). This rule applies to each precinct, independently, i.e. without reference to proposed subdivision of RZ1 in other precincts.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 5: Multi-unit housing

Note: Desired planning outcomes relevant to this element are: (a) and (b).

Rules	Criteria
<p>R38</p> <p>In addition to the maximum number of dwellings on multi-unit blocks, an EDP identifies the minimum number of dwellings on multi-unit blocks, in accordance with Part C.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 6: Open space

Note: Desired planning outcomes relevant to this element are: (a), (b), (c), (d), (e), (f), (g) and (p).

Rules	Criteria
<p>R39</p> <p>Edge streets are provided to not less than 75% of the common boundary between blocks in urban zones (other than single residential blocks) and PRZ1 and NUZ4 in accordance with sections ii, iii, iv, v, ix and x.</p>	<p>C39</p> <p>Edge streets are provided to the common boundary between blocks in urban zones (other than single residential blocks and precinct C), and PRZ1 and NUZ4 to achieve the following:</p> <p>a) ease of access to urban open space corridors</p>

	<ul style="list-style-type: none"> b) surveillance of urban open space corridors c) avoidance of rear boundary fencing at the common boundary to PRZ1 and NUZ4 d) ground floor dwelling address to urban open space where there is no edge street.
<p>R40</p> <p>There is no common boundary between a single residential block and PRZ1 or NUZ4. Edge streets are provided to the common boundary between single residential blocks and PRZ1 or NUZ4.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R41</p> <p>Cotter Road edge treatment in Wright is in accordance with the following characteristics:</p> <ul style="list-style-type: none"> a) a minimum 15 metre wide landscape buffer between Cotter Road and the service street b) no direct access to residential blocks permitted off Cotter Road. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R42</p> <p>Uriarra Road edge treatment in Wright in accordance with the following characteristics:</p> <ul style="list-style-type: none"> a) a minimum 15 metre wide landscape buffer between Uriarra Road b) no direct access to residential blocks permitted off Uriarra Road. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R43</p> <p>Continuous edge roads are provided along the boundary between urban development and Molonglo River corridor and associated urban open space.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R44</p> <p>Coombs urban open space overland flow corridor is in accordance with figure 4 and the following characteristics:</p> <ul style="list-style-type: none"> a) is located adjacent to the school b) includes a neighbourhood park, oval, cycleway and stormwater measures. 	<p>C44</p> <p>Coombs urban open space overland flow corridor:</p> <ul style="list-style-type: none"> a) follows the unnamed water course from Wright to its confluence with Molonglo River b) includes a neighbourhood park, oval, cycleway and stormwater measures.

Element 7: Shared paths	
Note: Desired planning outcomes relevant to this element are: (c), (d), (e), (f), (h), (l), (n), (o) and (q).	
Rules	Criteria
<p>R45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood is provided in accordance with figure 4.</p>	<p>C45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood subject to element 1 is provided including:</p> <ul style="list-style-type: none"> a) a trunk cycleway following Molonglo River corridor b) a trunk cycleway following road 8 from Molonglo River corridor trunk cycleway to the local centre adjoining precinct F c) links to parks and neighbourhood facilities including shops and schools d) an underpass under the north-south arterial road to provide access to Molonglo River corridor from: <ul style="list-style-type: none"> i. the urban open space corridor north of the school in precinct S ii. Holdens Creek urban open space corridor, to provide trunk cycleway and equestrian access (for the Bicentennial National Trail) from Stromlo Forest Park through Holdens Creek urban open space corridor iii. Coombs urban open space corridor, to road 6 cycle path system network iv. Weston Creek urban open space corridor. e) a continuous primary pedestrian path along both sides of the length of the north-south arterial road of: <ul style="list-style-type: none"> i. a minimum 2 metres wide on the Coombs side of the road ii. a minimum 1.5 metres wide along the Wright side of the road.

Element 8: Road network	
Note: Desired planning outcomes relevant to this element are: b, c, d, e, f, g, i, l, n, o and q.	
Rules	Criteria
<p>R46</p> <p>Junctions with the north south arterial are limited to the following:</p> <ol style="list-style-type: none"> a) locations shown in Figure 3 b) an uncontrolled T-intersection adjacent to the Stromlo Forestry Depot (temporary only) c) a left-in/left out arrangement near the Holdens Creek bridge accessing to the east d) protected right turn arrangements at the following locations – <ol style="list-style-type: none"> i. adjacent to the Stromlo Forest Depot [in place of temporary arrangements referred to in item b)] ii. approximately 100m to the west of the junction referred to in item d)i) iii. approximately mid way between intersections 1 and 2 shown on Figure 3 accessing both sides iv. at Holdens Creek accessing Uriarra Road e) a left-in/left out arrangement at the location referred to in item d) ii). 	<p>C46</p> <p>Intersections on the north-south arterial road will be located and configured to achieve all of the following:</p> <ol style="list-style-type: none"> a) convenient and safe vehicular access b) pedestrian and cyclist safety c) minimal impact on through traffic flow.
<p>R46A</p> <p>Vehicular access to Wright complies with both of the following:</p> <ol style="list-style-type: none"> a) not fewer than 1 access from Uriarra Road b) not fewer than 1 access from Cotter Road. 	<p>C46A</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R46B</p> <p>Vehicular access from the north south arterial to adjoining blocks is permitted only from service streets.</p> <p>This rule does not apply to the Stromlo Forestry Depot.</p>	<p>C46B</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 9: Stormwater	
Note: Desired planning outcomes relevant to this element are: (g), (h), (k), (l), (m) and (p).	
Rules	Criteria
<p>R47</p> <p>Stormwater treatment ponds and overland flow paths are provided as indicated on figure 4 and sections i, ii, iii, iv, v, vii, ix, x, xi and xii for the purpose of stormwater management.</p>	<p>C47</p> <p>Stormwater treatment measures are provided for the purpose of stormwater management to:</p> <ul style="list-style-type: none"> a) form a key visual and recreational feature b) provide landscaping to enhance local ecological features and provide recreational amenity such as public parkland with waterside promenades, picnic areas and playgrounds c) provide public access d) create linear park systems with pedestrian/cycle links.
<p>R48</p> <p>Molonglo surge protection line is provided in Coombs as indicated on figure 4. No leases (other than holding leases) are to be issued down-slope of this line until it is demonstrated that Scrivener Dam meets flood safety and operational requirements, based on the applicable Australian National Committee on Large Dams (ANCOLD) guidelines.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Part C – Buildings and structures

Note: Sections referred to in this part are shown on figure 4, and they are located by cross sections lines.

Note: Building heights referred to in this part exclude minor structures such as garbage enclosures, fences and the like.

Element 10: Residential density

Note: Desired planning outcomes relevant to this element are: (a), (b), (c) and (e).

Rules	Criteria
R49 In RZ4 and RZ5 zones in precincts B, E, G, I, M, N, P, Q and T, the minimum average residential density for these zones in each precinct is one dwelling for each 200m ² of site area (rounded to the nearest whole number).	This is a mandatory requirement. There is no applicable criterion.
R50 In CZ4 and CZ5 in precincts D, J, K and O, the minimum residential density on each block is one dwelling for each 150m ² of site area (rounded to the nearest whole number).	This is a mandatory requirement. There is no applicable criterion.
R51 In RZ1, the maximum <i>net residential density</i> is 20 dwellings/hectare.	This is a mandatory requirement. There is no applicable criterion.

Element 11: Residential buildings – RZ5

Note: Desired planning outcomes relevant to this element are: (a), (b), (c), (g) and (i).

Rules	Criteria
R52 Buildings in RZ5 (section vi) have minimum building height of 2 storeys, with a minimum of 3 storeys fronting the north-south arterial road.	This is a mandatory requirement. There is no applicable criterion.

Element 12: Local centre/mixed use node – CZ5/CZ4

Note: Desired planning outcomes relevant to this element are: (b) and (o).

Rules	Criteria
R53 Buildings in CZ5 at the junction of the north-south arterial road and the east-west collector road: a) address both the north-south arterial road and the east-west collector road b) have minimum building height of 3 storeys.	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	C54 Buildings in CZ5 at the junction of the north-south arterial road and east-west collector road, and fronting the collector road, are designed to be adaptable for commercial use.

R55 Buildings in CZ5 in precinct C on figure 2 and section xi have a maximum building height of 3 storeys.	This is a mandatory requirement. There is no applicable criterion.
R56 Buildings in CZ4 have the following characteristics: a) minimum building height of 3 storeys b) an external pedestrian plaza fronting the east-west collector road.	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	C57 Buildings in CZ4 are designed to be adaptable for commercial use.
Element 13: Community facilities	
Note: Desired planning outcomes relevant to this element are: (b) and (o).	
Rules	Criteria
R58 Buildings in CFZ specified in R6) and C6) in precinct F on figure 2 and figure 4 must provide for community use.	This is a mandatory requirement. There is no applicable criterion.
Element 14: Access to and from Uriarra Road	
Note: Desired planning outcomes relevant to this element are: (c), (d) and (n).	
Rules	Criteria
R59 No direct vehicular access is permitted to or from residential blocks abutting Uriarra Road.	This is a mandatory requirement. There is no applicable criterion.
Element 15: Multi-unit sites	
Note: Desired planning outcomes relevant to this element are: (b), (c), (e), (f) and (h).	
Rules	Criteria
There is no applicable rule.	C60 The common boundary between urban zones (other than single residential blocks) and PRZ1 and NUZ4 achieves the following: a) ease of access to urban open space corridors b) surveillance of urban open space corridors c) avoidance of rear boundary fencing d) ground floor dwelling address to urban open space where there is no edge street.

Element 16: Building envelopes – all zones	
Note: Desired planning outcomes relevant to this element are: (a) and (g).	
Rules	Criteria
16.1 Building envelope – Residential buildings with three storeys or fewer	
R62 This rule applies to single dwelling housing or multi unit housing with three storeys or fewer. Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at 45° to the horizontal from an infinite number of points on a line of infinite length 3.5m above each side and rear boundary, except for <i>northern boundaries</i> of adjoining <i>residential blocks</i> , which are dealt with by the next rule. Refer Figure A1.	C62 Buildings achieve all of the following: a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwelling</i> s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> .
R63 Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at X° to the horizontal from an infinite number of points on a line of infinite length 1.8m above the <i>northern boundary</i> or boundaries of an adjoining <i>residential block</i> . X° is the apparent sun angle at noon on the winter solstice. For the purposes of this rule values for X are given in Table 1. Refer Figure A1.	This is a mandatory requirement. There is no applicable criterion

Table 1 – Apparent sun angle (X) at noon on the winter solstice (21 June)

Aspect of <i>northern boundary</i> or <i>north facing window</i> (bearing of line drawn perpendicular to the boundary or window)	Angle (X)
North 0-9° East North 0-9° West	32°
North 10-19° East North 10-19° West	35°

North 20-29° East North 20-29° West	37°
North 30-39° East North 30-39° West	39°
North 40-50° East North 40-50° West	41°

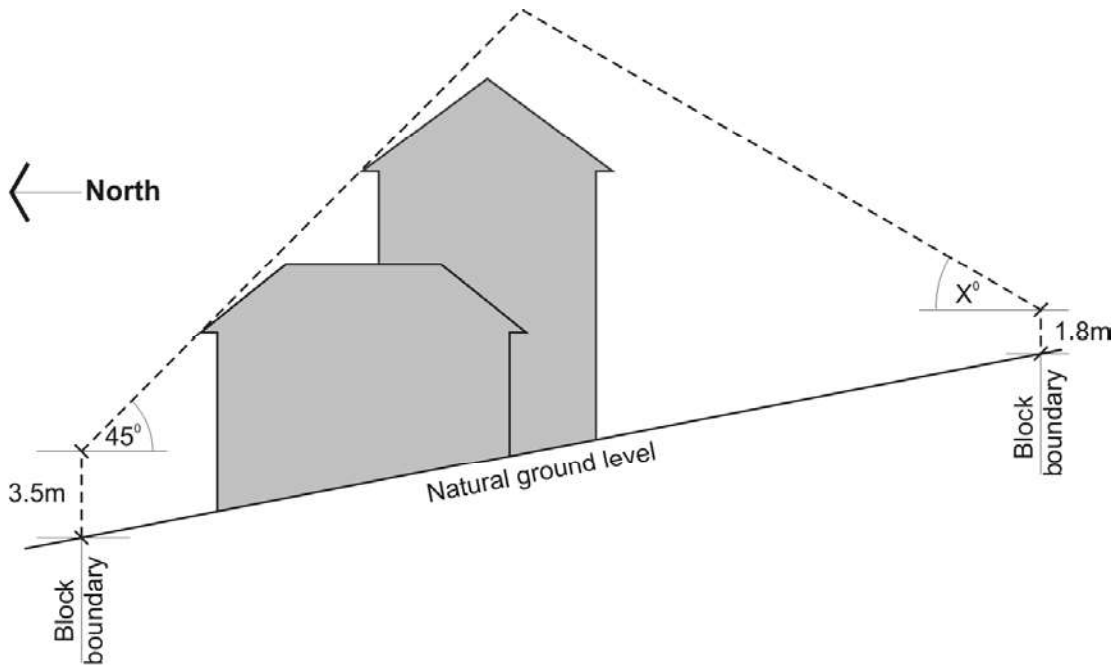


Figure A1 - Typical Building Envelope

Note: height of building and boundary setback provisions also apply

Part D – Environment

Element 17: Matters of national environmental significance

Rules	Criteria
<p>R64</p> <p>This rule applies to the area shown in Figure 6.</p> <p>Development is not inconsistent with the Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan).</p>	<p>This is a mandatory rule. There is no criterion.</p>

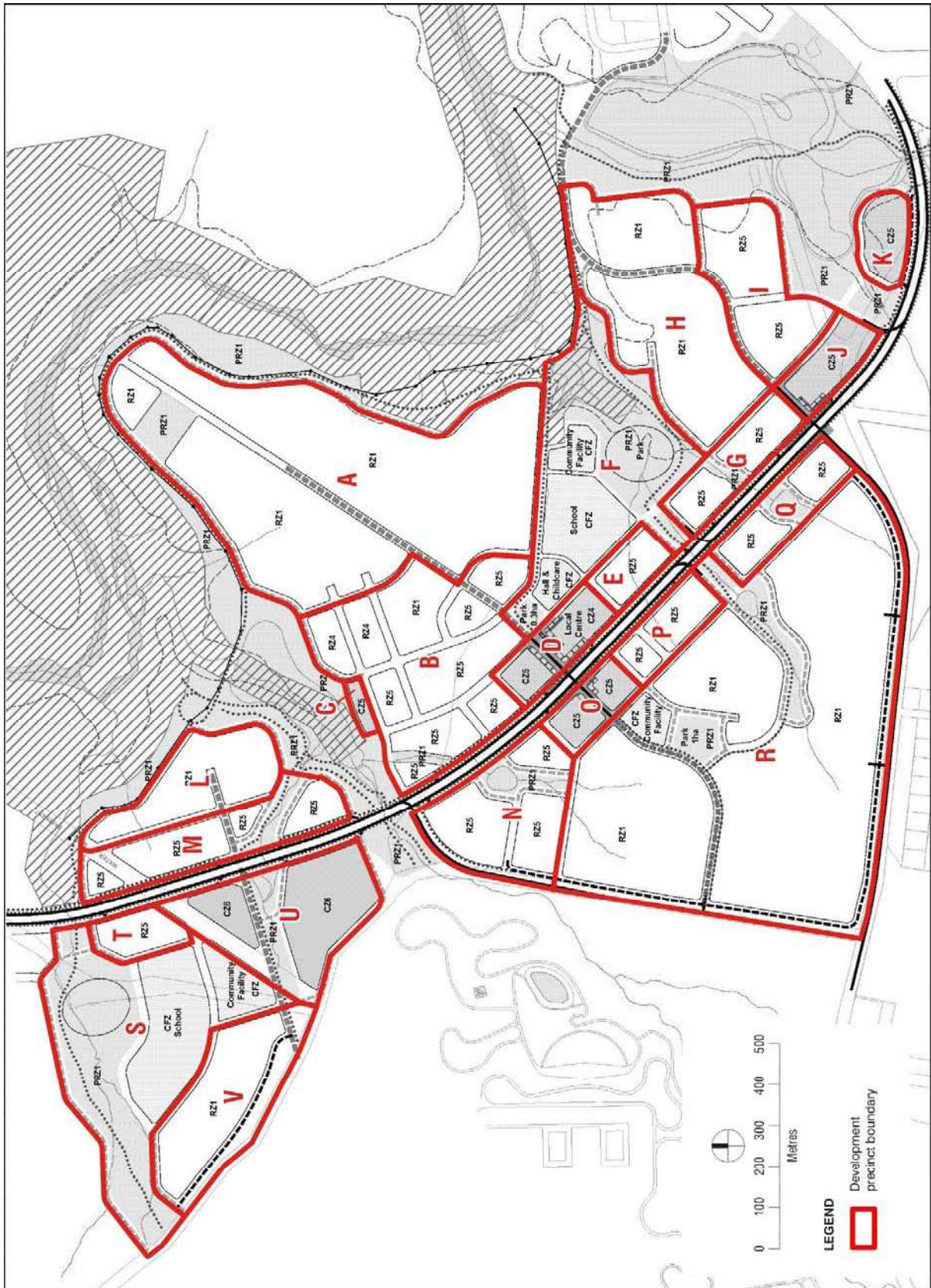


Figure 2: Development precincts

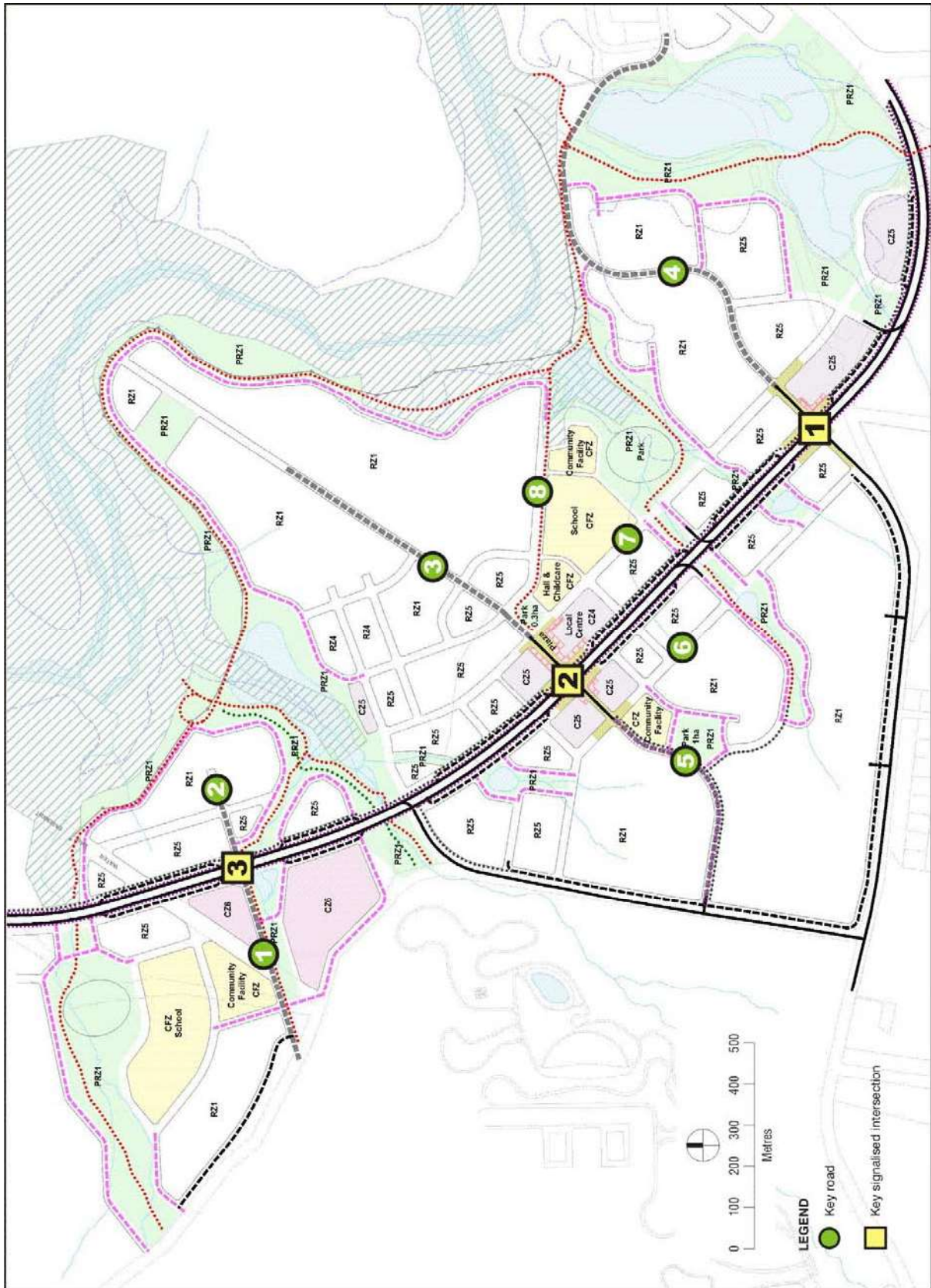


Figure 3: Key roads and signalised intersections

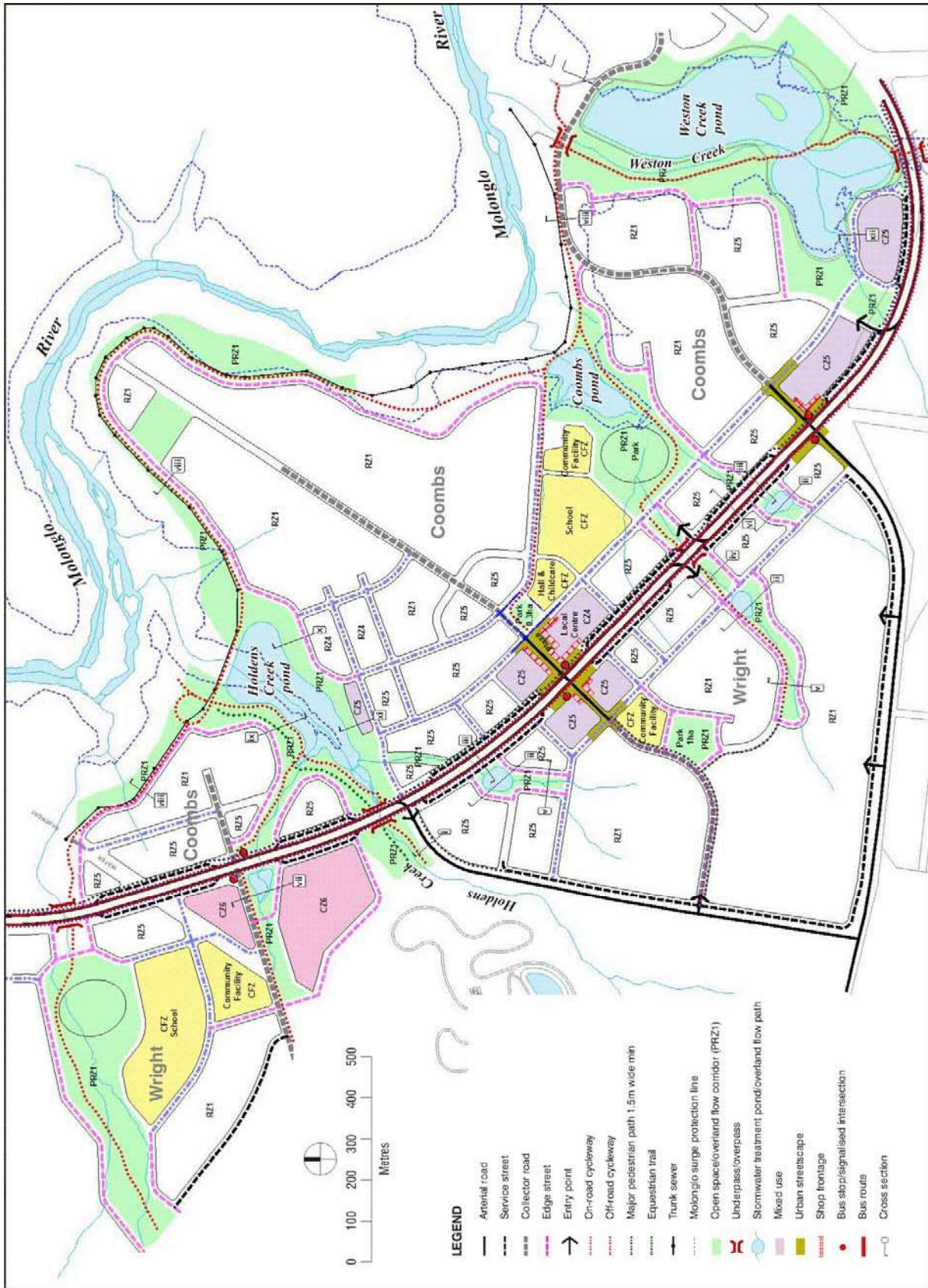


Figure 4: Concept plan

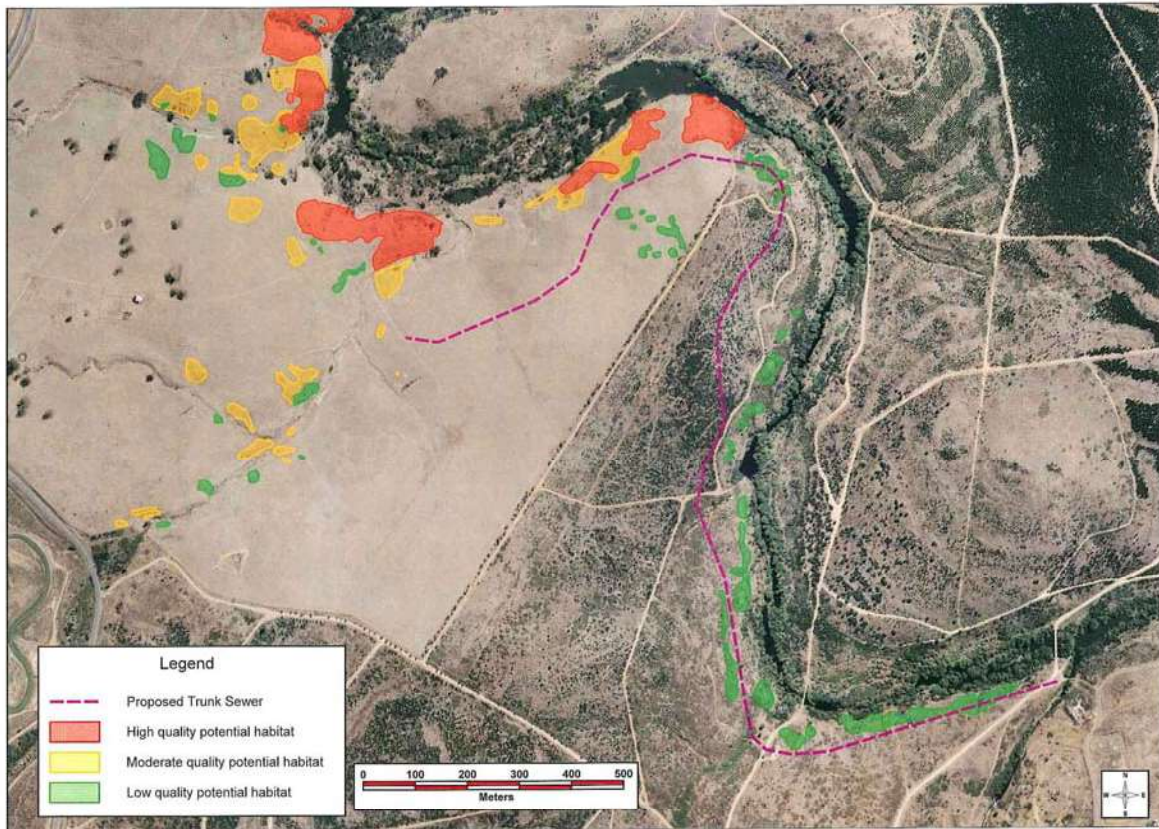


Figure 5: Areas of Pink-tailed worm lizard (*Aprasia parapulchella*) habitat

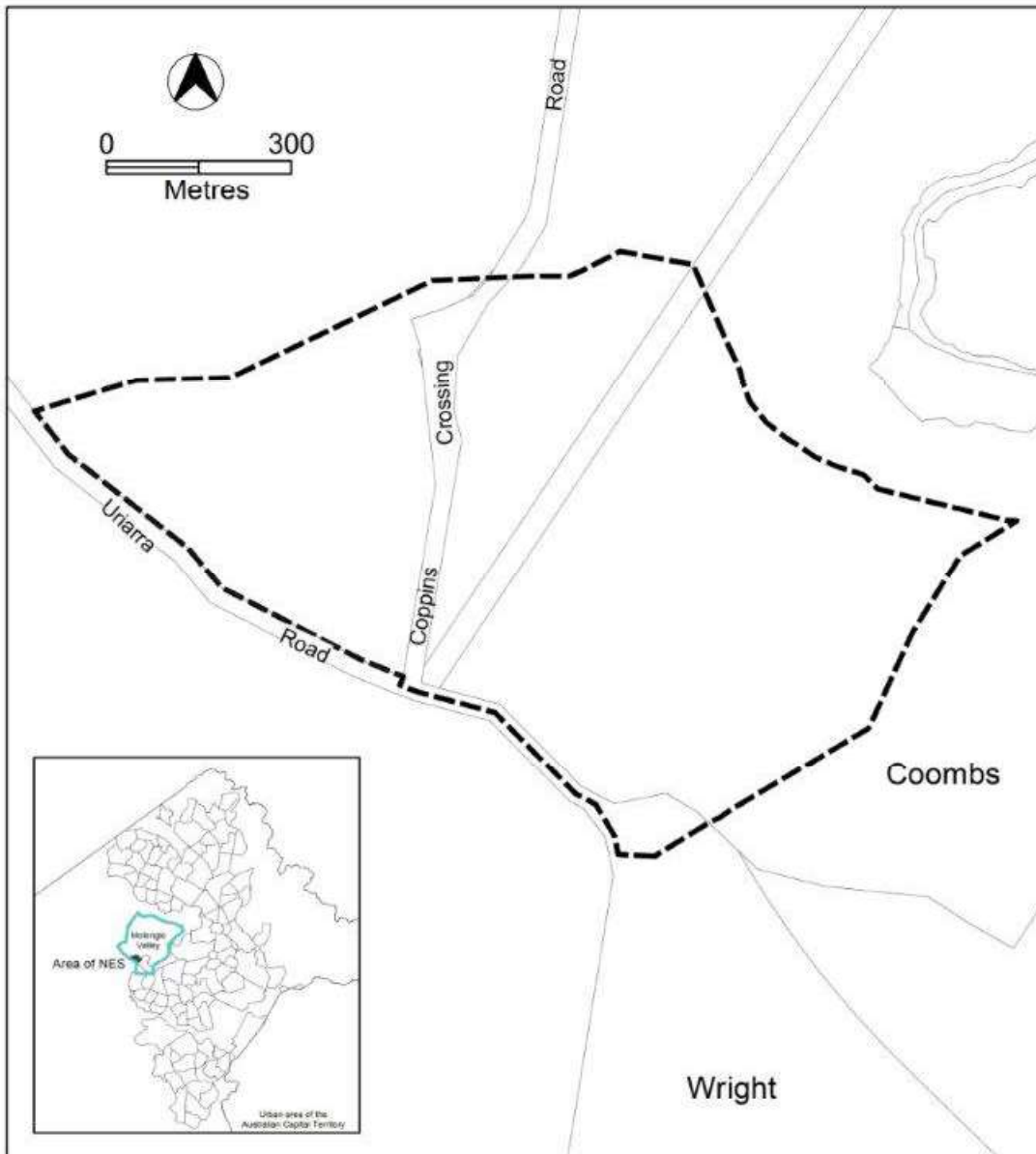
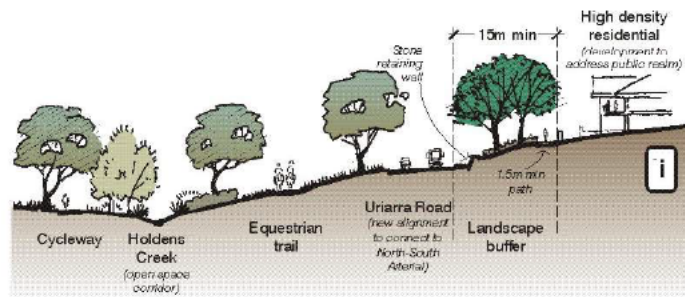
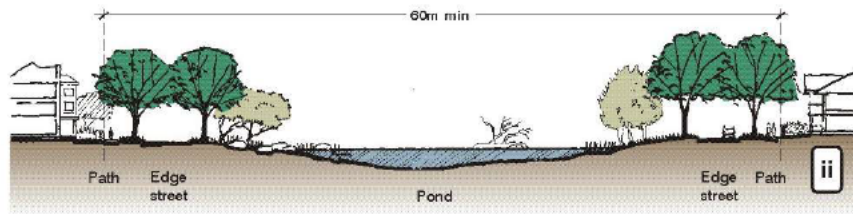


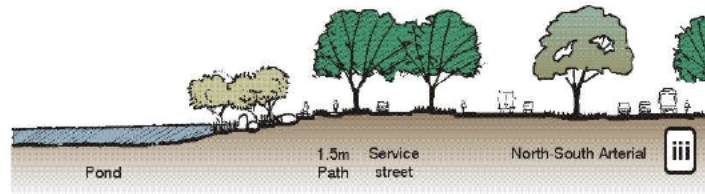
Figure 6: Area affected by the NES Plan



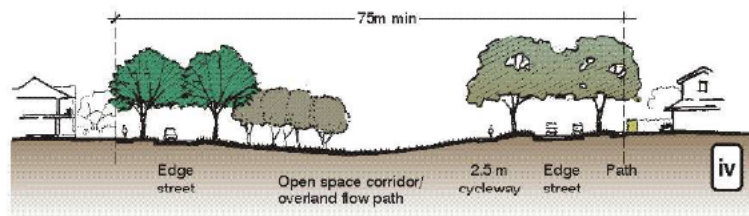
Uriarra Road between Holdens Creek and precinct N



Ponds in precinct N

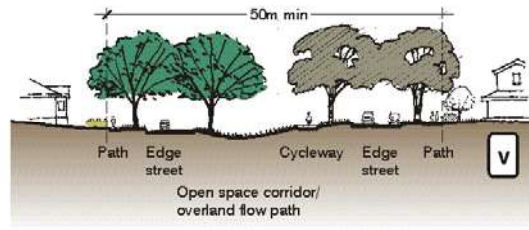


North-south arterial road, service street and pond in precinct N

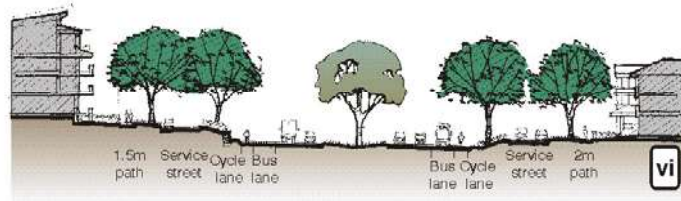


Open space corridor between precincts P and Q

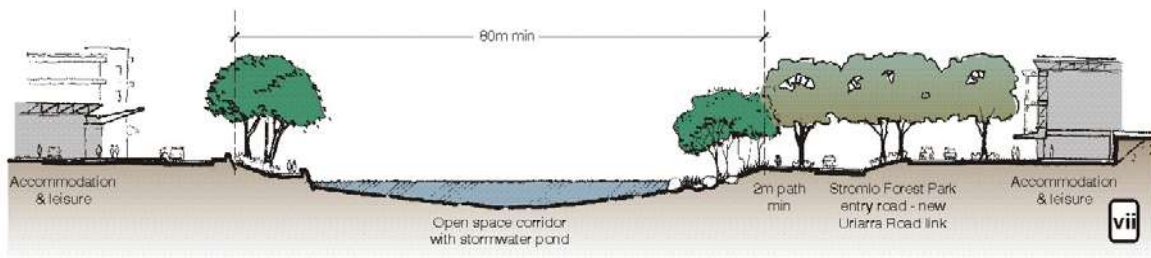
Sections i-iv



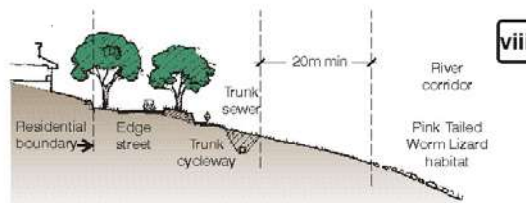
Open space corridor in precinct R



North-south arterial road - boulevard cross section

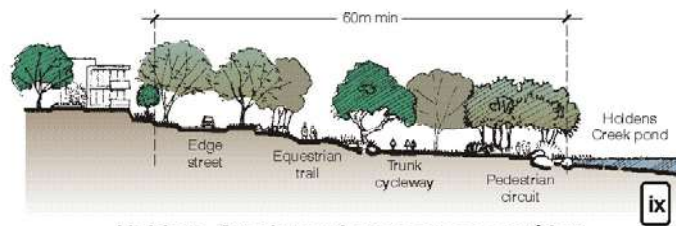


Stromlo Forest Park entry precinct

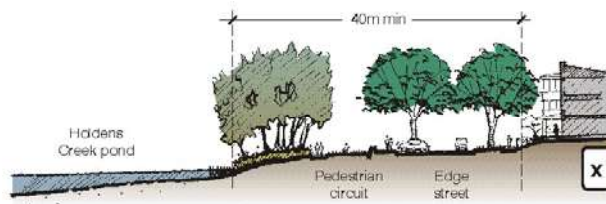


Molonglo River corridor

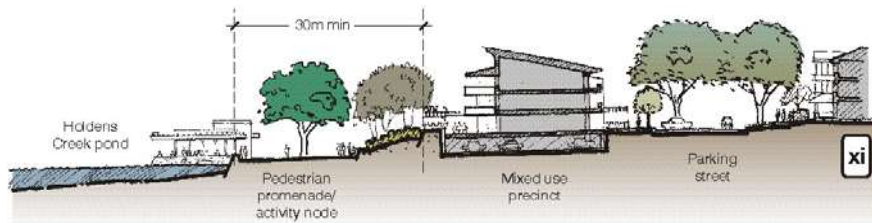
Sections v-viii



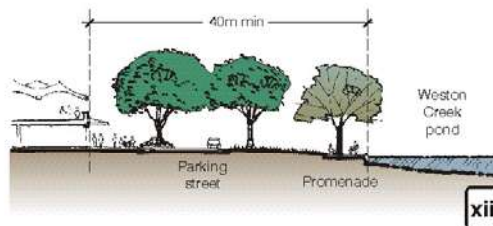
Holdens Creek pond open space corridor



Holdens Creek open space corridor



Holdens Creek pond open space corridor



Weston Creek pond mixed use precinct

Sections ix-xii

From: [Evatt, Ebony](#) on behalf of [EPD, Customer Services](#)
To: [Pham, Minh](#)
Subject: FW: Primary Use/ Predominant use of land [SEC=UNCLASSIFIED]
Date: Friday, 13 April 2018 10:12:31 AM
Attachments: [D_crown_lease.pdf](#)
[D_title_search_opposing_block.pdf](#)
[FLOOR-201628852-S197D-01.pdf](#)
[fitout.pdf](#)

Good Morning Minh,

Can you please assist [REDACTED] with his concern below? I don't believe it is a representation. The DA is complete, but he has concerns in relation to it.

Kind Regards,

Ebony

From: [REDACTED]

Sent: Thursday, 12 April 2018 11:10 AM

To: EPD, Customer Services <EPDCustomerServices@act.gov.au>

Subject: Primary Use/ Predominant use of land

Dear Sir/ Madam ,

1-According to the Definition section of the Territory Plan , Ancillary use is : The use of the land for a purpose that is ancillary to the primary use of the land.

If there are 5 or 6 different developments have different uses approved on the same block of land that was leased for the same developer how can the Authority decide which use would be the the primary use ?

For example , Block 1 Section 17 Coombs on Deposited Plan 11174 the area of the block is 8844sqm.

Approved developments:

1- Childcare center.

2- Gym

3-Vet

4-Dentistry

5- specialists area

6- Medical centre which is the smallest area only 632sqm around 7% of the total block area 8844sqm.

2-Additionally,the crown lease has **Specific Planning requirements** in Annexure 2

The medical centre is located in Section C on the block : which is meant to accommodate **optional uses** identified in Annexure 3 .

Section C currently includes a medical centre , dentistry and specialists area as per the approved plans.

Therefore , the medical centre is just a part of the health facility which is an **optional use** as per the crown lease.

my question is : can the optional use considered by the Authority as a primary use of the land ?

3- On the 24th of April 2017 , the developer put an application number 201628852S197D for a medical centre and an ancillary chemist and the application was approved on 16/05/2017.

The area of the medical centre is only 7% of the total area of the block of land and the crown lease classifies the health facility as an additional or optional use not as a primary use of the land , how the ancillary pharmacy was approved as ancillary use to the primary use of the land? I strongly believe that the child care in section B is the primary use of the land according to the specific planning requirements listed in the crown lease.

4- Also , Annexure 3 states that the permitted uses of the land are

a-Child care centre

b-Community activity centre

c- One additional use . Ancillary use is not one of the permitted uses listed.

I had a conversation with a staff member earlier this week about the addition of ancillary use to the health facility but when I checked the Estate Planning of Block 1 Section 17 Coombs , the procedure for substitution of annexures 3 and 4 and I found that the substitution in annexure 3 has to be considered by the Estate Manger and a Deed of variation has to be prepared by the Territory and has to be executed by all parties and physically attached to the Deed .

Your website encourages the community to raise a concern or report any possible unlawful action that may affect the community .

I think the ancillary pharmacy should not have been approved because the medical centre is not not the primary use of the land according to Specific Planning requirements in Annexure 2 , it is only 7% of the total area and classified as a part of the optional/additional uses. Whoever approved the pharmacy did not check the Deed or its annexures.


And the developer did not follow the procedures of substitution of annexure 3 as per the Estate Planing.

The matter is very serious because there is an application was made to the Minister of Health Greg Hunt to exercise his discretionary power under Subsection 90A (2) of The National Health Act 1953 the to approve the Pharmaceutical benefits PBS supply at this ancillary chemist . Thus investigation is crucial .

Also , another application was made to The Health Protection Services to approve the operation of a community pharmacy at that ancillary chemist .

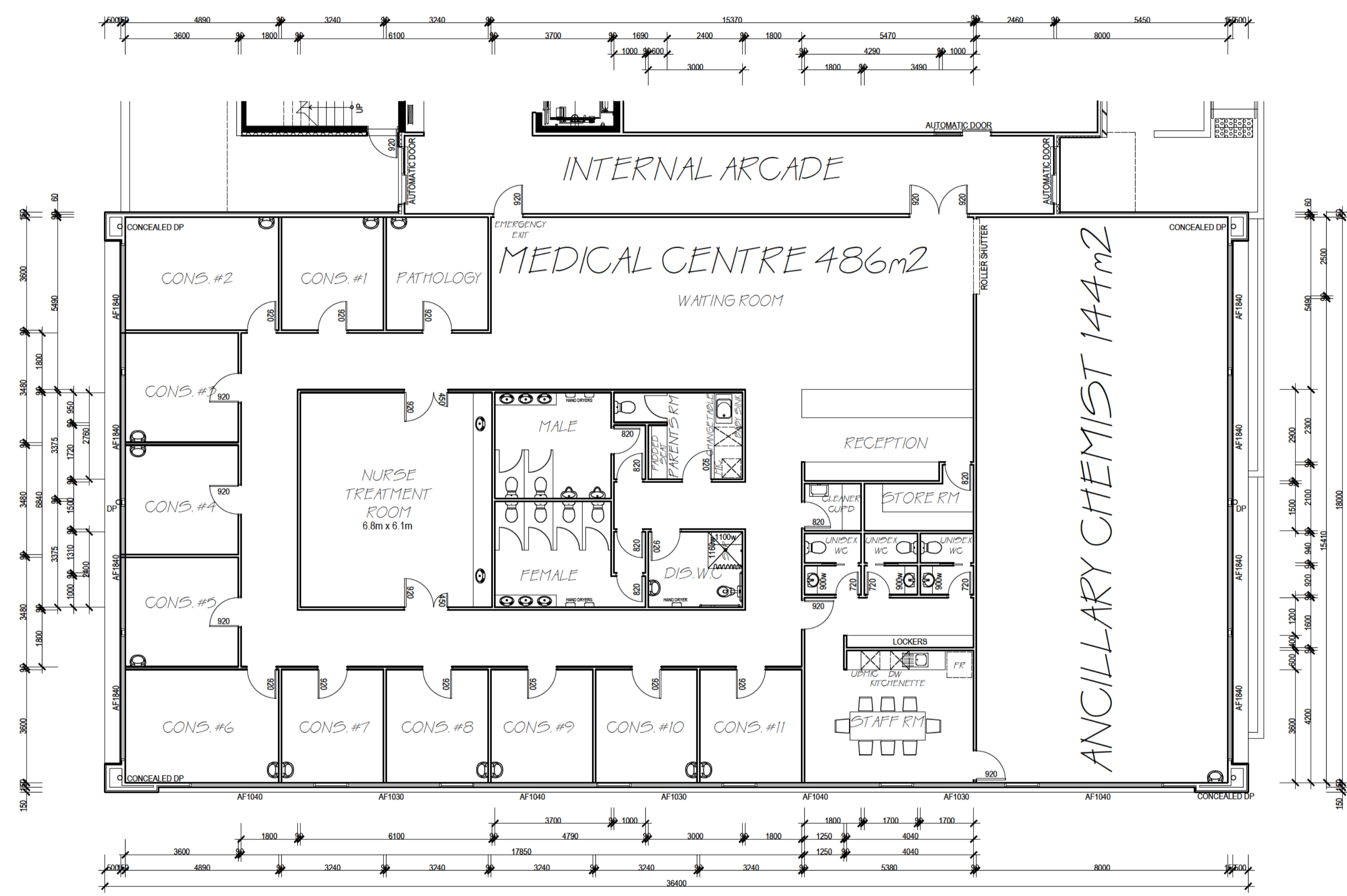
Revising the Deed and approved plans is required please, when you ask the community to comment on a proposed development application you do not show us the crown lease or the specific requirements we just expect you to check the Deed and all the requirements thoroughly.

Regards



DO NOT SCALE OFF PLAN. WRITTEN DIMENSIONS WILL TAKE PRECEDENCE.
 [FR] INDICATIVE LOCATIONS OF REFRIGERATOR'S OTHER APPLIANCES.
 MAINTAIN CAVITY CONSTRUCTION.
 ALL BUILDING WORK MUST COMPLY WITH THE N.C.G. AND ALL RELEVANT A.C. CODES.

PLANNING AND DEVELOPMENT ACT 2007
APPROVAL AMENDED
 PURSUANT TO SECTION 198
 IN RESPECT OF THE NOMINATED
 AMENDMENTS ONLY
 Delegate name AJITH BUDDHADASA
 Date 16/5/2017



NOTE:
 FULL SMOKE DETECTION SYSTEM TO AS1670.1 - 2015 REQUIRED THROUGHOUT THIS BUILDING CONNECTED TO F.I.P IN SPRINKLER VALVE ENCLOSURE

REVISION VERSION & DATE:
1. V1- 08-09-2016
2. V3- 21-10-2016
3. V4- 1-11-2016
4. V5- 7-11-2016
5. V6- 20-12-2016

FLOOR LEVELS:
GYM: 565.9
SPECIALISTS/ DENTIST: 565.9
MEDICAL: 565.9

NOTE:
 FLOOR AREAS NOTED ARE INTERNAL FLOOR AREAS ONLY, NOT GFA

- AMENDMENTS: 27-04-2017
1. PLANT ROOMS ADDED
 2. STAIRS / ELEVATOR TO PLANT ROOM ADDED
 3. AWNING / ROOF ALTERED
 4. WINDOWS ALTERED
 5. FFL ALTERED
 6. MEDICAL CENTRE FITOUT

DETAIL SURVEY BY:
 SCOTT D McNIVEN & ASSOCIATES
 CONSULTING LAND & ENGINEERING SURVEYORS
 UNIT 12 TORRENS PLACE, TORRENS ACT 2607
 T (02) 62902369 F (02) 6286 8148 Email survey@sdma.com.au

PROJECT: COOMBS CHILDCARE & MEDICAL CENTRE
 CLIENT: WSL INVESTMENTS
 LOCATION: BLK: 1 SEC: 17
 SUB: COOMBS

SHEET TITLE: AMENDMENT #6:
 MEDICAL CENTRE
 FIT-OUT PLAN
 SHEET No: 1 of 1
 SCALE: 1:100
 DATE: 24/03/17
 JOB No: 001A0

VRD DESIGN
 ABN 53 008 609 925 PH: (02)6239 1235 MOB: 0414488420

From: [Teasdale, Jonathan](#)
To: [REDACTED]
Subject: RE: Block 1 Section 17 Coombs [SEC=UNCLASSIFIED]
Date: Wednesday, 16 May 2018 1:53:00 PM

Hi [REDACTED]

Thank you for your further email.

It's not clear to me what you're asking for, but I'll assume you wish to progress a concern you hold about the chemist.

Given the DA has already been approved, and there are no longer ACAT appeal rights, I suggest you contact Access Canberra on 13 22 81 and lodge a formal complaint, if that is what you wish to do.

The area I work in is responsible for administering lease variation development applications. I think what you're perhaps enquiring about is more a post approval matter, hence my suggestion to contact Access Canberra.

Kind regards

Jonathan Teasdale

From: [REDACTED]
Sent: Monday, 14 May 2018 8:17 PM
To: Teasdale, Jonathan <Jonathan.Teasdale@act.gov.au>
Subject: Block 1 Section 17 Coombs

Dear Mr Teasdale,

I am writing my second complaint about the unlawful development of an ancillary chemist to the medical centre at block 1 section 17 Coombs.

The DA application number 201628852S197D for a medical centre and ancillary chemist that was approved on 16/05/2017 did not comply with the Territory Plan, breached the Planning and Development Act 2007 and violated the Crown Lease.

According to the Territory Plan , Ancillary use means the use of land for a purpose that is ancillary to the primary use of land . Reference : Territory Plan section 13 : Definitions page 1.

The Primary use of Block 1 Section 17 Coombs :

The sole reference for the primary land use of any block of land is the Concept Plan which is the Precinct Code for Section 93 of the Planning and Development Act 2007.

Therefore , Coombs and Wright Concept Plan is the Precinct Code in our Case. Block1 section 17 Coombs located in Precinct F : Community Facility zone Reference : Coombs and Wright Concept Code figure 1 page 26.

Primary Land use of Block 1 Section 17 Coombs is Community Hall and Child care and not a health centre Reference : Coombs and Wright Concept Code (The Precinct Code) , the land use plan page 6 and figure 4 page 28.

The medical centre is an additional or optional use and not the primary use as per the Crown lease of the same block, thus the ancillary chemist should not have been approved as ancillary use to the optional /additional /not-a-primary

use of the land.

All supporting documents are attached.

Kind regards,



From: [REDACTED]
To: [Pham, Minh](#)
Cc: [REDACTED]
Subject: RE: Certificate of partial Completion for Occupancy [SEC=UNCLASSIFIED]
Date: Monday, 5 March 2018 10:55:14 AM
Attachments: [image001.jpg](#)

Thanks Minh

I Called and they said it will possibly be sent out today depending on workload, so I mentioned that 140 children are waiting to use the centre and is very urgent.

Regards

[REDACTED]
cid:00135CB3-863A-48CB-B99A-3587907BEDA0



From: Pham, Minh [mailto:Minh.Pham@act.gov.au]
Sent: Monday, 5 March 2018 10:44 AM
To: [REDACTED]
Subject: RE: Certificate of partial Completion for Occupancy [SEC=UNCLASSIFIED]

Hi [REDACTED]

I completed 1/17 Coombs and sent it to Access Canberra for dispatch last Friday morning; it is still in their hands for processing. You can contact Access Canberra on 6207 1923 for their progress.

Regards

Minh Pham | Assessment Officer | Commercial and Industrial

Phone: 02 6207 8684 | **Email:** minh.pham@act.gov.au

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

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

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

From: [REDACTED]
Sent: Monday, 5 March 2018 10:35 AM
To: Pham, Minh <Minh.Pham@act.gov.au>
Subject: FW: Certificate of partial Completion for Occupancy

Hi Minh

How are the amended plans going?

My client is desperate, They have 140 children arriving tomorrow without a Service approval unless we can get the plans today

Regards

[REDACTED]
cid:00135CB3-863A-48CB-B99A-3587907BEDA0



From: [REDACTED]
Sent: Friday, 2 March 2018 4:16 PM
To: [REDACTED]
Subject: RE: Certificate of partial Completion for Occupancy

we are all set up to receive children we just need a Service Approval..... sounds as though there are some certificates and letters to chase..... is it as simple as it sounds?

From: [redacted]

Sent: Friday, 2 March 2018 4:13 PM

To: [redacted]

Cc: [redacted]

Subject: RE: Certificate of partial Completion for Occupancy

Hi [redacted]

These are the issues I sent to [redacted] today still outstanding:

Paperwork requested by the certifier ([redacted]):

Please sign the application form C of O attached

Letter from Owner- stating that all works are completed for the childcare building only and in 2 months all building works will be completed.

Letter from Builder- stating that all works are completed for the childcare building only and in 2 months all building works will be completed.

I am waiting for:

[redacted] report

Defire report/letter

Alucobond certificate

Approved amended plans

Regards

cid:00135CB3-863A-48CB-B99A-3587907BEDA0



From: [redacted]

Sent: Friday, 2 March 2018 4:07 PM

To: [redacted]

Cc: [redacted]

Early Learning Centre

Subject: Certificate of partial Completion for Occupancy

Importance: High

Dear [redacted]

We are urgently seeking your advice and update of the issuing of the certificate of occupancy.

We have the Department of Children's services on standby to issue us with a Service Approval on receipt.

Can you urgently call me on [redacted] with an update on when this will be issued?

kindest regards

[redacted]
Canberra Early Learning Services

Founder, Director, Childcare Expert

Head Office | P 6221 9380 | F 6154 2564

2/83 Gozzard Street Gungahlin ACT 2912

We pay our respect to Elders past and present and we commit to our work being grounded in cultural respect.

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